



**City of St. Helena
Planning Commission
Regular Meeting
Tuesday, March 21, 2017 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena**

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of three minutes.

Page

1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL
Chairperson: Grace Kistner
Vice Chair: Vacant
Commissioners: Sarah Parker, Bobbi Monnette, Tracy Sweeney, David Knudsen
City staff present at the meeting will be noted in the minutes.
3. PUBLIC FORUM:
This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of three minutes.**
4. CONSENT ITEMS
Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)
 - 4.1. Approval of regular meeting minutes
[COMMISSION MINUTES 11-15-16](#)
[COMMISSION MINUTES 12-20-16](#)
[COMMISSION MINUTES 3-7-17](#)
 - 4.2. **FILE NUMBER:** PL17-018
LOCATION OF PROPERTY: 1050 Charter Oak Ave.
PROJECT DESCRIPTION: Applicant is requesting sign permit approval for a sign associated with a new restaurant (The Charter Oak) set to occupy the former Tre Vigne space.

7 - 24

25 - 37

CEQA Determination: This project is exempt from the requirements of CEQA pursuant to Section 15311 of the CEQA Guidelines, which exempts on-premise business signs.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff finds that the proposed sign is in compliance with all required standards and therefore recommends that the Planning Commission:

1. Determine that the signs are exempt from the requirements of CEQA

pursuant to Section 15311, Class 11(a) of the CEQA Guidelines which exempts on-premise business signs; and

2. Approve the request for a Sign Permit in order to place a new monument sign on the property located at 1050 Charter Oak Avenue.

[Staff report - 1050 Charter Oak](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Plans](#)

[Attachment 3 - Applicant Statment](#)

4.3. **LOCATION OF PROPERTY:** 2555 Main and 830 Pratt Ave. 39 - 41

PROJECT DESCRIPTION: Denial Resolution

[DENIAL Resolution- 2555 Main and 830 Pratt](#)

5. PUBLIC HEARINGS

5.1. **FILE NUMBER:** PL17-004 43 - 65

LOCATION OF PROPERTY: 1380 Main Street, Suite #102

PROJECT DESCRIPTION: Applicant is seeking a use permit in order to open a combination sporting goods, hobby, and housewares store with an ancillary wine shop in Suite #102 of the Menegon Building at 1380 Main Street.

CEQA Determination: Staff finds that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities; and

2. Accept the required findings and approve a Use Permit for 1380 Main Street Suite #102.

[Staff Report - 1380 Main St.](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Floor plans](#)

[Attachment 3 - Sample products](#)

5.2. **FILE NUMBER:** PL16-088 67 - 82

LOCATION OF PROPERTY: 1764 Park Street

PROJECT DESCRIPTION: Applicant, Kevin Horowitz, on behalf of property owners, Tom Rinaldi and Beverly Kinney, is requesting Design Review approval to construct a new unenclosed wraparound porch extending along the west and south elevations of the existing residence.

CEQA Determination: The project is exempt from the requirements of CEQA pursuant to Section 15301, which exempts the minor alteration of existing private structures.

Prepared By: Lilly Bianco, Contract Planner

Recommendation:

Staff recommends that the Planning Commission adopt a resolution finding that:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15301 as the minor alteration of an existing structure.
2. Accepts the required findings and approve Design Review for the Kinney/Rinaldi Porch project.

[Staff Report - 1764 Park Ave.](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - APN Map](#)

[Attachment 3 - Street Aerial View](#)

[Attachment 4 - Project Plans](#)

- 5.3. **PROJECT DESCRIPTION:** Draft Ordinance making Municipal Code amendments to Chapter 17.126 expanding the application of the City of St. Helena's Medical Marijuana regulations in response to the passage of the California Proposition 64, or the Adult Use of Marijuana Act (AUMA), effective November 9, 2016.

83 - 102

Prepared By: Lilly Bianco, Contract Planner

CEQA Determination: *The Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment. Moreover, the adoption of this Ordinance is further exempt from CEQA because the Ordinance does not change, but instead codifies existing City law and practice.*

Recommendation:

Staff recommends that the Planning Commission review the proposed text amendments to Municipal Code Chapter 17.126 and recommends the following:

1. *Determine that the proposed amendments to Municipal Code Chapter 17.126 are exempt under Public Resources Code Section 21080.17, and*
2. *Review and accept the proposed amendments to Municipal Code Chapter 17.126 and recommend that the City Council approve the proposed amendments in order to establish compliance with the amended text of the Control, Regulate and Tax Adult Use of Marijuana Act, No. 15-0103.*

[Staff Report - Marijuana Ordinance Update Planning Commission](#)

[Attachment 1 - Marijuana Ordinance Update Reso](#)

[Attachment 2 - Marijuana Draft Code Language](#)

[Attachment 3 - Marijuana St. Helena Prop. 64 Memo\(1\) from CA Office](#)

[Attachment 4 - Marijuana AUMA-FAQ Updated-on-November-22](#)

6. NEW BUSINESS

- 6.1. **PROJECT DESCRIPTION:** *Consideration of a Proposed Resolution to Approve and Submit Annual Housing Element Progress Reports for Calendar Years 2011 through 2016*

103 - 190

CEQA Determination: *Annual Reporting of the Housing Element Implementation Progress Reports is not a Project Under CEQA.*

Prepared By: Noah Housh, Planning Director

Recommendation:

It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Review and comments as needed and file and receive the provided report.

[Staff Report - Housing Element](#)

[HE Attachment 1 - 2016 Annual Housing Element Progress Report](#)

[HE Attachment 2 - 2015 Annual Housing Element Progress Report](#)

[HE Attachment 3 - 2014 Annual Housing Element Progress Report](#)

[HE Attachment 4 - 2013 Annual Housing Element Progress Report](#)

[HE Attachment 5 - 2012 Annual Housing Element Progress Report](#)

[HE Attachment 6 - 2011 Annual Housing Element Progress Report](#)

7. SCHEDULED MATTERS

8. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

8.1. Vote for Planning Commission Vice-Chair

9. AGENDA FORCAST

Attached is a summary document of pending projects and up coming and items of priority and interest that will be placed on future agendas. This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

9.1. [PC TENTATIVE AGENDA February 2 2017 Update](#)

191 - 193

10. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for April 4, 2017, at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was posted at City Hall, 1480 Main Street, and at Vintage Hall, 465 Main Street, St. Helena, California on March 17, 2017.



Noah Housh, Planning Director

Appeal. A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements

to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

PUBLIC TESTIMONY PROCEDURES

Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior comments. All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofsthenana.org> and will be available for public review at the respective meeting.



Action Minutes City of St. Helena Planning Commission

Regular Meeting
Tuesday, November 15, 2016 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of three minutes.

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chairperson: Grace Kistner

Vice Chair: Mary Koberstein

Commissioners: Bobbi Monnette, Tracy Sweeney

Absent: Sarah Parker

Staff Present: Noah Housh, Planning and Community Improvement Director, Aaron Hecock, Senior Planner, Thomas Brown, City Attorney, Steve Palmer, Director of Public Works, Cindy Black, City Clerk, Xinia Gamero, Administrative Assistant.

3. PUBLIC FORUM:

This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of three minutes.**

Chair Kistner opened Public Comment.

Vicky Bradshaw addressed the Commission.

Chair Kistner closed Public Comment.

4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

4.1. None

5. PUBLIC HEARINGS

Commissioner Monnette recused herself from Items 5.1 and 5.2 due to a conflict, living in close proximity to properties, and left the dais at 6:06 p.m.

- 5.1. DESCRIPTION: Request by Our Town St. Helena (OTSH) for Tentative Subdivision Map, Demolition Permit and Design Review approval to demolish a single-family home and accessory structures in order to construct 8 new, affordable, attached townhomes on the property located at 684 McCorkle Avenue in the HR: High Density Residential district.

RECOMMENDED ACTION:

1. Make a recommendation to the City Council whether or not to grant the applicant's request for a water neutrality waiver;
2. Confirm the applicant's request for an alternative frontage improvement; and find that
3. The project is exempt from the requirements of CEQA pursuant to Section 15332, which exempts projects characterized as in-fill development; and
4. Accept the required findings and recommend approval of the tentative subdivision map to the City Council and approve demolition permit and design review for the proposed subdivision and new construction at 684 McCorkle Avenue.

Aaron Hecock reported on Item.

Mary Stephenson, applicant addressed the Commission.

Chair Kistner opened Public Comment.

Vicky Bradshaw addressed the Commission.

Chair Kistner closed Public Comment.

City Attorney, Thomas B. Brown addressed the Commission.

MOTION: Commissioner Sweeney moved that the Planning Commission make a recommendation to the City Council to grant the applicant's request for a water neutrality in-line fee payment; confirm the applicant's request for an alternative frontage improvement; find the project exempt from the requirements of CEQA pursuant to Section 15332, which exempts projects characterized as in-fill development; and accept the required findings and recommend approval of the tentative subdivision map to the City Council and approve demolition permit and design review for the proposed subdivision and new construction at 684 McCorkle Avenue. The motion was seconded by Vice Chair Koberstein and roll call carried by the following vote:

AYES: Commissioners Sweeney, Koberstein and Kistner

NOES: None

ABSENT: Commissioner Parker

RECUSED: Commissioner Monnette

ABSTAIN: None

- 5.2. Tentative Map, Use Permit and Design Review applications requesting approval to subdivide an existing 2.5 acre parcel into 5 lots ranging in

size from 0.17 acres to 0.77 acres; and to construct two new homes each with a second dwelling unit on two of the newly created parcels, located at 574 Pope Street in the Medium Density Residential Zoning District.

RECOMMENDED ACTION:

1. Determine that the project is categorically exempt from the requirements of CEQA under CEQA Sections 15332, 15303 and 15061 (b) 3.
2. Accept the required findings and approve the Use Permit and Design Review for the requested reduction in density and construction of two new single family homes, each with a Second Dwelling Unit; and
3. Accept the required findings and recommend that the City Council approve the proposed subdivision of the parcel at 574 Pope Street into 4 new parcels and a private road.

Noah Housh reported on Item.

Chair Kistner opened Public Comment.

Robert Trincherro and Kevin Block addressed the Commission.

Chair Kistner closed Public Comment.

MOTION: Commissioner Sweeney moved to accept the required findings and approve the Design Review for construction of two new single family homes, each with a Second Dwelling Unit. The motion was seconded by Chair Kistner and roll call carried by the following vote:

AYES: Commissioners Sweeney, Kistner and Koberstein

NOES: None

ABSENT: Commissioner Parker

RECUSED: Commissioner Monnette

ABSTAIN: None

MOTION: Vice Chair Koberstein moved to recommend that the City Council deny the proposed subdivision of the parcel at 574 Pope Street into 4 new parcels and a private road. The motion was seconded by Chair Kistner and roll call carried by the following vote:

AYES: Commissioners Koberstein and Kistner

NOES: Commissioner Sweeney

ABSENT: Commissioner Parker

RECUSED: Commissioner Monnette

ABSTAIN: None

MOTION: Vice Chair Koberstein moved to deny the Use Permit for the requested reduction in density. The motion was seconded by Chair Kistner and roll call carried by the following vote:

AYES: Commissioners Koberstein and Kistner

NOES: Commissioner Sweeney
ABSENT: Commissioner Parker
RECUSED: Commissioner Monnette
ABSTAIN: None

Prior to the final vote on the item, applicant Robert Trinchero withdrew application.

6. SCHEDULED MATTERS

- 6.1. Request by the Planning Department for Planning Commission direction regarding application of Design Review requirements.

RECOMMENDED ACTION:

1. Support the request by staff to administratively approve minor modifications to existing properties, as identified in order to better utilize the resources of the Planning Department; or
2. Provide additional clarifying direction regarding the use of Design Review Exemptions as envisioned by the Planning Commission.

MOTION: Chair Kistner moved to continue Item 6.1 to date uncertain, to all participation by the full Planning Commission. The motion was seconded by Vice Chair Koberstein and roll call carried by the following vote:

AYES: Commissioners Kistner, Koberstein and Sweeney
NOES: None
ABSENT: Commissioner Parker
RECUSED: Commissioner Monnette
ABSTAIN: None

7. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

8. AGENDA FORCAST

Attached is a summary document of pending projects and up coming and items of priority and interest that will be placed on future agendas. This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

9. ADJOURNMENT: Chair Kistner adjourned the meeting at **7:46 p.m.**

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning Director



Action Minutes City of St. Helena Planning Commission

Regular Meeting

Tuesday, December 20, 2016 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of three minutes.

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chairperson: Grace Kistner

Vice Chair: Vacant until filled.

Commissioners: Sarah Parker, Bobbi Monnette, Tracy Sweeney

Staff Present: Noah Housh, Planning and Community Improvement Director,
Lilly Bianco, Contract Planner, Erica Smithies, Assistant Public Works Director,
Thomas Brown, City Attorney, Xinia Gamero, Administrative Assistant.

3. PUBLIC FORUM:

This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of three minutes.**

No Public Comment received.

4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

Commissioner Monnette and Chair Kistner pulled Items 4.1 and 4.2 from Consent Calendar.

4.1. Approval of Minutes December 6, 2016

[COMMISSION MINUTES 12-06-16](#)

4.2. **DESCRIPTION:** Design Review Exemption requesting approval to construct a new exterior door, deck and staircase along the southern elevation of the existing residence, re-construct an existing non-conforming deck and staircase in a slightly new configuration and install a new French door on the western and northern elevation of the residence and construct a carport that was previously required but

never constructed for the existing single family residence at 1550 Allyn Avenue.

RECOMMENDED ACTION:

It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA under a Class 1 Categorical Exemption under Section 15301 of CEQA.
2. Accept the required findings and approve the required Design Review Exemption for the proposed project.

Noah Housh addressed the Commission.

MOTION: Commissioner Parker moved to approve the Consent Calendar as amended. The motion was seconded by Commissioner Monnette and roll call carried by the following vote:

AYES: Commissioner Parker, Monnette, Sweeney and Kistner

NOES: None

ABSENT: None

ABSTAIN: None

5. PUBLIC HEARINGS

- 5.1. **DESCRIPTION:** Requesting a Demolition Permit and Design Review Approval on behalf of property owner, John McGraw, to demolish the existing single family residence and construct a new single family residence and appurtenant improvements at 1225 Allyn Avenue in St. Helena.

RECOMMENDED ACTION::

Staff finds that the proposed configuration of the site, the overall design elements and proposed materials/finishes are in character with the neighborhood and the community in general. Because of this staff concludes that design review findings can be made and recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA, pursuant to Section 15301, which exempts demolition of existing structures and Section 15303, which exempts the construction single-family residences.
2. Accept the required findings and grant the demolition permit and design review approval for the McGraw Residence at 1225 Allyn Avenue.

Lilly Bianco reported on Item.

Bob Branstad and Shaun Faber addressed the Commission.

Chair Kistner opened Public Comment.

John Hawkins addressed the Commission.

Chair Kistner Closed Public Comment.

MOTION: Commissioner Monnette moved that the Planning Commission determine that the project is exempt from the requirements of CEQA, pursuant to Section 15301, which exempts demolition of existing structures and Section 15303, which exempts the construction of single-family residences and; accept the required findings and grant the demolition permit and design review approval as amended for the McGraw Residence at 1225 Allyn Avenue. The motion was seconded by Commissioner Sweeney and roll call carried by the following vote:

AYES: Commissioner Monnette, Sweeney, Parker and Kistner

NOES: None

ABSENT: None

ABSTAIN: None

Prior to the discussion of Item 5.2 Commissioner Parker recused herself due to conflict, having a personal relationship with applicant's family and left the dais.

City Attorney, Thomas B. Brown addressed the circumstances in regards to Commissioner Monnette expressing personal opinions of this item prior to the Planning Commission Public Hearing.

Commissioner Monnette read aloud a statement of disclosure to the Commissioners, City Attorney, applicant and the public. Commissioner Monnette stated she would address project independently of any prior opinions made.

Brian Russell, on behalf of applicant addressed the Commission and expressed satisfaction with Commissioner Monnette's statement of disclosure.

- 5.2. DESCRIPTION: Requesting a use permit to operate a 20 seat wine tasting room with retail sales, accessory administrative office space, and outdoor seating in an existing retail space at 1234 Adams Street. There will be two full time employees and one part time employee. Hours of operation will be between the hours of 10:00 a.m. to 6:00 p.m. seven days a week with special events limited to one per month with the potential for hours to be extended until 9:00 p.m. No exterior modifications are proposed as part of the use permit application.

RECOMMENDED ACTION:

The Planning and Community Improvement Department recommends that the Planning Commission:

1. Determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15301 “existing facilities” as the operation of a business within an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination.
2. Accept the required findings enumerated in Municipal Code Section 17.168 040 and adopt a resolution approving a Use Permit for the proposed Ladera Tasting Room.

Lilly Bianco addressed the Commission.

Chair Kistner opened Public Comment.

Brian Russel, on behalf of applicant, and citizen addressed the Commission.

Chair Kistner closed Public Comment.

MOTION: Commissioner Sweeney moved that the Planning Commission determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15301 “existing facilities” as the operation of a business within an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination; and moved to accept the required findings enumerated in Municipal Code Section 17.168 040 and adopt a resolution approving a Use Permit for the proposed Ladera Tasting Room located at 1234 Adams St. The motion was seconded by Chair Kistner and roll call carried by the following vote:

AYES: Commissioner Sweeney and Kistner

NOES: Commissioner Monnette

ABSENT: None

ABSTAIN: None

RECUSED: Commissioner Parker

Commissioner Parker returned to the dais.

6. SCHEDULED MATTERS

6.1. None

7. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

8. AGENDA FORCAST

Attached is a summary document of pending projects and up coming and items of priority and interest that will be placed on future agendas. This is also an opportunity for the Commission as a whole to request items be placed on

future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

8.1. TENTATIVE AGENDA

9. ADJOURNMENT: Chair Kistner adjourned the meeting at **7:06 p.m.**

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning and Community
Improvement Director



Action Minutes City of St. Helena Planning Commission

Regular Meeting

Tuesday, March 7, 2017 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chairperson: Grace Kistner

Vice Chair: Vacant

Commissioners: Sarah Parker, Bobbi Monnette, David Knudsen

Absent: Tracy Sweeney

Staff Present: Noah Housh, Planning and Community Improvement Director, Aaron Hecock, Senior Planner, Lilly Bianco, Contract Planner, Thomas B. Brown, City Attorney, Erica Smithies, Assistant Public Works Director, Xinia Gamero, Administrative Assistant.

3. PUBLIC FORUM:

No Public Comment received.

Commissioner Knudsen and Commissioner Monnette pulled Items 4.2 and 4.3 from the Consent Calendar.

4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

4.1. Approval of regular meeting minutes

[COMMISSION MINUTES 2-7-17](#)

[COMMISSION MINUTES 2-21-17](#)

MOTION: Commissioner Parker moved to approve the Minutes from the February 7, 2017 and February 21, 2017 meetings on the Consent Calendar as amended. The motion was seconded by Commissioner Monnette and roll call carried by the following vote:

AYES: Commissioner Parker, Monnette, Knudsen and Kistner

NOES: None

ABSENT: Commissioner Sweeney

ABSTAIN: None

- 4.2. **FILE NUMBER:** PL17-002
LOCATION OF PROPERTY: 1017 N. Crane Avenue
PROJECT DESCRIPTION: Temple Accessory Shed Design Review Exemption
CEQA Determination: The project is exempt from the requirements of CEQA pursuant to Section 15303
Prepared By: Lilly Bianco, Contract Planner
Recommendation: Staff recommends that the Planning Commission adopt a resolution finding that:
1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15303 as the construction of an accessory structure.
2. Accepts the required findings and approves the design review exemption for the Temple Shed at 1017 N. Crane Avenue.

Contract Planner Lilly Bianco reported on Item.

David Hannawalt addressed the Commission.

Chair Kistner opened Public Comment.

Chair Kistner closed Public Comment.

MOTION: Commissioner Parker moved to adopt staff's recommendation. The motion was seconded by Commissioner Monnette and roll call carried by the following vote:

AYES: Commissioner Parker and Monnette
NOES: Commissioner Kistner and Knudsen
ABSENT: Commissioner Sweeney
ABSTAIN: None

Due to a tie in the Commissioner's vote, a new motion was made.

MOTION: Chair Kistner made a motion for reconsideration of the project. The motion was seconded by Commissioner Monnette and roll call carried by the following vote:

AYES: Commissioner Monnette, Kistner and Parker.
NOES: Commissioner Knudsen
ABSENT: Commissioner Sweeney
ABSTAIN: None

MOTION: Commissioner Parker moved to approve the project as is. The motion was seconded by Commissioner Monnette and roll call carried by the following vote:

AYES: Commissioner Parker, Monnette and Kistner
NOES: Commissioner Knudsen
ABSENT: Commissioner Sweeney
ABSTAIN: None

- 4.3. **FILE NUMBER:** PL16-096
LOCATION OF PROPERTY: 800 Crane Avenue, St. Helena, CA 94574
PROJECT DESCRIPTION: Design Review Exemption for Harold Smith & Sons Concrete Reclaimer Replacement
CEQA Determination: The project is categorically exempt in accordance with CEQA Section 15302
Prepared By: Noah Housh, Planning Director
Recommendation: The Planning and Community Improvement Department recommends that the Planning Commission:
1. Determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15302 "Replacement or Reconstruction" as the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
 2. Accept the required findings enumerated in Municipal Code Section 17.164.030 and adopt a resolution approving a Design Review Exemption for the proposed Harold Smith and Sons Concrete Reclaimer Replacement project.

Planning Director Noah Housh reported on Item.

Chair Kistner opened Public Comment.

Applicant Bob Abbott addressed the Commission.

Chair Kistner closed Public Comment.

MOTION: Chair Kistner moved to adopt staff's recommendation. The motion was seconded by Commissioner Parker and roll call carried by the following vote:

AYES: Commissioner Parker, Kistner and Knudsen

NOES: Commissioner Monnette

ABSENT: Commissioner Sweeney

ABSTAIN: None

5. PUBLIC HEARINGS

- 5.1. **FILE NUMBER:** PL17-005
LOCATION OF PROPERTY: 1380 Main Street, Suite #103
PROJECT DESCRIPTION: Request by Shannon Coombs for a use permit in order to establish a clothing and fashion accessories boutique in a new tenant space located in the Menegon Building at 1380 Main Street in the CB: Central Business district.
CEQA Determination: Staff finds that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1
Prepared By: Aaron Hecock, Senior Planner
Recommendation: Staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities; and
2. Accept the required findings and approve a Use Permit for a new clothing store at 1380 Main Street Suite #103.

Senior Planner Aaron Hecock reported on Item.

Chair Kistner opened Public Comment.

Skip Lane, Allison Molinatti, applicant Shannon Coombs, and Tara addressed the Commission.

Chair Kistner closed Public Comment.

MOTION: Commissioner Parker moved to adopt staff's recommendation. The motion was seconded by Commissioner Knudsen and roll call carried by the following vote:

AYES: Commissioner Parker, Knudsen, Monnette and Kistner

NOES: None

ABSENT: Commissioner Sweeney

ABSTAIN: None

- 5.2. • **This item was continued from the February 21, 2017 Planning Commission Meeting**

FILE NUMBER: PL16-042/PL16-043

LOCATION OF PROPERTY: 830 Pratt; 2555 Main Street

PROJECT DESCRIPTION: Applicant is proposing a campus master plan to restructure and expand the educational facilities at the Greystone Campus (2555 Main Street) and expand student enrollment from 200 to 300 students. Also proposed is a 4,468 sf underground storage cave and the installation of three modular storage units at the rear of the building. Concurrently, student housing facilities (dormitories) at the Vineyard Lodge Housing Site (830 Pratt Avenue) will be expanded by 123 net new dorm rooms to accommodate a total of 224 residents. The applicant is requesting the following entitlements: Design Review, Use Permit(s), Demolition Permit, and Variance(s).

CEQA Determination: In accordance with the California Environmental Quality Act (CEQA) Guidelines, an Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared for the proposed project.

Prepared By: Lilly Bianco, Contract Planner

Recommendation: The Planning and Community Improvement Department recommends that

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project; and
2. Accept the required findings enumerated in Municipal Code Section 17.164.030 and adopt a resolution approving Design Review and a Use Permit for the CIA at Greystone project at 2555 Main Street.
3. Adopt a resolution approving a Demolition Permit, Design Review, a

Use Permit, and Variance(s) for the Vineyard Lodge Housing component of the Campus Master Plan at 830 Pratt Avenue.

Applicant Naomi Miroglio addressed the Commission.

Chair Kistner opened Public Comment.

Donna Hinds, Rusty Hinds, Tom Bensel, Chuck Meibeyer, Amy Thomason, Bob Bath, Matt Quaglia, Brian Russell, Pat Dell, Diana Delonis, Gary Lessing, Carolyn Bell, Anthony Micheli and Dave Hanawalt addressed the Commission.

Chair Kistner closed Public Comment.

Commissionmembers disclose any ex parte communication.

Commissioner Knudsen disclosed to have met with CIA Attorney Chuck Meibeyer and visited the Crinella site. Also discussed the project with Commissioner Sweeney who is absent and also recused from the project.

Commissioner Parker met with Chuck Meibeyer and visited the project site. Also briefly discussed the project with Brian Russell.

Chair Kistner visited the project site and briefly discussed project with Donna Hinds.

Chair Kistner called for a 5 minute recess at 8:11 p.m.

Chair Kistner reconvened the meeting at 8:17 p.m.

Mr. Bensel requested from the Commission a vote to deny the project without prejudice.

MOTION: Commissioner Monnette moved to deny the project without prejudice. The motion was seconded by Commissioner Knudsen and roll call carried by the following vote:

AYES: Commissioner Monnette, Knudsen, Parker and Kistner

NOES: None

ABSENT: Commissioner Sweeney

ABSTAIN: None

6. SCHEDULED MATTERS

6.1. None

7. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

7.1. Administrative Determination that discretionary Design Review approval

to re-develop the property at 2600 Sulphur Springs Road will not require dedication of 30-feet of right-of-way to the City of St Helena for future public street improvements.

Planning Director Noah Housh reported on Item.

8. AGENDA FORCAST

Attached is a summary document of pending projects and upcoming and items of priority and interest that will be placed on future agendas. This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

9. ADJOURNMENT: Chair Kistner adjourned the meeting at **8:21 p.m.**

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning and Community
Improvement Director

**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET-ST. HELENA, CA 94574
PLANNING COMMISSION**

MARCH 21, 2017

AGENDA SECTION: Sign Permit

FILE NUMBER: PL17-018

SUBJECT: Request by Chris Birdwell for sign permit approval in order to place a new monument sign on the former Tre Vigne property located at 1050 Charter Oak Avenue in the SC: Service Commercial district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Noah Housh, Planning Director

APPLICATION FILED: 03/03/2017

ACCEPTED AS COMPLETE: 03/07/2017

LOCATION OF PROPERTY: 1050 Charter Oak

APN: 009-111-002

GENERAL PLAN/ZONING: SC: Service Commercial

APPLICANT: Chris Birdwell

PHONE: (415) 728-4755

PROJECT DESCRIPTION

The applicant is requesting sign permit approval for a sign associated with a new restaurant (The Charter Oak) set to occupy the former Tre Vigne space. The proposed new monument sign would be located near the front of the site adjacent the wine train property. The sign would be the same distance from the front property line as the old Tre Vigne sign however it would be approximately 67 feet farther from Charter Oak Avenue. The proposed sign would be 6 feet tall and 10 feet wide and constructed of a board formed concrete backing with 14 inch high steel letters mounted approximately 1 inch from the concrete backing. The proposed sign would read "The Charter Oak" and would be ground illuminated with cut-off shields to prevent light spillover.

ANALYSIS

CEQA

This project is exempt from the requirements of CEQA pursuant to Section 15311 of the CEQA Guidelines, which exempts on-premise business signs.

GENERAL PLAN / ZONING

The project site is located in the Service Commercial (SC) district. The SC district provides for service and retail uses, restaurants, service stations, motels, public and

1050 Charter Oak
Sign Permit
March 21, 2017

quasi-public uses and similar and compatible uses. In the SC district, signs are regulated by Municipal Code Section 17.148.040(C)(2). Planning commission approval must be obtained for all signs not listed in Municipal Code Section 17.148.040(C)(2)(a). The purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, or signs in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site, the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure (the stone building at 1050 Charter Oak is on the City's Historic Resources Master List).

The sign standards detailed in Municipal Code Section 17.148.040(C)(2)(b) specifically apply to the number of signs permitted on the frontages of buildings and therefore do not apply to the sign proposed. The proposed sign is considered a monument sign. Monument Signs are defined as "a sign supported by structures or supports that are placed on or anchored in the ground that are independent from any building or other structure." Municipal Code Section 17.148.070 regulates Monument Signs within City. Section 17.148.070 requires the following:

- A. All monument signs shall be located on the property served by the sign; off-premises signs are not permitted.
- B. The maximum height of a monument sign shall be eight feet, as measured from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the grade after construction exclusive of any filling, berming, mounding, or excavating for landscaping or for the purpose of locating the sign.
- C. Monument signs shall be located no closer to the right-of-way than one-half the distance of a required front or side setback. Use permit approval shall be required for any request to locate a monument sign closer to the right-of-way than is permitted above.

Staff Response: The proposed sign is located on the property served by the sign and is less than 8 feet in height. The setback along Main Street in the SC district is fifteen percent (15%) of lot depth, but in no case shall the setback be less than thirty-five (35) feet. As the subject property has a depth of 292.5 feet, the monument sign must be setback at least 22 feet from Main Street (15% of the 292.5' lot depth is 44' / 2 = 22 feet). The proposed monument sign would be approximately 54' from Main Street. Therefore, the proposed monument sign meets the required code standards described above. In addition, staff feels that the proposed sign is modest and un-obstructive in design and will not obscure or detract from the architecture of the historic building on-site.

CORRESPONDENCE

1050 Charter Oak
Sign Permit
March 21, 2017

As of the completion of this report, no comments on the proposed signs have been received by staff.

STAFF RECOMMENDATION

Staff finds that the proposed sign is in compliance with all required standards and therefore recommends that the Planning Commission:

1. Determine that the signs are exempt from the requirements of CEQA pursuant to Section 15311, Class 11(a) of the CEQA Guidelines which exempts on-premise business signs; and
2. Approve the request for a Sign Permit in order to place a new monument sign on the property located at 1050 Charter Oak Avenue.

ATTACHMENTS

1. Resolution / Conditions of Approval
2. Sign Exhibits
3. Applicant Statement

**CITY OF ST. HELENA, STATE OF CALIFORNIA
SIGN PERMIT GRANTED TO 1050 CHARTER OAK AVENUE
RESOLUTION NO.**

PROPERTY OWNER: Fritz Property Group

APN: 009-111-002

RECITALS

1. The applicant submitted for a sign permit in order to place a new monument sign on the former Tre Vigne property located at 1050 Charter Oak Avenue in the SC: Service Commercial district.
2. New signage proposed includes one ground illuminated monument sign near the front of the property.
3. The Planning Commission of the City of St. Helena, State of California, considered the sign, staff report, and all testimony, written and spoken, at a hearing on March 21, 2017.

RESOLUTION

The Planning Commission of the City of St. Helena, State of California, approved the sign permit on the following basis:

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15311, Class 11 (a), which exempts installation of on premise signs.
- C. The Planning Commission hereby finds that the proposed signs are in compliance with the requirements of Municipal Code Section 17.148 relating to the placement of signs in the Service Commercial district.
- D. The Sign Permit for the above described is granted subject to compliance with the following conditions. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed:
 1. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit should one be required.
 2. The Permits shall be vested within one (1) year from the date of approval. The Permits may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of the Sign Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

1050 Charter Oak Avenue
Sign Permit - Conditions
March 21, 2017

3. This permit will expire if the use is discontinued pursuant to existing ordinances and regulations.
4. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
5. This sign permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
6. The signs authorized by this sign permit shall conform to the details and dimensions shown on the Exhibits which were reviewed and approved by the Planning Commission at their March 21, 2017 meeting.
7. No internal illumination of signs is permitted.
8. Up-lighting shall utilize cut-off shielding to prevent light trespass onto adjacent properties.
9. An Encroachment Permit shall be obtained by the applicant prior to installation of the sign if work involves locating of any person or structure on public property, such as a sidewalk, driveway, or street, if necessary.
10. Provided they are in general compliance with the Sign Ordinance, minor modifications may be approved by the Planning Director.

I HEREBY CERTIFY that the foregoing sign permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on March 21, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

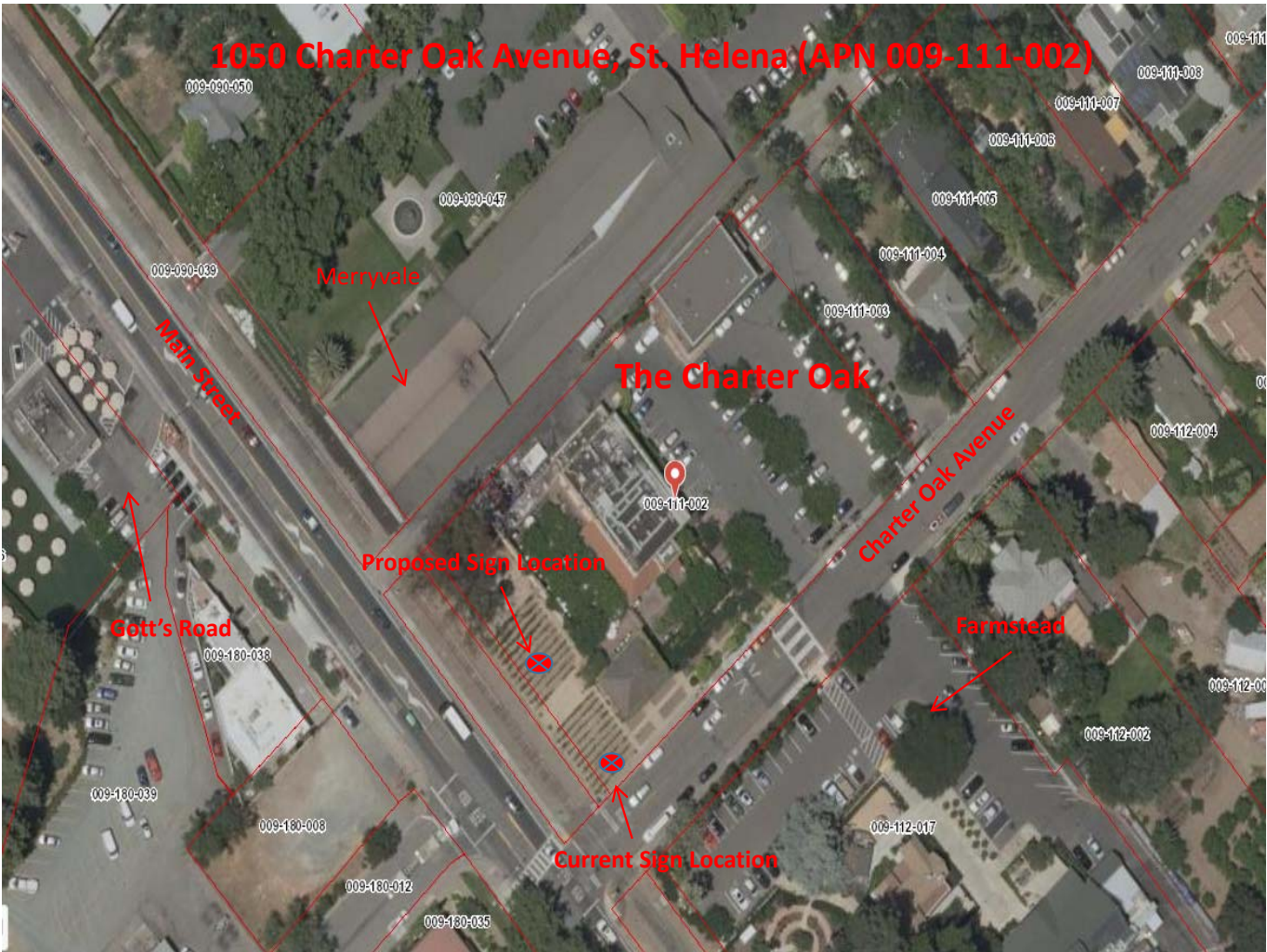
APPROVED:

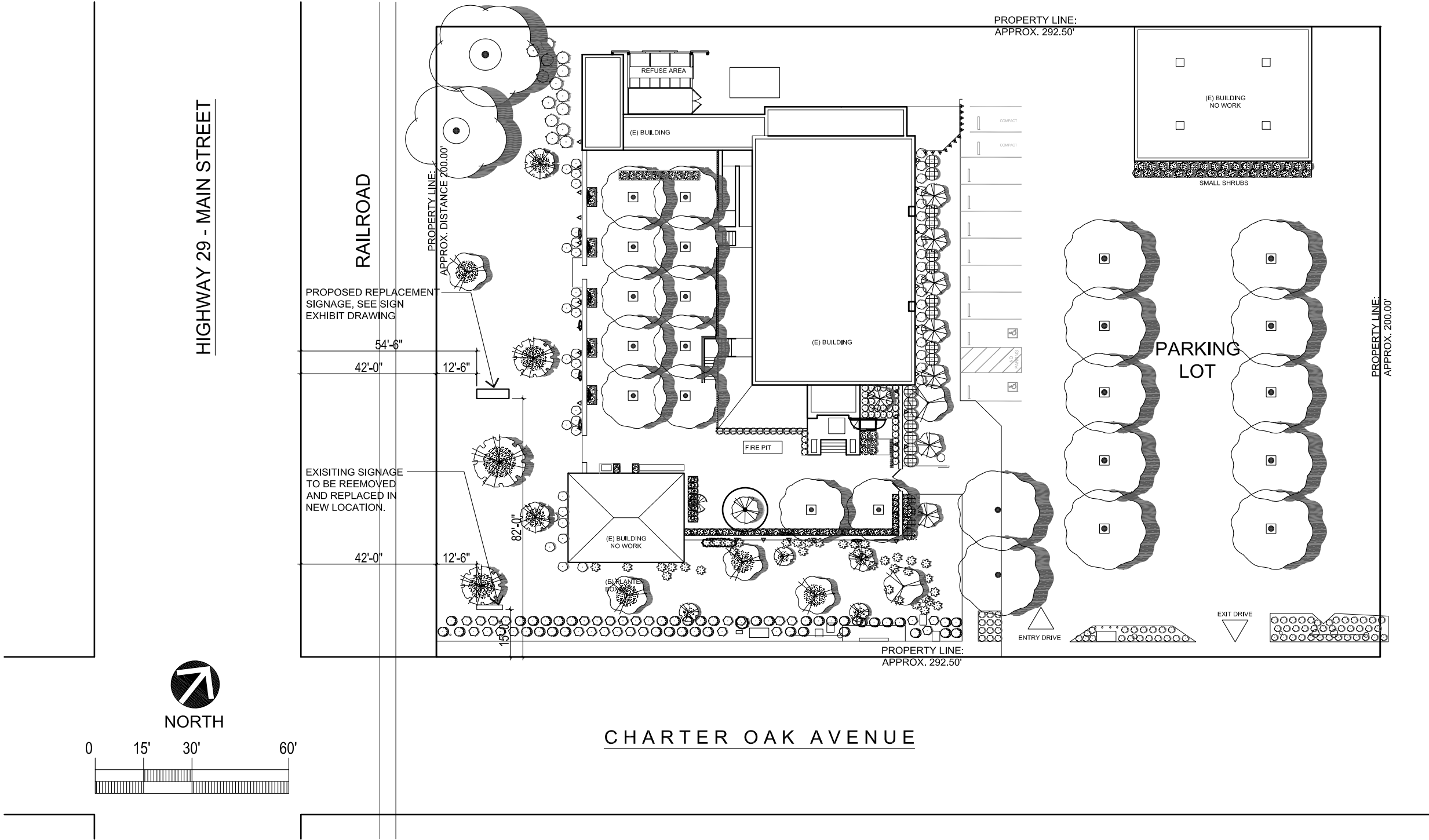
ATTEST:

*1050 Charter Oak Avenue
Sign Permit - Conditions
March 21, 2017*

Grace Kistner
Chair, Planning Commission

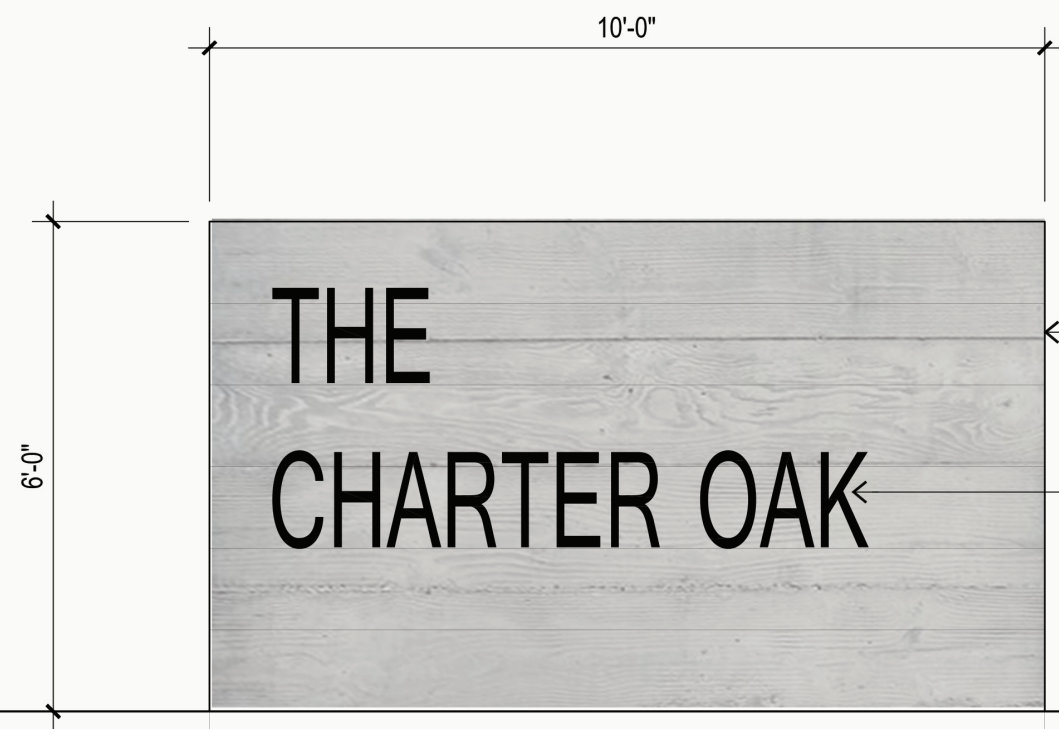
Noah Housh
Planning Director





THE CHARTER OAK:
SIGNAGE PERMIT
SITE EXHIBIT

THE CHARTER OAK
1050 CHARTER OAK
SAINT HELENA, CA94574



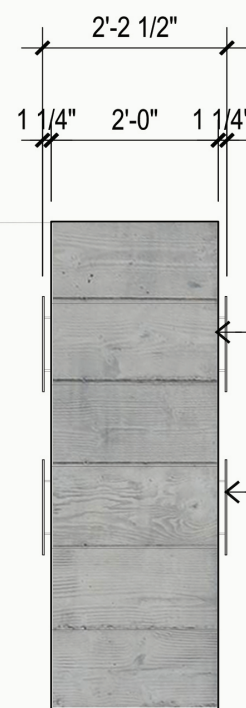
FRONT VIEW 1/2" = 1'-0"

THE CHARTER OAK:
SIGNAGE PERMIT
SIGN EXHIBIT

BOARD FORMED
CONCRETE BACKING,
12" BOARDS MAX.

14" HIGH STEEL LETTERS, FONT TO
BE MONTEFIORE BOLD CONDENSED.
LETTERS TO BE HELD OUT 1" FROM
CONCRETE BACKING

CONCRETE FOOTING PER
STRUCTURAL ENGINEER.



SIDE VIEW 1/2" = 1'-0"

THE CHARTER OAK
1050 CHARTER OAK
SAINT HELENA, CA94574

BOARD FORMED
CONCRETE BACKING,
12" BOARDS MAX.

14" HIGH STEEL LETTERS, FONT TO
BE MONTEFIORE BOLD CONDENSED
LETTERS TO BE HELD OUT 1" FROM
CONCRETE BACKING

BK DELTA STAR (OR EQ.)
SIGN LIGHT, (2) PER SIDE.

CONCRETE FOOTING PER
STRUCTURAL ENGINEER.

Charter Oak Restaurant LLC
1030 Main Street, Suite 300, St. Helena, CA 94574

March 2, 2017

City of Saint Helena
City Planning Department/Commission
1480 Main Street
Saint Helena, CA 94574

Re: The Charter Oak Signage – Parcel # 009-111-002

Dear Planning Department,

We are requesting approval to demolish and relocate the existing sign at 1050 Charter Oak Avenue, St. Helena, CA (APN #009-111-002).

The existing two-sided sign was 8'9" wide by 9'0" tall, approximately 79 total square feet, and located 10' from the sidewalk on Charter Oak Avenue and 45' from the sidewalk on Main Street. The sign was used for the recently closed Tra Vigne restaurant.

We are proposing to demolish the existing sign and replace it with new signage to improve the visual aesthetic along Main Street and Charter Oak Avenue. The new sign will support the brand identity for the new restaurant currently under construction, The Charter Oak.

The replacement sign will be located 65' farther north along Main Street, away from the intersection at Charter Oak Avenue. The replacement sign, also two-sided, will 10'0" wide and 6'0" tall, approximately 60 total square feet. The replacement sign is considerable smaller than the original sign.

Included in this package are the proposed designs for the new signage, and an aerial showing the location of the sign on the property and parcel property lines.

If you have any questions please do not hesitate to call me at (415) 728-4755.

Sincerely,



Chris Birdwell
Member
Charter Oak Restaurant LLC

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC20xx-xx

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
DENYING DESIGN REVIEW AND A USE PERMIT FOR 2555 MAIN STREET AND
DENYING A DEMOLITION PERMIT, DESIGN REVIEW, USE PERMIT, AND
VARIANCES FOR 830 PRATT AVENUE IN THE CITY OF ST. HELENA, CALIFORNIA**

PROPERTY OWNER: CULINARY INSTITUTE OF AMERICA

APN: 009-010-024
and 009-131-003

Recitals

1. **Whereas**, The Culinary Institute of America submitted an application for Design Review and Use Permit approval to expand student enrollment to 300 students, introduce storage cave, and three modular storage units at the Greystone Campus at 2555 Main Street (APN.009-131-003); and
2. **Whereas**, The Culinary Institute of America also submitted an application for a Demolition Permit, Design Review, Use Permit, and Variances to expand the student housing at the Vineyard Lodge Housing Site at 830 Pratt Avenue (APN. 009-010-024); and
3. **Whereas**, The entitlements requested for the Greystone property (2555 Main Street) and the Vineyard Lodge Housing Site (830 Pratt Avenue) are effectively intertwined and viewed as one project under CEQA such that the approval or disapproval of entitlements related to one property could necessarily apply to the other.
4. **Whereas**, Pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and included Initial Study was circulated for public review and comment from December 9, 2016 until January 23, 2017; and
5. **Whereas**, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and
6. **Whereas**, The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on February 21, 2017, which was continued to a date certain, March 7, 2017. At this meeting, the Planning Commission determined the project was incompatible with the required findings needed to approve the project, and directed staff to prepare a resolution for denial, for review and action on March 21, 2017.
7. **Whereas**, The Planning Commission, after reviewing project materials, and considering written evidence and the testimony submitted at the February 21, 2017

*2555 Main Street/ 830 Pratt Avenue
Demolition Permit, Variance, Design Review and Use Permit
March 7, 2017*

and March 7, 2017, meetings and on March 21, 2017, Planning Commission Hearing, voted to deny the applications in their entirety and without prejudice.

8. **Now, therefore** let it be found that, the Planning Commission denies the requested Use permit and Design Review for 2555 Main Street and denies the Demolition Permit, Design Review, Use Permit, and Variances for 830 Pratt Avenue without prejudice and on the following basis:

Resolution

In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff report(s), City files for this matter, correspondence, presentations and other materials.

1. Pursuant to CEQA Section 15270, CEQA does not apply to a project which a public agency rejects or disapproves.
2. Design Review The Planning Commission has considered the findings identified in Municipal Code Section 17.164.030 required to support approval of a Design Review Permit and hereby finds that the project has not demonstrated the ability to meet all of the required findings in that:
 1. It has not been demonstrated that the proposed Vineyard Lodge Housing development would be consistent with applicable General Plan policies given that its scale and massing is not found to be sympathetic or complementary to historic and distinctive neighborhoods of the City, nor was it found by the Planning Commission to sufficiently retain the rural small town quality and character of St. Helena.
 2. It has not been demonstrated that the form and massing of the Vineyard Lodge Building's would be compatible with the immediate environment of the site in that the height, massing and square footage exhibited by the proposed dormitory buildings were incompatible with the residential buildings and general character of the immediate vicinity.
 3. It has not been demonstrated that the Vineyard Lodge Housing design promotes harmonious transition in scale and character in areas between different designated land uses in that the proposed dormitory building on Pratt Avenue exhibits a scale and density significantly greater than that of the surrounding area and is not compatible with the surrounding character.
4. Use Permit The Planning Commission has considered the findings identified in Municipal Code Section 17.168.050 required to support approval of a Use Permit and hereby finds that the project has not demonstrated the ability to meet all of the required findings in that:
 1. It has not been demonstrated that the proposed Vineyard Lodge Housing use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses, given the significant increase in the number of on-site residents.

2555 Main Street/ 830 Pratt Avenue
Demolition Permit, Variance, Design Review and Use Permit
March 7, 2017

2. It has not been demonstrated that the proposed Vineyard Lodge Housing use would not make excessive demands on the provision of public services including, sewer capacity, based on the existing design and odor issues associated with the Crinella Pump Station.
3. It has not been demonstrated that the proposed Vineyard Lodge Housing use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located given its location outside of the urban limit line, deviation from the agricultural and residential character of surrounding land uses and the lack of compliance with the required setback and parking requirements of said Districts and location.
4. The parking plan submitted by the applicant does not demonstrate adequate off-street parking at the Vineyard Lodge Housing Site as needed to accommodate the long term parking needs of residents, guests and events proposed to occur at the project site, as a component of the proposed dormitory land use.

I HEREBY CERTIFY that the foregoing demolition permit, design review, and use permit for 2555 Main Street, and the foregoing demolition permit, design review, variances, and use permit for 830 Pratt Avenue were duly and regularly denied by the Planning Commission of the City of St. Helena without prejudice and at a regular meeting of said Planning Commission held on March 21, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning Director

*2555 Main Street/ 830 Pratt Avenue
Demolition Permit, Variance, Design Review and Use Permit
March 7, 2017*

**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

MARCH 21, 2017

AGENDA SECTION: Public Hearing

FILE NUMBER: PL17-004

SUBJECT: Request by Corey Milligan for use permit approval in order to establish a combination sporting goods, hobby, and housewares store with an ancillary wine shop in a new tenant space located in the Menegon Building at 1380 Main Street in the CB: Central Business district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWD BY: Noah Housh, Planning Director

APPLICATION FILED: 01/18/17

ACCEPTED ASCOMLETE: 01/27/17

LOCATION OF PROPERTY: 1380 Main Street, Suite #102

APN: 009-212-001

GENERAL PLAN/ZONING: Central Business/CB: Central Business

APPLICANT: Corey Milligan

PHONE: (307) 733-4193

PROJECT DESCRIPTION

The applicant is seeking a use permit in order to open a combination sporting goods, hobby, and housewares store with an ancillary wine shop in Suite #102 of the Menegon Building at 1380 Main Street. The store would occupy one of three tenant spaces on the ground floor of the building and would be approximately 743-sf in size. The applicant currently owns and operates New West Knife Works and Mountain Man Toy Shop in Jackson Hole, Wyoming and wishes to expand their retail operation to St. Helena. According to the applicant, New West Knife Works features a unique shopping experience, with the best in high end, U.S. made, kitchen cutlery displayed in a gallery setting. The Mountain Man Toy Shop is referred to as a "store within a store" and would reside within the larger umbrella of the New West Knife Works store. The Mountain Man Toy Shop offers tools, gifts, and accessories for the modern day outdoorsman, showcasing unique specialty items including axes, knives, flashlights and more. The applicant states that the St. Helena store, while inspired by the Jackson Hole location, would have design elements and products unique to Napa County including accessories made from used wine barrels.

The applicant would like to have a small wine shop within the store that could offer locally produced wines and handmade accessories. This component of the proposed

1380 Main Street #102
Use Permit
March 21, 2017

retail operation is intended to enhance marketing through an email exchange program in which New West Knife Works features local wineries on their exclusive email list in exchange for a featured spot on theirs. In concert with this approach, New West Knife Works will exhibit these wines in the store and their products could be featured in the wineries gift shop. New West Knife Works also plans to produce branded knives and accessories using old wine barrels from partner wineries that can be packaged with the wine. As discussed in more detail below, the wine shop would be subordinate to the primary retail use of the space and would comprise a maximum 10% (74-sf) of the floor area.

The applicant would also offer an in-store sharpening service for knives, scissors, axes, swords, and miscellaneous cutting tools.

ANALYSIS

CEQA

Staff finds that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan land use designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. Emphasis is on pedestrian-oriented retail and service uses on the ground floor level, with office and residential uses on the upper levels. The intent is for the CB district to remain primarily local resident-serving in character. New uses which serve both local residents and tourists are allowed. General Plan policies applicable to the proposed project include:

- **2.6.35** Maintain the Central Business District as the City's social and cultural core and the primary center for retail business.
- **2.6.38** Encourage primarily local serving businesses in the CB and SC designated areas.
- **3.4.2** Support the development of a responsible visitor-serving component to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities.

ZONING

Consistent with the Central Business land use designation in the General Plan, the site exhibits a zoning designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels and other similar and compatible uses. The intent is for the CB district to remain primarily locally serving in

*1380 Main Street #102
Use Permit
March 21, 2017*

character. New uses which serve both local residents and tourists are allowed; however; uses which are primarily tourist-serving are not permitted. Local serving businesses are considered to be those that derive a significant portion of their revenue from St. Helena residents, and which provide services and products which satisfy local resident's day to day needs. It is presumed that the "local" customer base is defined by regular repeat customers from the community.

According to Municipal Code Section 17.48.020, sporting goods and hobby stores are permitted uses in the CB district. However, pursuant to Municipal Code Section 17.48.030, home furnishing stores, including the retail sale of metalware for kitchen use and wine shops, which are establishments that purchase and sell wines from multiple wineries and distributors, require approval of a use permit in the Central Business district. Therefore, the applicant is required to obtain a use permit in order to allow for the establishment of these uses in the proposed tenant space. It should be noted that incidental wine tastings may occur in wine shops in order for customers to try a wine before potentially purchasing a bottle. As the applicant is essentially using the wine shop as a subordinate marketing tool to the primary retail business, they have agreed, and a condition of approval has been added, that the wine shop will occupy a maximum 10% of the floor area for a maximum of 74-sf (only 29-sf is proposed).

Use Permit

The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. Pursuant to Municipal Code Section 17.168 050, no use permit shall be granted unless the following findings can be made:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

1380 Main Street #102
Use Permit
March 21, 2017

8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

Staff Response: Staff finds that the project meets and/or complies with the required findings to approve a use permit as identified above. The findings included in the attached resolution identify this compliance.

PARKING

As discussed, the applicant's tenant space is within the recently constructed Menegon Building at 1380 Main Street. This building was approved for retail uses on the ground floor and provides 11 on-site parking spaces. As the proposed retail store would be located within this approved retail area of the building, the project does not require additional off-street parking.

SIGNAGE

The applicant is not proposing any new or modified signage at this time.

CORRESPONDENCE

As of the completion of this report staff had received no correspondence related to this application.

ISSUES

Staff has not identified any issues that require additional discussion in relation to this application.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities; and
2. Accept the required findings and approve a Use Permit for 1380 Main Street Suite #102.

ATTACHMENTS

1. Resolution / Conditions of Approval
2. Floor Plans
3. Sample Products

1380 Main Street #102
Use Permit
March 21, 2017

**CITY OF ST. HELENA, STATE OF CALIFORNIA
USE PERMIT NO. PL17-
GRANTED TO 1380 MAIN STREET SUITE #102**

PROPERTY OWNER: Gary Menegon

APN: 009-212-001

RECITALS

1. The applicant requests use permit approval in order to establish a combination sporting goods, hobby, and housewares store with an ancillary wine shop in a new tenant space located in the Menegon Building at 1380 Main Street in the CB: Central Business district.
2. With the approved use permit, the applicant intends to open a retail store featuring kitchen cutlery (knives, scissors, etc.), outdoor inspired tools, gifts, and accessories. The store includes an accessory wine shop limited to 10% of the floor area with incidental tastings permitted.
3. The Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing on March 21, 2017.

RESOLUTION

The Planning Commission of the City of St. Helena, State of California, approved the use permit on the following basis:

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that this project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.
- C. In accordance with Municipal Code Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit:
 1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that the use is retail in nature and would occur within an existing recently constructed building designed for retail uses.*
 2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses in that the use is retail in nature and would occur within an existing recently constructed building designed for retail uses.*
 3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as project generated traffic will not increase the level of traffic noise on Highway 29 (Main Street).*

1380 Main Street #102
Use Permit
March 21, 2017

4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that the use is retail in nature and will therefore not make excessive demands on these services.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location as ingress and egress would not change for the existing building.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed use will serve the local community.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed uses are consistent with the Central Business zoning district.*
8. *That the proposed use would not be in conflict with the City's General Plan in that it can be both local and tourist serving.*
9. *That the proposed use would not be injurious to public health, safety, or welfare in that it is retail in nature and within an existing building.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit only applies to this property and to these specific uses.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the project's ability to meet required parking has been accounted for in approval of the new building and discussed in the staff report.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the proposed uses will occur in an existing building, will generate very little traffic and can adequately be served by existing streets.*

Planning Department Conditions of Approval

D. The use permit for the above described use is granted subject to compliance with the following conditions. The use permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The use permit shall be vested within one (1) year from the date of approval. The permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
2. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. The permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed to the City Council within that 14 day period.

1380 Main Street #102
Use Permit
March 21, 2017

4. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with the permit, minor modifications to the use permit may be approved by the Planning Director.
8. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
10. Fire equipment shall be inspected annually by the Fire Department.
11. The wine shop component of the proposed store is an accessory use to the primary retail function of the store and therefore shall account for no more than 10% of the retail floor area.
12. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

13. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
14. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
15. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
16. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
17. An encroachment permit shall be required for any work performed in the public right of way.

Building Department Conditions of Approval

18. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
19. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
20. The applicant shall provide a construction waste management plan with the building permit application.
21. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
22. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
23. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing Use Permit Amendment was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on March 21, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

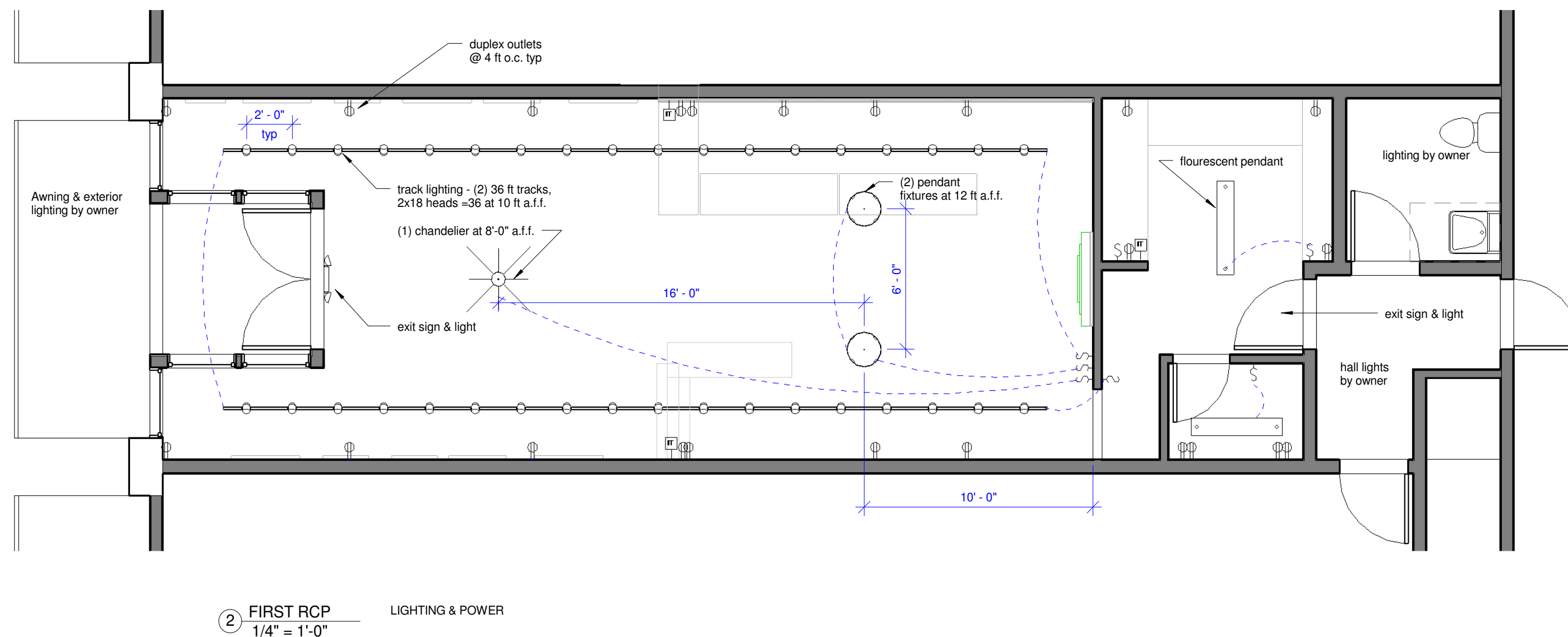
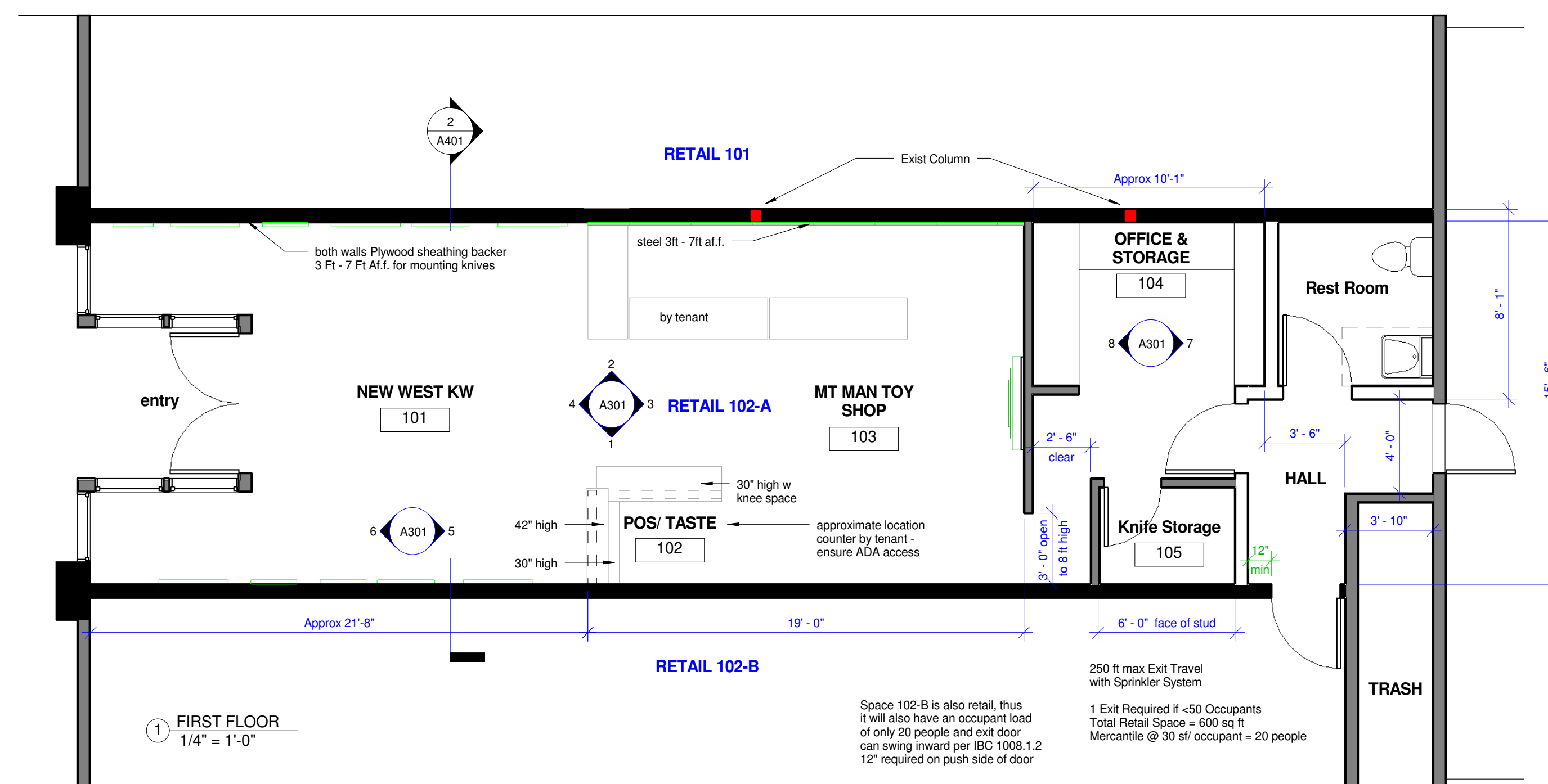
APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning Director

Room Schedule					
Number	Name	Floor Finish	Ceiling Finish	Base Finish	Wall Finish
101	NEW WEST KW				
102	POS/ TASTE				
103	MT MAN TOY SHOP				
104	OFFICE & STORAGE				
105	Knife Storage				



Sheet List		
Sheet Number	Sheet Name	Designed By
A101	FLOOR PLANS	Designer
A201	PERSPECTIVES	Designer
A301	INTERIOR ELEVATIONS	Designer
A401	SECTIONS	Designer

New West KnifeWorks
Helena Retail Shop - Conceptual
 1380 Main St. Helena, CA

FLOOR PLANS

** Note:
Sheets Scale at 100% on 22x34
Sheets Scale at 50% on 11x17

INSIDE
DESIGN STUDIO

JESSICA K TRAVIS
Box 1661 Jackson WY 83001
(435) 513-1780
Jessica@insideds.com

ARCHITECTURE
RR

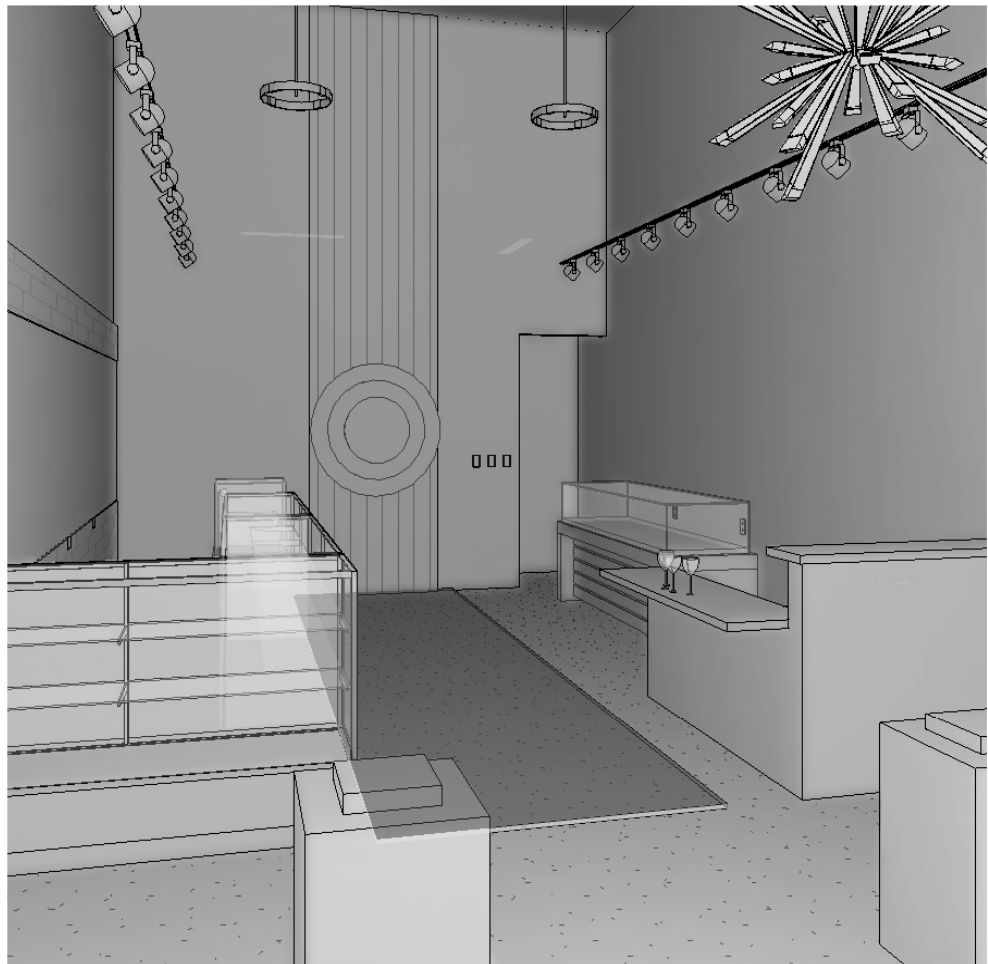
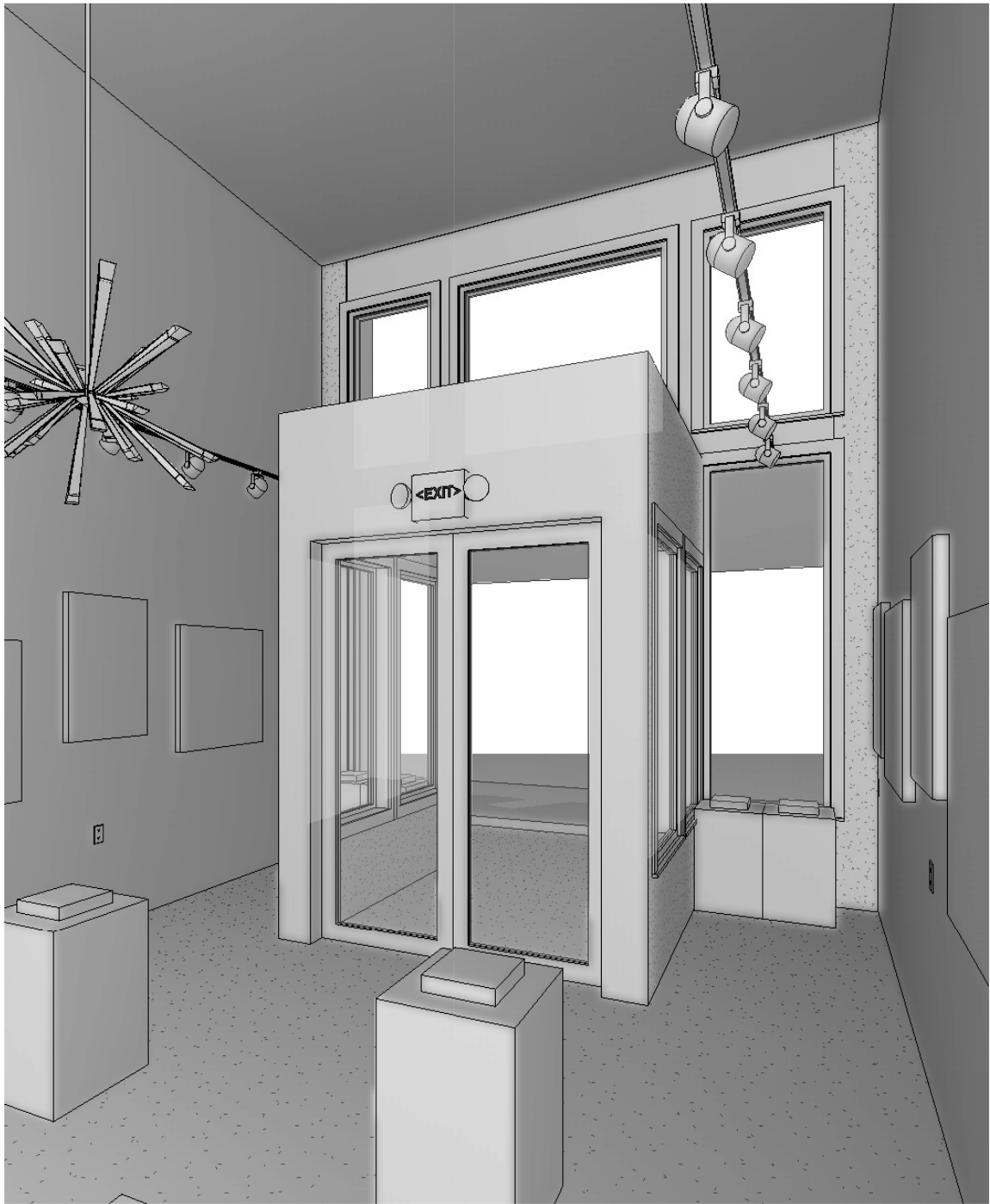
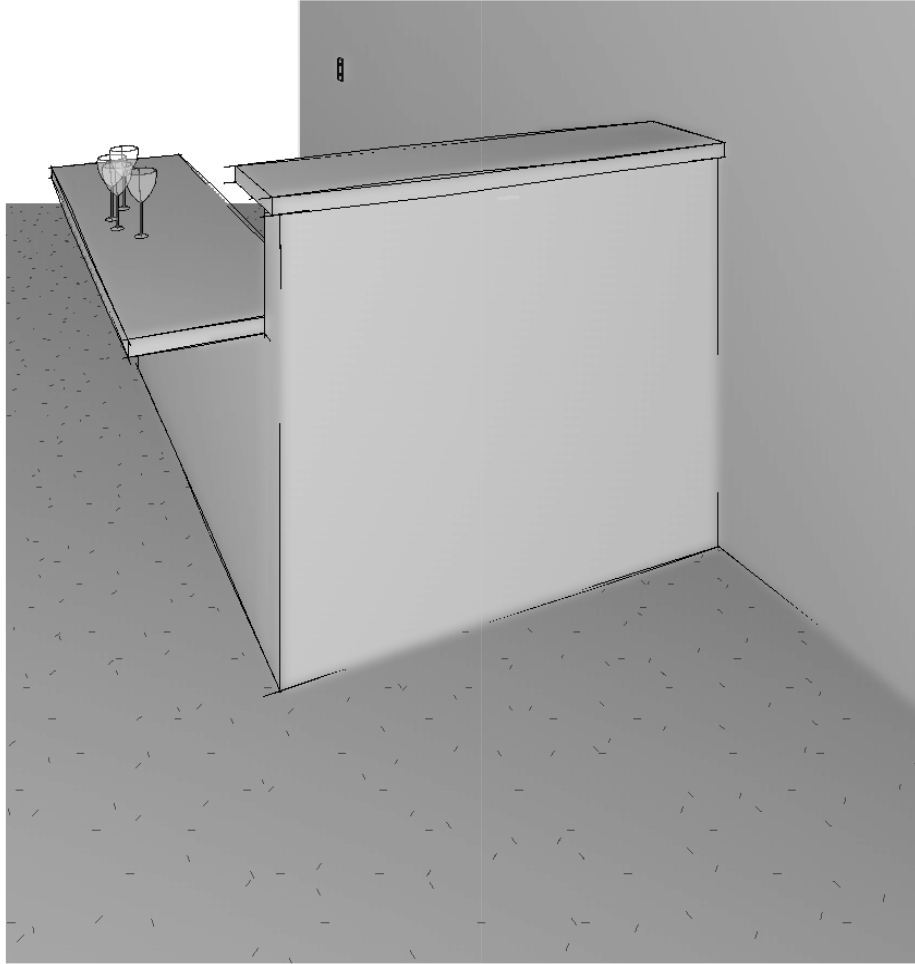
AIA NCARB LEED AP
Box 2406 Jackson WY 83001
(307) 699-2454
Rachel@RavitzArchitecture.com

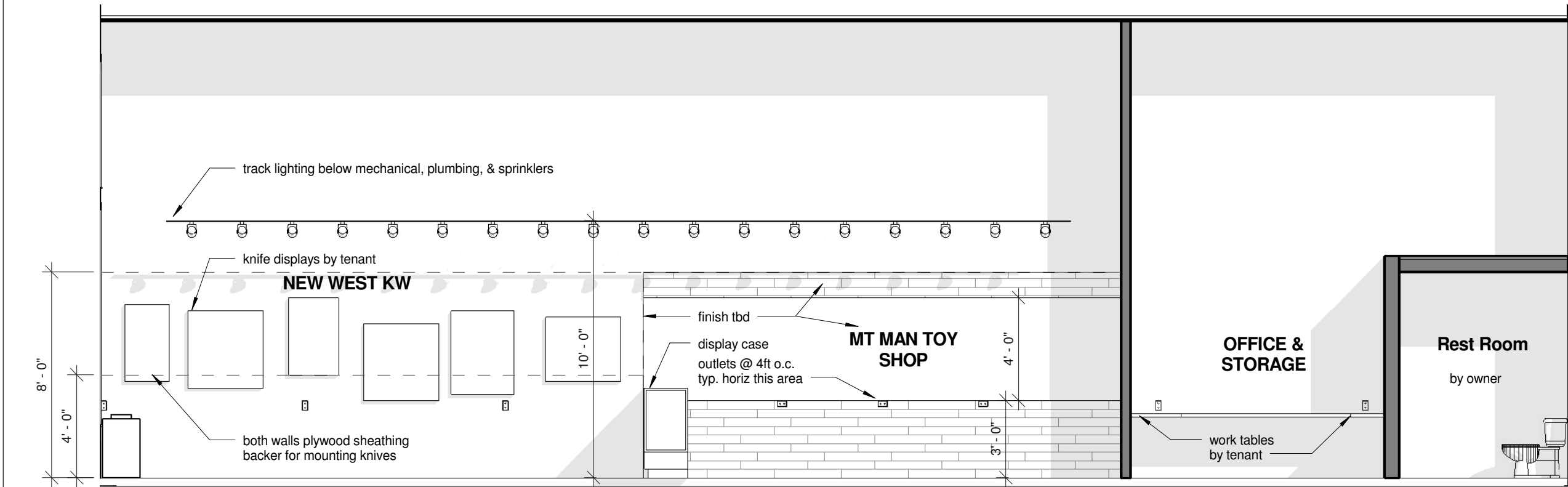


Corey Milligan
New West KnifeWorks
 PO Box 1668 Wilson, WY
 Jackson (307)733-4193
corey@newWestKnifeWorks.com

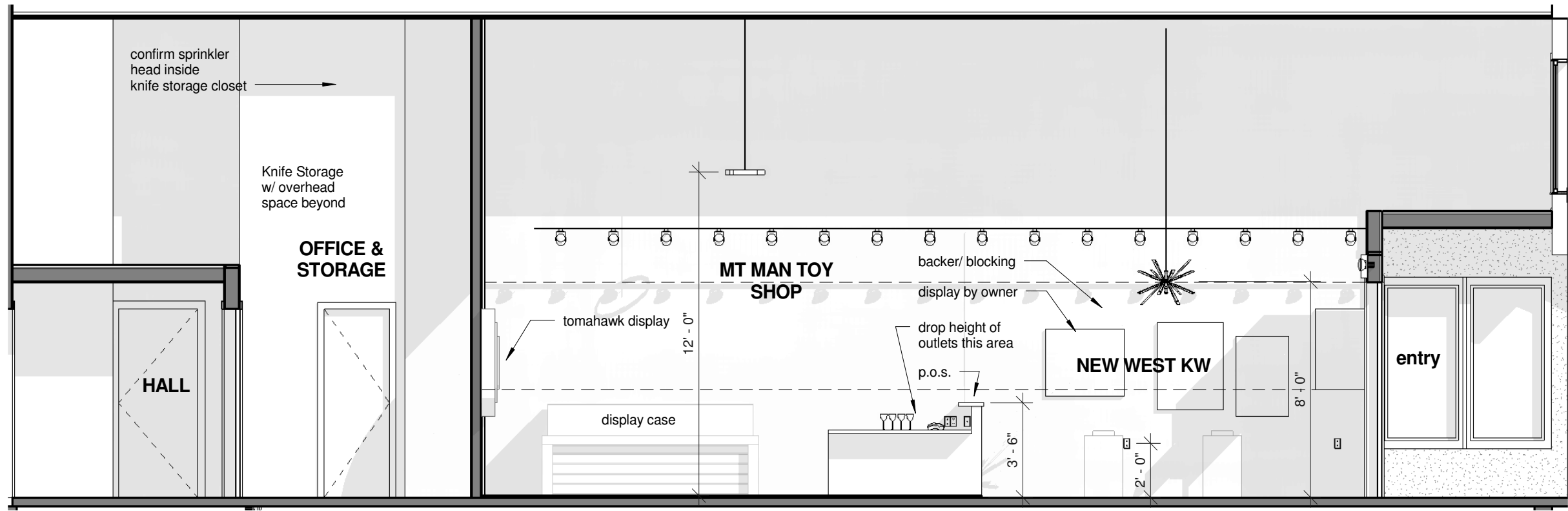
Date	Jan 27 2017
------	-------------

A101	
Size	1 1/4" x 1 1/2"

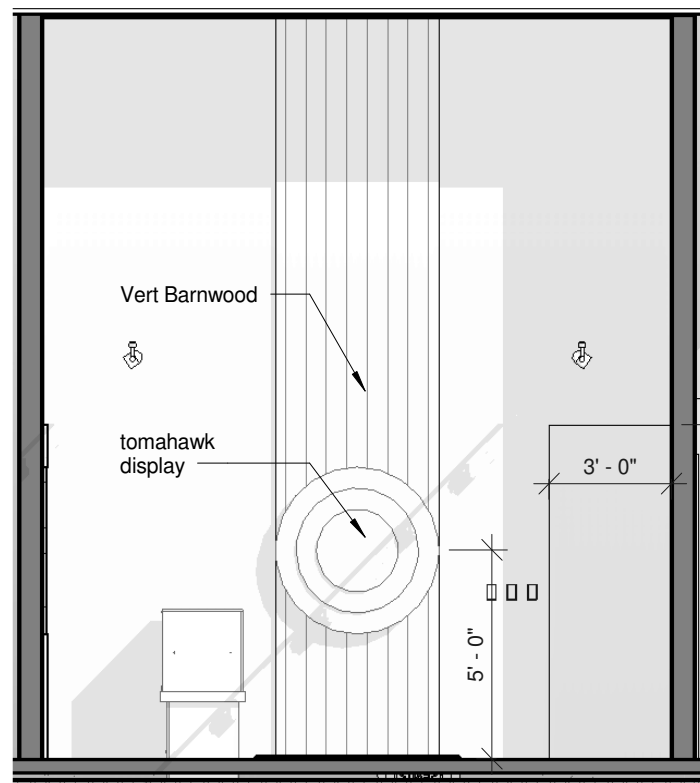




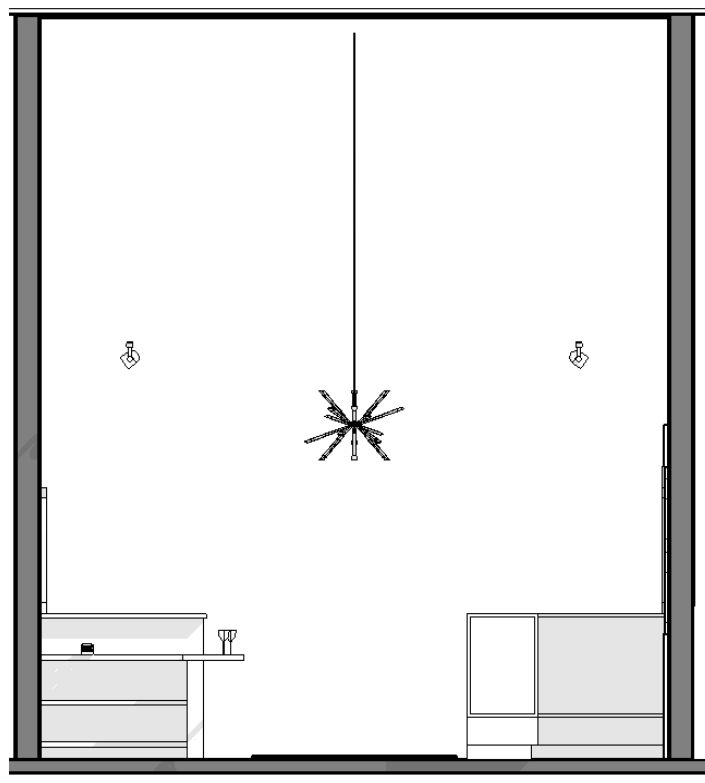
2 Interior West
1/4" = 1'-0"



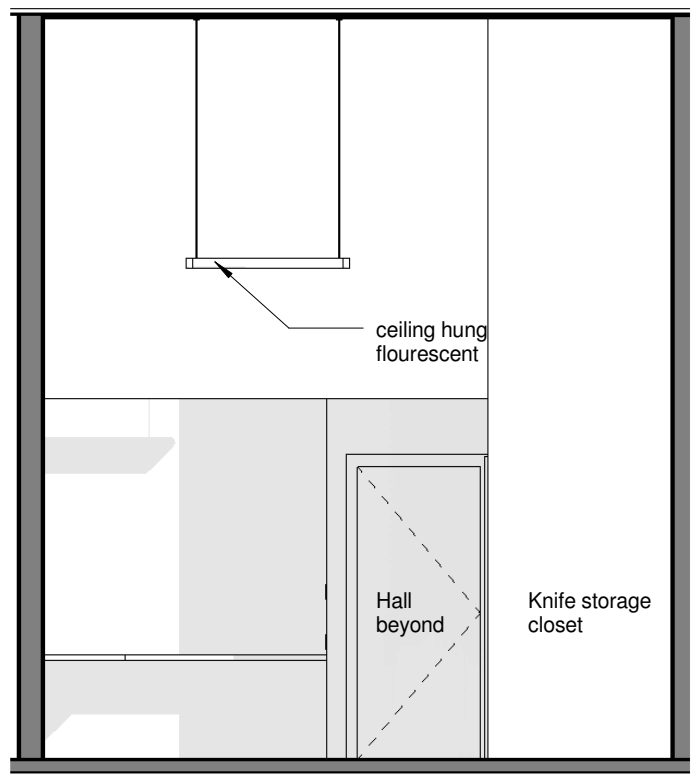
1 Interior East
1/4" = 1'-0"



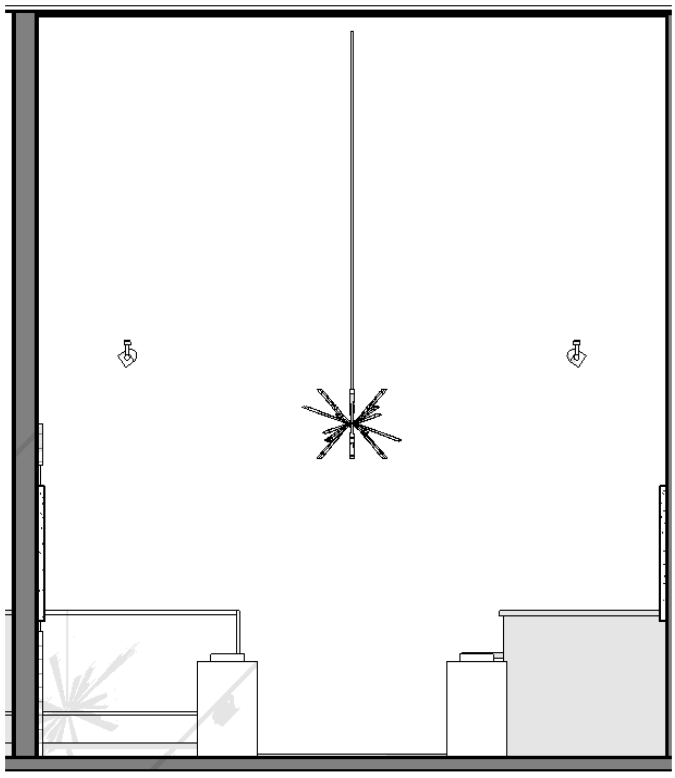
3 Mt Man North
1/4" = 1'-0"



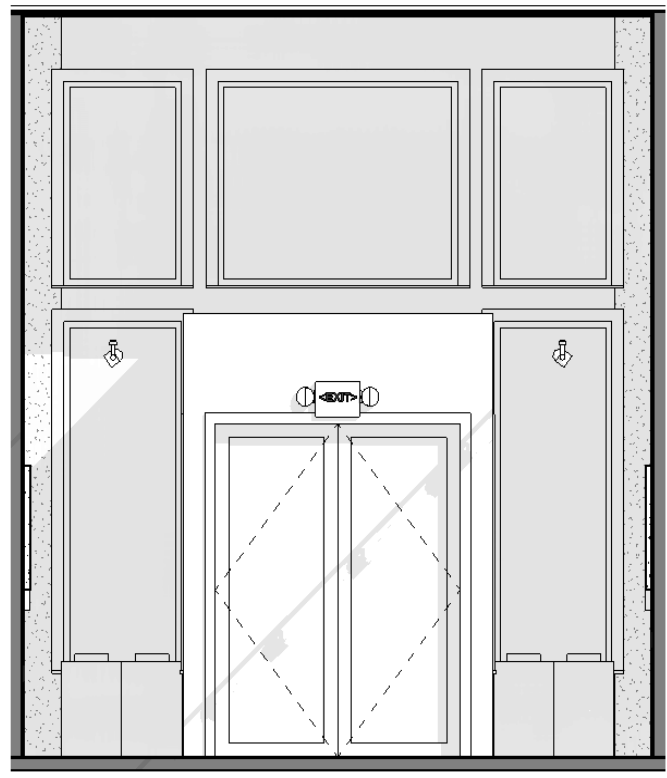
4 Mt Man South
1/4" = 1'-0"



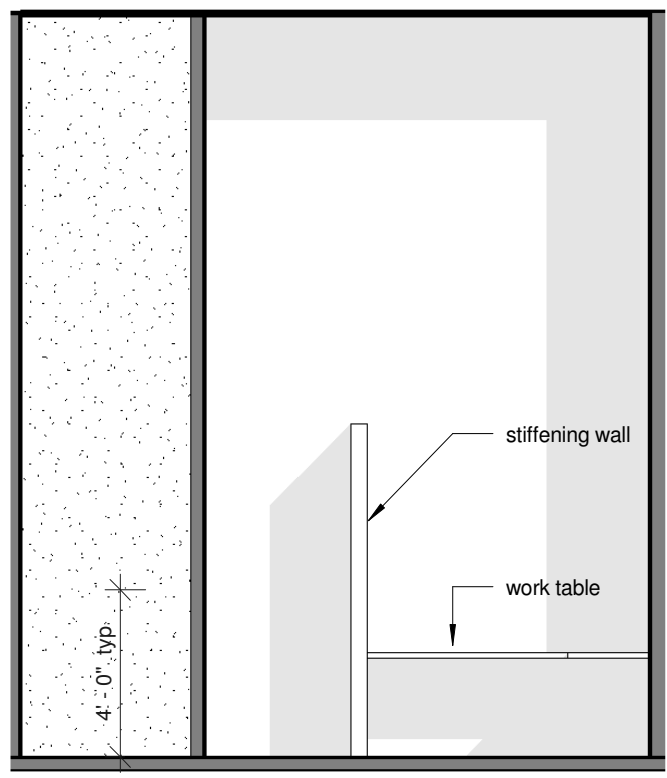
7 Office North
1/4" = 1'-0"



5 New West North
1/4" = 1'-0"



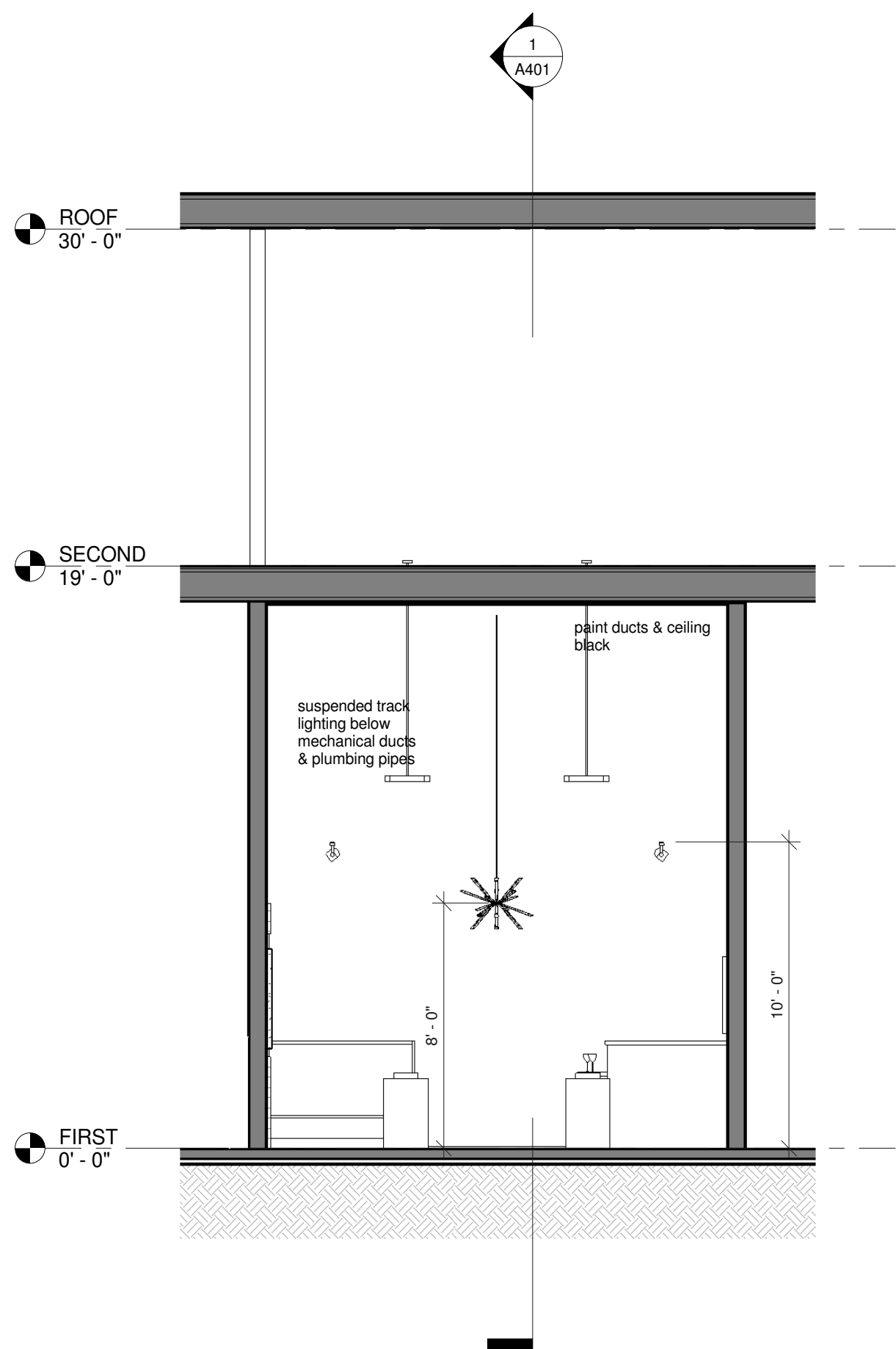
6 New West South
1/4" = 1'-0"



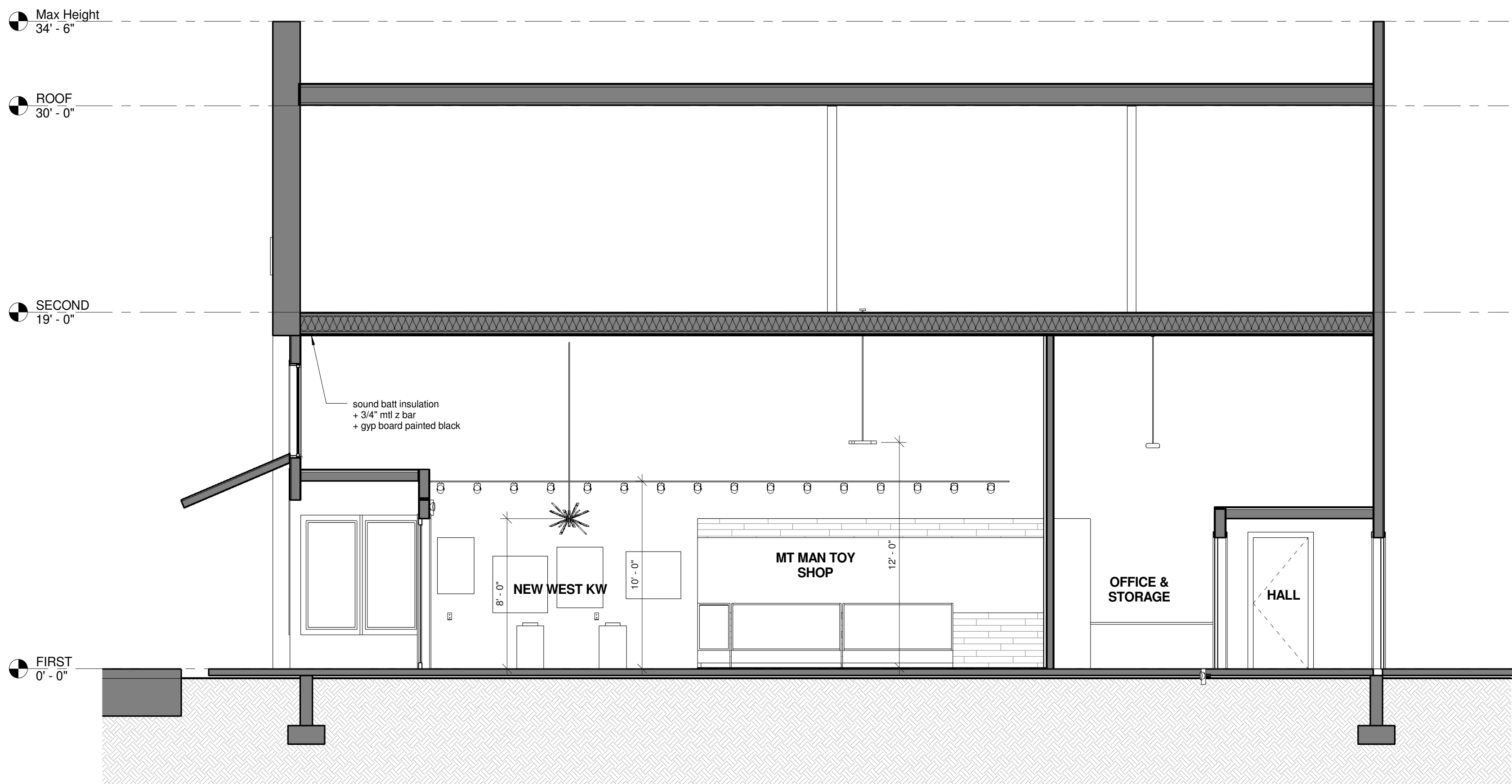
8 Office South
1/4" = 1'-0"

New West KnifeWorks Helena Retail Shop - Conceptual 1380 Main St. Helena, CA			INSIDE DESIGN STUDIO JESSICA K TRAVIS Box 1661 Jackson WY 83001 (435) 513-1780 Jessica@insideds.com	ARCHITECTURE RR AIA NCARB LEED AP Box 2406 Jackson WY 83001 (307) 699-2454 Rachel@RavizArchitecture.com	 Corey Milligan New West KnifeWorks PO Box 1668 Wilson, WY Jackson (307) 733-4193 corey@newWestKnifeWorks.com Date Jan 26 2017 Scale 1/4" = 1'-0"
INTERIOR ELEVATIONS	A301				

** Note:
Sheets Scale at 100% on 22x34
Sheets Scale at 50% on 11x17



② Section Cross Cut
1/4" = 1'-0"



① Section Longitudinal
1/4" = 1'-0"

**New West KnifeWorks
Helena Retail Shop - Conceptual**
1380 Main St. Helena, CA

SECTIONS

** Note:
Sheets Scale at 100% on 22x34
Sheets Scale at 50% on 11x17

**INSIDE
DESIGN STUDIO**

JESSICA K TRAVIS
Box 1661 Jackson WY 83001
(435) 513-1780
Jessica@insideds.com

**ARCHITECTURE
RR**

AIA NCARB LEED AP
Box 2406 Jackson WY 83001
(307) 699-2454
Rachel@RavitzArchitecture.com

**New West
KnifeWorks**

Corey Milligan
New West KnifeWorks
PO Box 1668 Wilson, WY
Jackson (307) 733-4193
corey@newWestKnifeWorks.com

Date Jan 26 2017

A401

Scale ** 1/4" = 1'-0"



















**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

March 21, 2017

AGENDA SECTION: Public Hearing

FILE NUMBER: PL16-088

SUBJECT: Kinney/Rinaldi Porch Design Review

PREPARED BY: Lilly Bianco, Contract Planner

REVIEWED BY: Noah Housh, Planning Director

APPLICATION FILED: 11/4/2016

ACCEPTED AS COMPLETE: 2/22/17

LOCATION OF PROPERTY: 1764 Park Street

APN: 009-402-021

GENERAL PLAN/ZONING: Medium Density Residential (MR)

APPLICANT: Kevin Horowitz, St. Helena Construction

PHONE: (707) 963-8058

PROJECT DESCRIPTION

Applicant, Kevin Horowitz, on behalf of property owners, Tom Rinaldi and Beverly Kinney, is requesting Design Review approval to construct a new unenclosed wraparound porch extending along the west and south elevations of the existing residence. The proposed porch would be constructed of redwood and would exhibit a height of 23" and project 8' from the residence. A pent roof clad in asphalt shingles and supported by simple wood posts would be added to provide shade and protection from the elements.

ANALYSIS

GENERAL PLAN

The subject property exhibits a General Plan Land Use designation of Medium Density Residential. This land use designation allows single family detached and attached homes, secondary residential units, and other compatible uses including accessory structures. The Medium density residential land use designation serves as the predominant residential land use designation and is intended to perpetuate the existing development patterns exhibited by St. Helena's established neighborhoods.

ZONING

*Kinney /Rinaldi Front Porch
1764 Park Street
Design Review
March 21, 2017
Page 1 of 4*

Consistent with the GP land use designation, 1764 Park Street exhibits a zoning designation of MR: Medium Density Residential. The MR Zoning District allows for residential additions insofar as they conform to the development standards prescribed by Municipal Code Section 17.40.060 and Section 17.116.010.

Review of the project indicates that it meets all applicable development standards; the proposed project would introduce a new 23" tall porch which would project 8' from the residence. The proposed porch would encroach 4'6" into the required 20' setback which is below the 6' maximum allowed under Zoning Code Section 17.112.060(B) and applicable to "unenclosed porches." Under Zoning Code Section 17.40.070(C) (4), a porch where at least one of the longest dimensions is unenclosed shall be exempt from the F.A.R provisions. As such, the project is determined consistent with all applicable standards.

DESIGN REVIEW

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The Planning Commission must find that the project is consistent with the design criteria prescribed by Section 17.164.030 (detailed below) and exhibit a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood. Consistency findings related to the Design Review Criteria and enumerated, below.

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan. *As an minor alteration to an existing single family residence which is of an appropriate design, scale, and siting and on a medium density residential property, the project would not conflict with or otherwise prevent the attainment of any General Plan policies, goals, or objectives.*
2. Compatibility of design with the immediate environment of the site;
The porch will be of a simple design and quality materials that are compatible with the materials, finishes, and design of the house.
3. Relationship of the design to the site;
The wraparound porch will be located around the front and side property which is an appropriate siting for the porch.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The proposed porch would not substantially alter the character of the residence and the residence would continue to be compatible with others in the neighborhood.
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
The site is substantially surrounded by MDR land use, as such; the project would not affect transitions between land uses.
6. Compatibility with future construction both on and off the site;

Kinney /Rinaldi Front Porch
1764 Park Street
Design Review
March 21, 2017
Page 2 of 4

- The porch will be simple and exhibit compatibility with the primary residence and would continue to be compatible with future construction on site.*
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The proposed wraparound porch will be of a simple design and would provide an outdoor amenity and increase the residence's interaction with the streetscape. Therefore, it would be appropriate for the function of the residence.
 8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
The proposed wraparound porch would be appropriate to the residential use and would provide a desirable environment.
 9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
No landscaping is proposed as part of the subject project.
 10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
No additional ancillary functions are proposed.
 11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
The project does not propose any changes to circulation systems or site access.
 12. Whether natural features are appropriately preserved and integrated with the project;
The limited size of wraparound porch would not impact significant natural features.
 13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;
The proposed porch would be redwood and would feature simple wood posts and comp shingle pent roof. The design and materials are simple and appropriate for the existing residence and to the adjacent structures.
 14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
As a simple wraparound porch, the project would be compatible with the existing character exhibited by the streetscape and greater neighborhood.
 15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
The project does not include the introduction of landscaping.
 16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;
No plant material is proposed.
 17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.

The redwood decking is considered a renewable material which can also be recycled/ reused at the end of its lifecycle. As such, the project promotes green building practices and sustainability through appropriate use of materials.

Staff Response: The proposed project is limited to the construction of an unenclosed wraparound porch. Staff finds that the proposed modifications are of a scale, massing, and quality of design that is appropriate for the subject property. Given the simplicity of the proposed porch and the appropriate scale and use of materials, it is not expected to diminish or otherwise detract from the character of the neighborhood or that of adjacent properties. Accordingly, the proposed project appears to be consistent with all applicable design review criteria.

CEQA

The project is exempt from the requirements of CEQA pursuant to Section 15301, which exempts the minor alteration of existing private structures. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution finding that:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15301 as the minor alteration of an existing structure.
2. Accepts the required findings and approve Design Review for the Kinney/Rinaldi Porch project.

ATTACHMENTS

1. Resolution / Conditions of Approval
2. APN Map
3. Aerial View
4. Project Plans

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF DESIGN REVIEW FOR THE KINNEY/RINALDI PORCH
LOCATED AT 1764 PARK STREET**

PROPERTY OWNER: Tom Rinaldi and Beverly Kinney **APN:** 009-402-021

Recitals

A. Whereas, Mr. Kevin Horowitz, on behalf of property owners, Tom Rinaldi and Beverly Kinney, submitted an application for a Design Review permit to construct an unenclosed wraparound porch at 1764 Park Street in the MR: Medium Density Residential District, and

D. Whereas, A staff report dated March 21, 2017 and incorporated herein by reference analyzed the projects consistency with the Design Criteria enumerated in Section 17.164.030 of the Municipal Code, and

D. Whereas, the Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on March 21, 2017, and

E. Now, therefore let it be found that, the Planning Commission approves the Design Review permit and authorizes the modifications contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

1. The project is exempt from the requirements of CEQA pursuant to Section 15301, which exempts the minor alteration of existing private structures. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

2. DESIGN REVIEW:

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The project therefore must be consistent with the design criteria prescribed by Section 17.164.030 (detailed below) and exhibit a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood.

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan. *As an minor alteration to an existing single family residence which is of an appropriate design, scale, and siting and on a medium density residential property, the project would not conflict with or otherwise prevent the attainment of any General Plan policies, goals, or objectives.*
2. Compatibility of design with the immediate environment of the site;
The porch will be of a simple design and quality materials that are compatible with the materials, finishes, and design of the house.
3. Relationship of the design to the site;
The wraparound porch will be located around the front and side property which is an appropriate siting for the porch.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The proposed porch would not substantially alter the character of the residence and the residence would continue to be compatible with others in the neighborhood.
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
The site is substantially surrounded by MDR land use, as such; the project would not affect transitions between land uses.
6. Compatibility with future construction both on and off the site;
The porch will be simple and exhibit compatibility with the primary residence and would continue to be compatible with future construction on site.
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The proposed wraparound porch will be of a simple design and would provide an outdoor amenity and increase the residence's interaction with the streetscape. Therefore, it would be appropriate for the function of the residence.
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
The proposed wraparound porch would be appropriate to the residential use and would provide a desirable environment.
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
No landscaping is proposed as part of the subject project.
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
No additional ancillary functions are proposed.
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
The project does not propose any changes to circulation systems or site access.
12. Whether natural features are appropriately preserved and integrated with the project;
The limited size of wraparound porch would not impact significant natural features.

13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;
The proposed porch would be redwood and would feature simple wood posts and comp shingle pent roof. The design and materials are simple and appropriate for the existing residence and to the adjacent structures.
14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
As a simple wraparound porch, the project would be compatible with the existing character exhibited by the streetscape and greater neighborhood.
15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
The project does not include the introduction of landscaping.
16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;
No plant material is proposed.
17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.
The redwood decking is considered a renewable material which can also be recycled/ reused at the end of its lifecycle. As such, the project promotes green building practices and sustainability through appropriate use of materials.

The proposed project is limited to the construction of an unenclosed wraparound porch. Staff finds that the proposed modifications are of a scale, massing, and quality of design that is appropriate for the subject property. Given the simplicity of the proposed porch and the appropriate scale and use of materials it is not expected to diminish or otherwise detract from the character of the neighborhood or that of adjacent properties. Accordingly, the proposed project appears to be consistent with all applicable design review criteria.

F. Now therefore be it further resolved that, the Design Review for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code subject to each of the following conditions. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

Conditions of Approval

1. The Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

2. The plans submitted for building permit review shall be in substantial conformance with the plans on file in the Planning Division, date stamped December 5, 2016, except as modified by the following conditions.
3. The Design Review permit shall be vested within one (1) year from the date of approval. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit and Design Review decision or these approvals shall expire; provided however that the approved Use Permit and Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
4. The Design Review permit shall become effective fourteen (14) calendar days after approval, provided that the action is not appealed by the City Council or any other interested party within that 14 day period.
5. Any request for an extension of the Design Review permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
6. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
7. Prior to issuance of construction permits, compliance with conditions of approval shall be clearly identified on all plans. A copy of approved plans with the conditions listed on said plans shall be maintained on-site during construction activities.
8. Conditions shall be achieved at such a time as determined by the City and shall be achieved at the requisite stage and before issuance of certificate of occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
9. The applicant shall defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
10. This Design Review approval shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

12. No structure shall be permitted over any existing property lines. Documentation of the location of the property lines shall be submitted with plans for building permit issuance.
13. The porch shall remain unenclosed and shall be consistent with project plans date stamped November 4, 2017.
14. A building permit is required for any onsite demolition, construction or change of occupancy.
15. Fire sprinklers could be required depending on the extent of the modifications to the ceiling envelop. This will be determined as a component of the building permit review.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
17. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
18. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.
19. If the project includes 500 square feet or more of new landscaping and/or 2,500 square feet or more of rehabilitated landscape, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELo).
20. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.
21. Provide details of any and all proposed fencing and/or walls on all plans submitted for building permit review.

I HEREBY CERTIFY that the foregoing Design Review permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on March 21, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

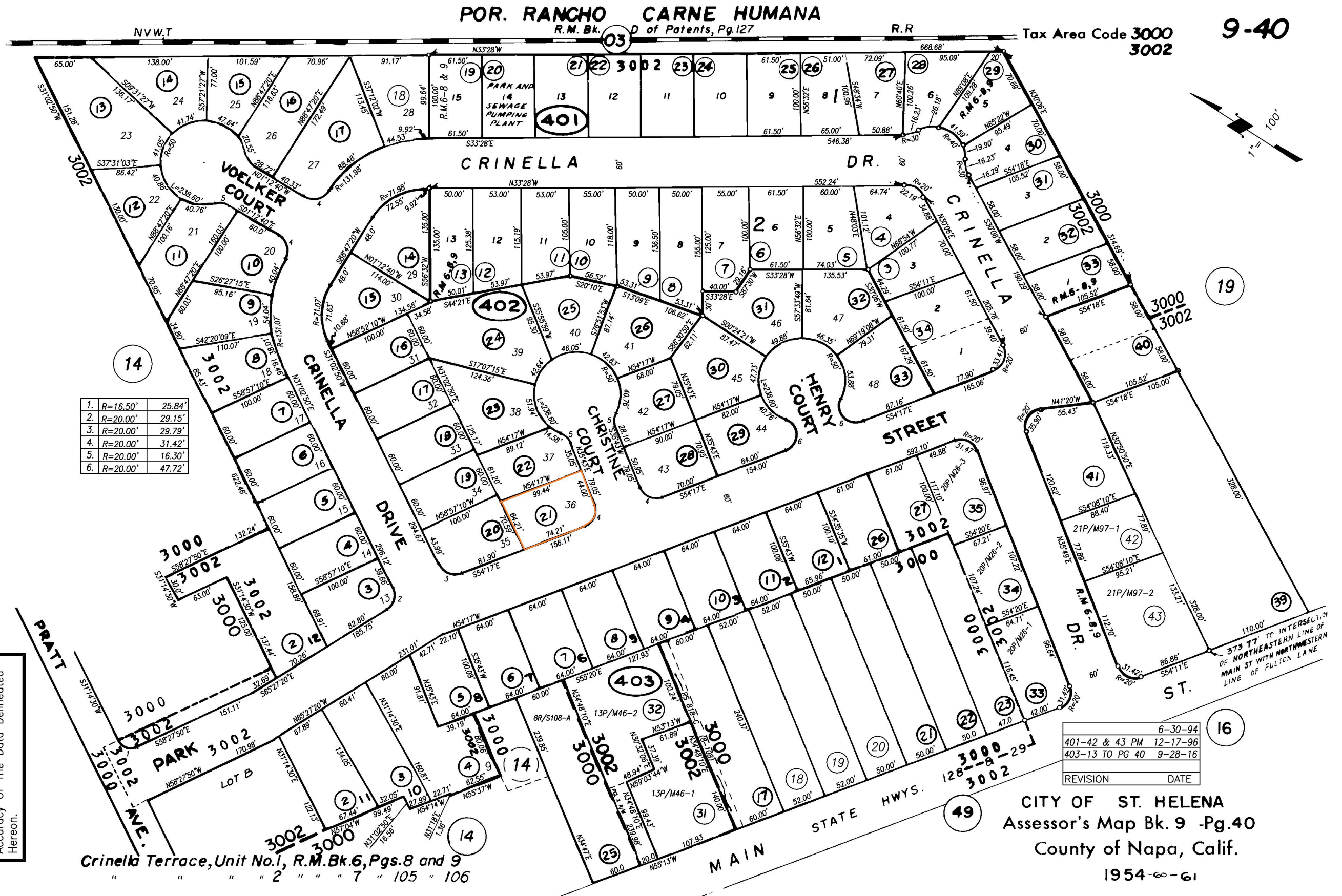
APPROVED:

ATTEST:

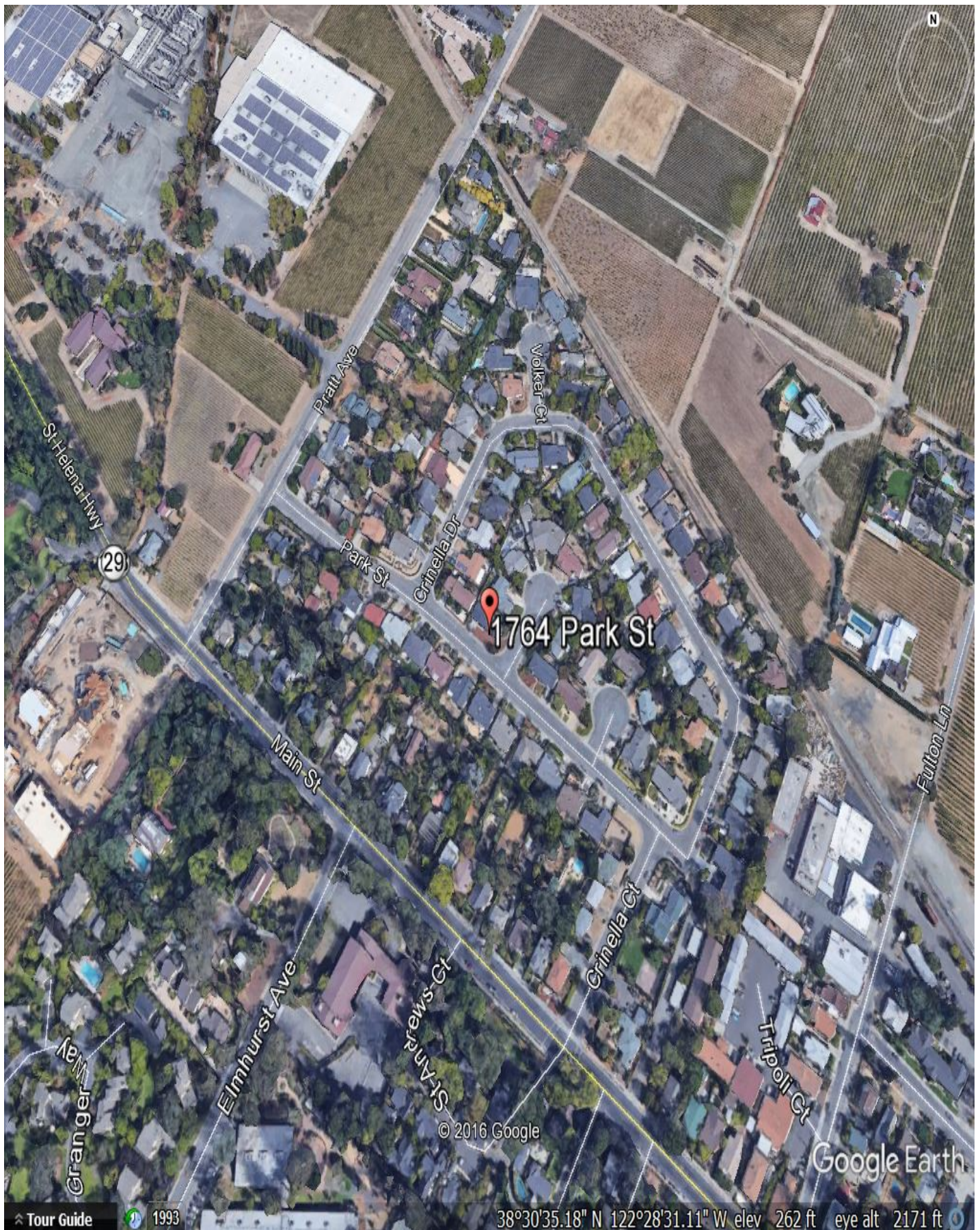
Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director

NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.



CITY OF ST. HELENA
Assessor's Map Bk. 9 -Pg.40
County of Napa, Calif.
1954-60-61

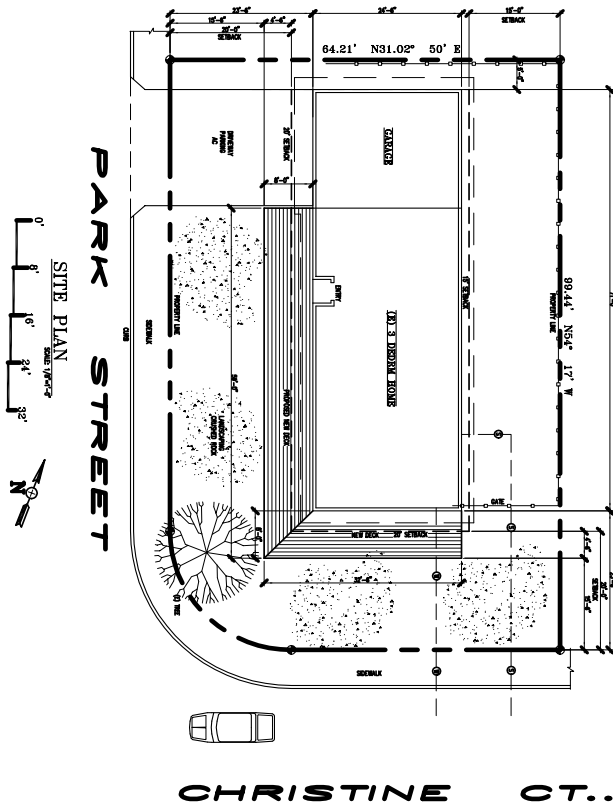


PLANS FOR A NEW COVERED DECK AT THE
KINNEY/RENALDY RESIDENCE
1764 PARK STREET
ST HELENA, CALIF.
A.P.N.: 009-402-021

PROJECT SUMMARY

[illegible]**PROJECT INFORMATION**

NAME LAST, FIRST, MIDDLE SEX DATE BORN OCCUPATION GROUP P-O BOXED (MAIL) / TELEPHONE		SEX LOCATION 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211		ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211	
HEIGHT 5' 11"	WEIGHT 179 LB. FT.	EYES BROWN	HAIR 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211	ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211	ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211
ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211		ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211		ADDRESS/MAILING RESIDENCE 1794 HALL STREET ST. HELENA, CALIFORNIA 95561-0211	



CHRISTINE CT..

**Cad
And
Draft**

Computer Aided Drafting

NAPA, CALIF. 94558
(707)255-1236

DRAWN BY
M THOMPSON

NEW COVERED DECK
KINNEY/RENALDY
1764 PARK STREET
ST HELENA, CALIF
ST HELENA CONSTRUCTION

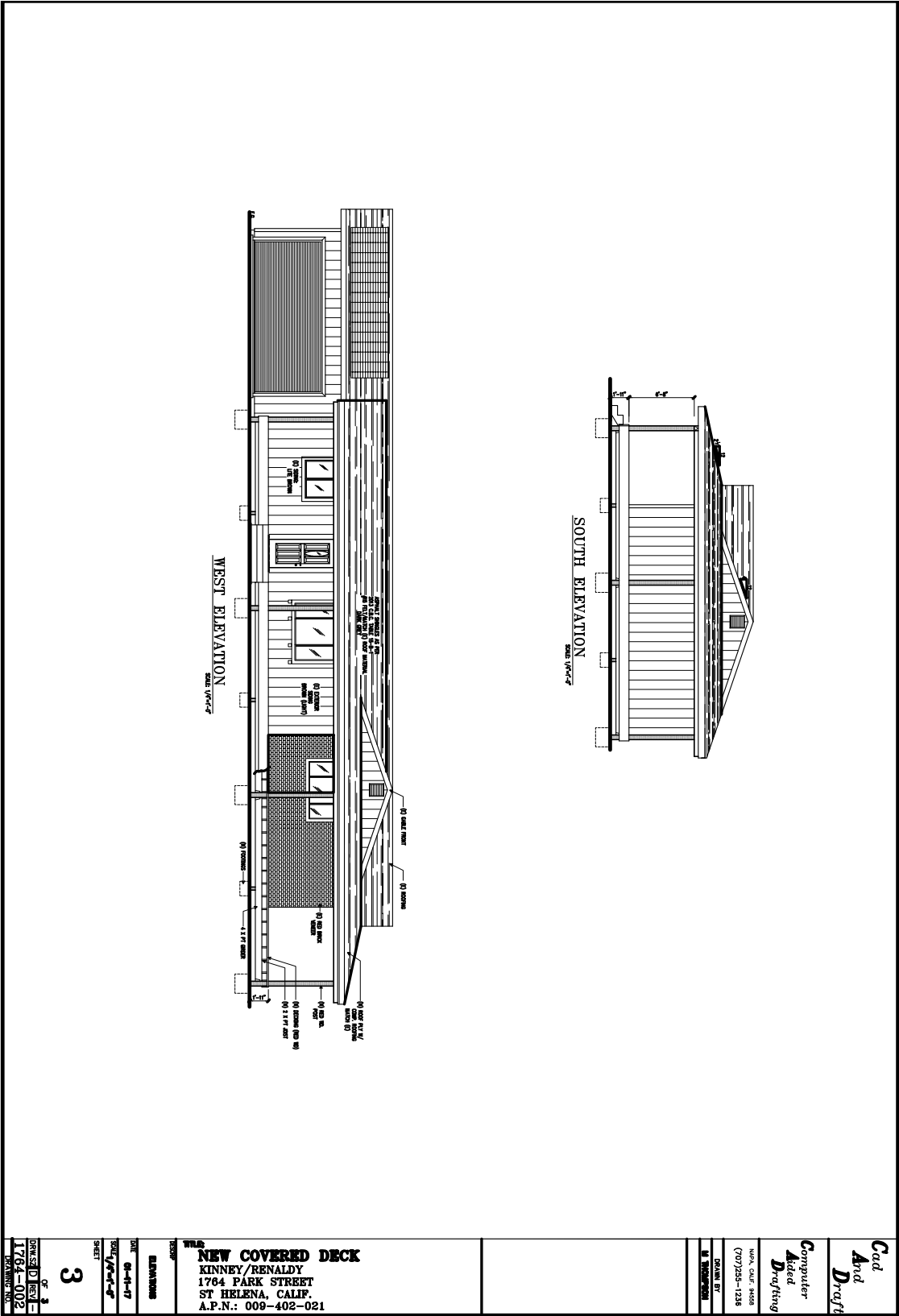
SITE PLAN

DATE **01-11-17**

SHEET

1

OF	1
DRW. SZ	D REV.
1175-001	
DRAWING NO.	



**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

March 21, 2017

AGENDA ITEM: 5.3

SUBJECT: Draft Ordinance making Municipal Code amendments to Chapter 17.126 expanding the application of the City of St. Helena's Medical Marijuana regulations in response to the passage of the California Proposition 64, or the Adult Use of Marijuana Act (AUMA), effective November 9, 2016.

PREPARED BY: Lilly Bianco, Contract Planner

REVIEWED BY: Noah Housh, Planning Director

APPLICATION FILED: N/A

ACCEPTED AS COMPLETE N/A

LOCATION OF PROPERTY: N/A

APPLICANT: City of St. Helena

PHONE (707) 967-2792

APN: N/A

GENERAL PLAN/ZONING: Citywide

PROJECT DESCRIPTION

The proposed amendments to Municipal Code Chapter 17.126 are intended to expand the application of the City's medical marijuana regulations to the cultivation and use of recreational marijuana and establish consistency with state law, as amended by the passage of Proposition 64 or Adult Use of Marijuana Act ("AUMA").

BACKGROUND

On November 8, 2016 voters approved Proposition 64, or the Adult Use of Marijuana Act ("AUMA") legalizing personal use and cultivation of non-medical marijuana and which became effective November 9, 2016. The AUMA provides that local governments can reasonably regulate, but cannot ban the personal indoor cultivation of up to six nonmedical marijuana plants per private residence. This includes cultivation in a greenhouse that is on the property of the residence, but not physically part of the home, insofar as it is fully enclosed, secure, and not visible from a public space. Because this activity is not subject to state licensing requirements, individuals may engage in personal indoor cultivation beginning November 9, 2016, unless a city enacts an ordinance imposing a reasonable regulatory scheme that would preclude them from doing so before complying with the city's regulatory requirements.

What the City's existing Ordinance prohibits

St. Helena's existing ordinance prohibits marijuana cultivation facilities, medical marijuana dispensaries, medical marijuana deliveries, and commercial cannabis activities, as defined therein, subject to limited and specified exceptions, within the city limits.

What the City's existing Ordinance Authorizes

The Ordinance allows for personal cultivation by a "qualified patient" of up to six (6) mature or twelve (12) immature marijuana plants subject to standards related to nuisance, external indications of cultivation activities, and maximum square footage of cultivation. All cultivation activities are required to be completely enclosed.

Substantive Changes imposed by the passage of AUMA

At present, the City of St. Helena's medical marijuana regulations prohibition of commercial cultivation and dispensaries are not preempted by, or becoming invalid because of, the passage of Proposition 64. Nevertheless, the AUMA triggers the need for certain changes to the City's existing marijuana regulations to respond to the substantive changes enumerated below and shown in italic typeface:

- A. Individuals may possess, process, transport, purchase, obtain or give away to persons over 21 years of age up to 28.5 grams of marijuana not in the form of concentrated cannabis.*
- B. Individuals may possess, process, transport, purchase, obtain, or give away to persons over 21 years of age without any compensation not more than eight grams of marijuana in the form of concentrated cannabis, including as contained in marijuana products.*
- C. Individuals may possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants. There may not be more than six living plants planted, cultivated, harvested, dried or processed within a single private residence or upon grounds of that residence at one time.*
- D. Cities can completely prohibit private outdoor cultivation, but they cannot prohibit cultivation within a private residence or within a fully enclosed and secured residential accessory structure.*
- E. Personal cultivators will need to comply with local ordinances regarding cultivation.*
- F. Cities can "enact and enforce reasonable regulations that reasonably regulate" personal indoor cultivation."¹*
- G. Cities and counties may not "completely prohibit" personal cultivation in a private residence or residential accessory structure that is "fully enclosed and secure."*

¹ The AUMA does not define what constitutes a reasonable regulation of personal cultivation. However, the term "reasonable regulation" would likely include the following: prohibitions on nuisance odors, local permit requirements, and fire and safety inspections. A city could also require that indoor cultivators obtain the landlord's consent, if applicable.

- H. *With regard to commercial marijuana businesses, the AUMA establishes a regulatory system that is very similar to the medical marijuana regulatory system created by the Medical Cannabis Regulation and Safety Act (“MCRSA”), which was passed into law last year. Under the AUMA, marijuana cultivators, manufacturers, distributors, retailers, and testing laboratories need to obtain a state license to operate. Local agencies retain the ability to completely prohibit recreational marijuana businesses if they so choose. However, the AUMA imposes certain restrictions on local police power with regard to private cultivation at private residences.*

PROJECT

In review of the existing ordinance and related code sections, and acknowledging the substantive changes enumerated above, it was found that the City’s Marijuana Ordinance is *inconsistent* with a limited number of the newly imposed State regulations and the following policies and/or definitions should be updated, as detailed below. Proposed Code deletions are shown in ~~striketrough~~ with additions shown in **red** text.

1. Title

To reflect the expanded applicability of Chapter 17.126, the Title should be revised to read, “Marijuana Facilities” and not specify “Medical Marijuana Facilities.” As such, the following revision is proposed:

Chapter 17.126

~~MEDICAL~~ MARIJUANA FACILITIES

2. Marijuana Definition

The AUMA broadens the definition of marijuana in Health and Safety Code section 11018. To be consistent with State law, the City of St. Helena’s marijuana definition contained in Section 17.126.060 (D) should be revised as follows:

“Marijuana” means all parts of the plant Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It includes marijuana infused in foodstuff, and concentrated cannabis and the separated resin, whether crude or petrified, obtained from marijuana. It does not include ~~the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except resin extracted therefrom), fiber, oil, or cake, or the sterilized seeds of the plant that are incapable of germination.~~

(A) Industrial hemp

(B) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other product.

3. *Personal Cultivation*

At present, the City of St. Helena Municipal Code only references the cultivation of medical marijuana. Given the changes imposed by AUMA, it is recommended the Code be updated to add cultivation of recreational marijuana to SHMC section 17.126.030(c) which regulates the private cultivation of medical marijuana. Similarly, the measures meant to lessen the impacts of personal cultivation of medical marijuana on neighboring residences and communities should be expanded to apply to recreational marijuana cultivation, as well.

Accordingly, Code Section 17.126.030 will be updated such that the personal cultivation of medical *and/ or* recreational marijuana (1) occurs only indoors; (2) the location of cultivation activities is indoors, and/or housed completely within a structure with no external indication of cultivation activities; and (3) cultivation of marijuana may not create or cause a nuisance condition and the city may abate, in any manner permitted by law, a nuisance condition created or caused by marijuana cultivation.

17.126.030 Prohibitions and limited exceptions.

....

C. The prohibition against cultivation facilities set forth in subsection B of this section, however, shall not apply to ~~a qualified patient cultivating marijuana/Cannabis pursuant to Section 11362.5 and the Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use promulgated by the California Attorney General~~ **any individual and/or patient cultivating marijuana for recreational use** under the following circumstances:

1. ~~The patient or designated caregiver~~ **The individual and/or patient** maintains no more than six mature or twelve (12) immature marijuana/Cannabis plants; and
2. The **individual and/or patient** ~~patient or designated caregiver~~ cultivates marijuana/Cannabis for ~~the patient's personal medical use~~ and does not sell, distribute, donate, transmit, or provide marijuana/Cannabis to any other person or entity; and
3. The location of all cultivation activities is located indoors, and housed completely within a structure with no external indication of cultivation activities; and
4. The property on which ~~an qualified patient or designated caregiver~~ **individual and/or patient** is cultivating marijuana/Cannabis has no more than one hundred (100) square feet devoted to the cultivation of marijuana/Cannabis ~~by any qualified patient~~

*Marijuana Ordinance Update
March 21, 2017
Page 4 of 6*

~~or combination of qualified patients~~ (the area used to cultivate marijuana/Cannabis shall be measured by the aggregate area of vegetative growth of live marijuana plants on the premises).

Notwithstanding this exception, ~~an qualified patient~~ **individual and/or patient** cultivating marijuana may not create or cause a nuisance condition and the city may abate, in any manner permitted by law, a nuisance condition created or caused by, associated with, or arising from marijuana cultivation by a qualified patient.

4. *Prohibitions on Commercial Marijuana Businesses*

The AUMA provides that cities may “completely prohibit the establishment or operation of one or more types of businesses licensed under” the AUMA.² As such, according to the City’s legal counsel, if the City wishes to continue its ban on marijuana dispensaries and cultivation facilities, it should add a provision to its marijuana ordinance specifying that *all* forms of businesses licensed under the AUMA are prohibited. The existing language of the SHMC prohibiting medical marijuana dispensaries and cultivation facilities will remain intact. As such, Code Section 17.126.030(D) should be updated as follows:

17.126.030 Prohibitions and limited exceptions.

....

D. **All forms of** Commercial cannabis activities are prohibited in all zoning districts in the city and shall not be established or operated anywhere in the city. The city shall not issue, approve or grant any permit, license or other entitlement for the establishment or operation of a commercial cannabis activity **including those business types licensed under the Adult Use of Marijuana Act**. No person may be the lessor of property where a commercial cannabis activity is located. No person may participate as an employee, contractor, agent, volunteer, or in any manner or capacity in any commercial cannabis activity in the city.

DISCUSSION

Amendments are governed by Municipal Code Chapter 17.12 and by Government Code Section 65853. Municipal Code Chapter 17 stipulates that text amendments may be recommended by the Planning Commission for approval by the City Council insofar as the Planning Commission finds the proposed amendments are in conformance with the General Plan and consistent with the public necessity, convenience, general welfare, and good zoning practice.

General Plan Consistency

The proposed text amendments are intended to achieve the minimum required changes so as to conform to state law. The proposed changes will broaden the scope of the City of St. Helena’s

² Bus. and Prof. Code § 26200.

Marijuana Ordinance to address cultivation of recreational marijuana in addition to medical marijuana. Considering all its aspects, the proposed text amendments are expected to further the objectives and policies of the General Plan and would not obstruct their attainment.

General Welfare Provisions

The proposed text amendments would further the public necessity, convenience, and general welfare of St. Helena Residents by ensuring the appropriate regulation and enforcement of medical and recreational use of marijuana within the City of St. Helena.

CEQA

The Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the “General Rule” Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment. Moreover, the adoption of this Ordinance is further exempt from CEQA because the Ordinance does not change, but instead codifies existing City law and practice.

PUBLIC COMMENT AND NOTICING

As of the writing of this staff report, the City has received no comments on the proposed Ordinance update.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed text amendments to Municipal Code Chapter 17.126 and recommends the following:

1. Determine that the proposed amendments to Municipal Code Chapter 17.126 are exempt under Public Resources Code Section 21080.17, and
2. Review and accept the proposed amendments to Municipal Code Chapter 17.126 and recommend that the City Council approve the proposed amendments in order to establish compliance with the amended text of the Control, Regulate and Tax Adult Use of Marijuana Act, No. 15-0103.

ATTACHMENTS

1. Resolution
2. Copy of amended Municipal Code Chapter 17.126
3. Legal Memorandum
4. AUMA FAQ Summary

Attachment 1

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2017-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE ATTACHED ORDINANCE (EXHIBIT 1) AMENDING CHAPTER 17.126 MEDICAL MARIJUANA FACILITIES TO EXPAND THE APPLICABILITY OF THE SECTION TO FACILITATE COMPLIANCE WITH THE ADULT USE OF MARIJUANA ACT (AUMA), 2016.

PROJECT PROPONENT: City of St Helena

Recitals

A. Whereas, on January 12, 2016 the City of St. Helena adopted Ordinance No 2016-4 prohibiting marijuana cultivation, dispensaries and deliveries within the City of St. Helena and subject to limited exceptions, including those related to the limited cultivation of medical marijuana, and

B. Whereas, On November 8, 2016 voters approved Proposition 64, or the Adult Use of Marijuana Act (“AUMA”) legalizing personal use and cultivation of nonmedical marijuana and which became effective November 9, 2016., and

C. Whereas, the St. Helena Medical Marijuana Ordinance does not explicitly address cultivation of marijuana for non-medical purposes, and

D. Whereas, The AUMA provides that local governments can reasonably regulate, but cannot ban the personal indoor cultivation of up to six nonmedical marijuana plants per private residence and further specifies that because personal cultivation is not subject to state licensing requirements, individuals may engage in personal indoor cultivation beginning November 9, 2016, unless a city enacts an ordinance imposing a reasonable regulatory scheme that would preclude them from doing so before complying with the city’s regulatory requirements.

E. Whereas, to expand the City of St. Helena’s marijuana regulations to apply to individual cultivation, revisions to St. Helena Municipal Code Chapter 17.126, attached hereto as Exhibit 1, are proposed.

F. Whereas, the Planning Commission of the City of St. Helena held a duly notice Public Hearing to review the proposed Ordinance revisions on March 21, 2017, and

Resolution

H. Now, therefore let it be resolved that, the Planning Commission recommends that the City Council find the action to adopt this Ordinance to amend Chapter 17.134 of the St. Helena Municipal Code is exempt from, the provisions of the California

Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA), under the “General Rule”, because the Planning Commission hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment, and the Ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(1), 15061(b)(2), and 15061(b)(3).

I. Now, therefore be it further resolved that the Planning Commission recommends that the City Council adopt the Zoning Ordinance Amendments as contained in Exhibit 1 to this Resolution.

I HEREBY CERTIFY that the foregoing recommendation to the City Council was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on March 21, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director

Attachment 2

Chapter 17.126
MEDICAL MARIJUANA FACILITIES

Sections:

[17.126.010 Purpose.](#)[17.126.020 Definitions.](#)[17.126.030 Prohibitions and limited exceptions.](#)[17.126.040 Enforcement.](#)**17.126.010 Purpose.**

The purpose and intent of this chapter is to prohibit marijuana cultivation facilities, medical marijuana dispensaries, medical marijuana deliveries, and commercial cannabis activities, as defined below, subject to limited and specified exceptions, within the city limits. It is recognized that it is a federal violation under the Controlled Substances Act to possess or distribute marijuana even if for medical purposes.

Additionally, there is evidence of an increased incidence of crime-related secondary impacts in locations associated with marijuana cultivation facilities and medical marijuana dispensaries and in connection with medical marijuana deliveries, which is contrary to policies that are intended to promote and maintain the public's health, safety, and welfare. (Ord. 16-4 § 2 (Exh. A (part)))

17.126.020 Definitions.

The following definitions shall apply to the provisions of this chapter:

- A. "Commercial cannabis activity" shall have the meaning set forth in Business and Professions Code Section [19300.5\(k\)](#).
- B. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.
- C. "Establish" or "operate" a marijuana cultivation facility, medical marijuana dispensary, or commercial cannabis activity means and includes any of the following:
 - 1. The opening or commencement of the operation of a marijuana cultivation facility, medical marijuana dispensary, or commercial cannabis activity;
 - 2. The conversion of an existing business, facility, use, establishment, or location to a marijuana cultivation facility, medical marijuana dispensary, or commercial cannabis activity;

Attachment 2

3. The addition of a marijuana cultivation facility, medical marijuana dispensary, or commercial cannabis activity to any other existing business, facility, use, establishment or location.

D. "Marijuana" means all parts of the plant Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It includes marijuana infused in foodstuff, and concentrated cannabis and the separated resin, whether crude or petrified, obtained from marijuana. It does not include ~~the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except resin extracted therefrom), fiber, oil, or cake, or the sterilized seeds of the plant that are incapable of germination.~~ (A) Industrial hemp

(B) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other product.

E. "Medical marijuana" is marijuana used for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of acquired immune deficiency syndrome ("AIDS"), anorexia, arthritis, cancer, chronic pain, glaucoma, migraine, spasticity, or any other serious medical condition for which marijuana is deemed to provide relief as defined in subsection (h) of Health and Safety Code Section [11362.7](#).

F. "Marijuana cultivation facility" means any business, facility, use, establishment, property, or location where the cultivation of marijuana occurs.

G. "Medical marijuana dispensary" means any business, facility, use, establishment, property, or location, whether fixed or mobile, where medical marijuana is sold, made available, delivered and/or distributed by or to three or more people. A "medical marijuana dispensary" does not include the following uses, as long as the location of such uses are otherwise regulated by this code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section [11362.5](#) et seq. (Ord. 16-4 § 2 (Exh. A (part)))

Attachment 2

17.126.030 Prohibitions and limited exceptions.

A. Medical marijuana dispensaries are prohibited in all zoning districts in the city and shall not be established or operated anywhere in the city. The city shall not issue, approve or grant any permit, license or other entitlement for the establishment or operation of a medical marijuana dispensary. No person may be the lessor of property where a medical marijuana dispensary is located. No person may participate as an employee, contractor, agent, volunteer, or in any manner or capacity in any medical marijuana dispensary in the city.

B. Marijuana cultivation facilities are prohibited in all zoning districts in the city and shall not be established or operated anywhere in the city. The city shall not issue, approve or grant any permit, license or other entitlement for the establishment or operation of a marijuana cultivation facility. No person may be the lessor of property where a marijuana cultivation facility is located. No person may participate as an employee, contractor, agent, volunteer, or in any manner or capacity in any marijuana cultivation facility in the city.

C. The prohibition against cultivation facilities set forth in subsection B of this section, however, shall not apply to a qualified patient cultivating marijuana/Cannabis pursuant to Section 11362.5 and the Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use promulgated by the California Attorney General **or to any individual cultivating marijuana for recreational use** under the following circumstances:

1. ~~The patient or designated caregiver~~ **The individual and or patient** maintains no more than six mature or twelve (12) immature marijuana/Cannabis plants; and
2. **The individual and/or patient** ~~patient or designated caregiver~~ cultivates marijuana/Cannabis for ~~the patient's personal medical use~~ and does not sell, distribute, donate, transmit, or provide marijuana/Cannabis to any other person or entity; and
3. The location of all cultivation activities is located indoors, and housed completely within a structure with no external indication of cultivation activities; and
4. The property on which ~~an qualified patient or designated caregiver~~ **individual** is cultivating medical or recreational marijuana/Cannabis has no more than one hundred (100) square feet devoted to the cultivation of marijuana/Cannabis ~~by any qualified patient or combination of qualified patients~~ (the area used to cultivate marijuana/Cannabis shall be measured by the aggregate area of vegetative growth of live marijuana plants on the premises).

Attachment 2

Notwithstanding this exception, ~~an qualified patient~~ **individual and/ or patient** cultivating marijuana may not create or cause a nuisance condition and the city may abate, in any manner permitted by law, a nuisance condition created or caused by, associated with, or arising from marijuana cultivation by a qualified patient.

D. **All forms of** Commercial cannabis activities are prohibited in all zoning districts in the city and shall not be established or operated anywhere in the city. The city shall not issue, approve or grant any permit, license or other entitlement for the establishment or operation of a commercial cannabis activity **including those business types licensed under the Adult Use of Marijuana Act**. No person may be the lessor of property where a commercial cannabis activity is located. No person may participate as an employee, contractor, agent, volunteer, or in any manner or capacity in any commercial cannabis activity in the city.

E. No person and/or entity may deliver or transport medical marijuana from any fixed or mobile location, either inside or outside the city, to any person in the city, except that a person may deliver or transport medical marijuana to a qualified patient or person with an identification card, as those terms are defined in Health and Safety Code Section [11362.7](#), for whom he or she is the primary caregiver within the meaning of Health and Safety Code Sections [11362.5](#) and [11362.7\(d\)](#).

F. Nothing contained in this section shall be deemed to permit or authorize any use or activity which is otherwise prohibited by any state or federal law. (Ord. 16-4 § 2 (Exh. A (part)))

17.126.040 Enforcement.

The city may enforce this chapter in any manner permitted by law. The violation of this chapter shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the city, create a cause of action for injunctive relief. (Ord. 16-4 § 2 (Exh. A (part)))

Attach 3



MEMORANDUM

TO: Noah Housh **CC:** Thomas B. Brown, City Attorney
FROM: Nira F. Doherty
DATE: November 15, 2016
RE: Proposition 64's Impacts on St. Helena's Marijuana Regulations

I. Summary and Recommendation

You asked us to advise the City on the impacts of Proposition 64, or the Adult Use of Marijuana Act ("AUMA"), which was approved by the voters on November 8, 2016.

The AUMA legalizes recreational marijuana and establishes a regulatory system for the commercial marijuana industry. It does not supersede existing medical marijuana regulations, but rather is intended to operate parallel to the existing State medical marijuana regulations.

The City's current medical marijuana regulations which ban commercial cultivation and dispensaries are not at risk of being preempted by or becoming invalid because of Prop. 64's passage. However, the AUMA triggers the need for certain changes to the City's existing marijuana regulations. We recommend that the City move forward with these changes expeditiously to avoid any potential conflicts.

This memo provides a background of the AUMA and the City's marijuana regulations, and provides recommended changes to the City's marijuana ordinance.

II. Background of Proposition 64, The Adult Use of Marijuana Act

The AUMA makes the following significant changes to existing State marijuana regulations:

A. Individuals may possess, process, transport, purchase, obtain or give away to persons over 21 years of age up to 28.5 grams of marijuana not in the form of concentrated cannabis.¹

¹ H & S Code § 11362.1(a)

?

November 15, 2016

Page 2

B. Individuals may possess, process, transport, purchase, obtain, or give away to persons over 21 years of age without any compensation not more than eight grams of marijuana in the form of concentrated cannabis, including as contained in marijuana products.²

C. Individuals may possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants. There may not be more than six living plants planted, cultivated, harvested, dried or processed within a single private residence or upon grounds of that residence at one time.³

D. Cities can completely prohibit private outdoor cultivation, but they cannot prohibit cultivation within a private residence or within a fully enclosed and secured residential accessory structure.⁴

E. Personal cultivators will need to comply with local ordinances regarding cultivation.⁵

F. Cities can “enact and enforce reasonable regulations that reasonably regulate” personal indoor cultivation.”⁶ The AUMA does not define what constitutes a reasonable regulation of personal cultivation. However, the term “reasonable regulation” would likely include the following: prohibitions on nuisance odors, local permit requirements, and fire and safety inspections. A city could also require that indoor cultivators obtain the landlord’s consent, if applicable.

G. Cities and counties may not “completely prohibit” personal cultivation in a private residence or residential accessory structure that is “fully enclosed and secure.”⁷

H. With regard to commercial marijuana businesses, the AUMA establishes a regulatory system that is very similar to the medical marijuana regulatory system created by the Medical Cannabis Regulation and Safety Act (“MCRSA”), which was passed into law last year. Under the AUMA, marijuana cultivators, manufacturers, distributors, retailers, and testing laboratories need to obtain a state license to operate. Local agencies retain the ability to completely prohibit recreational marijuana

² *Id.*

³ *Id.* at subd. (a)(3)

⁴ *Id.* at subd. (b)(1).)

⁵ *Id.* at subd. (a)(1).

⁶ *Id.* at subd. (b)(1).

⁷ *Id.* at subd. (b)(1)-(2).

?

November 15, 2016

Page 3

businesses if they so choose. However, the AUMA imposes certain restrictions on local police power with regard to private cultivation at private residences.

III. St. Helena's Marijuana Regulations

St. Helena's current marijuana regulations prohibit medical marijuana dispensaries and marijuana cultivation facilities.⁸ The regulations allow for personal cultivation of up to six (6) mature or twelve (12) immature marijuana plants.⁹ The City imposes standards on personal cultivation related to nuisance, external indications of cultivation activities and maximum square footage of cultivation.¹⁰

IV. Recommended Amendment to the City's Marijuana Regulations

A. *Marijuana Definition*

The City will need to change its definition of marijuana. The AUMA makes changes to the marijuana definition in Health and Safety Code section 11018. These changes would have the effect of broadening the scope of the marijuana definition. Cities should revise their own marijuana definitions accordingly to avoid any potential loopholes.

B. *Personal Cultivation*

The City will want to add cultivation of recreational marijuana to SHMC section 17.126.030 subdivision (C) which regulates the private cultivation of medical marijuana. The AUMA permits cities to enact and enforce reasonable regulations that reasonably regulate personal indoor cultivation.¹¹

SHMC section 17.126.030 subdivision (C) provides reasonable regulations meant to lessen the impacts of personal cultivation activities on neighboring residences and communities. The City will want to ensure that these measures, which apply to medical marijuana grows, also apply to recreational grows. These measures include: (1) personal cultivation of marijuana occurs only indoors; (2) the location of cultivation activities is indoors, and housed completely within a structure with no external indication of cultivation activities; and (3) cultivation of marijuana may not create or cause a

⁸ SHMC § 17.126.030 subds. (A), (B)

⁹ *Id.* at subd. (C)

¹⁰ *Id.*

¹¹ H & S Code §§ 11362.1(a)(3), 11362.2(b)(1).

?

November 15, 2016

Page 4

nuisance condition and the city may abate, in any manner permitted by law, a nuisance condition created or caused by marijuana cultivation.

C. Prohibitions on Commercial Marijuana Businesses

The AUMA provides that cities may “completely prohibit the establishment or operation of one or more types of businesses licensed under” the AUMA.¹² As such, if the City wishes to continue its ban on marijuana dispensaries and cultivation facilities, it should add a provision to its marijuana ordinance providing that *all* forms of businesses licensed under the AUMA are prohibited. The existing language of the SHMC prohibiting medical marijuana dispensaries and cultivation facilities should remain intact.

¹² Bus. and Prof. Code § 26200.

Attachment 4

November 22, 2016



Frequently Asked Questions (FAQs)

Adult Use of Marijuana Act¹

Proposition 64

Question#1: When does the AUMA take effect?

Answer: The AUMA took effect November 9, 2016, the day after the election. But note, the AUMA requires a state license to engage in commercial nonmedical marijuana activity. Licensing authorities are required to begin issuing licenses by January 1, 2018 and the League anticipates that the issuance of licenses will not occur much in advance of January 1, 2018. Thus, the AUMA provisions legalizing commercial nonmedical marijuana activity will not become operational until the state begins issuing licenses (likely in late-2017). The AUMA provisions legalizing personal use and cultivation of nonmedical marijuana took effect November 9, 2016.

Question #2: Can private individuals cultivate nonmedical marijuana at home beginning November 9, 2016?

Answer: Yes, within a private residence by a person 21 years and older for personal use. The AUMA provides that local governments can reasonably regulate, but cannot ban the personal indoor cultivation of up to six nonmedical marijuana plants per private residence. This includes cultivation in a greenhouse that is on the property of the residence but not physically part of the home, as long as it is fully enclosed, secure, and not visible from a public space. Because this activity is not subject to state licensing requirements, individuals may engage in personal indoor cultivation beginning November 9, 2016, unless a city enacts an ordinance imposing a reasonable regulatory scheme that would preclude them from doing so before complying with the city's regulatory requirements.

Local governments may regulate or ban all personal outdoor cultivation. However, the AUMA includes language purporting to repeal any ordinance that bans personal outdoor

¹ Please consult your City Attorney before taking action to implement the AUMA. The answers to these FAQs may be different in your city based upon your municipal code, regulations, and policies. The answers do not constitute legal advice from the League of California Cities®.

cultivation upon the California Attorney General's determination that nonmedical use of marijuana is lawful under federal law.

Question #3: Is there a limitation on the number of marijuana plants that can be cultivated within a single residence?

Answer: Yes. Not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time. A "residence" is defined as a house, an apartment unit, a mobile home, or other similar dwelling. No matter how many persons over 21 years of age are living in a "residence," only 6 living plants may be cultivated at one time. (Health & Safety § 11362.2(b)(3).)

Question #4: Can a landlord ban the cultivation/smoking of marijuana on his or her property?

Answer: Yes. An individual or private entity may prohibit or restrict personal possession, smoking, and cultivation of marijuana on the individual's or entity's privately owned property. A state or local government agency also may prohibit or restrict such activities on property owned, leased, or occupied by the state or local government. (Health & Safety §§ 11362.45(g) and (h).)

Question # 5: Can a city ban personal indoor cultivation in all leased or multi-unit residences within the city?

Answer: No. A city cannot prohibit personal indoor cultivation of marijuana in all leased or multi-unit residences within the city. However, because cities may reasonably regulate personal indoor cultivation, a city might be able to condition permit approval for personal indoor cultivation in a leased residence on the applicant receiving permission from his or her landlord.

Question # 6: Does a city's ban on commercial cultivation, personal outdoor cultivation, or retail sales of marijuana or marijuana products make it ineligible for state grant monies for law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of Prop 64?

Answer: Yes. If a city bans commercial cultivation, or personal outdoor cultivation, or retail sales of marijuana or marijuana products, it is ineligible to receive state grant monies funded through the new state excise taxes that take effect on January 1, 2018. (Revenue and Taxation Code § 34019(e)(3)(D).)

Question #7: What does the AUMA say about possession, transporting, purchasing or giving away of non-medical marijuana?

Answer: A person 21 years of age or older may possess, process, transport, purchase or give away to persons 21 years of age or older not more than 28.5 grams of marijuana in the non-concentrated form and not more than 8 grams of marijuana in a concentrated

form including marijuana products. If the AUMA passes, these activities will be lawful under state law and cannot be prohibited under local law.

Question #8: Do cities that ban or regulate medical marijuana businesses need to update their ordinances to include nonmedical marijuana?

Answer: Yes. The AUMA prohibits state licensing authorities from issuing a license to a commercial nonmedical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that a city wishing to adopt business or land use regulations prohibiting or regulating commercial nonmedical marijuana businesses must adopt an ordinance prior to the date the state begins issuing licenses, which the League anticipates will be in late 2017.²

Question #9: Can cities be confident that a permissive zoning code, by itself, provides sufficient protection against nonmedical marijuana businesses setting up shop without local approval?

Answer: No. It is unlikely that cities will succeed in arguing that nonmedical marijuana land uses are prohibited by permissive zoning codes under the AUMA, because the AUMA does not contain the same protective language as the MMRSA with respect to permissive zoning. Therefore, cities that wish to ban all or some nonmedical marijuana activities should adopt express prohibitions, even if they operate under a permissive zoning code.

Question #10: Are cities at risk of losing the opportunity to impose bans on personal outdoor cultivation if they don't act until after the November election?

Answer: No. A city may adopt an ordinance banning or regulating personal outdoor cultivation at any time.

Question #11: Are cities at risk of losing the opportunity to impose bans on nonmedical marijuana businesses, if they don't act until after the November election?

Answer: No. However, if a city does not adopt an ordinance expressly banning or regulating nonmedical marijuana businesses before the state begins issuing state licenses nonmedical businesses, a state-licensed nonmedical marijuana business will be able to operate within its jurisdiction without local permission or permitting. This is due to a provision in the AUMA that provides that state licenses cannot be issued where the activity would violate a local ordinance. If a jurisdiction has no ordinance regulating nonmedical marijuana businesses, then the local regulatory scheme is silent on that type of activity, and the state can unilaterally issue a license under terms fully compliant with the AUMA. Cities may adopt an ordinance expressly banning or regulating such operations after the state begins to issue licenses, but it will be difficult to terminate the state licensee's operations until the state license is up for renewal. Therefore, the best practice is to adopt an ordinance before the state begins issuing state licenses.

² Please see Question #8 regarding the use of public roads for transportation and delivery.

Question #12: Can cities ban deliveries under the AUMA?

Answer: Yes. Cities can ban deliveries within their territorial limits. However, cities cannot prevent the use of public roads for the delivery of marijuana. For example, if a licensed delivery company located in City A must travel on public roads through City B to make an authorized delivery in City C, City B cannot prohibit the licensed delivery company from travelling on public roads in City B to get to City C. In addition, cities may not prevent the use of public roads within its jurisdiction to transport nonmedical marijuana.

Question #13: What is the best way for cities to notify the state licensing agencies of their local ordinances that regulate and/or prohibit commercial non-medical marijuana activities within their jurisdictions?

Answer: Unless the state licensing agencies indicate otherwise, cities should mail copies of their local ordinances that regulate or prohibit commercial nonmedical marijuana activities within their jurisdictions to the Department of Consumer Affairs, the Department of Food and Agriculture, and the Department of Public Health. Cities should regularly check each Department's website to ensure that this practice complies with any regulations the Departments may pass regarding notice of local ordinances. In addition, Cities should ensure that any updates or amendments to local ordinances that regulate or prohibit commercial nonmedical marijuana activities are promptly submitted to each Department.

**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

March 21, 2017

AGENDA SECTION: New Business

FILE NUMBER: 6.1

SUBJECT: Consideration of a Proposed Resolution to Approve and Submit Annual Housing Element Progress Reports for Calendar Years 2011 through 2016

PREPARED BY: Noah Housh, Planning and Community Improvement Director

REVIEWED BY: Noah Housh, Planning Director

APPLICATION FILED: n/a

ACCEPTED AS COMPLETE: n/a

LOCATION OF PROPERTY: Citywide

APPLICANT: City of St Helena

PHONE: 707-968-2659

APN: Citywide

GENERAL PLAN/ZONING: Citywide

PROPERTY DESCRIPTION: Citywide

PROJECT DESCRIPTION

Consideration of a proposed resolution to Approve and Submit Annual Housing Element Progress Reports for Calendar Years 2011 through 2016

ANALYSIS

BACKGROUND

Pursuant to Government Code Section 65400, by April 1st of each year, General Law Cities are required to submit an annual report to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) outlining the progress made towards implementing the City's General Plan Housing Element (HE). Specifically, the Progress Report is required to detail local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

The Progress Report must detail the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its HE. The Annual Progress Report is to be considered at a public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

According to available records, the last HE Progress Report for the City of St. Helena was prepared for the year 2010. As such, in an effort to come into compliance with state mandated requirements, Annual Progress Reports have been prepared for the years 2011 through 2015 in addition to that prepared for the current year, 2016. All Progress Reports for the years 2011 through 2016 are included as Attachments 2 through 7.

It is worth noting that the Napa Valley Transportation Authority (NVTa) Technical Advisory Committee (TAC) has tentatively approved a grant of approximately \$1 million for sidewalk improvements in downtown St. Helena. Award of this grant is contingent upon the City being in compliance with HE reporting requirements of HCD. As such, this action is intended to establish compliance with all previously unmet reporting requirements and allow City acceptance of the NVTa grant award.

The attached Progress Reports apply to two Housing Element Cycles, the 2009-2014 cycle and 2015-2023 cycles.

2009-2014 Housing Element

On August 25, 2009 the City Council adopted the 2009-2014 Housing Element, which was later certified by HCD on October 25, 2009. Under the 2007-2014 Regional Housing Needs Allocation (RHNA) the City was tasked with accommodating 121 new housing units during this HE cycle. Given the 66 units built or approved through December 2008, the City needed to identify sites for at least 55 additional housing units. For the 2009-2014 HE cycle, the City issued 67 building permits for housing and met 55% of the RHNA.

2015-2023 Housing Element

On May 26, 2015, the City Council adopted the 2015-2023 Housing Element, which was subsequently certified by HCD. The current HE applies to the eight year period from 2014-2022 and details how the City plans to accommodate the Regional Housing Needs Allocation (RHNA) of 31 units. So far for the 2015-2023 HE cycle, the City has issued 10 building permits for new housing units and met 37% of the RHNA.

Like that of the previous Housing Element, the current Element details goals, policies, quantified objectives, and implementing actions for the development, rehabilitation, and preservation of housing, based upon the findings of the Housing Needs Assessment and input received through the public outreach. The HE is informed by six (6) overarching goals that endeavor to facilitate housing development while addressing the following:

1. A Diversity of Housing to Meet Local Needs
2. Efficient Land Use and High Quality Neighborhoods
3. Conservation of Existing Housing
4. Assistance to Support Affordable Housing
5. Resource Conservation
6. Equal Housing Opportunities

DISCUSSION

The City of St. Helena Annual HE Progress Reports for the years 2011 through 2016 are included as Attachment 2 through 7. In 2009, the State developed a standardized Progress Report template for municipalities to utilize for annual reporting purposes. The information presented in the attached progress reports utilizes this format and is organized as follows:

- Table A details the City's residential unit production for 2015 organized by income category
- Table A2 is the number of units rehabilitated, preserved or acquired by the City that meet the specific criteria of Government Code Section 65583.1(c)(1).
- Table A3 includes the City's new residential production of moderate and above moderate-income units that were issued a building permit within the respective calendar year.
- Table B is the City's new residential progress towards meeting the City's RHNA allocation.
- Table C details the implementation status of the Housing Element goals, policies and objectives.

Synopsis of Housing Element implementation

As detailed in the Attached Progress Reports, the City is making good progress towards implementing the 2015-2023 Cycle of the Housing Element which will be evident in future year's reports as the building permits are issued. In addition to approving several market-rate residential projects, the City has provided both Our Town Saint Helena and Calistoga Affordable Housing with funding contributions from the Housing Trust Fund which are expected to result in the construction of the Brenkle Court and Turley Flats projects (totaling 16-affordable housing units for low and very low income residents) in 2017 and/or 2018.

CEQA

Annual Reporting of the Housing Element Implementation Progress Reports is not a Project Under CEQA.

CORRESPONDENCE

As of the date of this report, no comments had been received on the Housing Element Implementation Progress Reports.

ISSUES

This report was presented to the City Council on March 14, 2017, for review and formal approval. This is an atypical procedure in that this report would typically be presented to the Planning Commission for review and comment prior to presenting the information to the City Council. This atypical sequence was driven by the tentative award of an approximately \$1-

million grant from the NVTa to make improvements to the sidewalks in downtown St Helena referenced above.

Unfortunately, the issuance of this grant required the City to be up to date on the Housing Element Progress Reports and the City was been significantly behind with this reporting. In an effort to bring the City into compliance with the reporting deadlines, in an effort to ensure grant funding was not jeopardized, staff presented the information to the City Council prior to presenting to the Planning Commission. As mentioned, this is an atypical process and this reporting sequence will not be repeated in the coming years.

STAFF RECOMMENDATION

It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Review and comments as needed and file and receive the provided report.

ATTACHMENTS

1. Annual General Plan Housing Element Progress Report for 2016
2. Annual General Plan Housing Element Progress Report for 2015
3. Annual General Plan Housing Element Progress Report for 2014
4. Annual General Plan Housing Element Progress Report for 2013
5. Annual General Plan Housing Element Progress Report for 2012
6. Annual General Plan Housing Element Progress Report for 2011

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena
Reporting Period	Date 1/1/16 - Date 12/31/16

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information										Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8	
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.	
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income						
(9) Total of Moderate and Above Moderate from Table A3									0			
(10) Total by income Table A/A3									▲			
(11) Total Extremely Low-Income Units*												

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes			(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	
(1) Rehabilitation Activity				0
(2) Preservation of Units At-Risk				0
(3) Acquisition of Units				0
(5) Total Units by Income	0	0	0	0

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period

Date 1/ 1/ 16 - Date 12/31/16

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate							
No. of Units Permitted for Above Moderate	6						

* Note: This field is voluntary

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
	Deed Restricted Non-deed restricted											
Very Low	Deed											4
	Restricted Non-deed restricted											
Low	Deed											5
	Restricted Non-deed restricted											
Moderate	Deed											5
	Restricted Non-deed restricted											
Above Moderate		13	4	6						10	3	

Attachment 2

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

[illegible]

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Goal #1 - A Diversity of Housing to meet Local Needs		Continue to exempt permits for regulated affordable units as well as second units from the Growth Management System (HE 1.A)	Ongoing	The City continues to exempt affordable housing units and Accessory Dwelling Units from the Growth Management system. The draft St Helena 2035 General Plan provides direction to continue to do so.

Attachment 2

Attachment 1
page 5 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #1 - A Diversity of Housing to meet Local Needs	Review & possibly amend Growth Management System (GMS) to encourage regulated affordable and workforce housing units. Review GMS to ensure it is not disproportionately affecting workforce housing development. (HE1.B)	2017	The City Council has reviewed the Growth Management system in 2015 (as required) and provided direction to update and potentially amend the GMS Ordinance, after the 2035 General Plan update is completed (expected Summer 2017). Given that the only multi-family housing applications reviewed by the City in recent years have been approved, it does not appear that the current GMS Ordinance is affecting the development of workforce housing.
Goal #1 - A Diversity of Housing to meet Local Needs	Give projects that include affordable housing units priority access to water & sewer resources over other new projects should the capacity of the water and sewer systems become inadequate to meet the full demand for new connections. (HE1.C)	Ongoing	Currently the City has adequate capacity within the sewer and water system to serve all potential development identified within the current General Plan, and expects to have adequate capacity to serve development identified in the 2035 General Plan update. However, should capacity issues arise, the City will follow adopted policy of prioritizing connections for affordable housing projects.
Goal #1 - A Diversity of Housing to meet Local Needs	Revise permitting process to streamline the review of affordable housing and market rate multifamily projects (HE1.D)	May 31, 2016	In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other designations. Further, as mentioned above, affordable housing units are not subject to the GMS Ordinance limitations.

Attachment 2

Attachment 1
page 6 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #1 - A Diversity of Housing to meet Local Needs	Work with private property owners/developers to plan for road and utility improvements necessary to support housing on key opportunity sites, in the event these sites are developed. Funding for off-site improvements will be provided through development impact fees. (HE1.E)	As needed	The City is continually looking for grant and other funding opportunities to off-set the costs of infrastructure. Citywide and has recently hired a full time grants manager to assist with these efforts. Further, the 2035 General Plan update and current Capital Improvement Program provide direction and discussion regarding needed infrastructure improvements.
Goal #1 - A Diversity of Housing to meet Local Needs	Fast-track housing developments that meet lower income and special housing needs. (HE1.F)	Ongoing	The City is committed to expediting any affordable housing applications that are submitted for review and action.
Goal #1 - A Diversity of Housing to meet Local Needs	Improve and enhance the local preference policy to possibly include people needed for work during emergencies. (HE1.G)	2017	No revisions to the current local preference policy for affordable housing units has been made as of yet.
Goal #1 - A Diversity of Housing to meet Local Needs	Explore and adopt (as appropriate) a program to address the housing needs of "workforce" households, which have incomes above 120% of AMI but are still unable to afford market rate housing. Conduct studies and provide incentives for new workforce housing developments. (HE1.H)	2017	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017).

Attachment 2

Attachment 1
page 7 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	-	Date 12/31/16
Goal #1 - A Diversity of Housing to meet Local Needs		Implement a program to provide financial assistance for the development of second units in exchange for affordability restrictions to provide workforce housing. Target 5 seconds units during Housing Element planning period. (HE1.I)	2017
Goal #1 - A Diversity of Housing to meet Local Needs		Encourage development of co-housing, cohousing, 'green' manufactured homes and other 'nontraditional' forms of housing. Ensure these housing types are addressed in the development of design guidelines to streamline to approval process. (HE1.J)	Ongoing
Goal #1 - A Diversity of Housing to meet Local Needs		Amend the Zoning Ordinance to define "family" as one or more persons living together as a single housekeeping unit in a dwelling unit. The definition should not distinguish between related and unrelated individuals and should not impose a numerical limit on the # of persons that constitute a family. (HE1.K)	May 31, 2016
			The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). In addition, staff and the City Council are committed to creation and adoption of Design Guidelines, after the adoption of the 2035 General Plan. The need to wait is primarily driven by staff and financial resource limitations. No revisions to the current zonig code definition of family have been made as of yet as the comprehensive zoning code upate is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law, as it has precedence over any in-consistent locally adopted land use definitions.

Attachment 2

Attachment 1
page 8 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	Date 12/31/16	
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Provide incentives for higher density housing. Explore possible incentives for building attached market rate housing units for rent and for sale. (HE2.A)	2019	In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other land use designations.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Study potential modifications to the Zoning Ordinance to facilitate higher density housing and discourage construction of oversize homes. Modify the Zoning Ordinance to encourage higher density developments and restrict construction of large single-family units, including current floor area ratios and yard and setback requirements. (HE2.B)	2018	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). In addition, staff and the City Council are committed to creation and adoption of Design Guidelines, after the adoption of the 2035 General Plan. The need to wait is primarily driven by staff and financial resource limitations.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Amend regulations to discourage exemptions from the minimum density requirements. City shall discourage exemptions for minimum density requirements and establish mitigation measures for exemptions in the Zoning Ordinance. (HE2.C)	2014	No revisions to the current zoning code have been made as of yet as the comprehensive zoning code update is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law, as it has precedence over any in-consistent locally adopted land use definitions.

Attachment 2

Attachment 1
page 9 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena		Reporting Period Date 1/ 1/ 16 - Date 12/31/16	
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Modify section 17.100 of the Zoning Ordinance to rename the Mobilehome Park Overlay District to "Manufactured Housing Overlay District". Develop policies to streamline the review process for this overlay district on residential land for projects that create land-ownership opportunities for residents. Support giving residents the right of first refusal if an existing park is to be sold. (HE2.D)	2018	No revisions to the current zoning code have been made as of yet as the comprehensive zoning code update is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law and any request to implement a Manufactured Housing Overlay District would be reviewed as such.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Amend the "Subdivisions" section of the Municipal Code. The City will amend Title 16 of the Municipal Code to prevent subdivision activity from effectively resulting in lower densities and a loss of potential housing units on the site. (HE2.E)	2016	No revisions to the current "Subdivisions" section of the Municipal Code have been made as of yet. The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). The need to wait is primarily driven by staff and financial resource limitations.

Attachment 2

Attachment 1
page 10 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	- Date 12/31/16	
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Update the General Plan Land Use Element in consideration of the established Housing Element land use goals and policies. Amend General Plan Elements concurrent with adoption of the General Plan Update as needed to ensure internal consistency. (HE2.F)	2015	The St Helena 2035 General Plan update is expected to be adopted in Summer of 2017, and will incorporate the adopted 2015 Housing Element.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Promote both 'vertical' and 'horizontal' mixed-use. Encourage mixed-use developments that combine compatible uses on the same site and amend Zoning Ordinance accordingly. Amendments to the Zoning Ordinance include permitting the FAR for the residential component of a mixed-use development to be 'additive' rather than within the established FAR for that zone, and allowing commercial and residential users to 'share' their covered parking, resulting in and overall lower parking requirement. Requirements for covered parking should also be reconsidered. (HE2.G)	2017	The St Helena 2035 General Plan update is expected to be adopted in Summer of 2017, and will incorporate the adopted 2015 Housing Element. This update includes the creation of a mixed-use land use designation, and will be followed by a comprehensive zoning code update, intended to create and implement the development criteria set for mixed use development within St Helena.

Attachment 2

Attachment 1
page 11 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena		Reporting Period Date 1/ 1/ 16 - Date 12/31/16	
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Explore possibility of allowing mixed use and live/work units in non-residential zoning districts. (HE2.H)	2017	The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017, and includes the creation of a mixed-use land use designation. The comprehensive zoning code update will create and implement the development criteria for mixed-use development within St Helena.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Review and revise development standards pertaining to second units. Ensure that the development of second units is physically and financially feasible in targeted areas. Give particular attention to parking standards, setbacks, and impact fees. (HE2.I)	2016	The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Provide financial assistance for second unit development. Incentives might include low interest loans or fee waivers. (HE2.J)	2018	The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units (ADU). A component of this review will include the ability of the City to provide financial assistance for ADU development.

Attachment 2

Attachment 1
page 12 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	-	Date 12/31/16
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Target specific areas for second unit incentives. Create incentives to construct second units in the medium density areas near downtown. Incentives to adopt as appropriate include, but are not restricted to, fast tracking development applications, deferred development fees, and reduced parking and/or other city standards. (HE2.K)	2018 The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units.
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Provide public information regarding second units. Develop a guide for homeowners explaining the benefits and procedures for adding a second unit. (HE2.L)	2017 Following the adoption of zoning code revisions addressing the development of Accessory Dwelling Units (ADUs), staff will begin a public information campaign to inform citizens of the benefits and procedures for development of ADUs.

Attachment 2

Attachment 1
page 13 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #2 - Efficient Land Use and High Quality Neighborhoods	Link financial incentives and development standard variances to affordability requirements for second units. Require that either the main house or the second unit is used as a rental unit that is affordable to moderate or below moderate households whenever the City assists in development through financial incentives or by granting a variance. (HE2.M)	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Financial incentives and potential variance from development standards will be included as a part of this review.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Respond to complaints regarding illegal units. The City will work with the property owners to help bring illegal units up to code and to abate the use of non-habitable buildings as living units. (HE2.N)	Ongoing	While the City does not have a dedicated Code Enforcement Department, Planning and Community Improvement Department staff as responsible for responding to Code Enforcement complaints and prioritize life and safety issues, such as substandard housing, in these efforts.

Attachment 2

Attachment 1
page 14 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	Date 12/31/16	
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Identify appropriate 'target' areas for conversion of single family homes to multi-unit dwellings, Identify areas, zoning districts, or specific sites where conversion would be appropriate or desirable. (HE2.O)	2019	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Financial incentives and potential variance from development standards will be included as a part of this review.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Develop a program to encourage affordable housing in clusters of 4-6 units on Infill parcels on west side of town. The City will post an inventory of available sites on the City's website. City will explore and adopt as appropriate incentives to encourage affordable housing clusters, including, but not limited to priority permitting processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus. (HE2.P)	2017	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Incentives for the development of these units will be included as a part of this review.

Attachment 2

Attachment 1
page 15 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period		Date 1/ 1/ 16	Date 12/31/16
Goal #3 - Conservation of Existing Housing	Restrict conversion of rental units to condominiums. Current policy allows conversion to condominiums under certain circumstances when the vacancy rate is high. The presence of second homes results in an inflated vacancy rate. The policy should be further studies to reflect a general guiding principle of preserving the affordable housing stock while eliminating the current linkage to vacancy rates. (HE3.A)	2016	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Restrictions on condominium conversions of existing apartment units will be included as a part of this review.
	Charge an affordable housing impact fee whenever housing units are converted to other uses. Exempt conversion projects that create affordable for-sale housing from this impact fee. (HE3.B)	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Restrictions on conversions of existing housing units to non-housing uses will be included as a part of this review.

Attachment 2

Attachment 1
page 16 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #3 - Conservation of Existing Housing	Address the potential loss of assisted units. Identify assisted properties at risk of conversion to market rates and work with property owners and/or other parties to ensure they are conserved as affordable housing. (HE3.C)	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Maintenance of assisted living units will be a part of this discussion.
Goal #3 - Conservation of Existing Housing	Continue to limit the conversion of market rate housing to vacation rentals. Abate the use of illegal vacation rentals, including time shares and fractional interests. (HE3.D)	Ongoing	The City strictly limits the use of residential units for short-term rental (STR) use to a maximum of 25 STR units within the City. Funds collected from these units are utilized to assist with active and aggressive enforcement of these limitations.
Goal #3 - Conservation of Existing Housing	Review housing needs, achievements and challenges as part of the City's regular General Plan review. As required by State law, submit a progress report to the State Department of Housing and Community Development and Governor's Office of Planning and Research by April 1st of each year. (HE3.E)	Annually	This report is being done as a part of this Goal and staff has worked to update the back log of these reports to bring the current status of Housing Element implementation up to date with the Office of HCD.

Attachment 2

Attachment 1
page 17 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period	Date 1/ 1/ 16 - Date 12/31/16	
Goal #4 - Assistance to Support Affordable Housing		Review and possibly amend the inclusionary housing ordinance to: (1) adjust the inclusionary housing ordinance to require further distribution of affordable units with the various income categories. (2) Balance collecting housing impact fees with the requirement to construct affordable housing, either on or off site depending on the size of the site and other site conditions, for larger commercial developments. Evaluate increasing the housing impact fees to reflect the increasing cost of housing in the community. Collect housing impact fees for small commercial development where requiring residential construction would not be feasible. (3) Increase appropriate residential construction in-lieu fees and/or create a sliding scale for larger homes. (4) Add an above moderate-income workforce housing component to the Inclusionary Housing Ordinance requirements. (HE4-A)	2018	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Potential revisions to the inclusionary housing requirements will be included as a part of this review.

Attachment 2

Attachment 1
page 18 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #4 - Assistance to Support Affordable Housing	Generate Revenues for Affordable Housing through the Transient Occupancy Tax (TOT). Either increase the TOT or increase the number of TOT rooms and apply the increased revenue to support affordable housing. (HE4.B)	2016 and ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Potential revisions to the TOT requirements will be included as a part of this review.
Goal #4 - Assistance to Support Affordable Housing	Reduce, defer, or waive fees for affordable housing developments. The City will establish a set of criteria for project eligibility to have fees reduced, deferred or waived. The City will explore and adopt as appropriate higher incentives for affordable housing developments with units affordable to extremely low and very low income households. (HE4.C)	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future.

Attachment 2

Attachment 1
page 19 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	-	Date 12/31/16
Goal #4 - Assistance to Support Affordable Housing		Prioritize the use of Housing Trust Funds in support of the development and preservation of regulated affordable housing units for extremely low income households. (HE4.D)	Ongoing
Goal #4 - Assistance to Support Affordable Housing		Pursue mortgage revenue bonds and/or mortgage credit certificates. Promote affordable homeownership opportunities for moderate and lower income households. (HE4.E)	Ongoing
Goal #4 - Assistance to Support Affordable Housing		Pursue additional funding for affordable housing. Explore other options for affordable housing funding, including a real property transfer tax and Housing Trust Fund contributions from the wine and hospitality industry in Napa Valley. (HE4.F)	2016 and ongoing
			Since 2010, the City has made significant efforts to utilize Affordable Housing Trust Fund monies to support the development and preservation of affordable housing projects and will continue to do so into the foreseeable future.
			The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.
			Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future.

Attachment 2

Attachment 1
page 20 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena		
Reporting Period	Date 1/ 1/ 16	-	Date 12/31/16
Goal #4 - Assistance to Support Affordable Housing	Continue Section 8 rent subsidy certificates. Work with the City of Napa Housing Authority to provide continued rental assistance to low, very low and extremely low income households. (HE4.G)	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.
Goal #4 - Assistance to Support Affordable Housing	Explore the possibility of establishing a full time, shared Housing Coordinator for the up-valley communities to promote development of new affordable housing and enter into a cost-sharing agreement if possible. (HE4.H)	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.

Attachment 2

Attachment 1
page 21 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #4 - Assistance to Support Affordable Housing	Address farmworker housing needs. City will contribute staff time and City resources, as appropriate, to countywide farmworker housing efforts that may occur during the Housing Element period. City will reach out to affordable housing developers to support regional and City efforts to develop farmworker housing, including assisting with financing or applications, incentives and concessions, expedited review or other strategies to encourage the development of housing for farmworkers. (HE4.I)	Outreach to affordable housing developers by 2017 and biannually thereafter	The City continues to look for options to incentivise affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.
Goal #4 - Assistance to Support Affordable Housing	Establish regulations requiring that a portion of units in all new developments meet the special housing needs of seniors and persons with disabilities, including developmental disabilities. Target 20% of new housing units to meet senior needs and 10% accessible to persons with disabilities. (HE4.J)	2018	The City continues to look for options to incentivise affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.

Attachment 2

Attachment 1
page 22 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	Date 12/31/16	
Goal #4 - Assistance to Support Affordable Housing	The City shall participate with mediation between property owners if needed to facilitate affordable housing. The City will provide staff resources and/or work with affected parties along with a mediator if necessary to address issues raised by community members in response to affordable housing development applications. (HE4.K)	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.
Goal #4 - Assistance to Support Affordable Housing	Explore the potential of using Housing Trust Fund money to purchase existing housing for conversion to restricted affordable housing and commit funding as appropriate. Priority use of Housing Trust Fund monies will be given to the creation of housing affordable to extremely low income households. (HE4.L)	2019	Since 2010, the City has made significant efforts to utilize Affordable Housing Trust Fund monies to support the development and preservation of affordable housing projects and will continue to do so into the foreseeable future.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #5 - Resource Conservation	Adopt a Green Building Ordinance. The City shall adopt building code standards that meet or exceed the State's Green Building Standards Code. The Planning and Building Department shall coordinate this effort with the Climate Protection Task Force. (HE5.A)	2016	The City continues to work toward concurrent building code adoption along with standard building code updates (Jan 1, 2017 expected).
Goal #5 - Resource Conservation	Encourage use of alternative energy technologies. Create incentives for the use of solar energy in new and rehabilitated housing. Incentives to adopt as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and reduced applicable city standards. (HE5.B)	Ongoing	The City currently issues building permits for solar panel installation under the "Rapid Permit" category and will continue to do so into the foreseeable future.

Attachment 2

Attachment 2

Attachment 1
page 24 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #5 - Resource Conservation	Provide public information on alternative energy technologies for residential developers, contractors, and property owners. The City will provide information on its website and/or City Hall regarding alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits. (HE5.C)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.
Goal #5 - Resource Conservation	Require cost-effective energy conservation measures in all new and rehabilitated housing to promote long-term affordability for occupants. The City will adopt the State's new Energy Efficiency Standards as part of any update to the California Building Standards Code and ensure that all new housing units constructed in the City meet or exceed these standards. (HE5.D)	Triennially beginning 2016	The City continues to work toward concurrent building code adoption along with standard building code updates (Jan 1, 2017 expected).

Attachment 2

Attachment 1
page 25 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #5 - Resource Conservation	Provide low-interest loans for implementation of energy conservation measures. City will identify a source of loan funds to provide energy conservation assistance to homeowners and home-builders. City will continue to participate in AB-811 programs, and will explore additional state and federal sources of funding to finance local energy conservation measures. (HE5.E)	Ongoing	No additional ability to provide loans from City funds have been identified as of yet however the City has hired a full time grants manager, who continues to seek opportunities to assist howm owners with low-cost options for energy conservation.
Goal #5 - Resource Conservation	Provide public information on energy conservation measures for homeowners, tenants, developers, contractors and property owners. City will provide information on its website and/or City Hall regarding actions homeowners, tenants, developers, contractors and property owners can take to conserve energy. (HE5.F)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.

Attachment 2

Attachment 1
page 26 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 16	Date 12/31/16	
Goal #5 - Resource Conservation	Require bicycle and pedestrian amenities and connectivity to surrounding areas, in all new housing developments. Support programs to develop more local and regional walking and biking trails. City will also provide staff time in support of regional trail programs. (HE5.G)	Ongoing	The City is engaged with the Napa Valley Transportation Authority on the creation and implementation of a county wide bicycle and pedestrian plan. Further, the City has engaged with the Vine Trail organization in an effort to assist with implementation of the best route for the trail through St Helena.
Goal #5 - Resource Conservation	Continue to apply Municipal Code provisions pertaining to water resources. City will continue to require water-efficient landscaping for new residential and commercial construction, as well as implementing the Water Use Efficiency and Use Guidelines. (HE5.H)	Ongoing	The City has adopted a "Water Neutral" policy for all new development (Municipal Code Chapter 13.12) and continues to implement a Water Efficient Landscape Ordinance (WELO) in keeping with anticipated State requirements.

Attachment 2

Attachment 1
page 27 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #5 - Resource Conservation	Promote passive natural heating and cooling opportunities in new development and protect to the extent possible solar access for existing development. Incentives to be adopted as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and relaxing applicable city standards. (HE5.I)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.
Goal #5 - Resource Conservation	Explore feasibility of incorporating efficient on-site alternative wastewater facilities. City will study options for on-site alternative wastewater facilities, including graywater reuse, recycling and/or on-site treatment. City will then ensure that the local Municipal Code does not include regulations that may unnecessarily present barriers to implementing these technologies, amending the Municipal Code as appropriate. (HE5.J)	2016	The current municipal code provides for alternative waste water facilities, in keeping with the allowances of State law. The City will continue to seek alternative methods of wastewater disposal.

Attachment 2

Attachment 1
page 28 of 30

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 16 - Date 12/31/16

Goal #5 - Resource Conservation	City shall explore policies that give local preference in the procurement process when municipal funds may be used for housing. (HE5.K)	2016	The City's current Affordable Housing policy includes a local preference policy and the City continues to place significant value on supporting local City residents.
Goal # 6 - Equal Housing Opportunities	Provide educational materials at City Hall, through press and directly to interested parties to educate real estate professionals, property owners and tenants on their rights and responsibilities and the resources available to address fair housing practices. (HE5.A)	Ongoing	The City works with Fair Housing Napa Valley to put on an annual housing workshop to highlight the rights and responsibilities of tenants and landlords, in addition to discussing affordable housing challenges generally.
Goal # 6 - Equal Housing Opportunities	Continue to utilize and support Fair Housing Napa Valley for implementing fair housing programs, receiving complaints, and providing referrals to available resources when necessary. (HE6.B)	Ongoing	The City works with Fair Housing Napa Valley to put on an annual housing workshop to highlight the rights and responsibilities of tenants and landlords, in addition to discussing affordable housing challenges generally. In addition, the City has allocated direct funding to Fair Housing Napa Valley as a part of the budget porocess for several concurrent years.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena		
	Date 1/ 1/ 16	-	Date 12/31/16
Reporting Period			

—

Attachment 2

General Comments:

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena		
	Reporting Period	Date 1/ 1/ 16	- Date 12/31/16

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information										Housing with Financial Assistance and/or Deed Restrictions	Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income					
(9) Total of Moderate and Above Moderate from Table A3			►	►	0	0	0				
(10) Total by income Table A/A3			►	►							
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 15 - Date 12/31/15

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate							
No. of Units Permitted for Above Moderate	4						

* Note: This field is voluntary

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
	Deed Restricted Non-deed restricted	4										4
Very Low	Deed Restricted Non-deed restricted	5										5
	Deed Restricted Non-deed restricted											
Low	Deed Restricted Non-deed restricted											
	Deed Restricted Non-deed restricted											
Moderate	Deed Restricted Non-deed restricted											
	Deed Restricted Non-deed restricted											
Above Moderate		13									4	9

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena										
Reporting Period	Date 1/ 1/ 15	- Date 12/31/15									
Total RHNA by COG. Enter allocation number:	27										
Total Units	►	►	►	►	►	►	►	►	►	►	
Remaining Need for RHNA Period	►	►	►	►	►	►	►	►	►	►	
									4	23	

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Goal #1 - A Diversity of Housing to meet Local Needs	Continue to exempt permits for regulated affordable units as well as second units from the Growth Management System (HE1.A)	Ongoing	The City continues to exempt affordable housing units and Accessory Dwelling Units from the Growth Management system. The draft St Helena 2035 General Plan provides direction to continue to do so.

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15
Goal #1 - A Diversity of Housing to meet Local Needs		Review & possibly amend Growth Management System (GMS) to encourage regulated affordable and workforce housing units. Review GMS to ensure it is not disproportionately affecting workforce housing development. (HE1.B)	2017
Goal #1 - A Diversity of Housing to meet Local Needs		Give projects that include affordable housing units priority access to water & sewer resources over other new projects should the capacity of the water and sewer systems become inadequate to meet the full demand for new connections. (HE1.C)	Ongoing
Goal #1 - A Diversity of Housing to meet Local Needs		Revise permitting process to streamline the review of affordable housing and market rate multifamily projects (HE1.D)	May 31, 2016
		The City Council has reviewed the Growth Management system in 2015 (as required) and provided direction to update and potentially amend the GMS Ordinance, after the 2035 General Plan update is completed (expected Summer 2017). Given that the only multi-family housing applications reviewed by the City in recent years have been approved, it does not appear that the current GMS Ordinance is affecting the development of workforce housing.	
		Currently the City has adequate capacity within the sewer and water system to serve all potential development identified within the current General Plan, and expects to have adequate capacity to serve development identified in the 2035 General Plan update. However, should capacity issues arise, the City will follow adopted policy of prioritizing connections for affordable housing projects.	
		In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other designations. Further, as mentioned above, affordable housing units are not subject to the GMS Ordinance limitations.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15			
Goal #1 - A Diversity of Housing to meet Local Needs		Work with private property owners/developers to plan for road and utility improvements necessary to support housing on key opportunity sites, in the event these sites are developed. Funding for off-site improvements will be provided through development impact fees. (HE1.E)	As needed			The City is continually looking for grant and other funding opportunities to off-set the costs of infrastructure. Citywide and has recently hired a full time grants manager to assist with these efforts. Further, the 2035 General Plan update and current Capital Improvement Program provide direction and discussion regarding needed infrastructure improvements.		
Goal #1 - A Diversity of Housing to meet Local Needs		Fast-track housing developments that meet lower income and special housing needs. (HE1.F)	Ongoing			The City is committed to expediting any affordable housing applications that are submitted for review and action.		
Goal #1 - A Diversity of Housing to meet Local Needs		Improve and enhance the local preference policy to possibly include people needed for work during emergencies. (HE1.G)	2017			No revisions to the current local preference policy for affordable housing units has been made as of yet.		
Goal #1 - A Diversity of Housing to meet Local Needs		Explore and adopt (as appropriate) a program to address the housing needs of "workforce" households, which have incomes above 120% of AMI but are still unable to afford market rate housing. Conduct studies and provide incentives for new workforce housing developments. (HE1.H)	2017			The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017).		

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	Date 12/31/15	
Goal #1 - A Diversity of Housing to meet Local Needs		Implement a program to provide financial assistance for the development of second units in exchange for affordability restrictions to provide workforce housing. Target 5 seconds units during Housing Element planning period. (HE1.I)	2017 The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017).
Goal #1 - A Diversity of Housing to meet Local Needs		Encourage development of co-housing, ecohousing, 'green' manufactured homes and other 'nontraditional' forms of housing. Ensure these housing types are addressed in the development of design guidelines to streamline to approval process. (HE1.J)	Ongoing The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). In addition, staff and the City Council are committed to creation and adoption of Design Guidelines, after the adoption of the 2035 General Plan. The need to wait is primarily driven by staff and financial resource limitations.
Goal #1 - A Diversity of Housing to meet Local Needs		Amend the Zoning Ordinance to define "family" as one or more persons living together as a single housekeeping unit in a dwelling unit. The definition should not distinguish between related and unrelated individuals and should not impose a numerical limit on the # of persons that constitute a family. (HE1.K)	May 31, 2016 No revisions to the current zoning code definition of family have been made as of yet as the comprehensive zoning code update is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law, as it has precedence over any in-consistent locally adopted land use definitions.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Provide incentives for higher density housing. Explore possible incentives for building attached market rate housing units for rent and for sale. (HE2.A)	2019
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Study potential modifications to the Zoning Ordinance to facilitate higher density housing and discourage construction of oversize homes. Modify the Zoning Ordinance to encourage higher density developments and restrict construction of large single-family units, including current floor area ratios and yard and setback requirements. (HE2.B)	2018
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Amend regulations to discourage exemptions from the minimum density requirements and establish mitigation measures for exemptions in the Zoning Ordinance. (HE2.C)	2014
		In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other land use designations.	
		The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). In addition, staff and the City Council are committed to creation and adoption of Design Guidelines, after the adoption of the 2035 General Plan. The need to wait is primarily driven by staff and financial resource limitations.	
		No revisions to the current zoning code have been made as of yet as the comprehensive zoning code update is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law, as it has precedence over any in-consistent locally adopted land use definitions.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #2 - Efficient Land Use and High Quality Neighborhoods	Modify section 17.100 of the Zoning Ordinance to rename the Mobilehome Park Overlay District to "Manufactured Housing Overlay District". Develop policies to streamline the review process for this overlay district on residential land for projects that create land-ownership opportunities for residents. Support giving residents the right of first refusal if an existing park is to be sold. (HE2.D)	2018	No revisions to the current zoning code have been made as of yet as the comprehensive zoning code update is expected to occur after adoption of the St Helena 2035 General Plan. However, all City actions are made in keeping with California State law and any request to implement a Manufactured Housing Overlay District would be reviewed as such.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Amend the "Subdivisions" section of the Municipal Code. The City will amend Title 16 of the Municipal Code to prevent subdivision activity from effectively resulting in lower densities and a loss of potential housing units on the site. (HE2.E)	2016	No revisions to the current "Subdivisions" section of the Municipal Code have been made as of yet. The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). The need to wait is primarily driven by staff and financial resource limitations.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period	Date 1/ 1/ 15 - Date 12/31/15			
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Update the General Plan Land Use Element in consideration of the established Housing Element land use goals and policies. Amend General Plan Elements concurrent with adoption of the General Plan Update as needed to ensure internal consistency. (HE2.F)	2015	The St Helena 2035 General Plan update is expected to be adopted in Summer of 2017, and will incorporate the adopted 2015 Housing Element.		
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Promote both 'vertical' and 'horizontal' mixed-use. Encourage mixed-use developments that combine compatible uses on the same site and amend Zoning Ordinance accordingly. Amendments to the Zoning Ordinance include permitting the FAR for the residential component of a mixed-use development to be 'additive' rather than within the established FAR for that zone, and allowing commercial and residential users to 'share' their covered parking, resulting in and overall lower parking requirement. Requirements for covered parking should also be reconsidered. (HE2.G)	2017	The St Helena 2035 General Plan update is expected to be adopted in Summer of 2017, and will incorporate the adopted 2015 Housing Element. This update includes the creation of a mixed-use land use designation, and will be followed by a comprehensive zoning code update, intended to create and implement the development criteria set for mixed use development within St Helena.		

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Explore possibility of allowing mixed use and live/work units in non-residential zoning districts. (HE2.H)	2017
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Review and revise development standards pertaining to second units. Ensure that the development of second units is physically and financially feasible in targeted areas. Give particular attention to parking standards, setbacks, and impact fees. (HE2.I)	2016
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Provide financial assistance for second unit development. Incentives might include low interest loans or fee waivers. (HE2.J)	2018
			The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017, and includes the creation of a mixed-use land use designation. The comprehensive zoning code update will create and implement the development criteria for mixed-use development within St Helena.
			The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units.
			The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units (ADU). A component of this review will include the ability of the City to provide financial assistance for ADU development.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #2 - Efficient Land Use and High Quality Neighborhoods	Target specific areas for second unit incentives. Create incentives to construct second units in the medium density areas near downtown. Incentives to adopt as appropriate include, but are not restricted to, fast tracking development applications, deferred development fees, and reduced parking and/or other city standards. (HE2.K)	2018	The St Helena 2035 General Plan update is expected to be adopted in the summer of 2017. A comprehensive zoning code update will follow and will include additional direction regarding the development of Accessory Dwelling Units.
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Provide public information regarding second units. Develop a guide for homeowners explaining the benefits and procedures for adding a second unit. (HE2.L)	2017	Following the adoption of zoning code revisions addressing the development of Accessory Dwelling Units (ADUs), staff will begin a public information campaign to inform citizens of the benefits and procedures for development of ADUs.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period			Date 1/ 1/ 15	-	Date 12/31/15
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Link financial incentives and development standard variances to affordability requirements for second units. Require that either the main house or the second unit is used as a rental unit that is affordable to moderate or below moderate households whenever the City assists in development through financial incentives or by granting a variance. (HE2.M)	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Financial incentives and potential variance from development standards will be included as a part of this review.			
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Respond to complaints regarding illegal units. The City will work with the property owners to help bring illegal units up to code and to abate the use of non-habitable buildings as living units. (HE2.N)	Ongoing	While the City does not have a dedicated Code Enforcement Department, Planning and Community Improvement Department staff as responsible for responding to Code Enforcement complaints and prioritize life and safety issues, such as substandard housing, in these efforts.			

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Identify appropriate 'target' areas for conversion of single family homes to multi-unit dwellings, or Identify areas, zoning districts, or specific sites where conversion would be appropriate or desirable. (HE2.O)	2019
Goal #2 - Efficient Land Use and High Quality Neighborhoods		Develop a program to encourage affordable housing in clusters of 4-6 units on Infill parcels on west side of town. The City will post an inventory of available sites on the City's website. City will explore and adopt as appropriate incentives to encourage affordable housing clusters, including, but not limited to priority permitting processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus. (HE2.P)	2017
		The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Financial incentives and potential variance from development standards will be included as a part of this review.	
		The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Incentives for the development of these units will be included as a part of this review.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #3 - Conservation of Existing Housing	Restrict conversion of rental units to condominiums. Current policy allows conversion to condominiums under certain circumstances when the vacancy rate is high. The presence of second homes results in an inflated vacancy rate. The policy should be further studies to reflect a general guiding principle of preserving the affordable housing stock while eliminating the current linkage to vacancy rates. (HE3.A)	2016	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Restrictions on condominium conversions of existing apartment units will be included as a part of this review.
Goal #3 - Conservation of Existing Housing	Charge an affordable housing impact fee whenever housing units are converted to other uses. Exempt conversion projects that create affordable for-sale housing from this impact fee. (HE3.B)	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Restrictions on conversions of existing housing units to non-housing uses will be included as a part of this review.

Attachment 3

Attachment 3

Attachment 1
page 16 of 29

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena			
Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15	
Goal #3 - Conservation of Existing Housing	Address the potential loss of assisted units. Identify assisted properties at risk of conversion to market rates and work with property owners and/or other parties to ensure they are conserved as affordable housing. (HE3.C)			
Goal #3 - Conservation of Existing Housing	Continue to limit the conversion of market rate housing to vacation rentals. Abate the use of illegal vacation rentals, including time shares and fractional interests. (HE3.D)			
Goal #3 - Conservation of Existing Housing	Review housing needs, achievements and challenges as part of the City's regular General Plan review. As required by State law, submit a progress report to the State Department of Housing and Community Development and Governor's Office of Planning and Research by April 1st of each year. (HE3.E)			

The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Maintenance of assisted living units will be a part of this discussion.	Ongoing	
The City strictly limits the use of residential units for short-term rental (STR) use to a maximum of 25 STR units within the City. Funds collected from these units are utilized to assist with active and aggressive enforcement of these limitations.	Ongoing	
This report is being done as a part of this Goal and staff has worked to update the back log of these reports to bring the current status of Housing Element implementation up to date with the Office of HCD.	Annually	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #4 - Assistance to Support Affordable Housing	Review and possibly amend the inclusionary housing ordinance to: (1) adjust the inclusionary housing ordinance to require further distribution of affordable units with the various income categories. (2) Balance collecting housing impact fees with the requirement to construct affordable housing, either on or off site depending on the size of the site and other site conditions, for larger commercial developments. Evaluate increasing the housing impact fees to reflect the increasing cost of housing in the community. Collect housing impact fees for small commercial development where requiring residential construction would not be feasible. (3) Increase appropriate residential construction in-lieu fees and/or create a sliding scale for larger homes. (4) Add an above moderate-income workforce housing component to the Inclusionary Housing Ordinance requirements. (HE4.A)	2018	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Potential revisions to the inclusionary housing requirements will be included as a part of this review.
---	--	-------------	--

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena		Reporting Period	Date 1/ 1/ 15 - Date 12/31/15	
Goal #4 - Assistance to Support Affordable Housing		Generate Revenues for Affordable Housing through the Transient Occupancy Tax (TOT). Either increase the TOT or increase the number of TOT rooms and apply the increased revenue to support affordable housing. (HE4.B)	2016 and ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and this is expected to occur after the adoption of the 2035 St Helena General Plan (expected in Summer 2017). Potential revisions to the TOT requirements will be included as a part of this review.	
Goal #4 - Assistance to Support Affordable Housing		Reduce, defer, or waive fees for affordable housing developments. The City will establish a set of criteria for project eligibility to have fees reduced, deferred or waived. The City will explore and adopt as appropriate higher incentives for affordable housing developments with units affordable to extremely low and very low income households. (HE4.C)	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future.	

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena			
	Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15
Goal #4 - Assistance to Support Affordable Housing	Prioritize the use of Housing Trust Funds in support of the development and preservation of regulated affordable housing units for extremely low income households. (HE4.D)	Ongoing	Since 2010, the City has made significant efforts to utilize Affordable Housing Trust Fund monies to support the development and preservation of affordable housing projects and will continue to do so into the foreseeable future.	
Goal #4 - Assistance to Support Affordable Housing	Pursue mortgage revenue bonds and/or mortgage credit certificates. Promote affordable homeownership opportunities for moderate and lower income households. (HE4.E)	Ongoing	The City continues to look for options to incentivise affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.	
Goal #4 - Assistance to Support Affordable Housing	Pursue additional funding for affordable housing. Explore other options for affordable housing funding, including a real property transfer tax and Housing Trust Fund contributions from the wine and hospitality industry in Napa Valley. (HE4.F)	2016 and ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena			Reporting Period	Date 1/ 1/ 15	Date 12/31/15	
Goal #4 - Assistance to Support Affordable Housing				Continue Section 8 rent subsidy certificates. Work with the City of Napa Housing Authority to provide continued rental assistance to low, very low and extremely low income households. (HE4.G)	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.	
Goal #4 - Assistance to Support Affordable Housing				Explore the possibility of establishing a full time, shared Housing Coordinator for the up-valley communities to promote development of new affordable housing and enter into a cost-sharing agreement if possible. (HE4.H)	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period		Date 1/ 1/ 15	Date 12/31/15
Goal #4 - Assistance to Support Affordable Housing	Address farmworker housing needs. City will contribute staff time and City resources, as appropriate, to countywide farmworker housing efforts that may occur during the Housing Element period. City will reach out to affordable housing developers to support regional and City efforts to develop farmworker housing, including assisting with financing or applications, incentives and concessions, expedited review or other strategies to encourage the development of housing for farmworkers. (HE4.I)	Outreach to affordable housing developers by 2017 and biannually thereafter	The City continues to look for options to incentivise affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.
Goal #4 - Assistance to Support Affordable Housing	Establish regulations requiring that a portion of units in all new developments meet the special housing needs of seniors and persons with disabilities, including developmental disabilities. Target 20% of new housing units to meet senior needs and 10% accessible to persons with disabilities. (HE4.J)	2018	The City continues to look for options to incentivise affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #4 - Assistance to Support Affordable Housing	The City shall participate with mediation between property owners if needed to facilitate affordable housing. The City will provide staff resources and/or work with affected parties along with a mediator if necessary to address issues raised by community members in response to affordable housing development applications. (HE4.K)	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of the comprehensive Citywide housing review mentioned above.
Goal #4 - Assistance to Support Affordable Housing	Explore the potential of using Housing Trust Fund money to purchase existing housing for conversion to restricted affordable housing and commit funding as appropriate. Priority use of Housing Trust Fund monies will be given to the creation of housing affordable to extremely low income households. (HE4.L)	2019	Since 2010, the City has made significant efforts to utilize Affordable Housing Trust Fund monies to support the development and preservation of affordable housing projects and will continue to do so into the foreseeable future.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15		
Goal #5 - Resource Conservation		Adopt a Green Building Ordinance. The City shall adopt building code standards that meet or exceed the State's Green Building Standards Code. The Planning and Building Department shall coordinate this effort with the Climate Protection Task Force. (HE5.A)	2016		The City continues to work toward concurrent building code adoption along with standard building code updates (Jan 1, 2017 expected).		
Goal #5 - Resource Conservation		Encourage use of alternative energy technologies. Create incentives for the use of solar energy in new and rehabilitated housing. Incentives to adopt as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and reduced applicable city standards. (HE5.B)	Ongoing		The City currently issues building permits for solar panel installation under the "Rapid Permit" category and will continue to do so into the foreseeable future.		

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period		Date 1/ 1/ 15	Date 12/31/15
Goal #5 - Resource Conservation	Provide public information on alternative energy technologies for residential developers, contractors, and property owners. The City will provide information on its website and/or City Hall regarding alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits. (HE5.C)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.
Goal #5 - Resource Conservation	Require cost-effective energy conservation measures in all new and rehabilitated housing to promote long-term affordability for occupants. The City will adopt the State's new Energy Efficiency Standards as part of any update to the California Building Standards Code and ensure that all new housing units constructed in the City meet or exceed these standards. (HE5.D)	Triennially beginning 2016	The City continues to work toward concurrent building code adoption along with standard building code updates (Jan 1, 2017 expected).

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #5 - Resource Conservation	Provide low-interest loans for implementation of energy conservation measures. City will identify a source of loan funds to provide energy conservation assistance to homeowners and home-builders. City will continue to participate in AB-811 programs, and will explore additional state and federal sources of funding to finance local energy conservation measures. (HE5.E)	Ongoing	No additional ability to provide loans from City funds have been identified as of yet however the City has hired a full time grants manager, who continues to seek opportunities to assist home owners with low-cost options for energy conservation.
Goal #5 - Resource Conservation	Provide public information on energy conservation measures for homeowners, tenants, developers, contractors and property owners. City will provide information on its website and/or City Hall regarding actions homeowners, tenants, developers, contractors and property owners can take to conserve energy. (HE5.F)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 15 - Date 12/31/15

Goal #5 - Resource Conservation	Require bicycle and pedestrian amenities and connectivity to surrounding areas, in all new housing developments. Support programs to develop more local and regional walking and biking trails. City will also provide staff time in support of regional trail programs. (HE5.G)	Ongoing	The City is engaged with the Napa Valley Transportation Authority on the creation and implementation of a county wide bicycle and pedestrian plan. Further, the City has engaged with the Vine Trail organization in an effort to assist with implementation of the best route for the trail through St Helena.
Goal #5 - Resource Conservation	Continue to apply Municipal Code provisions pertaining to water resources. City will continue to require water-efficient landscaping for new residential and commercial construction, as well as implementing the Water Use Efficiency and Use Guidelines. (HE5.H)	Ongoing	The City has adopted a "Water Neutral" policy for all new development (Municipal Code Chapter 13.12) and continues to implement a Water Efficient Landscape Ordinance (WELO) in keeping with anticipated State requirements.

Attachment 3

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena	
Reporting Period	Date 1/ 1/ 15	Date 12/31/15	
Goal #5 - Resource Conservation	Promote passive natural heating and cooling opportunities in new development and protect to the extent possible solar access for existing development. Incentives to be adopted as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and relaxing applicable city standards. (HE5.I)	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis.
Goal #5 - Resource Conservation	Explore feasibility of incorporating efficient on-site alternative wastewater facilities. City will study options for on-site alternative wastewater reuse, including graywater reuse, recycling and/or on-site treatment. City will then ensure that the local Municipal Code does not include regulations that may unnecessarily present barriers to implementing these technologies, amending the Municipal Code as appropriate. (HE5.J)	2016	The current municipal code provides for alternative waste water facilities, in keeping with the allowances of State law. The City will continue to seek alternative methods of wastewater disposal.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena	Reporting Period	Date 1/ 1/ 15	-	Date 12/31/15			
Goal #5 - Resource Conservation		City shall explore policies that give local preference in the procurement process when municipal funds may be used for housing. (HE5.K)	2016		The City's current Affordable Housing policy includes a local preference policy and the City continues to place significant value on supporting local City residents.			
Goal # 6 - Equal Housing Opportunities		Provide educational materials at City Hall, through press and directly to interested parties to educate real estate professionals, property owners and tenants on their rights and responsibilities and the resources available to address fair housing practices. (HE5.A)	Ongoing		The City works with Fair Housing Napa Valley to put on an annual housing workshop to highlight the rights and responsibilities of tenants and landlords, in addition to discussing affordable housing challenges generally.			
Goal # 6 - Equal Housing Opportunities		Continue to utilize and support Fair Housing Napa Valley for implementing fair housing programs, receiving complaints, and providing referrals to available resources when necessary. (HE6.B)	Ongoing		The City works with Fair Housing Napa Valley to put on an annual housing workshop to highlight the rights and responsibilities of tenants and landlords, in addition to discussing affordable housing challenges generally. In addition, the City has allocated direct funding to Fair Housing Napa Valley as a part of the budget process for several concurrent years.			

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena		
	Reporting Period	Date 1/ 1/ 15	- Date 12/31/15

General Comments:

Table A2

Page 167 of 193

* Note: These fields are voluntary

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 14 - Date 12/31/14
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	19					19	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 14 - Date 12/31/14

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
	Deed Restricted Non-deed restricted											30
Very Low	Deed Restricted											
	Non-deed restricted											
Low	Deed Restricted											21
	Non-deed restricted											
Moderate	Deed Restricted	1									1	3
	Non-deed restricted	6	5	3	5				2		21	
Above Moderate	Deed Restricted	4	4	1		1	7	7	21		45	
	Non-deed restricted											
Total RHNA by COG. Enter allocation number:		11	9	4	5	1	7	7	23		67	54
Total Units		11	9	4	5	1	7	7	23		67	54
Remaining Need for RHNA Period		11	9	4	5	1	7	7	23		67	54

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C

Program Implementation Status

Housing Programs Progress Report - Government Code Section 65583.		Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.	
Program Description (By Housing Element Program Names)	Objective	Timeframe in H.E.	Status of Program Implementation

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 14 - Date 12/31/14

Goal #1 - A Diversity of Housing to meet Local Needs	Construct 15 units of housing affordable to Extremely Low-Income households; 15 units of housing affordable to Very Low-Income households; 21 units for Low-Income households, 25 units for Moderate-Income households, and 45 units for Above Moderate-Income households.	30-Jun-14	Not yet complete
Goal #1 - A Diversity of Housing to meet Local Needs	Provide financial assistance for 5 second units with affordability restrictions for workforce households.	30-Jun-14	Not yet complete
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Same as above	30-Jun-14	Not yet complete
Goal #3 - Conservation of Existing Housing	Conservation of all existing affordable housing units.	30-Jun-14	On-going
Goal #3 - Conservation of Existing Housing	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units (2 extremely low-income, 2 very low-income, 3 low-income, and 3 moderate-income households).	30-Jun-14	Not yet complete

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena		Reporting Period	Date 1/ 1/ 14 - Date 12/31/14			
Goal #4 - Assistance to Support Affordable Housing				Generate adequate funds to support achievement of the City's new housing construction objectives	30-Jun-14	On-going	
Goal #4 - Assistance to Support Affordable Housing				Assist in the acquisition of low-interest loans to 10 first-time homebuyers through June 30, 2014 or the end of the current Housing Element planning period.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Facilitate the continuance of Section 8 rental assistance to all currently served households.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				20% of new units to meet senior housing needs; 10% accessible to persons with disabilities.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Purchase of 3 existing housing units and conversion to regulated affordable housing for lower-income households.	30-Jun-14	Not yet complete	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena	
Reporting Period	Date 1/ 1/ 14	- Date 12/31/14
General Comments:		

The City of St Helena is currently in the process of updating its General Plan. This process requires significant Planning staff participation which has in turn limited the Planning Department's ability to implement Housing Element Goals and Implementing actions today. We anticipate certification of the General Plan EIR and adoption of the General Plan this Fall with work beginning on the specific components of the Housing Element this winter.
--

Table A2

Page 173 of 193

* Note: These fields are voluntary

Housing Development Information											Housing with Financial Assistance and/or Deed Restrictions			Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8			
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.			
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income								
(9) Total of Moderate and Above Moderate from Table A3							7	7						
(10) Total by income Table A/A3								7						
(11) Total Extremely Low-Income Units*														

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 13 - Date 12/31/13
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	7					7	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 13 - Date 12/31/13

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013			Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed											30
	Restricted Non-deed restricted											
Low	Deed											21
	Restricted Non-deed restricted											
Moderate	Deed	1									1	5
	Restricted Non-deed restricted	6	5	3	5						19	
Above Moderate		4	4	1		1	7	7			24	21
Total RHNA by COG. Enter allocation number:		11	9	4	5	1	7	7			44	77
Total Units ▶▶▶												
Remaining Need for RHNA Period ▶▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C

Program Implementation Status

Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.	
Program Description (By Housing Element Program Names)	
Name of Program	Objective
Timeframe in H.E.	
Status of Program Implementation	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 13 - Date 12/31/13

Goal #1 - A Diversity of Housing to meet Local Needs	Construct 15 units of housing affordable to Extremely Low-Income households; 15 units of housing affordable to Very Low-Income households; 21 units for Low-Income households, 25 units for Moderate-Income households, and 45 units for Above Moderate-Income households.	30-Jun-14	Not yet complete
Goal #1 - A Diversity of Housing to meet Local Needs	Provide financial assistance for 5 second units with affordability restrictions for workforce households.	30-Jun-14	Not yet complete
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Same as above	30-Jun-14	Not yet complete
Goal #3 - Conservation of Existing Housing	Conservation of all existing affordable housing units.	30-Jun-14	On-going
Goal #3 - Conservation of Existing Housing	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units (2 extremely low-income, 2 very low-income, 3 low-income, and 3 moderate-income households).	30-Jun-14	Not yet complete

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena		Reporting Period	Date 1/ 1/ 13 - Date 12/31/13			
	Date 1/ 1/ 13	Date 12/31/13					
Goal #4 - Assistance to Support Affordable Housing				Generate adequate funds to support achievement of the City's new housing construction objectives	30-Jun-14	On-going	
Goal #4 - Assistance to Support Affordable Housing				Assist in the acquisition of low-interest loans to 10 first-time homebuyers through June 30, 2014 or the end of the current Housing Element planning period.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Facilitate the continuance of Section 8 rental assistance to all currently served households.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				20% of new units to meet senior housing needs; 10% accessible to persons with disabilities.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Purchase of 3 existing housing units and conversion to regulated affordable housing for lower-income households.	30-Jun-14	Not yet complete	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena	
Reporting Period	Date 1/ 1/ 13	- Date 12/31/13
General Comments:		

The City of St Helena is currently in the process of updating its General Plan. This process requires significant Planning staff participation which has in turn limited the Planning Department's ability to implement Housing Element Goals and Implementing actions today. We anticipate certification of the General Plan EIR and adoption of the General Plan this Fall with work beginning on the specific components of the Housing Element this winter.
--

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena
Reporting Period	Date 1/ 1/ 12 - Date 12/31/12

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information											Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8		
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.		
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income							
204 Rosebud Ln	2-4	R			2	2							
232 Rosebud Ln	2-4	R			2	2	4						
1336 Magnolia Ave	SF/SU	O/R	1				1	2					
1328 Magnolia Ave	SF/SU	O/R	1				1	2					
137 Rosebud Ln	SF/SU	O/R	1			1		2		Local Policy 17.152 GMS			
101 Rosebud Ln	SF/SU	O/R	1				1	2		Local Policy 17.152 GMS			
256 Rosebud Ln	SF/SU	R/R					2	2					
(9) Total of Moderate and Above Moderate from Table A3											4	7	
(10) Total by income Table A/A3											4	8	21

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena
Reporting Period	Date 1/ 1/ 12 - Date 12/31/12

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant
to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	7					7	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena
Reporting Period	Date 1/ 1/ 12 - Date 12/31/12

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	Year 7	Year 8	Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed											30
	Restricted Non-deed restricted											
Low	Deed											21
	Restricted Non-deed restricted											
Moderate	Deed	1									1	5
	Restricted Non-deed restricted	6	5	3	5						19	
Above Moderate		4	4	1		1	7				17	28
Total RHNA by COG. Enter allocation number:		11	9	4	5	1	7				37	84
Total Units												
Remaining Need for RHNA Period												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena
Reporting Period	Date 1/ 1/ 12 - Date 12/31/12

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.	Timeframe in H.E.	Status of Program Implementation
Name of Program	Objective		
Goal #1 - A Diversity of Housing to meet Local Needs	Construct 15 units of housing affordable to Extremely Low-Income households; 15 units of housing affordable to Very Low-Income households; 21 units for Low-Income households, 25 units for Moderate-Income households, and 45 units for Above Moderate-Income households.	30-Jun-14	Not yet complete
Goal #1 - A Diversity of Housing to meet Local Needs	Provide financial assistance for 5 second units with affordability restrictions for workforce households.	30-Jun-14	Not yet complete
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Same as above	30-Jun-14	Not yet complete
Goal #3 - Conservation of Existing Housing	Conservation of all existing affordable housing units.	30-Jun-14	On-going

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		City of St Helena		Reporting Period		Date 1/ 1/ 12 - Date 12/31/12	
Goal #3 - Conservation of Existing Housing	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units (2 extremely low-income, 2 very low-income, 3 low-income, and 3 moderate-income households).	30-Jun-14	Not yet complete				
Goal #4 - Assistance to Support Affordable Housing	Generate adequate funds to support achievement of the City's new housing construction objectives	30-Jun-14	On-going				
Goal #4 - Assistance to Support Affordable Housing	Assist in the acquisition of low-interest loans to 10 first-time homebuyers through June 30, 2014 or the end of the current Housing Element planning period.	30-Jun-14	Not yet complete				
Goal #4 - Assistance to Support Affordable Housing	Facilitate the continuance of Section 8 rental assistance to all currently served households.	30-Jun-14	Not yet complete				
Goal #4 - Assistance to Support Affordable Housing	20% of new units to meet senior housing needs; 10% accessible to persons with disabilities.	30-Jun-14	Not yet complete				
Goal #4 - Assistance to Support Affordable Housing	Purchase of 3 existing housing units and conversion to regulated affordable housing for lower-income households.	30-Jun-14	Not yet complete				

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena	
Reporting Period	Date 1/ 1/ 12	- Date 12/31/12

General Comments:

The City of St Helena is currently in the process of updating its General Plan. This process requires significant Planning staff participation which has in turn limited the Planning Department's ability to implement Housing Element Goals and Implementing actions today. We anticipate certification of the General Plan EIR and adoption of the General Plan this Fall with work beginning on the specific components of the Housing Element this winter.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	City of St Helena
Reporting Period	Date 1/ 1/ 11 - Date 12/31/11

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions			Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income					
(9) Total of Moderate and Above Moderate from Table A3								1			
(10) Total by income Table A/A3							1				
(11) Total Extremely Low-Income Units*							1				

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 11 - Date 12/31/11
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	1					1	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of St Helena
Reporting Period Date 1/ 1/ 11 - Date 12/31/11

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
	Deed Restricted Non-deed restricted											30
Very Low	Deed Restricted											
	Non-deed restricted											
Low	Deed Restricted											21
	Non-deed restricted											
Moderate	Deed Restricted	1									1	5
	Non-deed restricted	6	5	3	5						19	
Above Moderate	Deed Restricted	4	4	1							10	35
	Non-deed restricted											
Total RHNA by COG. Enter allocation number:		11	9	4	5	1					30	91
Total Units												
Remaining Need for RHNA Period		►	►	►	►	►	►	►	►	►		

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C

Program Implementation Status

Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		Status of Program Implementation	
Program Description (By Housing Element Program Names)	Objective	Timeframe in H.E.	Status of Program Implementation

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of St Helena

Reporting Period Date 1/ 1/ 11 - Date 12/31/11

Goal #1 - A Diversity of Housing to meet Local Needs	Construct 15 units of housing affordable to Extremely Low-Income households; 15 units of housing affordable to Very Low-Income households; 21 units for Low-Income households, 25 units for Moderate-Income households, and 45 units for Above Moderate-Income households.	30-Jun-14	Not yet complete
Goal #1 - A Diversity of Housing to meet Local Needs	Provide financial assistance for 5 second units with affordability restrictions for workforce households.	30-Jun-14	Not yet complete
Goal #2 - Efficient Land Use and High Quality Neighborhoods	Same as above	30-Jun-14	Not yet complete
Goal #3 - Conservation of Existing Housing	Conservation of all existing affordable housing units.	30-Jun-14	On-going
Goal #3 - Conservation of Existing Housing	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units (2 extremely low-income, 2 very low-income, 3 low-income, and 3 moderate-income households).	30-Jun-14	Not yet complete

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of St Helena		Reporting Period	Date 1/ 1/ 11 - Date 12/31/11			
Goal #4 - Assistance to Support Affordable Housing				Generate adequate funds to support achievement of the City's new housing construction objectives	30-Jun-14	On-going	
Goal #4 - Assistance to Support Affordable Housing				Assist in the acquisition of low-interest loans to 10 first-time homebuyers through June 30, 2014 or the end of the current Housing Element planning period.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Facilitate the continuance of Section 8 rental assistance to all currently served households.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				20% of new units to meet senior housing needs; 10% accessible to persons with disabilities.	30-Jun-14	Not yet complete	
Goal #4 - Assistance to Support Affordable Housing				Purchase of 3 existing housing units and conversion to regulated affordable housing for lower-income households.	30-Jun-14	Not yet complete	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of St Helena	
Reporting Period	Date 1/ 1/ 11	- Date 12/31/11
General Comments:		

The City of St Helena is currently in the process of updating its General Plan. This process requires significant Planning staff participation which has in turn limited the Planning Department's ability to implement Housing Element Goals and Implementing actions today. We anticipate certification of the General Plan EIR and adoption of the General Plan this Fall with work beginning on the specific components of the Housing Element this winter.
--

Tentative Planning Commission Agenda Updated: February 2, 2016

CURRENT AND PENDING MATTERS

February PC and/ or CC Agenda:	
1.	PL16-086 1367 Main St Woodhouse Bar-B-Q Use Permit –Aaron Hecock
2.	PL16-084 1425 Oak Ave DR Playground Shade at Montessori Pre School-Noah Housh
3.	1045 Pratt-DR for new SFD-Lilly Bianco
4.	PL16-080 1405 Adams St New SFD w/ Attached Garage –Lilly Bianco
5.	1105 Turley Flats Affordability and Loan Agreements- CC Approved Jan. 31, 2017
6.	PL16-099 1475 Main Rianda House New Sign-Aaron Hecock
7.	PL16-079 1225 Allyn Ave SFD with Attached Garage -Lilly Bianco
8.	CIA Mitigated Negative Declaration Posting-Comment Period Closed Jan. 23, 2017 - Lilly Bianco
9.	PL16-042 2555 Main St CIA DR, Variance and CUP for Educational Expansion-PC Review date Feb 21, 2017-Lilly Bianco
10.	PL16-043 830 Pratt Ave CIA DR, Variance and CUP for Dormitory Expansion-PC Review date Feb 21, 2017-Lilly Bianco
Active/Pending Projects	
1.	TSM 2010-40 Vacant Parcel-2010-40 Hunter Subdivision and EIR-Noah Housh
2.	PL14-041 741 McCorkle-Tentative Map and Use Permit-Under Review-Aaron Hecock
3.	PL15-049 837 Signorelli Cir-Garage-DR Exemption-Pending Resubmittal-Aaron Hecock
4.	PL16-025 661 Main St LLA-Frozen by Applicant-Noah Housh
5.	PL16-018 & -094 420 Lafata (Previously 890 Dowdell Ln)-Custom Crush Facility-UP and Design Review- Resubmittal Under Review-Noah Housh
6.	PL16-048 576 Pope St-DR for new SFD-Frozen by Applicant
7.	PL14-10 1701 Madrona-Final Map and Tentative Map Extension-Frozen by Applicant
8.	PL16-058 1111 Main St-DR and Master UP for Commercial Land Uses-Under Review-Aaron Hecock
9.	PL16-074 Money Way Bathrooms-Aaron Hecock/Tobias Barr
10.	PL16-012 633 Main St-UP to convert existing SFD into 2-room Hotel-Frozen by Applicant-Noah Housh
11.	PL16-020 2555 Main/ PL16-043830 Pratt-Demo, DR, UP and Variance for CIA Campus Reno and Dorm -Under Review
12.	PL16-081 thru -083 1003 Charter Oak Subdivision and 2 SFDs-Aaron Hecock
13.	PL16-085 Beringer Winery Design Review-Lilly Bianco
14.	PL16-089 1919 Main St Las Alcobas Signs-Aaron Hecock
15.	PL16-093 2600 Sulphur Springs Admin Determination Side Setback-Noah Housh
16.	PL16-095 1827 Vineyard Ave Demo and DR SFD – Aaron Hecock
17.	PL16-096 800 Crane Ave DR Exemption for Equipment Install-Under Review Noah Housh

18. PL16-097-563 Main Admin Determination Oak Ave Extension Noah Housh
19. PL17-004 1380 Main # 102 Use Permit for Retail Store-Aaron Hecock
20. PL17-005 1380 Main #103 Use Permit for Retail Store-Aaron Hecock
21. PL17-006 1000 Mills Ln Farmstead Hotel-Aaron Hecock
22. PL17-007 1178 Hudson Design Review Aaron Hecock
23. PL17-009 1380 Main St Sign Permit-Under Review Aaron Hecock
24. General Plan Update EIR-In Process-Noah Housh
25. General Plan Update-In Process-Noah Housh
26. Zoning Code Update to address changes in State Law-Second Dwelling Units-In Process-Noah Housh
27. Zoning Code Update to address changes in State Law-Recreational Marijuana-In Process-Noah Housh
PC/CC Assignments Currently Under Review by Staff:
1. General Plan Update and General Plan EIR
2. Manage RFP Responses and Candidate Selection
3. Short-Term Rental Ordinance Update Implementation and Enforcement
4. Demolition Permit Review
5. Code Enforcement Policy and Procedures Update-On Going
6. PG&E Parking Lot Negotiation
Pending PC/CC Assignments for Planning Department
1. Initiate Creation and Implementation of Design Guidelines
2. Comprehensive Zoning Code Update-Following General Plan Adoption
3. F.A.R. Review-To be conducted with Zoning Code Update
4. Council Goal Setting
Other Items of Interest to Planning Commission
1. Food Truck Ordinance
2. Update Daycare Zoning Regs-Consistent with State Law
3. Pools-Drought Policy Changes. Phase 1?
4. Plan Improvements, Additional Requirements, Application Checklist
5. Limit on Demolition Permits
6. General Plan & EIR 45-day Public Review
7. Water Update/Report from PW
8. Hunter EIR 45-day Public Review and Project Review
Required Items and Issues of Interest to Staff
1. Calderon Settlement Agreement Implementation and Monitoring
2. Design Guidelines-TBD
3. PW & Planning - Ordinance to Amend Municipal Code Related to Exterior Fire

Sprinklers
5. Temporary Use Permit-Create Process-Ordinance and ZC Amendments
6. Cell Towers Ordinance-Update Current Code -State and Fed Laws
7. Growth Management Code Language Update and Annual Review (Sept)
8. Fee Study-Pending
9. Review and Comment-Draft Tree Ordinance
10. AB 52 CEQA Process Implementation-Native American Consultation-On Going
12. Code Enforcement-On Going
Recent Approvals
1. 684 McCorkle OTSH-8 Unit Affordable Multi-Family-UP, Design Review, Demo and T-Map-Under Review-Approved November 15, 2016
2. 632 McCorkle-8-Unit Multi-Family Residential-Design Review and Demolition-PC Approved 12-6-16; Appealed to CC; Appeal Denied January 24, 2017
3. Building and Fire Code Update - Ordinance to Amend Municipal Code-CC Approved Nov. 2017
4. 574 Pope St-DR, UP & T-Map-Withdrawn
5. 1105 Turley Flats Affordability and Loan Agreements- CC Approved Jan. 31, 2017
6. Design Review Submittal Requirements-PC Discussion
7. 1210 Greyson-Davies Winery Signs-PC Approved Sept. 20, 2016-Appealed to CC, Appeal Denied December 2016
8. PL16-087 1234 Adams Street Wine Tasting PC Approved 12-20-16; Appealed to CC- Appeal Supported 1-24-17, Lilly Bianco
9.
10.
11.