



***AMENDED**
City of St. Helena
Planning Commission
Regular Meeting
and

***Special Joint Planning Commission/City Council**
Meeting

Tuesday, February 20, 2018 @ 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: Lester Hardy

Commissioners: David Knudsen, Bobbi Monnette and John Ponte

Mayor: Alan Galbraith

Vice Mayor: Peter White

City Council: Paul Dohring, Geoff Ellsworth and Mary Koberstein

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 Minutes: February 6, 2018

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[Commission Minutes 02-06-18](#)

- 4.2. Request by Isabelle Selby for adoption of a resolution granting a design review exemption in order to remodel an existing single-family home located at 1781 Spring Mountain Road in the Medium Density Residential (MR) district.

11 - 33

CEQA Determination: Exempt pursuant to CEQA Guidelines Section 15301.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff finds that the proposed residential remodel raises no substantial design problems and therefore recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301; and
2. Approve a resolution finding that the project is exempt from design review thereby approving the exterior modifications to the single-family home located at 1781 Spring Mountain Road.

[Staff Report - 1781 Spring Mountain Rd.](#)

5. PUBLIC HEARINGS

- 5.1. Request by Caity Hoertkorn of 1111 Main Street SH, LLC for adoption of a resolution granting design review approval in order to accommodate exterior modifications and site improvements to the property located at 1111 Main Street in the Central Business (CB) district.

35 - 88

CEQA Determination: Exempt pursuant to CEQA Guidelines Section 15301 and 1503.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff is in support of this application and therefore recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Sections 15301 and 15303; and
2. Accept the required findings and approve a resolution granting Design Review approval for the applicant to make modifications to the building located at 1111 Main Street.

[Staff Report - 1111 Main St.](#)

6. SCHEDULED MATTERS

- 6.1. Consideration of amendments to the City's Zoning Ordinance, St. Helena Municipal Code ("SHMC") Title 17, potentially revising Section 17.148, Signs, to be consistent with current case law as deemed appropriate by the Planning Commission.

89 - 94

CEQA Determination: Exempt pursuant to CEQA Guidelines Section 15061.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

It is recommended by the Planning and Community Improvement Department that the Planning Commission review the suggested changes described above and provide direction to staff regarding which, if any, they would like made.

[Staff Report](#)

- 6.2. Review of 2035 General Plan Update and Environmental Impact Report (EIR) Scope and Process

95 - 231

CEQA Determination: This request for direction is not a project under CEQA however the 2035 General Plan Update itself will be analyzed

for potential environmental impacts under an Environmental Impact Report (EIR) currently under way.

Recommendation:

Staff recommends the City Council and Planning Commission review the provided documents and analysis, discuss the various elements of them and provide direction to staff and the consultant regarding the overall scope of the General Plan Update and EIR.

[Staff Report - Review of 2035 General Plan Update and Environmental Impact Report \(EIR\) Scope and Process](#)

[*Public Comment #1](#)

[*Public Comment #2](#)

[*Public Comment #3](#)

[*Public Comment #4](#)

[*Public Comment #5](#)

[*Public Comment #6](#)

[*Public Comment #7](#)

[*Public Comment #8](#)

[*Public Comment #9](#)

[*Public Comment #10](#)

[*Public Comment #11](#)

[*Public Comment #12](#)

7. DEPARTMENT REPORTS

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

8. AGENDA FORECAST

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

233 - 237

[PC Tentative Agenda- 2018-Feb Update](#)

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for March 6, 2018, 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 February 15, 2018.



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://cityofstheleena.org> and will be available for public review at the respective meeting.

MINUTES
City of St. Helena
Planning Commission Meeting
Tuesday, February 6, 2018 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

A complete video recording of this meeting, except for closed session, can be found at <https://sthelena.civicweb.net/Portal/> or by calling the City Clerk at (707) 967-2792. The City Council video is the official record of the Council meeting.

Present: Chair Grace Kistner, Vice-Chair Lester Hardy, Commissioner Bobbi Monnette, and Commissioner John Ponte.

Commissioner David Knudsen is teleconferencing from Hotel Beacon, Lobby, 2130 Broadway, NY, NY 10023

Staff Present: Noah Housh, Planning & Community Improvement Director, Erica Ahmann Smithies, Public Works Director and City Engineer, and Xinia Gamero, Administrative Assistant

- 1. PLEDGE OF ALLEGIANCE**
- 2. CALL TO ORDER AND ROLL CALL**
- 3. PUBLIC FORUM:**

No public comment received.

4. CONSENT ITEMS

Planning Director Noah Housh pulled item 4.2. Commissioner Monnette pulled item 4.1 on the Consent Calendar.

4.1 Approval of Minutes: January 16, 2018

Commissioner Bobbi Monnette moved to approve the minutes on the Consent Calendar. The motion was seconded by Commissioner John Ponte and on roll call carried by the following vote:

AYES: Grace Kistner, Lester Hardy, David Knudsen, Bobbi Monnette, and John Ponte

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 4.2 Request for a Demolition permit, Design Review approval, and Variance to demolish a 666 sq-ft portion of the existing residence and carport and construct a new 1,296 sq-ft addition and new two-car garage at 1761 Stockton Street in the MR: Medium Density Residential district. A variance is requested to allow for reduced side setbacks.

CEQA Determination: categorically exempt from the requirements of CEQA pursuant to Section 15301, which exempts minor alterations and additions to 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.

Commissioner Bobbi Monnette moved to approve the resolution for the proposed project located at 1761 Stockton Street. The motion was seconded by Commissioner Lester Hardy and on roll call carried by the following vote:

AYES: Lester Hardy, David Knudsen, and Bobbi Monnette
 NOES: John Ponte
 ABSENT: None
 ABSTAIN: Grace Kistner
 RECUSE: None

5. PUBLIC HEARINGS

- 5.1 Request for discretionary Demolition and Design Review approval to allow the demolition of an existing “carriage house” and construction of a new 1,626 square foot single-family home on a 4,750 square foot un-addressed parcel (accessed via an easement across 1301 Allyn Avenue) in the Medium Density Residential Zoning District.

CEQA Determination: The project is found to be exempt from the requirements of CEQA as a Class 3 and Class 32 Categorical Exemption under Sections 15303 and 15332.

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

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 as a Class 3 and Class 32 Categorical Exemption under Sections 15303 and 15332; and
2. Review the requested Demolition and Design Review proposal, discuss the requested applicability of Zoning Code Section 17.112.030 and approve the requested actions, or alternatively provide further direction to staff and the applicant regarding the proposed setbacks and the applicability of Section 17.112.030.

Commissioner Knudsen recused himself due to previously working with the architect and was disconnected from the meeting at 6:10 p.m.

Noah Housh, Planning and Community Improvement Director reported on Item.

Dave Phinney, Joshua Park, architect and Kim Phinney addressed the Commission.

Chair Kistner opened public comment.

Chair Kistner closed public comment.

Commissioner Knudsen rejoined the meeting at 7:12 p.m.

Commissioner Bobbi Monnette moved to approve staff recommendation as amended. The motion was seconded by Commissioner Lester Hardy and on roll call carried by the following vote:

AYES: Grace Kistner, Lester Hardy, Bobbi Monnette, and John Ponte

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: David Knudsen

6. SCHEDULED MATTERS

- 6.1 Consideration of Amendments to the City's Zoning Ordinance, St. Helena Municipal Code ("SHMC") Title 17, Potentially Eliminating Certain Floor Area Ratio Exemptions in the Low, Medium, and High Density Residential Districts, as deemed appropriate by the Planning Commission.

CEQA Determination: Exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and 15061(b)(3).

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

It is recommended by the Planning and Community Improvement Department that the Planning Commission review the existing F.A.R. exemptions described above and provide direction to staff regarding which of the existing exemptions, if any, they would like eliminated and in what residential zoning districts (High, Medium, and Low).

Noah Housh, Planning and Community Improvement Director reported on Item.

Planning Commission provided direction to staff.

7. DEPARTMENT REPORTS

Noah Housh, Planning and Community Improvement Director reported on the Item.

8. AGENDA FORCAST

8.1 Tentative Planning Commission Agenda

9. ADJOURNMENT

Chair Kistner adjourned the meeting at **8:15 p.m.**

The February 6, 2018 minutes were approved at the _____ Planning Commission meeting.

APPROVED:

ATTEST:

Grace Kistner, Chair

Noah Housh, Planning and Community
Improvement Director



PLANNING COMMISSION REPORT
Planning Commission Meeting of February 20, 2018

AGENDA SECTION: Consent

FILE NUMBER: PL17-064

SUBJECT: Request by Isabelle Selby for adoption of a resolution granting a design review exemption in order to remodel an existing single-family home located at 1781 Spring Mountain Road in the Medium Density Residential (MR) district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 10/04/17

ACCEPTED AS COMPLETE: 02/08/18

LOCATION OF PROPERTY: 1781 Spring Mountain Road

APN: 009-171-003

GENERAL PLAN/ZONING: Medium Density Residential (MR)

APPLICANT: Isabelle Selby

PHONE: (415) 577-5292

BACKGROUND

The following application has been reviewed by the Planning Department for compliance with Design Review regulations. The Planning Department is recommending that this project be found exempt from Design Review pursuant to Section 17.164.060 which states that whenever the city planner finds that a proposal raises no substantial design problems the planner shall place such an exemption recommendation on the Planning Commission's consent agenda.

PROJECT DESCRIPTION

The existing 5,444-sf small lot is currently developed with an approximately 1,500-sf, 3 bedroom, two bathroom, one-story, single-family residence with an attached approximately 200-sf garage. The applicant is seeking a design review exemption in order to make several minor changes to the exterior of the home; no changes or additions are proposed to the buildings footprint. These changes include new horizontal lap siding extending down to the foundation, new windows and doors, a new composition shingle roof, relocated front entry steps, and a new garage door. The height of the existing single-story home would remain unchanged at approximately 15-feet. The existing metal “carport” will be removed as part of the proposed project.

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines 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.

GENERAL PLAN

The subject property has a General Plan Land Use designation of Medium Density Residential (MDR). The MDR land use designation provides for single-family detached and attached homes, secondary residential units, public and quasi-public uses, and similar compatible uses. The MDR designation is the predominant residential designation occurring throughout large areas of the City. The wide distribution of this designation is intended to maintain a development pattern in newly developing areas of the City that is consistent with historic development patterns exhibited by St. Helena’s established neighborhoods. The 1993 St. Helena General Plan and Housing Element Update 2015-2023 Goals, Policies, and Eight-Year Action Plan include the following policies that are relevant to the proposed project:

- 2.6.14 - *Encourage a mix of housing types and price ranges to allow choice for current and future generations of St. Helenans.*
- 4.3.4 - *Strengthen community identity by appropriate building design, size, and site landscaping.*
- 4.3.5 - *Require future residential development to conform to the pattern and density of older, neighboring areas of town in order to complement existing town character and ensure that densities are high enough to protect against unnecessary incursion into vineyard agricultural areas.*
- 4.3.25 - *Within the primary urban area of St. Helena, encourage variety in housing types and density consistent with those found in the older neighborhoods of town. Encourage varying lot widths and configuration, but limit the allowable building envelope by parcel size to avoid overbuilt conditions.*
- 4.3.26 - *Encourage residential building siting and design that is similar to that found in the older neighborhoods in town. In these areas consistent setbacks,*

porches, and generously landscaped front yards add to community enjoyment by all. Restrict location of driveways and garages to minimize their visual impact on the street.

- *4.4.3 - Driveways and garages should be as unobtrusive as possible, with garages preferably located at the rear of the lot.*
- *7.5.9 - Require new development in or adjacent to historic areas or buildings to be compatible in pattern and character with existing historic buildings.*
- *HE1.5 - Encourage innovative housing types and designs.*
- *HE2.6 - Promote a balance of types of housing throughout the whole community.*

Staff Response: Staff finds that the proposed project is consistent with the General Plan policies listed above in that the home would continue an existing residential use and housing opportunity within the City, would be professionally designed and constructed to suit the site, and would maintain the residential character of the site and area in general.

ZONING

Consistent with the General Plan land use designation described above, the subject property has a zoning designation of MDR. The MDR zoning designation allows for single-family detached homes, accessory dwelling units, limited agricultural use and other compatible uses. The remodeling of an existing single-family home is a permitted use in the MDR district however it must conform to the development standards prescribed by Municipal Code Section 17.40.060.

The existing parcel is considered a legal non-conforming small lot as it is less than 7,000-sf (5,444-sf), which is the minimum lot size in the MDR district and has a lot width of less than 70' (46'), which is the minimum lot width in the MDR district. Per Municipal Code Section 17.112.090 (small lot development standards), small lots may be developed with a 42' minimum lot width, a 15' front setback and a 5' side yard setback (provided a minimum separation of 10' be maintained between dwellings). The rear yard setback requirement remains 20'. This home in its existing configuration has a front setback of approximately 34'; an approximately 5' side yard setback from the southern property line; a 17' side yard setback from the northern property line and a 12' setback from the rear property line. As proposed, the existing footprint would not be modified and all existing setbacks would be maintained.

As far as the Floor Area Ratio (F.A.R.) is concerned, a 5,444-sf parcel has a maximum F.A.R. of .356. This would allow up to approximately 1,938-sf of floor area (excluding any applicable F.A.R. exemptions). As previously noted, the applicant is not proposing any new floor area as part of the exterior modifications. As such, the existing home has a F.A.R. of .28 which is below the maximum allowed on the site. It should be noted that the existing shed is not considered for the purposes of F.A.R. as it is less than 120-sf.

FLOOR AREA:

RESIDENCE

1,500 SF

GARAGE	200 SF
COVERED PARKING EXEMPTION	-200 SF
TOTAL 1,500 SF	

FLOOR AREA RATIO: 1,500 / 5,444 = .28

Staff Response: As previously noted, the existing parcel is a legal non-conforming small lot that has a somewhat unusual setback situation, however, setbacks as they exist today will not be affected by the proposed project. The project as proposed meets all other development standards as required by Section 17.40.060 of the Municipal Code including lot coverage, floor area, height, etc.

WATER

Chapter 13.12 of the Municipal Code sets forth minimum water efficiency requirements for new development. Amongst these provisions is the requirement that any “new development” (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures; or any residential additions or remodeling that increases the number of independent living units) offset new demand by an amount of water equal to the new demand on the city water system. The offset must be clearly demonstrated, to the satisfaction of the Director of Public Works.

The proposed remodel is not proposing any new bedrooms or independent living units, therefore, no “new development” as defined above is proposed and no increase in the water use for the property is anticipated as a component of the project. Also, the remodeled single-family home would include modern, code compliant fixtures and appliances making it more water efficient than the existing home.

HISTORIC RESOURCES

The existing home was constructed in approximately 1946 and is not listed on the City’s Historic Resources Master List. The project site is located within the Adams Street District, one of three geographical areas within which the 1993 General Plan mapped historic and potentially historic resources identified in the City’s historic resources survey/inventory. However, the Adams Street District/geographical area has not itself been listed as an area-wide historical resource, nor has the City created a Historic Preservation Overlay Zoning District covering the district or the project site. Therefore, proposed changes to the existing home will not detract from or be incompatible with existing historic districts or structures.

ISSUES

Staff has not identified any other issues related to this application that require additional discussion.

CORRESPONDENCE

At the time of packet distribution staff had received no letters in support or opposition to this application.

STAFF RECOMMENDATION

Staff finds that the proposed residential remodel raises no substantial design problems and therefore recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301; and
2. Approve a resolution finding that the project is exempt from design review thereby approving the exterior modifications to the single-family home located at 1781 Spring Mountain Road.

ATTACHMENTS

[Resolution](#)

[APN Map](#)

[Site Photos](#)

[Revised Final Plans 2.6.18](#)

[Applicant Statement](#)

**CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING A DESIGN REVIEW EXEMPTION TO
1781 SPRING MOUNTAIN ROAD (PL17-064)**

PROPERTY OWNER: Monazite 1031, LLC

APN: 009-171-003

RECITALS

1. The applicant is requesting approval of a resolution granting a design review exemption in order to remodel and existing single-family home located at 1781 Spring Mountain Road in the Medium Density Residential (MR) district.
2. 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 20, 2018.

RESOLUTION

The Planning Commission of the City of St. Helena, State of California, approved the design review exemption 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 the project is exempt from CEQA pursuant to Section 15301 which exempts the minor alteration of existing private structures.
- C. In accordance with the design review criteria identified in Municipal Code Section 17.164.030, the Planning Commission hereby finds that the project demonstrates the following:
 1. *Consistency and compatibility with applicable elements of the general plan in that the project is a remodeling of and existing single-family home in a residentially designated area;*
 2. *Compatibility of design with the immediate environment of the site in that it is a remodel of an existing single-family home that meets all required development standards;*
 3. *Relationship of the design to the site is found to be consistent in that the project was designed in consideration of the unique characteristics of the site;*
 4. *That the design is compatible in areas considered by the board as having a unified design or historical character in that the home is not an area of with a unified design character and has been designed to be compatible with the site and the surrounding area;*

1781 Spring Mountain Road
Design Review Exemption
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5. *The design promotes harmonious transition in scale and character in areas between different designated land uses in that it is a remodel of an existing single-family home in a residentially designated area;*
6. *Compatibility with future construction both on and off the site in that it is a remodel of an existing single-family home in a residentially designated area;*
7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project is a remodel of an existing single-family home in a residentially designated area;*
8. *That 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 in that it is a remodel to an existing single-family home in a residentially designated area;*
9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that the open space and landscaping has been designed to accommodate the site;*
10. *That sufficient ancillary functions are provided to support the main functions of the project and that they are compatible with the project's design concept in that the project meets all City requirements for the remodeling of a single-family home;*
11. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will remain from Spring Mountain Road and a public alley;*
12. *That natural features are appropriately preserved and integrated with the project in that the open space and landscaping has been designed to accommodate the site;*
13. *That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and that they are compatible with the adjacent and neighboring structure and functions in that in that the remodeled home will be constructed of modern building materials and will be compatible with surrounding residential development;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character in that the home is not an area of with a unified design character and has been designed to be compatible with the site and the surrounding area;*
15. *That 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 in that the open space and landscaping has been designed to accommodate the site;*
16. *That 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 in that the open space and landscaping has been designed to accommodate the site;

- 17. That 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 in that construction will meet all California Building Codes and City of St. Helena development standards.*

Planning Department Conditions of Approval

- D. The Planning Commission approves the design review exemption for the above-described project with the following conditions of approval. 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 project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
 2. The design review shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval 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 this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
 3. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
 4. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a 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 be clearly identified on all plans submitted for building permit approval, 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.

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7. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
8. Pursuant to St. Helena Municipal Code Section 17.08.110, 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 property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
10. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on February 20, 2018, except as modified herein.
11. If, during the course of construction, the applicant demolishes more than 50% of the existing home, a stop work order shall be issued and the applicant will be required to submit a Planning Department Demolition Approval Application. Additionally, fire sprinklers will subsequently be required as determined by the Fire Marshal.
12. During construction, the project site shall be adequately fenced and secured to prevent trespassing.
13. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
14. 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

15. 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.

1781 Spring Mountain Road
Design Review Exemption
February 20, 2018

16. 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.
17. 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.
18. All demolition activities must adhere to State and local storm water best management practices at a minimum.
19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.
20. Provide details of any and all proposed fencing, gates, and/or walls on all plans submitted for building permit review.
21. All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy. The driveway shall be replaced in order to conform to current ADA Standards.
22. Any missing or broken curb and gutter along the project frontage shall be constructed and/or replaced prior to Certificate of Occupancy, extent to be determined by the Public Works Department.
23. 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.
24. 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.
25. An encroachment permit shall be required for any work performed in the public right of way.

Building Department Conditions of Approval

26. 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 2016 Title 24 codes.
27. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.

28. The applicant shall provide a construction waste management plan with the building permit application.
29. 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.
30. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
31. 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.

Fire Department Conditions of Approval

32. Fire sprinklers shall be installed as required by the Fire Department and the California Fire Code.

I HEREBY CERTIFY that the foregoing design review exemption 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 February 20, 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

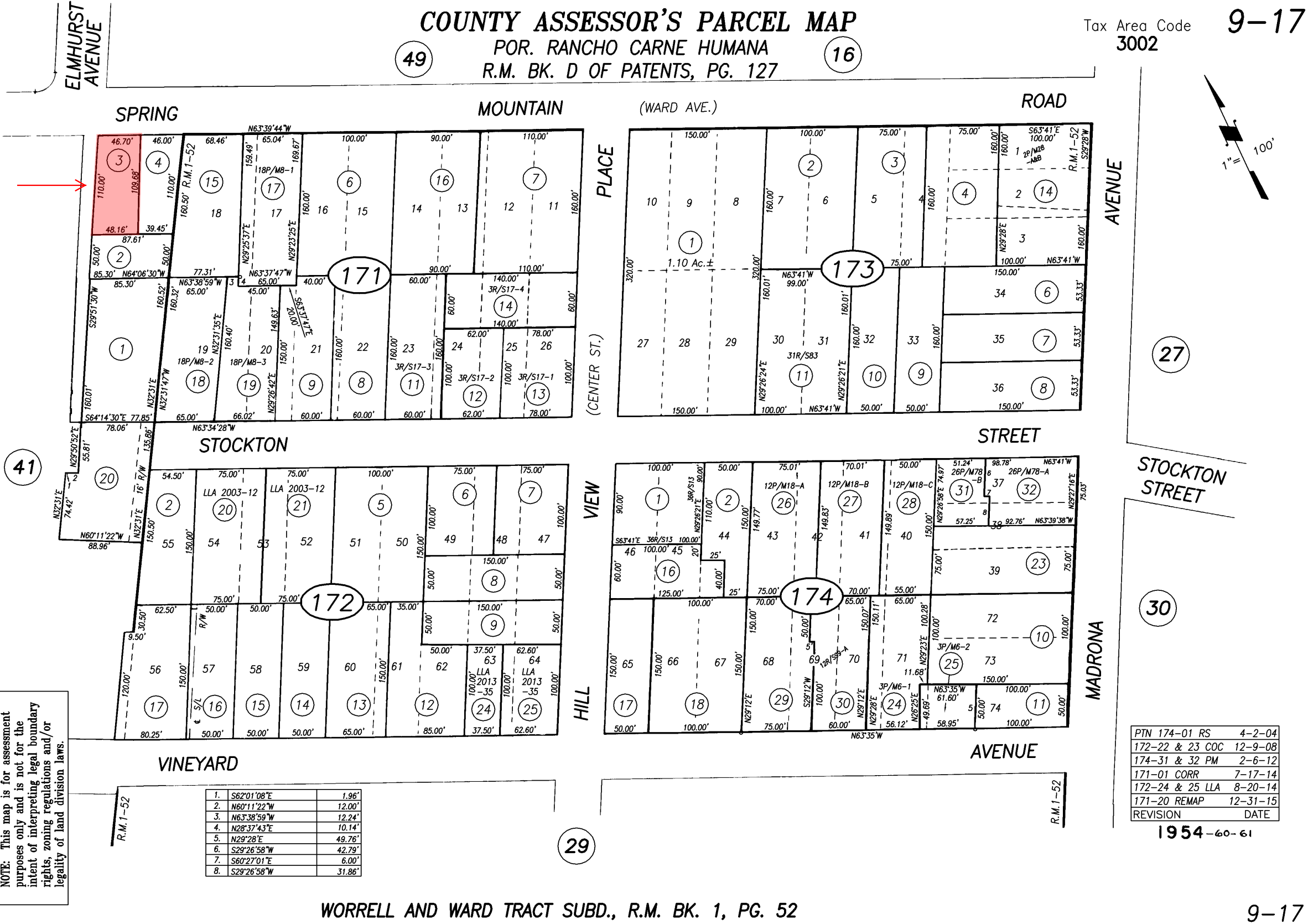
APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning Director

1781 Spring Mountain Road
Design Review Exemption
February 20, 2018



1701 SPRING MOUNTAIN ROAD
APN#: 009-171-003
EXISTING CONDITIONS



FRONT OF HOUSE



STREET VIEW

1781 SPRING MOUNTAIN ROAD
APN # 009-171-003
EXISTING CONDITIONS



WEST SIDE OF HOUSE



WEST AND REAR SIDES OF HOUSE

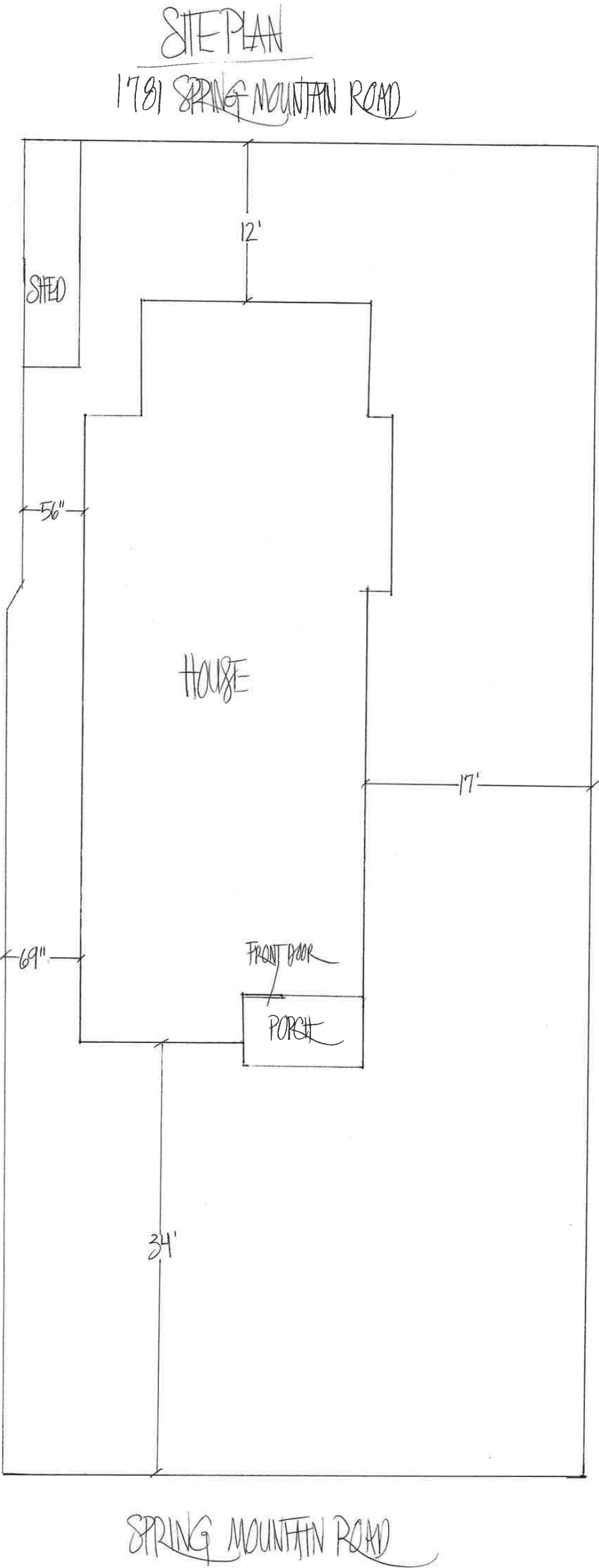
OWNER: ISABELLE SEBY (NUNATIE 103116) CONTINUING: TRINOR BUILDERS



1781 SPRING MOUNTAIN ROAD
APN #: 009-171-003
EXISTING CONDITIONS

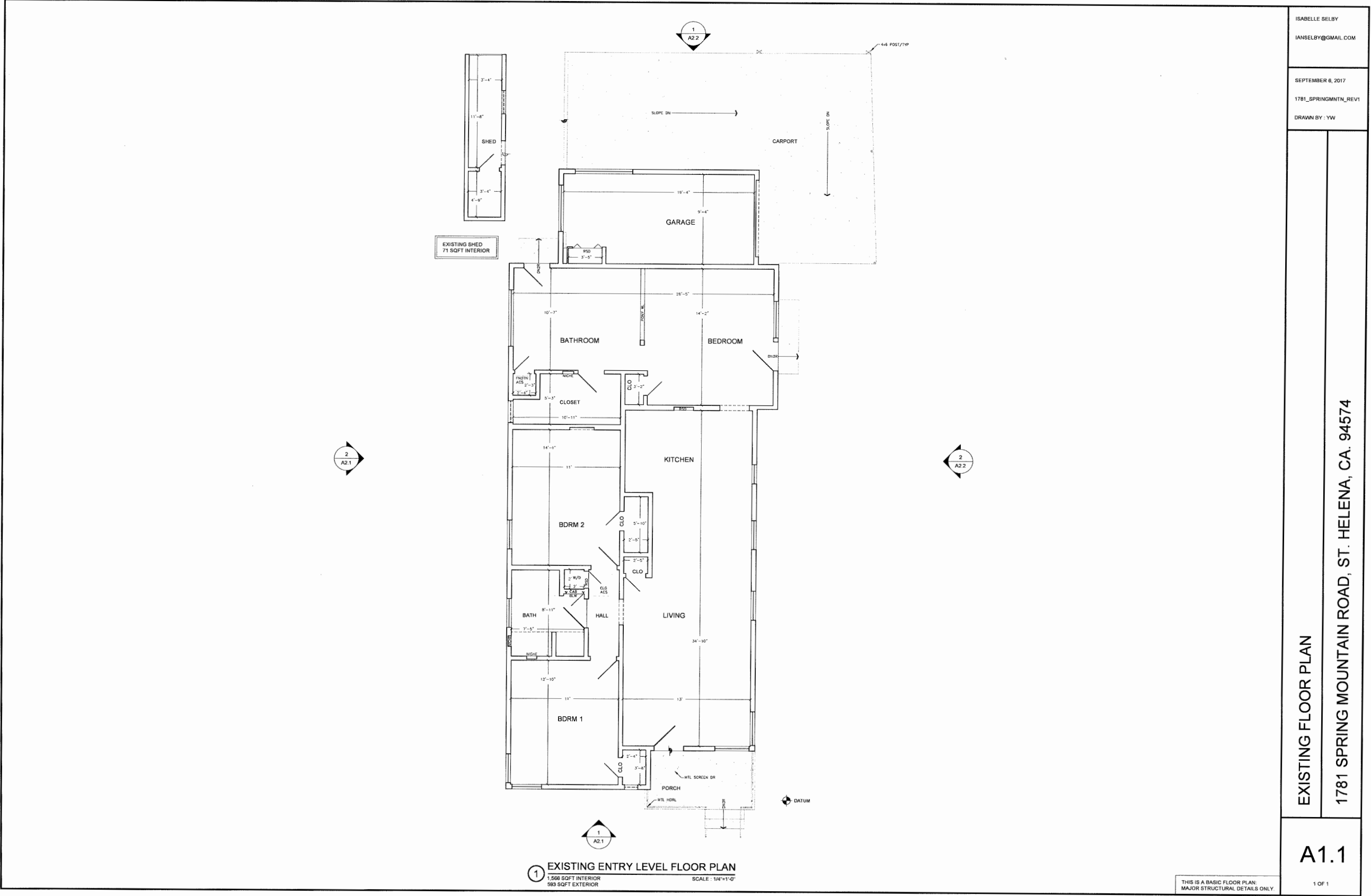
EAST SIDE OF HOUSE





■ SITE ADDRESS:
1781 SPRING MOUNTAIN ROAD
ST. HELENA
APN: 009-171-003

■ OWNER:
ISABELLE SEBY
(MONTAZIE 10314C)
870 TRAVIS STREET, BOX 330
NAPA, CA 94558
iamseby@gmail.com
TEL: 741-577-5292



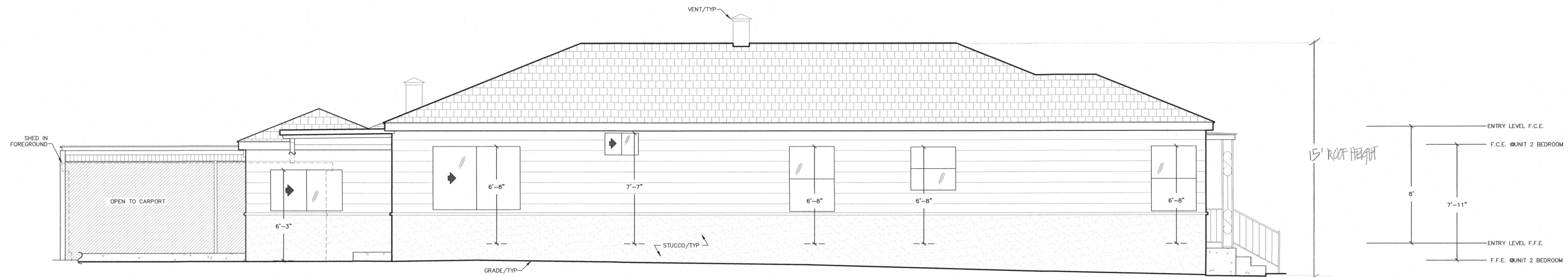
FOG CITY AS-BUILTS
PHONE : 415 287 6034
FOGCITYASBUILTS.COM

JANUARY 23, 2017
REF: 1781_SPRINGMNTN
DRAWN BY : YW

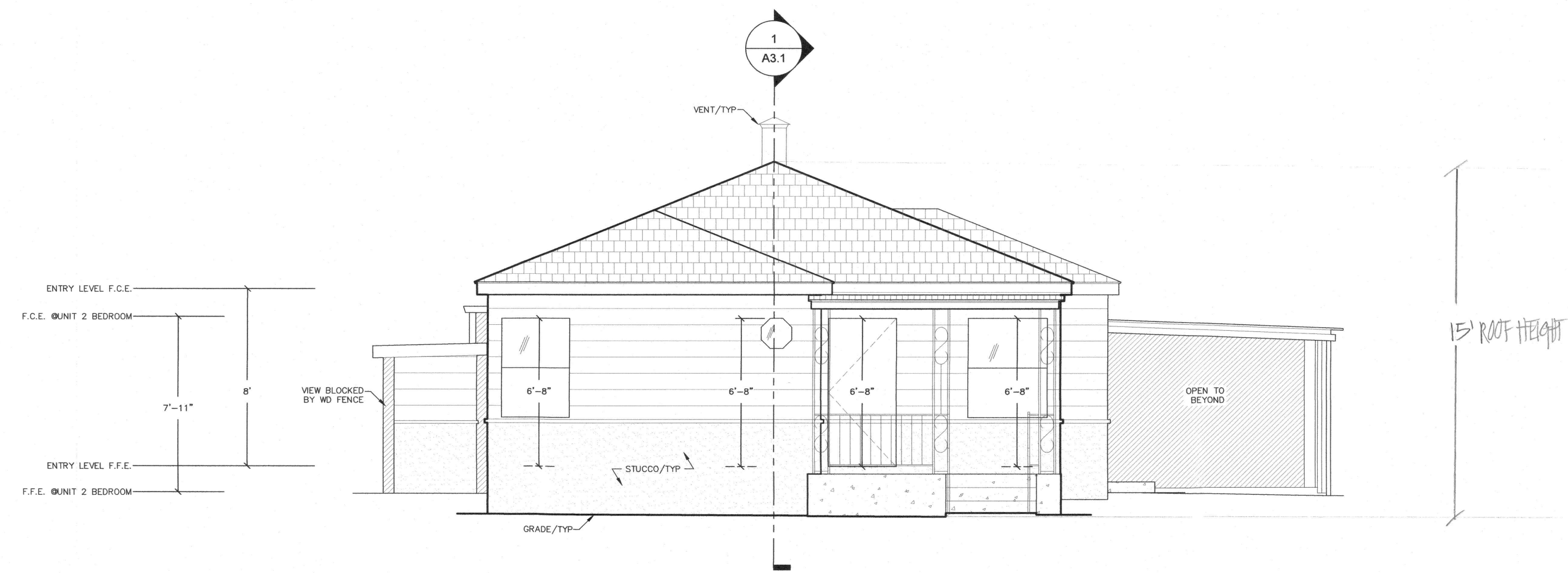
EXISTING ELEVATIONS
1781 SPRING MOUNTAIN ROAD, ST. HELENA, CA. 94574

A2.1

2 OF 4



② EXISTING EAST ELEVATION
SCALE : 1/4"=1'-0"



① EXISTING NORTH ELEVATION
SCALE : 1/4"=1'-0"

THESE ARE BASIC ELEVATIONS.
SINGLE LINE REPRESENTATION OF
MAJOR STRUCTURAL ELEMENTS ONLY.

FOG CITY AS-BUILTS
PHONE : 415 287 6034
FOGCITYASBUILTS.COM

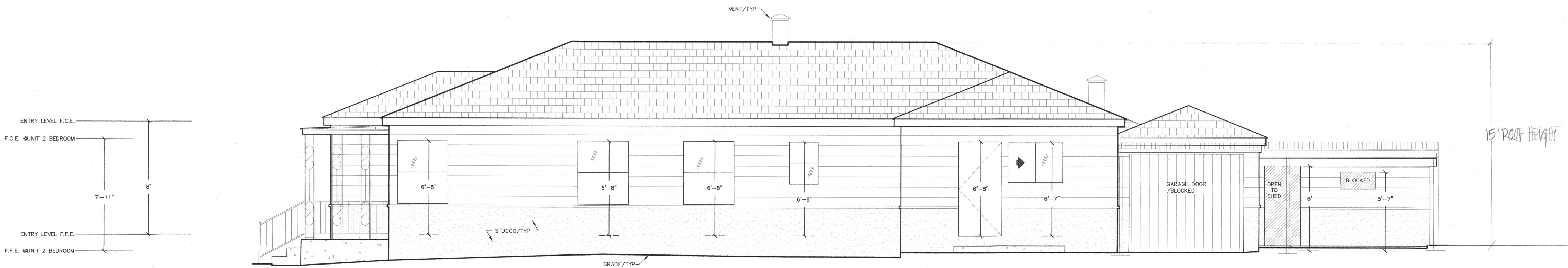
JANUARY 23, 2017
REF: 1781_SPRINGMNTN
DRAWN BY : YW

EXISTING ELEVATIONS
1781 SPRING MOUNTAIN ROAD, ST. HELENA, CA. 94574

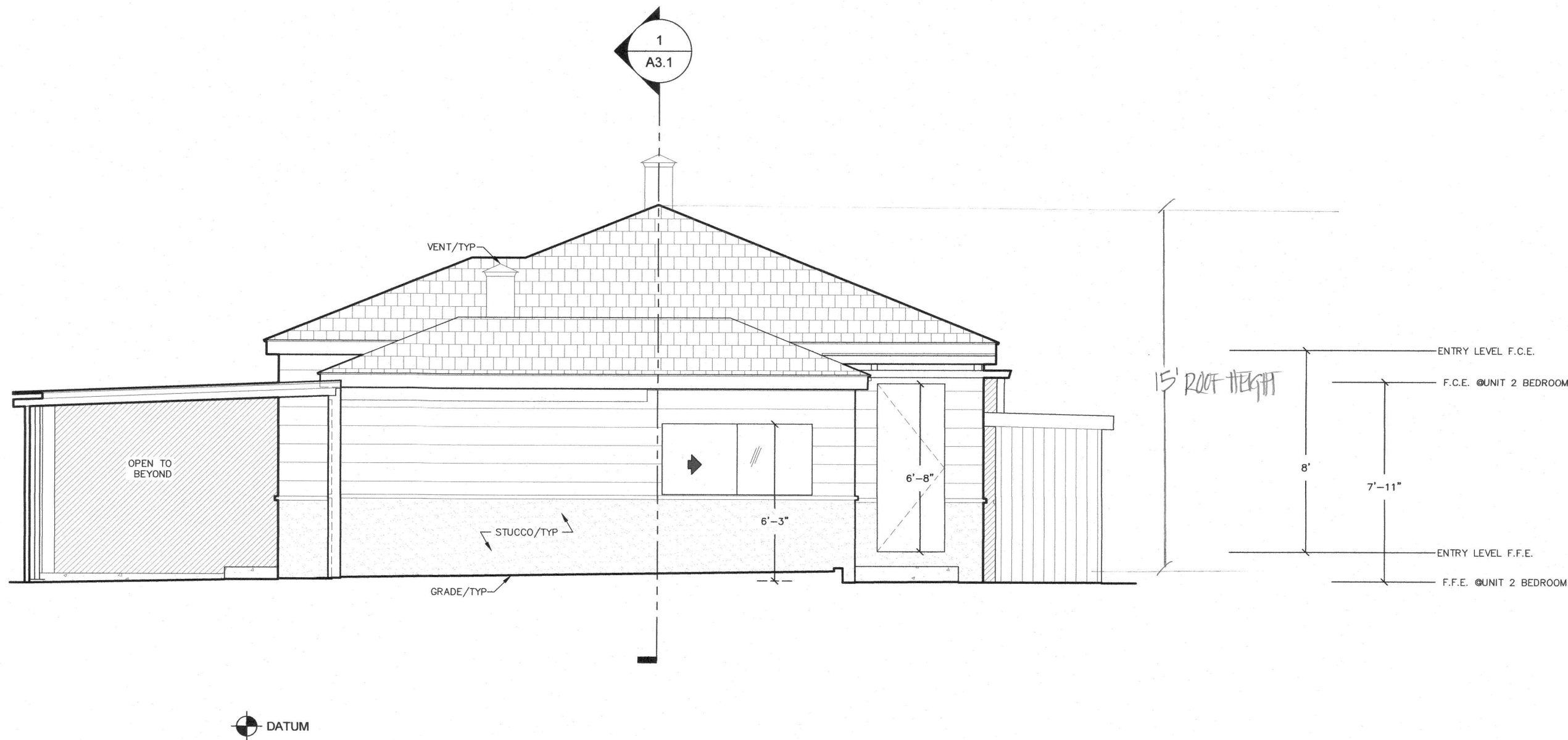
A2.2

3 OF 4

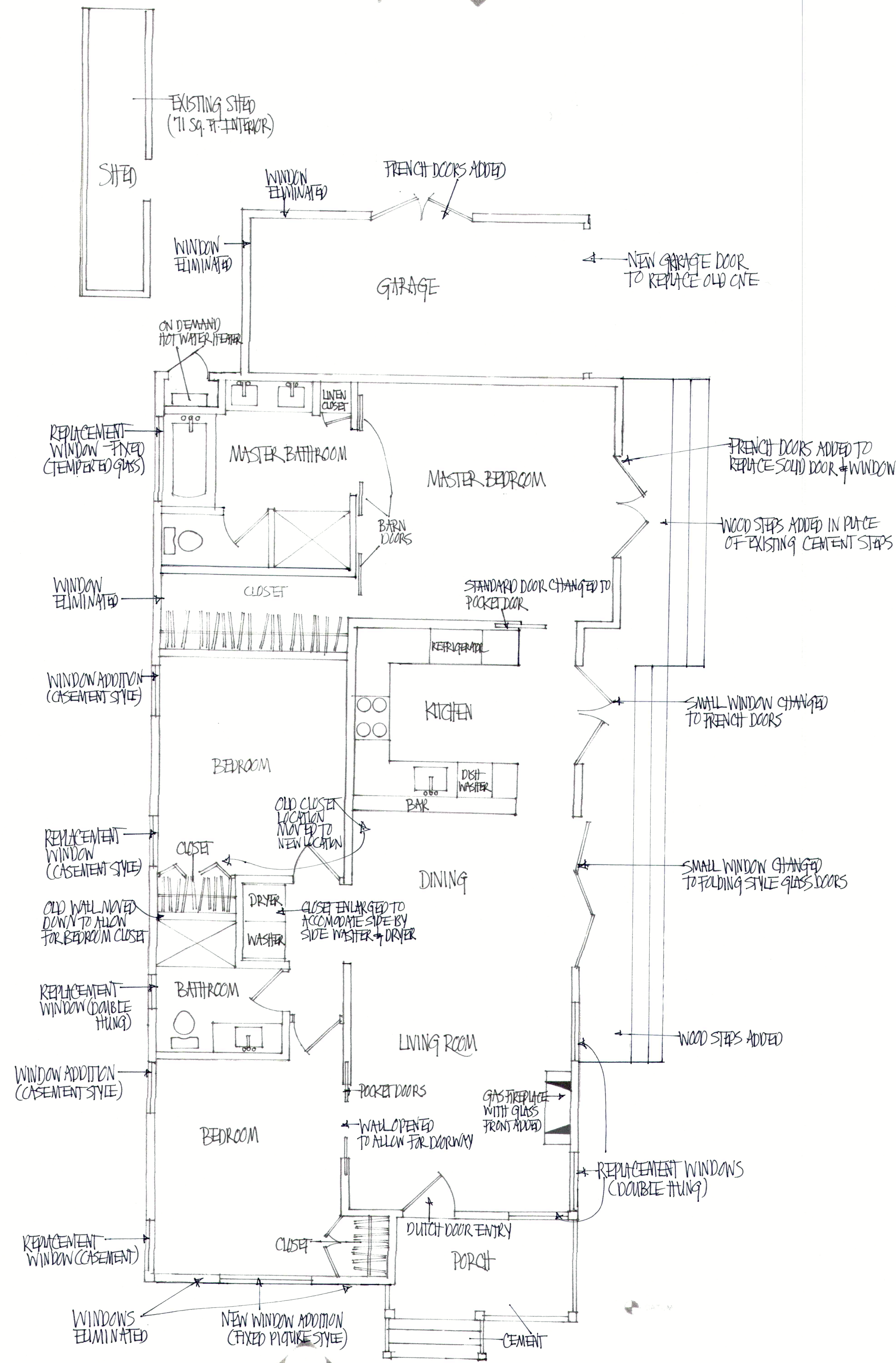
THESE ARE BASIC ELEVATIONS.
SINGLE LINE REPRESENTATION OF
MAJOR STRUCTURAL ELEMENTS ONLY.



② EXISTING WEST ELEVATION
SCALE : 1/4"=1'-0"



① EXISTING SOUTH ELEVATION
SCALE : 1/4"=1'-0"



* CHANGES

- NEW ENERGY RATED (MARVIN INTEGRITY BRAND)
- WINDOWS INSTALLED - CASEMENT STYLE IN BEDROOMS FOR EMERGENCY EGRESS
- INSULATION ADDED TO ALL EXTERIOR WALLS FOR ENERGY SAVING
- FRENCH DOORS ADDED TO REPLACE SMALL WINDOWS
- FOLDING GLASS DOOR ADDED TO REPLACE SMALL WINDOW
- NEW 1" X 8" PRESSURE TREATED, PINE, FINGER JOINTED, SHIP LAP SIDING EXTENDING DOWN TO TOP OF FOUNDATION - COVERING ENTIRE HOUSE
- NEW 30-YEAR GMP ROOF
- SOME NEW INTERIOR WALLS TO ACCOMMODATE CLOSETS
- NEW GAS FIREPLACE (GLASS FRONT) INSERT IN LIVING ROOM

TEL: (916) 913-9120

BUILDER: THOMAS BUILDERS
1050 ADAMS STREET, SUITE B
ST. HELENA, CA 94574

OWNER: JESSIE & JEN
1310 TRAVIS STREET, #330
NAPA, CA 94558
(NAPA) (707) 251-5202

PROPOSED FLOOR PLANS

1781 SPRING MOUNTAIN ROAD, ST. HELENA, CA 94574

A1.1

FOG CITY AS-BUILTS
PHONE: 415 287 6034
FOGCITYASBUILTS.COM
JANUARY 23, 2017
REF: 1781_SPRINGMNTN
DRAWN BY: YW

TELE: 415 571-5242
BUILDER: TRIVIA BUILDERS
1050 MARIN STREET, SUITE B
ST. HELENA, CA 94574

OWNER: ISABELLE SEIB
1310 TRINCHES STREET #280
NAPA, CA 94558
TELE: 415 571-5242

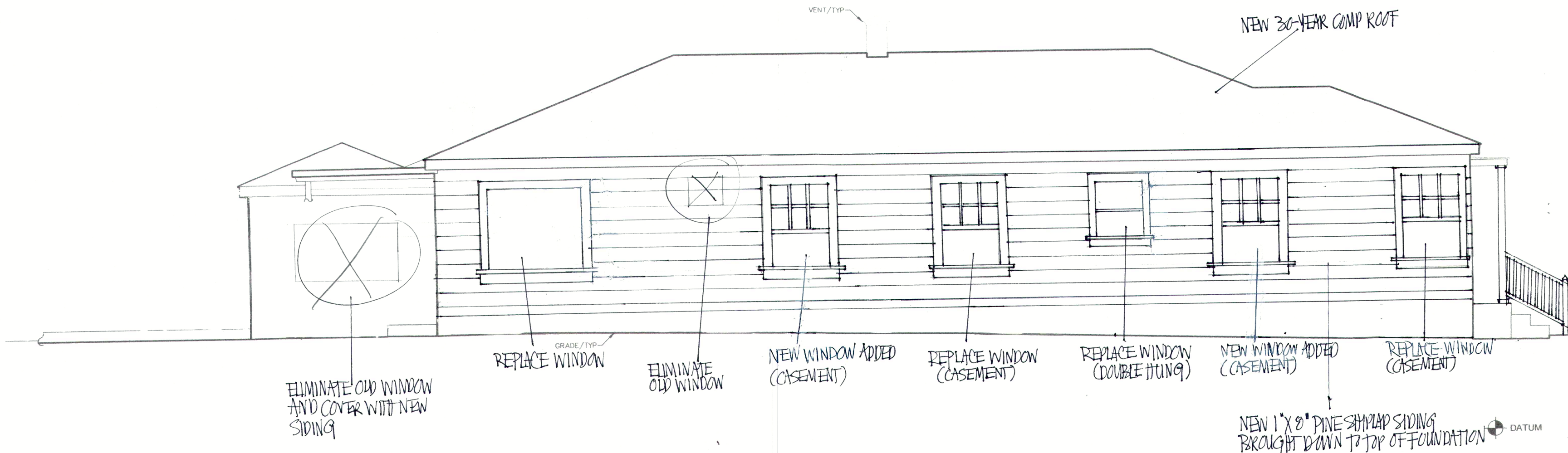
PROPOSED ELEVATIONS

1781 SPRING MOUNTAIN ROAD, ST. HELENA, CA. 94574

A2.1

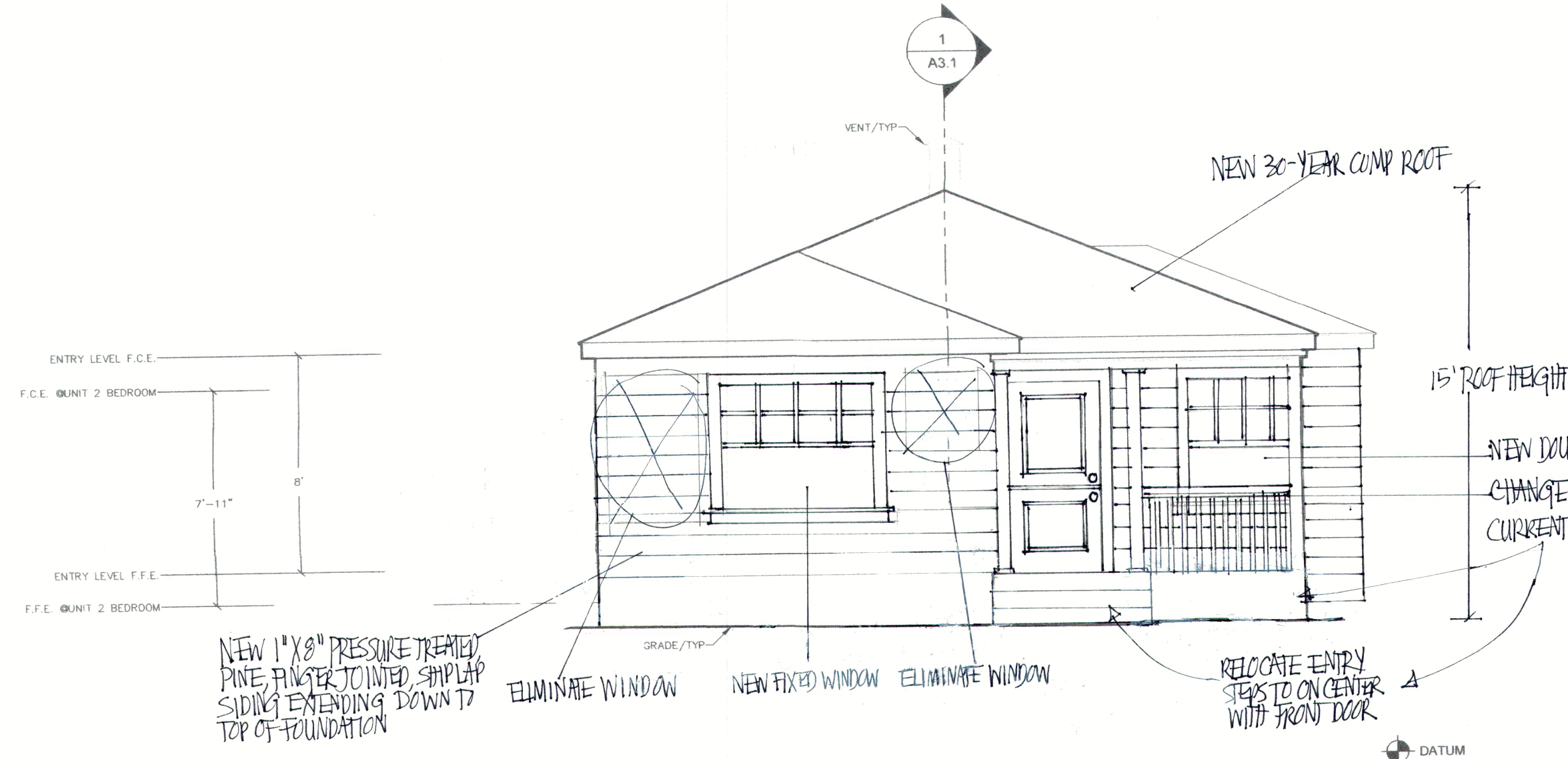
2 OF 4

- *CHANGES:
- NEW WINDOWS - CASEMENT IN BEDROOMS FOR SHUTTERVEGESS, DOUBLE HUNG & FIXED IN OTHER ROOMS
 - NEW 1"x8" PRESSURE TREATED PINE, FINGER JOINTED, SHIP LAP SIDING EXTENDING DOWN TO TOP OF FOUNDATION
 - NEW 30-YEAR COMP ROOF
 - ELIMINATE (2) WINDOWS



2 PROPOSED EAST ELEVATION
SCALE: 1/4"=1'-0"
(SIDE YARD)

- *CHANGES
- NEW DOUBLE HUNG WINDOW AND ONE FIXED "PICTURE" WINDOW
 - NEW 1"x8" PRESSURE TREATED PINE, FINGER JOINTED, SHIP LAP SIDING EXTENDING DOWN TO TOP OF FOUNDATION
 - NEW FRONT DOOR - "DUTCH DOOR" STYLE
 - NEW WOOD PORCH RAILING AND POSTS TO REPLACE EXISTING METAL RAILING AND METAL POSTS
 - ENTRY STEPS MOVED ON CENTER WITH ENTRY DOOR
 - NEW 30-YEAR COMP ROOF



1 PROPOSED NORTH ELEVATION
SCALE: 1/4"=1'-0"
(FACING SPRING MOUNTAIN ROAD)

THESE ARE BASIC ELEVATIONS.
SINGLE LINE REPRESENTATION OF
MAJOR STRUCTURAL ELEMENTS ONLY.

BUILDER: TRINOR BUILDERS
1050 ADAMS STREET, SUITE B
ST. HELENA, CA 94574

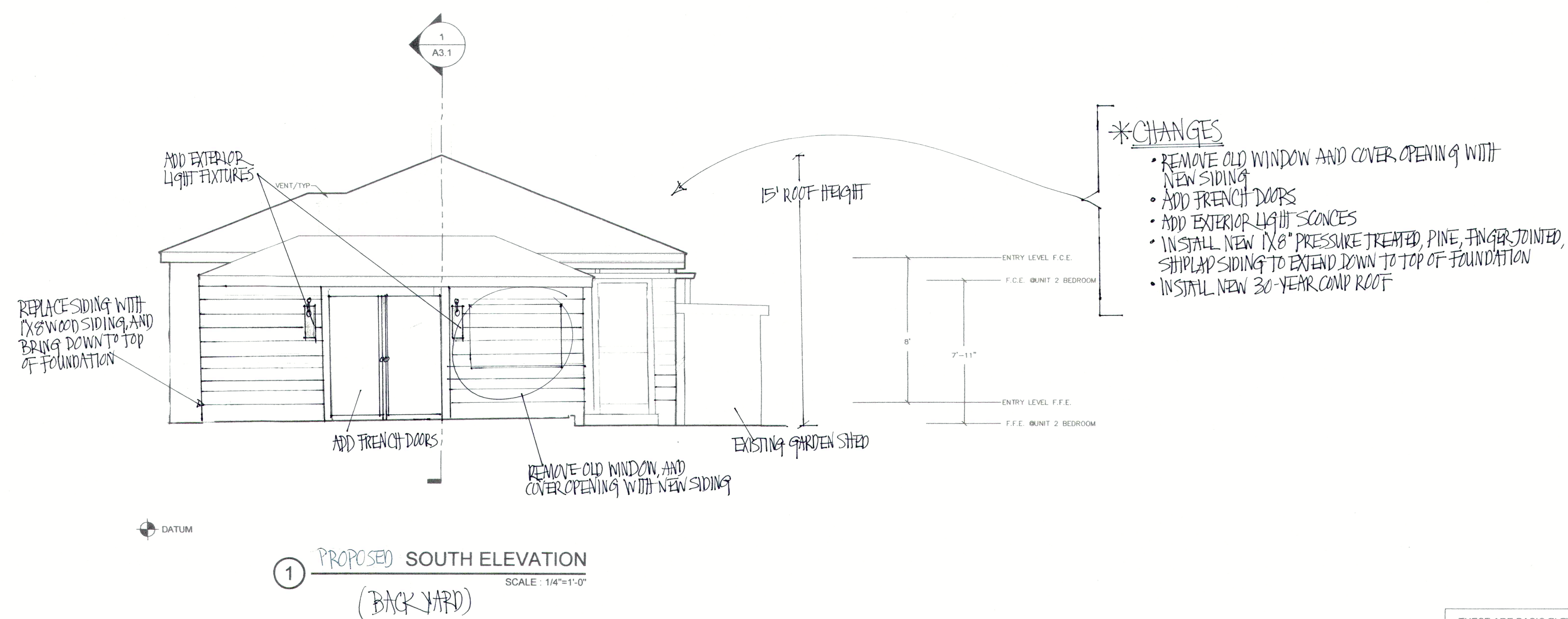
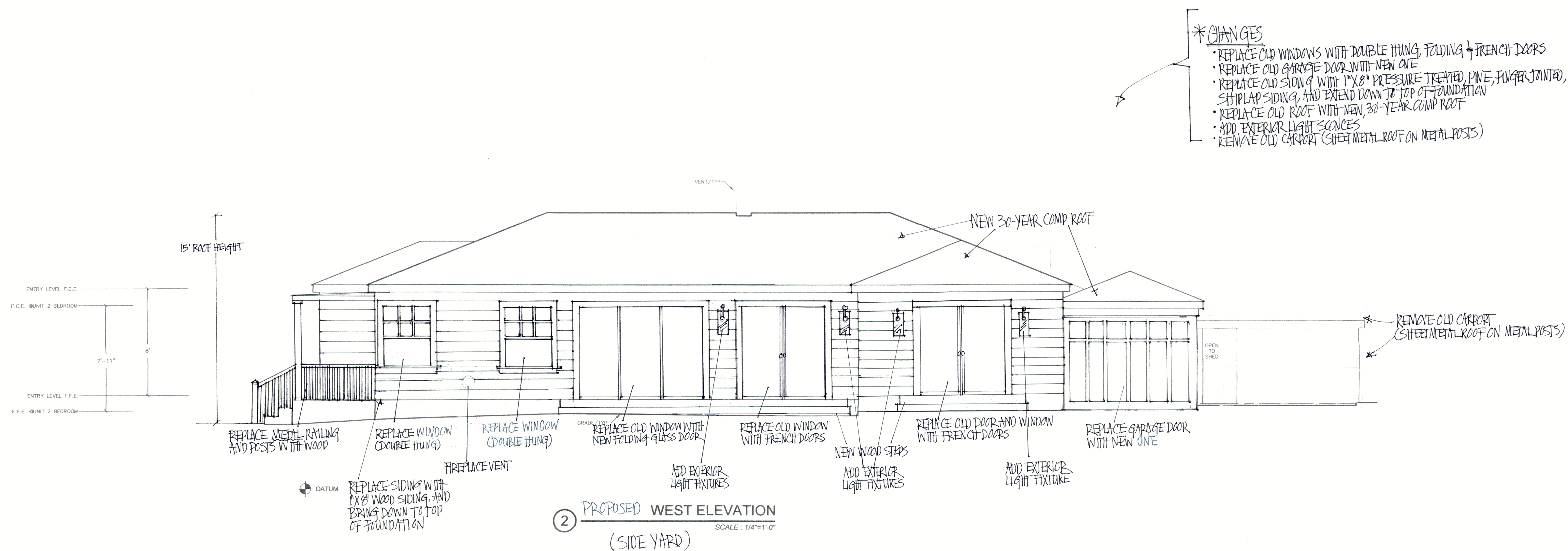
WINNER: ISABELLE SELBY 1370 TRANCUS STREET
(COMM-FZITE 1031 LLC) NAPA, CA 94558
TEL: (415) 571-5292

PROPOSED ELEVATIONS

1781 SPRING MOUNTAIN ROAD, ST. HELENA, CA. 94574

A2.2

3 OF 4



THESE ARE BASIC ELEVATIONS.

SINGLE LINE REPRESENTATION OF
MAJOR STRUCTURAL ELEMENTS ONLY.

1940's Cottage
1781 Spring Mountain Road
APN: 009-171-003

My renovation goal is to repair and enhance the existing structure to blend in with the character of St. Helena. The plan is to:

- **Windows --** Install wood windows to replace existing aluminum ones. Some openings (side & back) will be enlarged for French doors (one is a folding style) to let more light into the home. Additionally, on the front, left side of the house there are two small windows. I would like to change them to a single window to create more visual balance.
- **Siding --** Replace siding due to dry rot and old age deterioration. I would also like to extend the new siding lower down the façade to make the house look less chunky and more balanced.
- **Entry Steps --** Move the steps on center with the entry door so that the landing can become a porch for 2 armchairs.
- **Entry Railing --** Replace the 60's metal railing with classic woodrailing to enhance the cottage look.

OWNER: Isabelle Selby (Monazite 1031 LLC)
1370 Trancas Street, Box 330
Napa, CA 94558
iamselby@gmail.com
Tel: (415) 577-5292

CONTRACTOR: Trainor Builders
License #299037
1050 Adams Street, Suite B
St. Helena, CA 94574
tom@trainorbuilders.com
Tel: (707) 963-9020

OWNER: _____



DATE: _____





PLANNING COMMISSION REPORT
Planning Commission Meeting of February 20, 2018

AGENDA SECTION: Public Hearing

FILE NUMBER: PL17-058

SUBJECT: Request by Caity Hoertkorn of 1111 Main Street SH, LLC for adoption of a resolution granting design review approval in order to accommodate exterior modifications and site improvements to the property located at 1111 Main Street in the Central Business (CB) district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 09/01/17

ACCEPTED AS COMPLETE: 01/30/18

LOCATION OF PROPERTY: 1111 Main Street

APN: 009-261-014

GENERAL PLAN/ZONING: Central Business (CB)

APPLICANT: 1111 Main Street SH, LLC

PHONE: (415) 482-8899

BACKGROUND

On February 21, 2017 the Planning Commission of the City of St. Helena granted the applicant a Master Use Permit for a variety of uses at 1111 Main Street in the Central Business (CB) district. This approval permitted the applicant to subdivide the existing tenant space into a maximum of five (5) individual tenant spaces within the original footprint of the existing building. This allows the applicant to have as few as one (1) or as many as five (5) tenant spaces at any given time. The uses approved under the Master Use Permit include the following:

- Eating and drinking establishment with a maximum seat count of 50 seats and a maximum square footage of 2,500 square feet in total;
- Florist;
- Real estate services;
- Shoe store;
- Clothing store, limited to the sale of new clothing and clothing accessories;
- Health club;
- Ice cream, frozen yogurt and shaved ice shops including the sale of these items as an accessory to an approved food establishment; and
- Office use, Chamber of Commerce office, local-serving business and professional offices and off-site winery offices with no wine tasting permitted.

Formulaic businesses are excluded from uses approved under the Master Use Permit.

PROJECT DESCRIPTION

The applicant is requesting Design Review approval in order to accommodate exterior modifications and site improvements to the property located at 1111 Main Street in the Central Business (CB) district. These improvements are to both improve the aesthetic of the building and property in general and also to update the property to conform with current building code, fire code and ADA standards.

The existing building is in the corner of the shopping center in-between Wells Fargo Bank and Sunshine Foods Market. The building's primary entrance is on the northeast wall facing the shopping center's common parking lot. The back of the building fronting Mitchell Drive has several parking spaces and a concrete access ramp that doesn't meet current ADA standards. The back of the building fronting Oak Avenue is partially screened by a dilapidated wood-fence that encloses several large pieces of electrical equipment including a PG&E transformer and electrical switchgears as well as a small paved patio area and concrete access ramp. The single-story structure is approximately 7,800 SF in size and approximately 17'4" in height as measured from the existing floor level to the top of the existing parapet.

The applicant is proposing to make the following improvements to the existing site and structure:

- Add a new recessed multi-tenant lobby facing the existing shopping center parking lot framed with horizontal wood siding extending 20' 9" above the existing floor level.
- Cover existing CMU with smooth stucco finish on northeast and northwest walls.
- Paint existing CMU on southeast and southwest walls.
- Provide new perforated metal mechanical screen extending from top of existing CMU to approximately 18' 2" above the existing floor level.
- Replace existing non-code compliant doors and pedestrian ramps on the southeast side of the building.
- Replace the wood fence along Oak Avenue adjacent the electrical meters, gas meters, fire sprinkler connection, etc.

- Install new landscaping with greater consideration towards the aesthetic of the rear of the building. Adjacent Oak Avenue the applicant proposes to keep the existing fenced-in patio but add shrubs and groundcovers to help breakup the concrete look. Along Mitchell Drive they propose to enhance a large section adjacent to the sidewalk with groundcovers, shrubs and trees. In addition, they have included a planter area next to the new trash enclosure to shield it from the street.

In order to comply with both ADA laws for access and State and County standards regarding trash enclosures, several existing parking spaces had to be removed from the back of the building adjacent Mitchell Avenue. In an effort to maximize the number of parking spaces available, the applicant has created two tandem parking spaces in the rear of the building for a total of five (5) spaces.

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the minor alteration of existing private structures and Section 15303, which exempts the construction or conversion of small structures including commercial buildings not exceeding 10,000 square feet. 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:

- **2.6.33** Provide sufficient parking to serve the needs of residents in proximity to commercial destinations.
- **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.
- **2.6.39** All retail businesses shall conform to a scale commensurate and compatible with the small town character of St. Helena.

- **4.3.1** Preserve the rural small town quality of St. Helena which includes the compact commercial core of one and two story buildings.
- **4.3.4** Strengthen community identity by appropriate building design, size, and site landscaping.

Staff Response: Staff finds that the proposed structural modifications are consistent with the General Plan in that they will help improve the overall aesthetic of the shopping center.

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 character. New uses which serve both local residents and tourists are allowed; however, uses which are primarily tourist-serving are not permitted.

Pursuant to Municipal Code Section 17.164, any new structures or buildings, or exterior revisions to any existing structures or buildings for both permitted and conditional uses shall require design review in the CB district.

Staff Response: The proposed changes described above are to an existing commercial building. No new square footage is being added and the project as described is in conformance with all development 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. Pursuant to Municipal Code Section 17.164.030, the following design criteria should be considered by the Planning Commission in review of this application:

1. Consistency and compatibility with applicable elements of the general plan;
2. Compatibility of design with the immediate environment of the site;
3. Relationship of the design to the site;
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
6. Compatibility with future construction both on and off the site;
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
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;

9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
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;
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
12. Whether natural features are appropriately preserved and integrated with the project;
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;
14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
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;
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;
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.

Staff Response: Staff believes that the proposed project is consistent with the required design review criteria listed above in that the project consists of exterior modifications and site improvements to an existing commercial building in a commercially designated area. The findings included in the attached resolution identify this compliance.

PARKING

The applicant's building is within the City's parking impact overlay district. The purpose of the parking impact overlay district is to establish parking standards for portions of the City generally located within the central business district. This area of the City is impacted by a lack of off-street parking because the buildings are of historic and unique character and were constructed in the early history of the City when automobiles were not as common. While remodeling the existing building and making site improvements doesn't in and of itself impact parking requirements, the removal of several parking spaces towards the rear of the building to accommodate ADA and other code regulations requires an analysis of parking as it relates to the previously approved Master Use Permit.

Uses approved under the Master Use Permit could require between 13 and 22 off-street parking spaces. Thirteen (13) spaces would be required if all 7,800-sf of the existing commercial space were used for retail and general commercial uses. However, should a full 50 seat eating/drinking establishment move into the building (occupying a maximum of 2,500-sf) as approved under the Master Use Permit, a total of 22 off-street parking spaces would be required (9 spaces for 5,300-sf of retail/general commercial and 13 spaces, 1 space for each 4 seats for the eating/drinking establishment).

The applicant would only have 21 off-street spaces (tandem spaces only count as one space each per Municipal Code Section 17.124.050(D)) due to the loss of parking toward the rear of the building in order to accommodate ADA required ramps and a covered trash enclosure. As such, should a full 50 seat eating/drinking establishment move into the building as approved under the Master Use Permit, the applicant shall be required to pay a \$7,000 parking in-lieu fee as they would be short 1 required parking space. A condition of approval has been added to this effect.

Staff Response: While making exterior improvements to the existing building and surrounding site does not trigger the need for additional off-street parking, the removal of several parking spaces towards the rear of the building could result in the applicant having to pay into the parking impact fund as the parking required under the previously approved Master Use Permit may no longer be available. The applicant is required by law to meet ADA and other code requirements, therefore, the loss of parking spaces is unavoidable as there isn't enough room to fit any additional parking on the project site. It should be noted that the applicant has reciprocal rights to an additional 88 parking spaces within the greater parking lot.

SIGNAGE

The applicant is not proposing any new or modified signage at this time. Individual sign permits will be required on a case by case basis by future tenants.

ISSUES

With the popularity and scale of Sunshine Market, parking will continue to be an issue in the parking lot fronting this building. However, as identified in the parking analysis above, the applicant will either exceed code requirements for on-site parking or pay into the parking impact fund for being short one (1) space. As noted above, the applicant has reciprocal rights to an additional 88 parking spaces within the larger parking lot.

CORRESPONDENCE

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

STAFF RECOMMENDATION

Staff is in support of this application and therefore recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Sections 15301 and 15303; and
2. Accept the required findings and approve a resolution granting Design Review approval for the applicant to make modifications to the building located at 1111 Main Street.

ATTACHMENTS

[Resolution](#)

[Plan Set 01.29.18](#)

[Parking Exhibit](#)

[CC&Rs](#)

[Applicant Statement](#)

**CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING DESIGN REVIEW APPROVAL TO
1111 MAIN STREET (PL17-058)**

PROPERTY OWNER: 1111 Main Street SH, LLC

APN: 009-261-014

RECITALS

1. Request by 1111 Main Street SH, LLC adoption of a resolution approving design review in order to accommodate exterior changes and site improvements to the existing commercial building adjacent Sunshine Market and Wells Fargo Bank at 1111 Main Street in the Central Business (CB) district;
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law;
3. 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 public hearing on February 20, 2018; and
4. 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

- 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 the project is exempt from CEQA pursuant to Section 15301, which exempts the minor alteration of existing private structures; and Section 15303, which exempts the construction or conversion of small structures including single-family residences, garages, pools, etc.
- C. In accordance with the design review criteria identified in Municipal Code Section 17.164.030, the Planning Commission hereby finds that the project demonstrates the following:
 1. *Consistency and compatibility with applicable elements of the general plan in that the project consists of a remodel and site improvements to an existing commercial building in a commercially designated area;*
 2. *Compatibility of design with the immediate environment of the site in that the project consists of structural and site improvements to an existing commercial building that meets all required development standards;*
 3. *Relationship of the design to the site is found to be consistent in that the project was designed by a licensed architect in consideration of the unique characteristics of the site;*

1111 Main Street
Design Review
February 20, 2018

4. *That the design is compatible in areas considered by the board as having a unified design or historical character in that the commercial building is not in an area with a unified design character and has been designed to be compatible with the site and the surrounding area;*
5. *The design promotes harmonious transition in scale and character in areas between different designated land uses in that the project consists of a remodel and site improvements to an existing commercial building in a commercially designated area;*
6. *Compatibility with future construction both on and off the site in that the project consists of a remodel and site improvements to an existing commercial building in a commercially designated area;*
7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project will enhance the aesthetic appeal of the existing building;*
8. *That 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 in that the project consists of a remodel and site improvements to an existing commercial building in a commercially designated area;*
9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that the open space and landscaping has been designed to accommodate the site and its limitations;*
10. *That sufficient ancillary functions are provided to support the main functions of the project and that they are compatible with the project's design concept in that the project meets all City requirements for the remodeling of an existing commercial structure;*
11. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will remain from Main Street and Mitchell Avenue;*
12. *That natural features are appropriately preserved and integrated with the project in that the landscaping plan has been professionally designed to accommodate the site and its limitations;*
13. *That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and that they are compatible with the adjacent and neighboring structure and functions in that in that the project consists of a remodel and site improvements to an existing commercial building in a commercially designated area;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character in that the commercial building is not in an area with a unified design character and has been designed to be compatible with the site and the surrounding area;*
15. *That 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 the landscape concept*

depicts an appropriate unity with the various buildings on the site in that the landscaping plan has been professionally designed to accommodate the site and its limitations;

16. That 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 in that the landscaping plan has been professionally designed to accommodate the site and its limitations;

17. That 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 in that construction will meet all California Building Codes and City of St. Helena development standards.

Planning Department Conditions of Approval

D. The Planning Commission approves design review for the above described project with the following conditions of approval. 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 project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. This permit shall be vested within one (1) year from the date of approval. A building permit for the improvements allowed under this permit shall have been obtained within one (1) year from the effective date of the permit or the permit shall expire; provided however that 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.
3. This permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.
4. Any request for an extension of the permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. 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.
6. 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.
7. 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

1111 Main Street
Design Review
February 20, 2018

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.

8. Provided they are in general compliance with the permit, minor modifications may be approved by the Planning Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, 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.
10. 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.
11. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on February 20, 2018, except as modified herein.
12. No more than five (5) tenant spaces shall be constructed within the existing building at any given time.
13. Food and beverage use is limited to 50 seats and 2,500-sf of floor area. Any such use shall require an increase to the regulated food and beverage inventory as approved by the City Council.
14. Should a 50 seat food and/or beverage use move into the building, the applicant shall be required to pay a \$7,000 in-lieu fee into the parking impact fund as they would be short one (1) required parking space.
15. During construction, the project site shall be adequately fenced and secured to prevent trespassing.
16. 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

17. 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.

*1111 Main Street
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February 20, 2018*

18. No added drainage from new hardscape, roofs or pool improvements shall be allowed to leave the site; improvement plans shall show how drainage will be handled on site and at the property lines to prevent inundation of neighboring properties. Predeveloped and 100 year storm event overflow site drainage shall be directed in to an existing storm drain or gutter through City standard undersidewalk drains where applicable. Submit drainage plan.
19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.
20. The applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle. Submit utility plans.
21. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
22. The applicant shall conform to the City of St. Helena Water and Sewer Standards Section 6-2.10 which includes assessing the adequacy of the lateral, replacing if necessary and installing any needed cleanouts prior to Certificate of Occupancy.
23. The new grease interceptor shall be shown on the site improvement plans. Grease interceptor size shall comply with the City's "Grease Trap Guidelines for SHMC 13.24.100."
24. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
25. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.20, Sewer Service System, of the St. Helena Municipal Code.
26. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
27. Any missing or broken curb and gutter along the project frontage shall be constructed and/or replaced prior to Certificate of Occupancy, to the extent determined by the Public Works Department.
28. An encroachment permit shall be required for any work performed in the public right of way.
29. Applicant shall confirm adequate parking per ADA and City Standards.

1111 Main Street
Design Review
February 20, 2018

30. 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. 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.
31. All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy. The driveway shall be replaced in order to conform to current ADA Standards. (Max grades for longitudinal and cross slopes as marked are recommended for design.)
32. Construct sidewalk along the Mitchell Drive frontage from the existing driveway approach to the existing Oak Avenue ramp crossing per current City and ADA standards prior to Certificate of Occupancy.

Building Department Conditions of Approval

33. 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 2016 Title 24 codes.
34. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
35. The applicant shall provide a construction waste management plan with the building permit application.
36. 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.
37. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
38. 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 permitted.

Fire Department Conditions of Approval

39. Fire sprinklers shall be installed as required by the St. Helena Fire Department per Fire Code standards.
40. Fire equipment shall be inspected annually by the Fire Department.

I HEREBY CERTIFY that the foregoing Design Review 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 February 20, 2018 by the following roll call vote:

*1111 Main Street
Design Review
February 20, 2018*

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh, Planning Director

BUILDING IMPROVEMENTS

1111 MAIN STREET, ST. HELENA, CALIFORNIA 94574



DESIGN REVIEW DRAWINGS

DRAWING INDEX

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DRB-A0.01	PROJECT INFORMATION, SCOPE, SYMBOL LEGEND, & ABBREVIATIONS
DRB-A0.02	SITE PHOTOGRAPHS
DRB-A0.03	PERSPECTIVE VIEWS
DRB-A1.00	PLOT PLAN
DRB-A2.01	SITE AND FLOOR PLAN - DEMOLITION
DRB-A2.20	SITE & FLOOR PLAN - PROPOSED
DRB-A2.30	ROOF PLAN - PROPOSED
DRB-A3.20	EXTERIOR ELEVATIONS & MATERIALS - PROPOSED
DRB-A3.40	BUILDING SECTIONS
DRB-A7.01	CONCEPTUAL ENLARGED WALL SECTIONS
L-1	PLANTING PLAN, PLANTING DETAILS
P-1	PLUMBING FLOOR PLAN

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ST. HELENA, CA 94574

REVISIONS

No.	Description	Date
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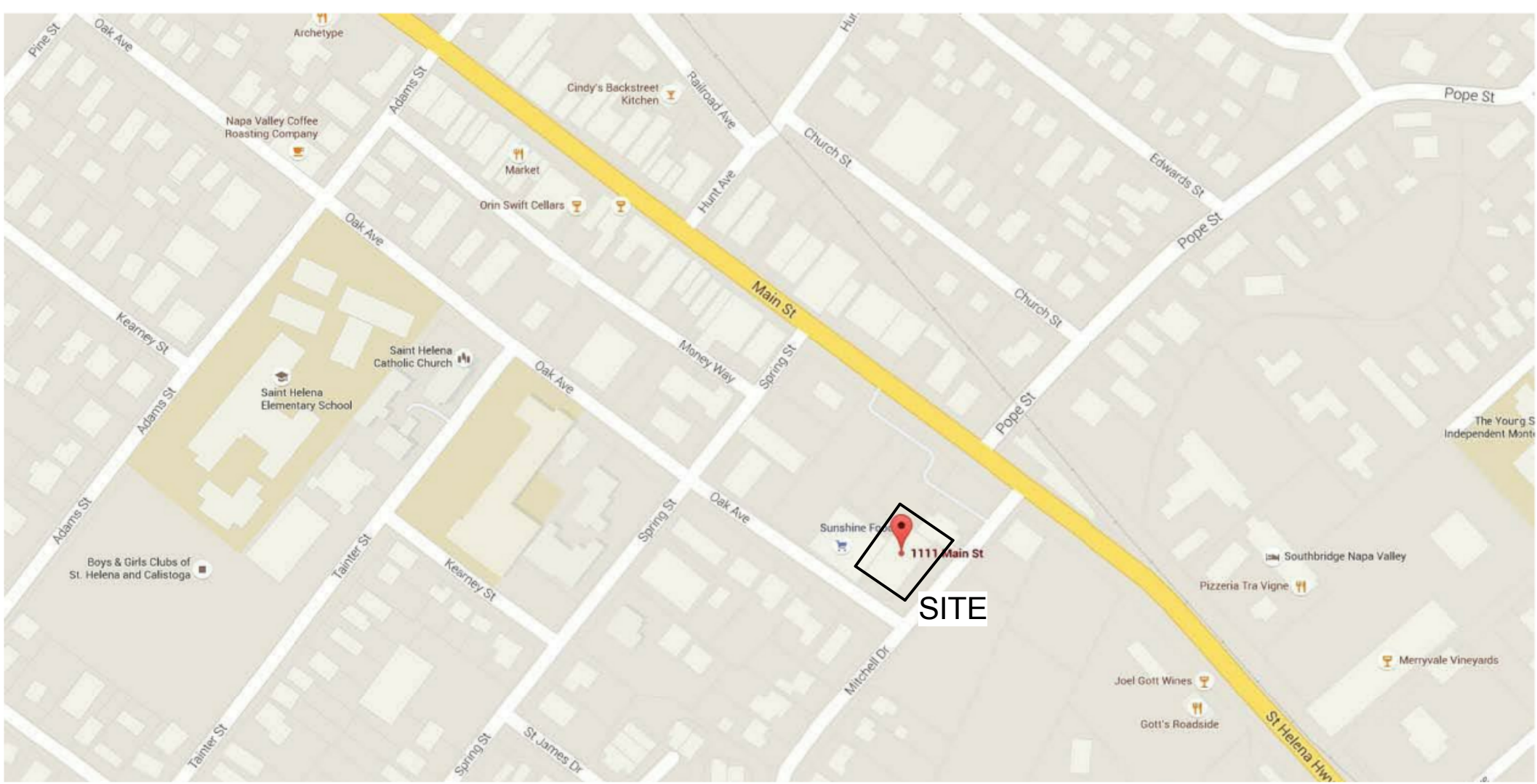
Sheet Title

COVER SHEET

VICINITY MAP



PROJECT SITE



PROJECT DIRECTORY

OWNER

1111 MAIN STREET SH, LLC
1112 SIR FRANCIS DRAKE
BOULEVARD
KENTFIELD, CA 94904
(415) 482 - 8899

ARCHITECT OF RECORD

ROSSDRULISCUSENBERRY
ARCHITECTURE INC.
18294 SONOMA HIGHWAY
SONOMA, CA 95476
(707) 996 - 8448

LANDSCAPE ARCHITECT

DONALD L. BLAYNEY & ASSOCIATES
LANDSCAPE ARCHITECTURE & PLANNING
16 PARTRIDGE DRIVE
SAN RAFAEL, CA 94901
TEL (415) 258 - 9666

CIVIL ENGINEER

DVC GROUP
513 CENTER STREET
HEALDSBURG, CA 95448
(707) 775 - 8986

TITLE 24 / CALGREEN

T.B.D.

CONSTRUCTION MANAGER

5280CM
4060 WILD HORSE DRIVE
BROOMFIELD, CO 80023
(707) 338 - 8349

STRUCTURAL ENGINEER

DLF ENGINEERS, INC.
POST OFFICE BOX 717
WINDSOR, CA 95492
(707) 838 - 1505

MECHANICAL ENGINEER

T.B.D.

PLUMBING DESIGN/BUILD CONTRACTOR

INCOM MECHANICAL, INC.
975 TRANSPORT WAY
PETALUMA, CA 94954
(707) 586 - 0511

ELECTRICAL ENGINEER

T.B.D.

Drawn By JW

Checked By EW

Scale:

1/4" = 1'-0"

Date:

January 5, 2018

Project No. 2016021

DRB-A0.00

Drawing No.

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Sheet Title

PROJECT INFORMATION,
SCOPE, SYMBOL
LEGEND, &
ABBREVIATIONS

Drawing By JW	Checked By EW
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Scale:
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Date:
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DRB-A0.01

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NORTH & EAST ELEVATIONS FROM MAIN STREET - LOOKING SOUTHWEST



NORTH & EAST ELEVATIONS FROM SHOPPING CENTER PARKING LOT - LOOKING SOUTHWEST



NORTH ELEVATION FROM SHOPPING CENTER PARKING LOT - LOOKING SOUTH



EAST ELEVATION OF ADJACENT SUNSHINE MARKET FROM PARKING LOT - LOOKING WEST



WEST ELEVATION FROM CORNER OF OAK AVENUE & MITCHELL DRIVE - LOOKING NORTHEAST



WEST ELEVATION FROM OAK AVENUE - LOOKING EAST



WEST & SOUTH ELEVATIONS FROM CORNER OF OAK AVENUE & MITCHELL DRIVE - LOOKING EAST



SOUTH ELEVATION FROM MITCHELL DRIVE - LOOKING NORTHWEST



SOUTH ELEVATION FROM CORNER OF MAIN STREET & MITCHELL DRIVE - LOOKING NORTHWEST
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SITE PHOTOGRAPHS

Drawn By EW Checked By EW

Scale:

Date:
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DRB-A0.02

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① Perspective from Northeast Corner Copy 3



② Perspective from Southwest Corner



③ Perspective from Southeast Corner

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Sheet Title

PERSPECTIVE VIEWS

Drawn By EW Checked By EW

Scale:

Date:
January 5, 2018

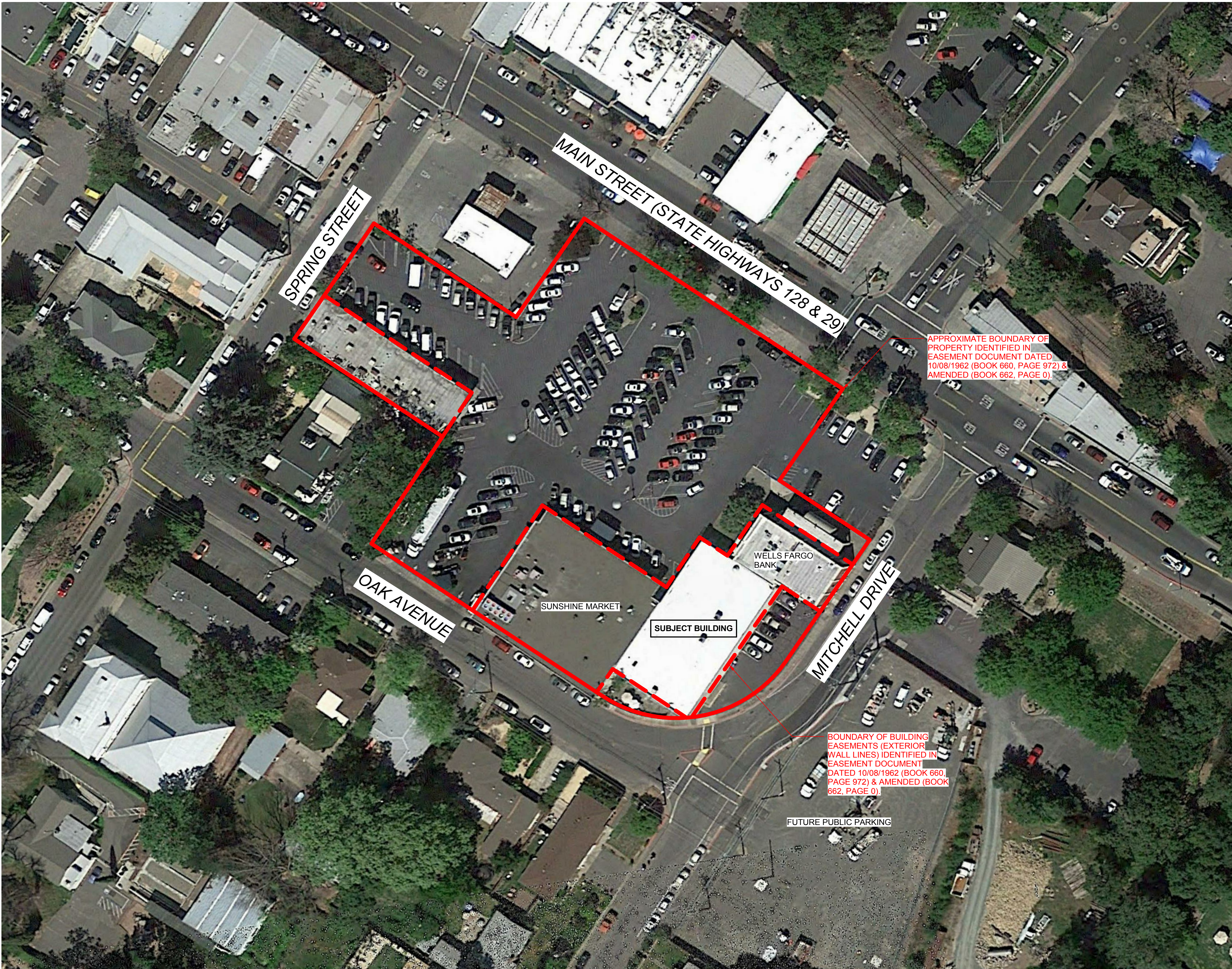
Project No. 2016021

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Sheet Title

PLOT PLAN

Drawn By EW

Checked By EW

Scale:
1" = 30'-0"

Date:
January 5, 2018

Project No. 2016021

DRB-A1.00

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Sheet Title

SITE AND FLOOR PLAN -
DEMOLITION

Drawn By JW Checked By EW

Scale:
1/8" = 1'-0"

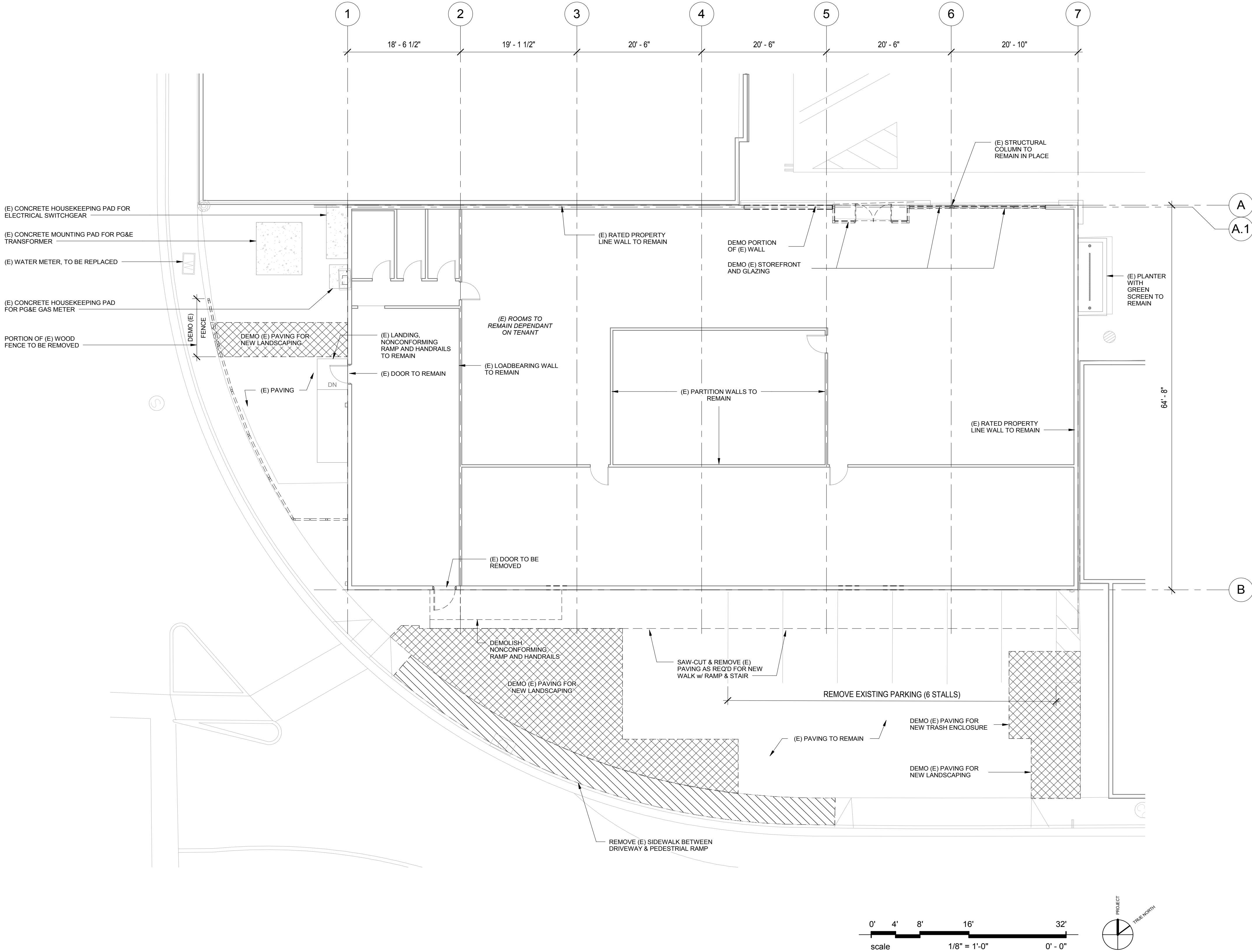
Date:
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Project No. 2016021

DRB-A2.01

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1 SITE DEMOLITION PLAN
1/8" = 1'-0"

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Sheet Title

SITE & FLOOR PLAN - PROPOSED

AREA TABULATION	
(E) BUILDING AREA FOOTPRINT:	7,760 SF
NEW BUILDING AREA (ARCHITECTURAL PROJECTIONS):	32 SF
(E) PARKING AREA REMOVED FOR INSTALLATION OF NEW WALKWAY:	692 SF
(E) PARKING AREA REMOVED FOR INSTALLATION OF NEW TRASH ENCLOSURE:	172 SF
(E) PARKING AREA REMOVED FOR LANDSCAPING:	900 SF

NOTES:

1. ALL SITE AREA ON WEST AND SOUTH SIDES OF THE SUBJECT BUILDING IS EXISTING IMPERVIOUS SURFACE.
2. PER TABULATION ABOVE, AREA OF IMPERVIOUS SURFACE BEING REPLACED IS LESS THAN 5,000 SF. THEREFORE, A STORMWATER CONTROL PLAN IS NOT REQUIRED.

Drawn By EW

Checked By EW

Scale:
1/8" = 1'-0"

Date:
January 5, 2018

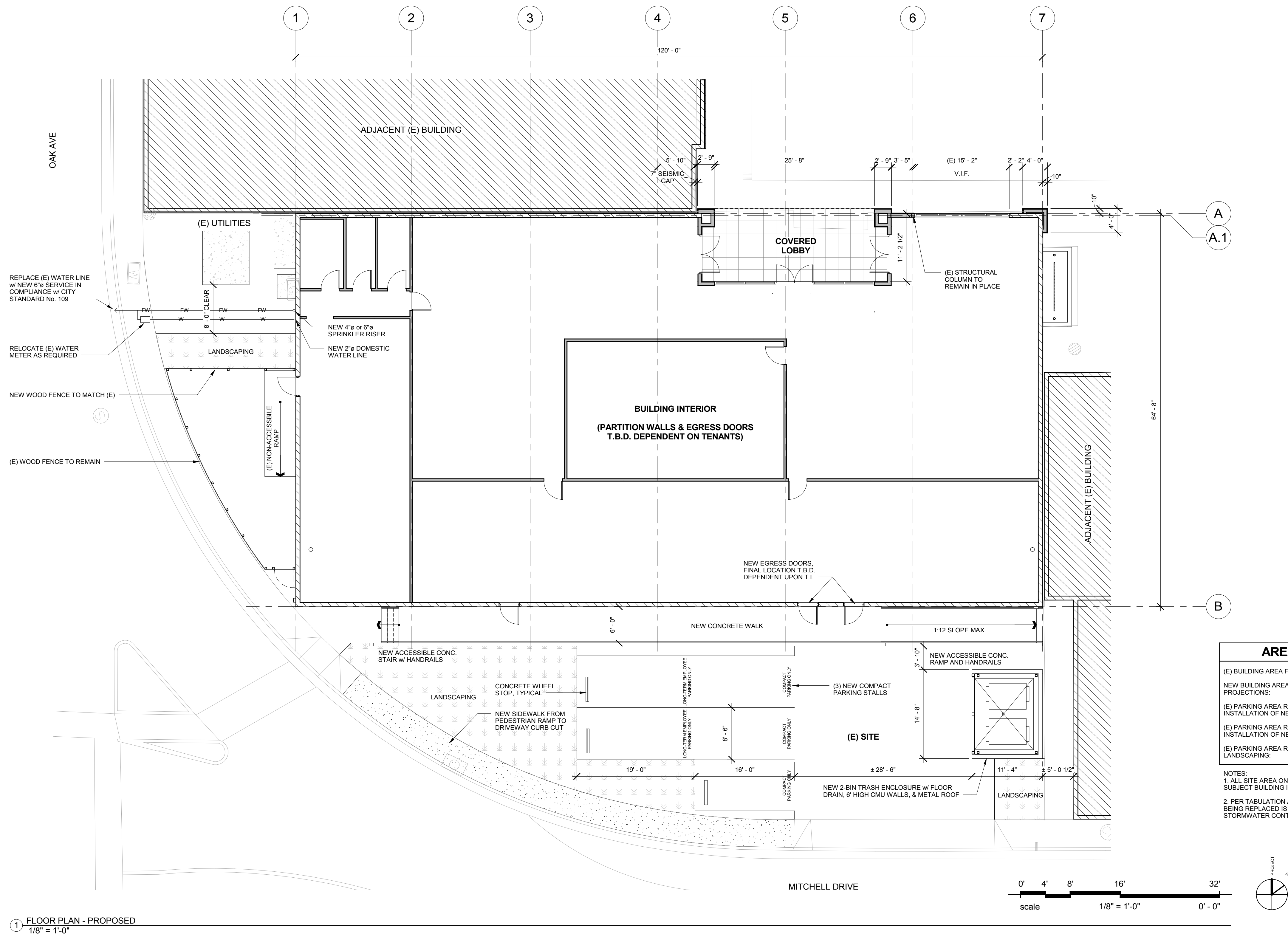
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Sheet Title
ROOF PLAN - PROPOSED

Drawn By JW Checked By EW

Scale:
1/8" = 1'-0"

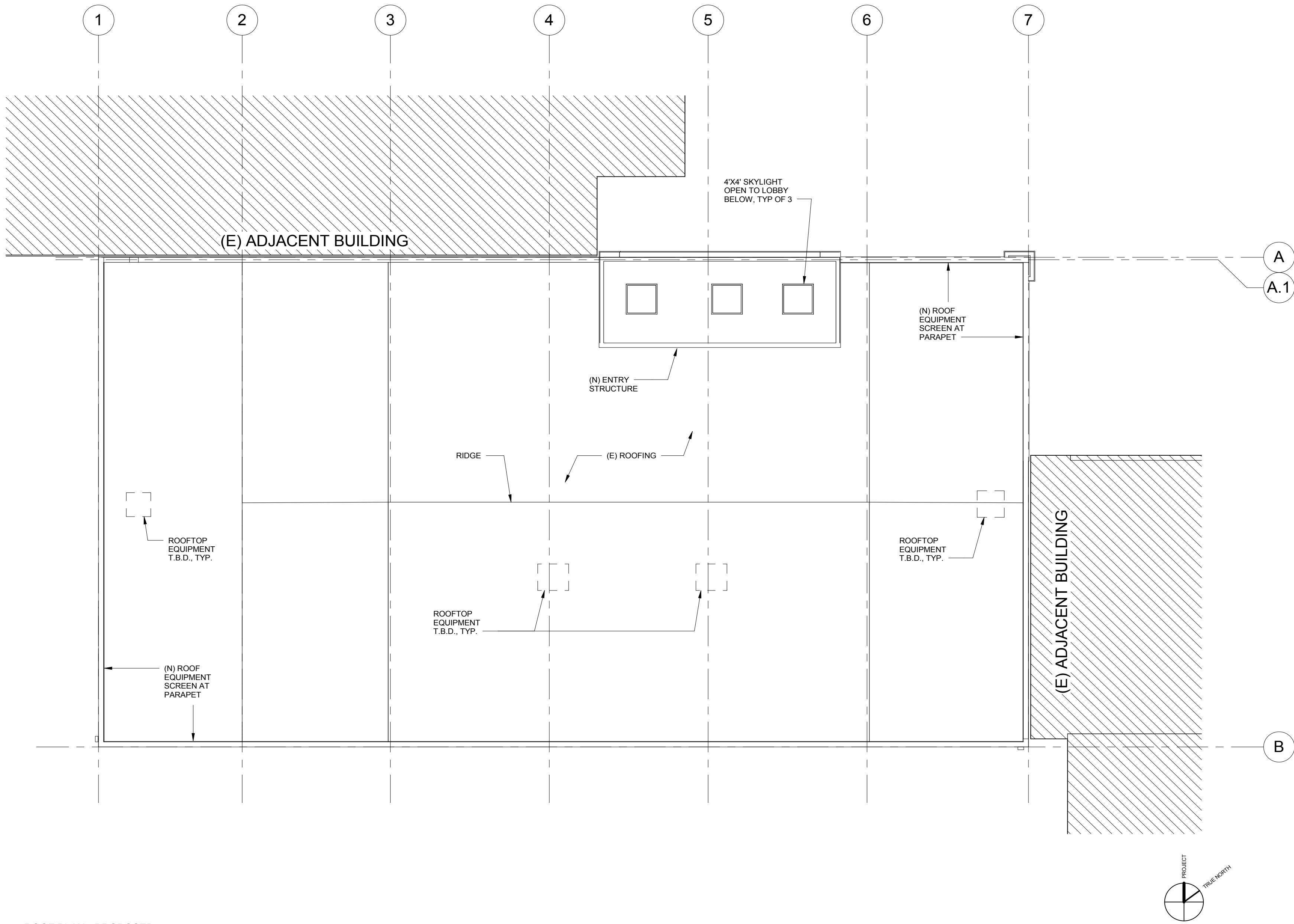
Date:
January 5, 2018

Project No. 2016021

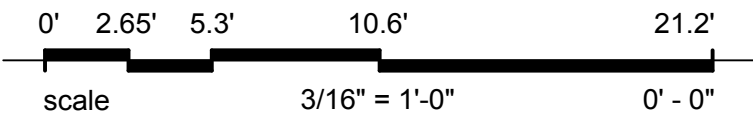
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1 ROOF PLAN - PROPOSED
1/8" = 1'-0"



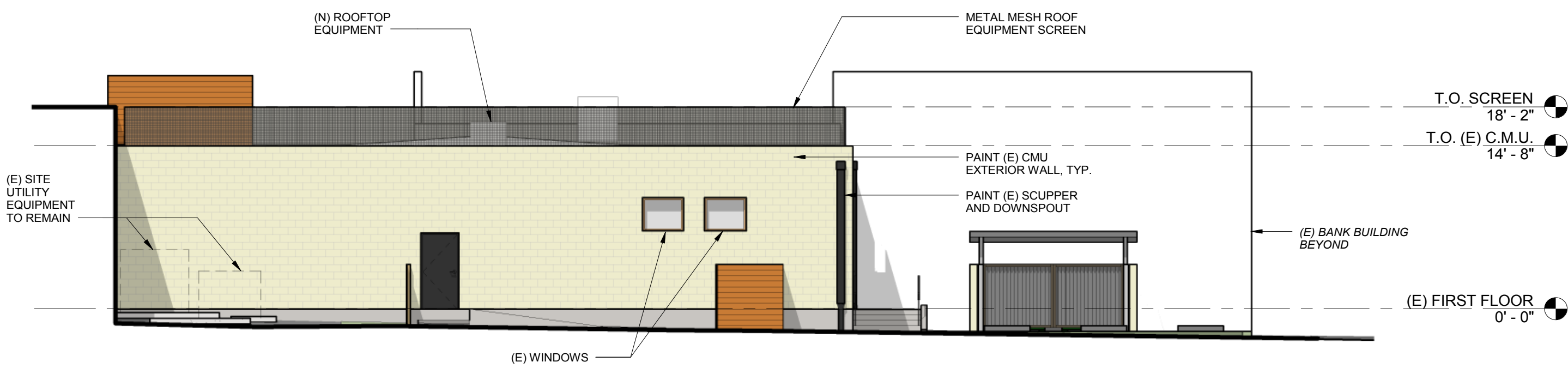
Preliminary Design. Not For Construction Purposes.



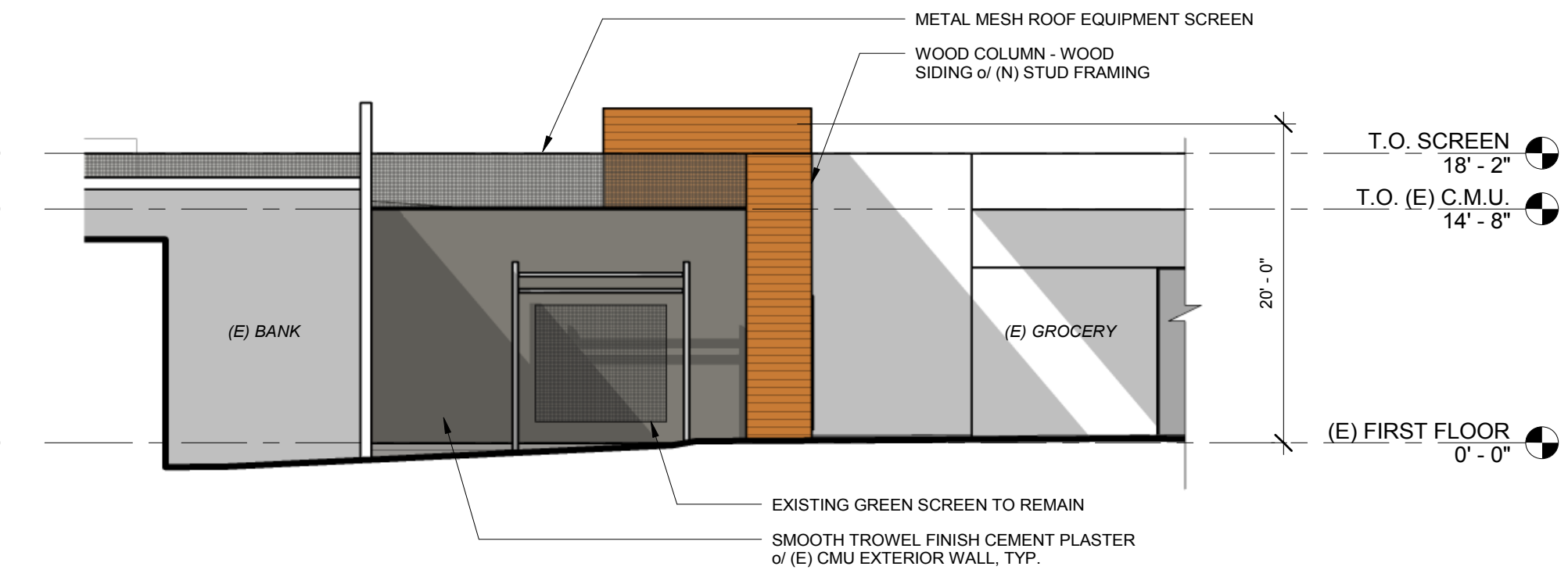
1 PROPOSED NORTH ELEVATION - DRB
1/8" = 1'-0"



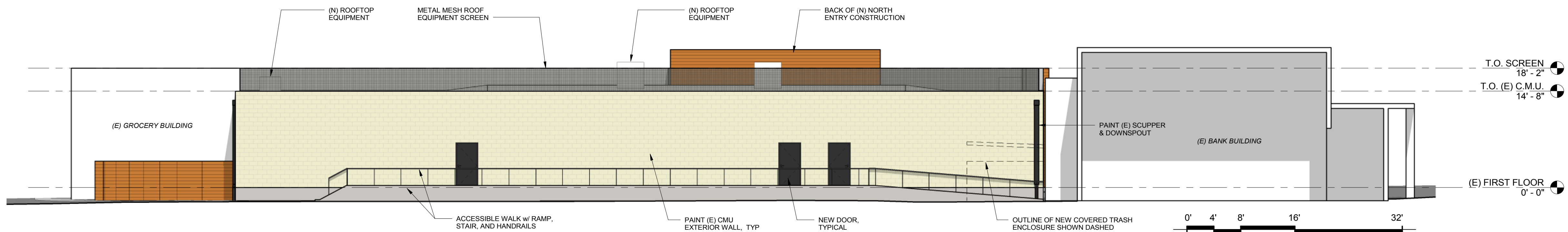
5 CONCEPTUAL MATERIALS & COLORS
12" = 1'-0"



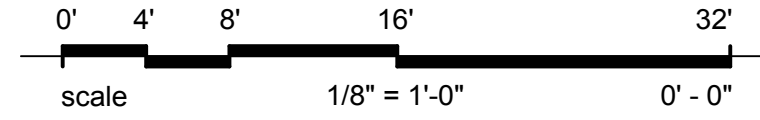
2 PROPOSED WEST ELEVATION - DRB
1/8" = 1'-0"



3 PROPOSED EAST ELEVATION - DRB
1/8" = 1'-0"



4 PROPOSED SOUTH ELEVATION - DRB
1/8" = 1'-0"



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Sheet Title

EXTERIOR ELEVATIONS & MATERIALS - PROPOSED

Drawn By JW

Checked By EW

Scale:
As indicated

Date:
January 5, 2018

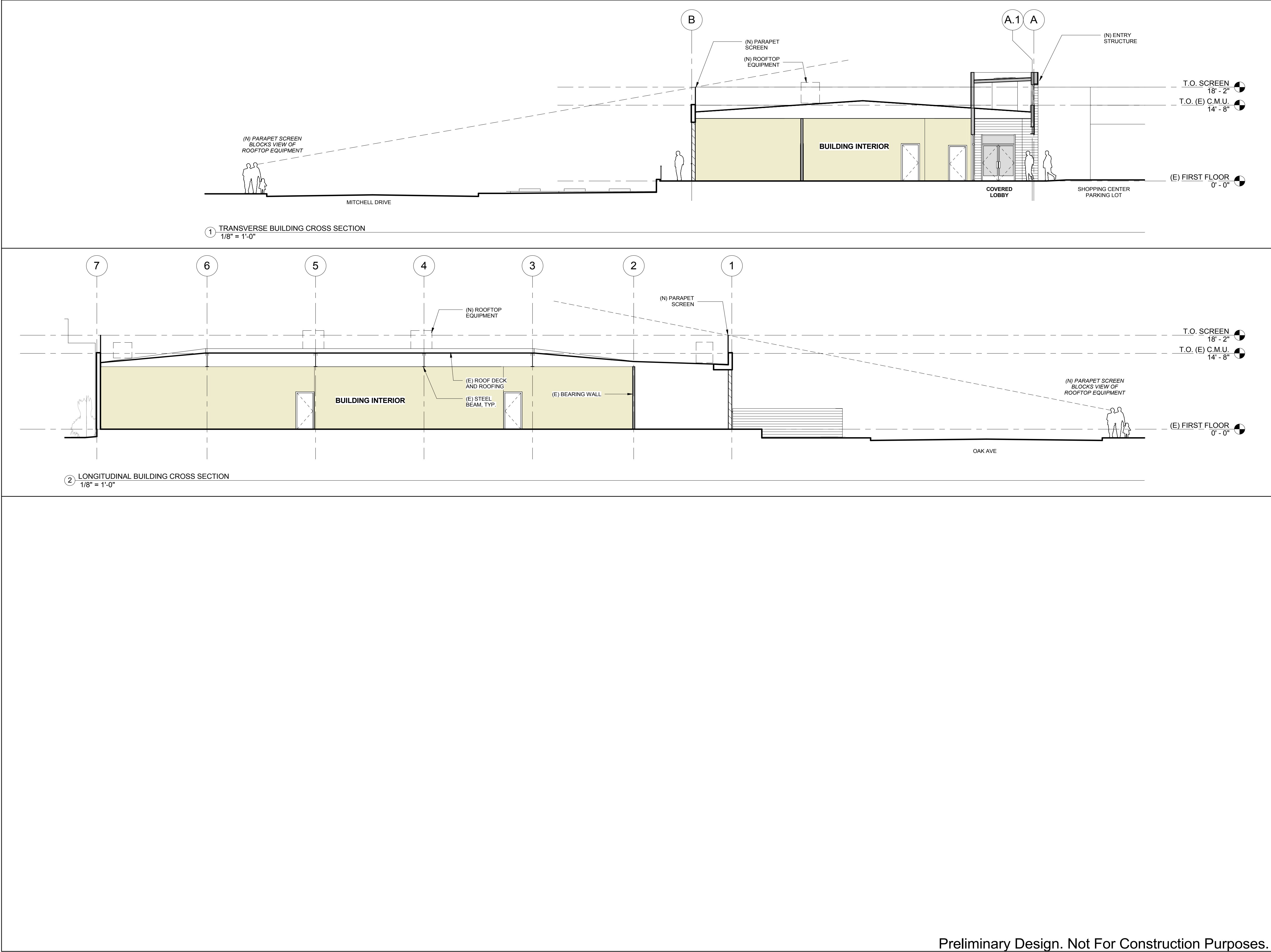
Project No. 2016021

DRB-A3.20

Drawing No.

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Sheet Title
BUILDING SECTIONS

Drawn By JW Checked By EW

Scale:
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Date:
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Project No. 2016021

DRB-A3.40

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No.	Description	Date

DESIGN REVIEW
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Sheet Title

CONCEPTUAL
ENLARGED WALL
SECTIONS

Drawn By JW Checked By EW

Scale:
3/4" = 1'-0"

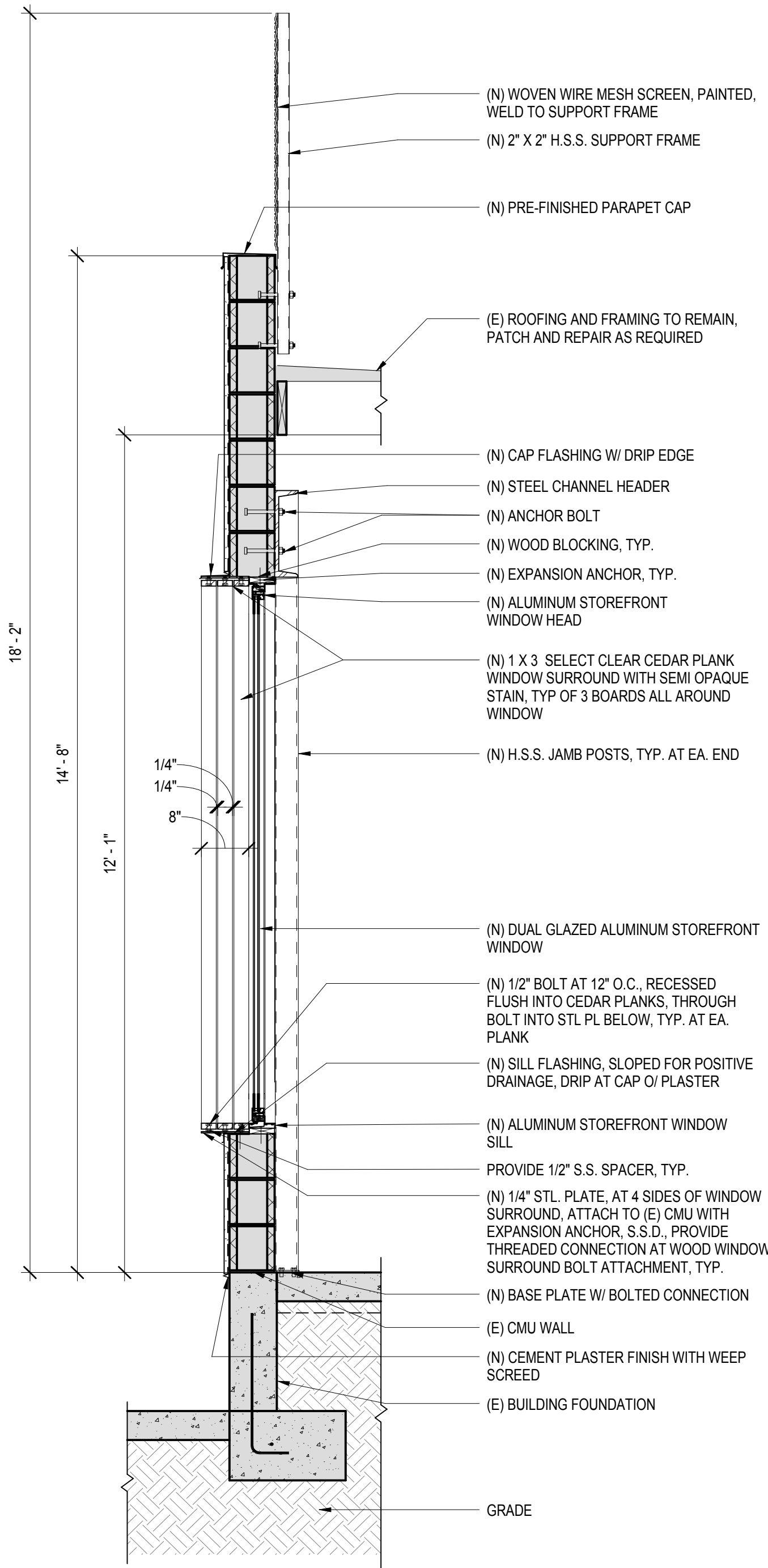
Date:
January 5, 2018

Project No. 2016021

DRB-A7.01

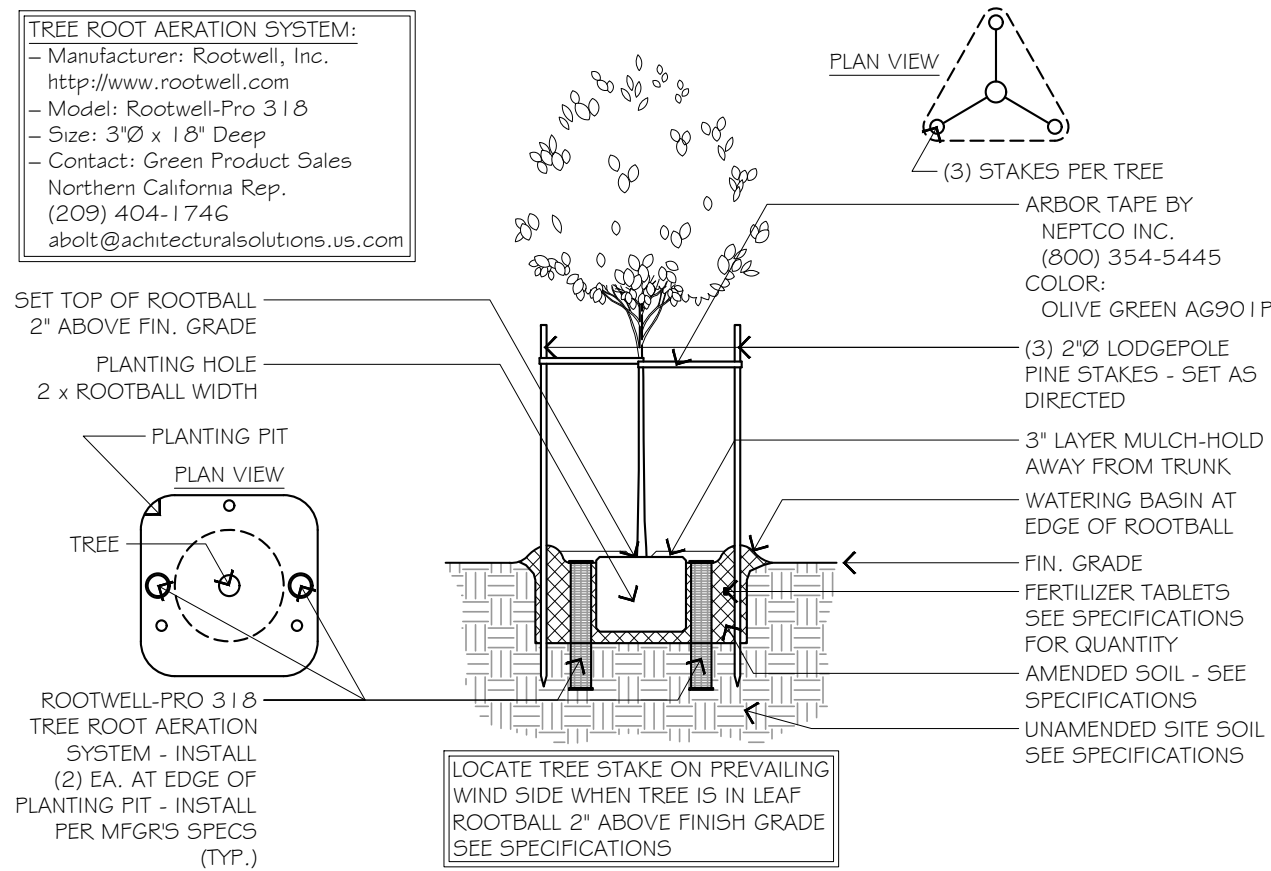
Drawing No.

If this drawing is not 3/4" x 36", it is a reduced print - scale accordingly. All rights reserved. Material may not be reproduced in any form without permission from RossDrulisCusenbery Architects, Inc.

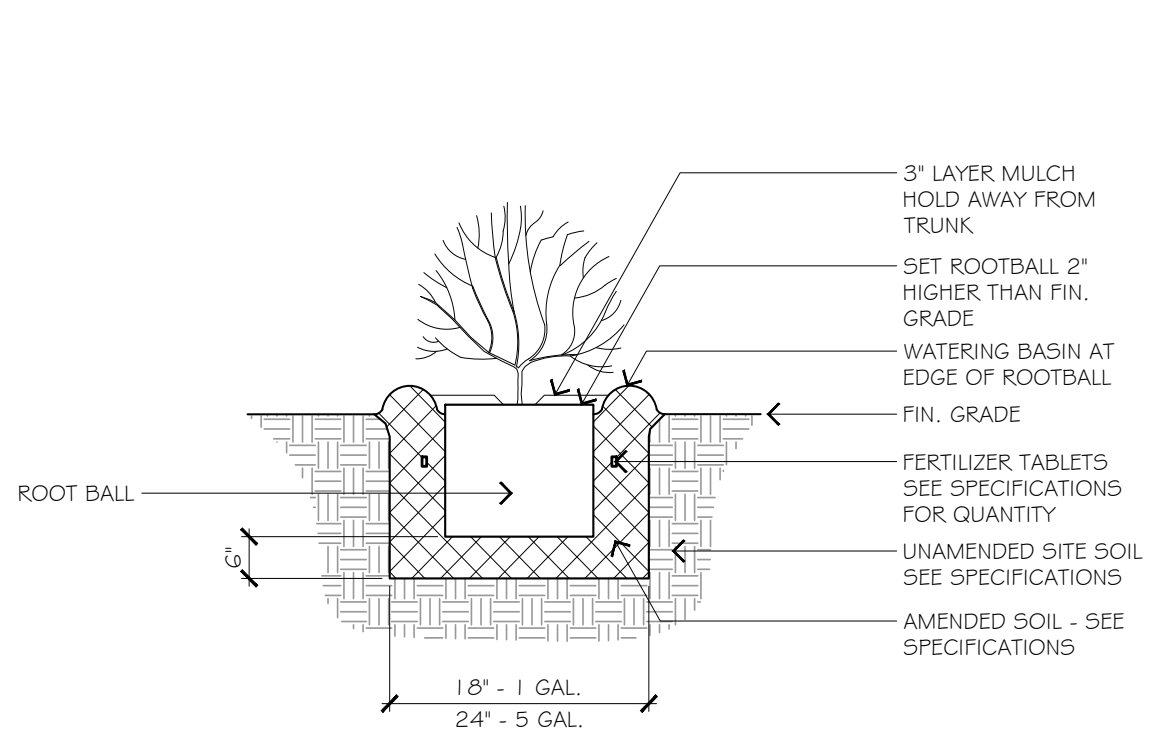


1 WALL SECTION AT CMU WALL & FEATURE WINDOW
3/4" = 1'-0"

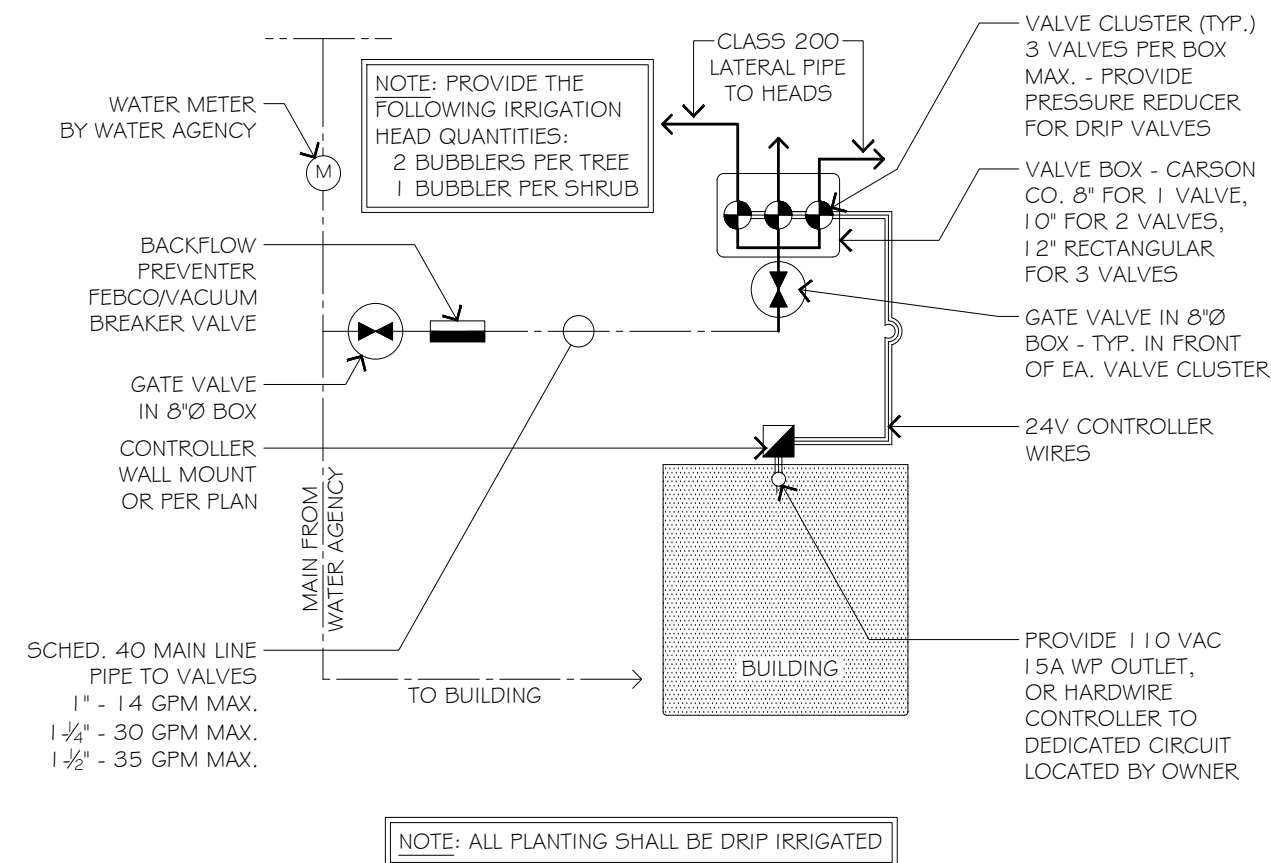
Preliminary Design. Not For Construction Purposes.



A TYPICAL TREE PLANTING, STAKING, & ROOT AERATION
Scale: No Scale



B TYPICAL SHRUB PLANTING
Scale: No Scale

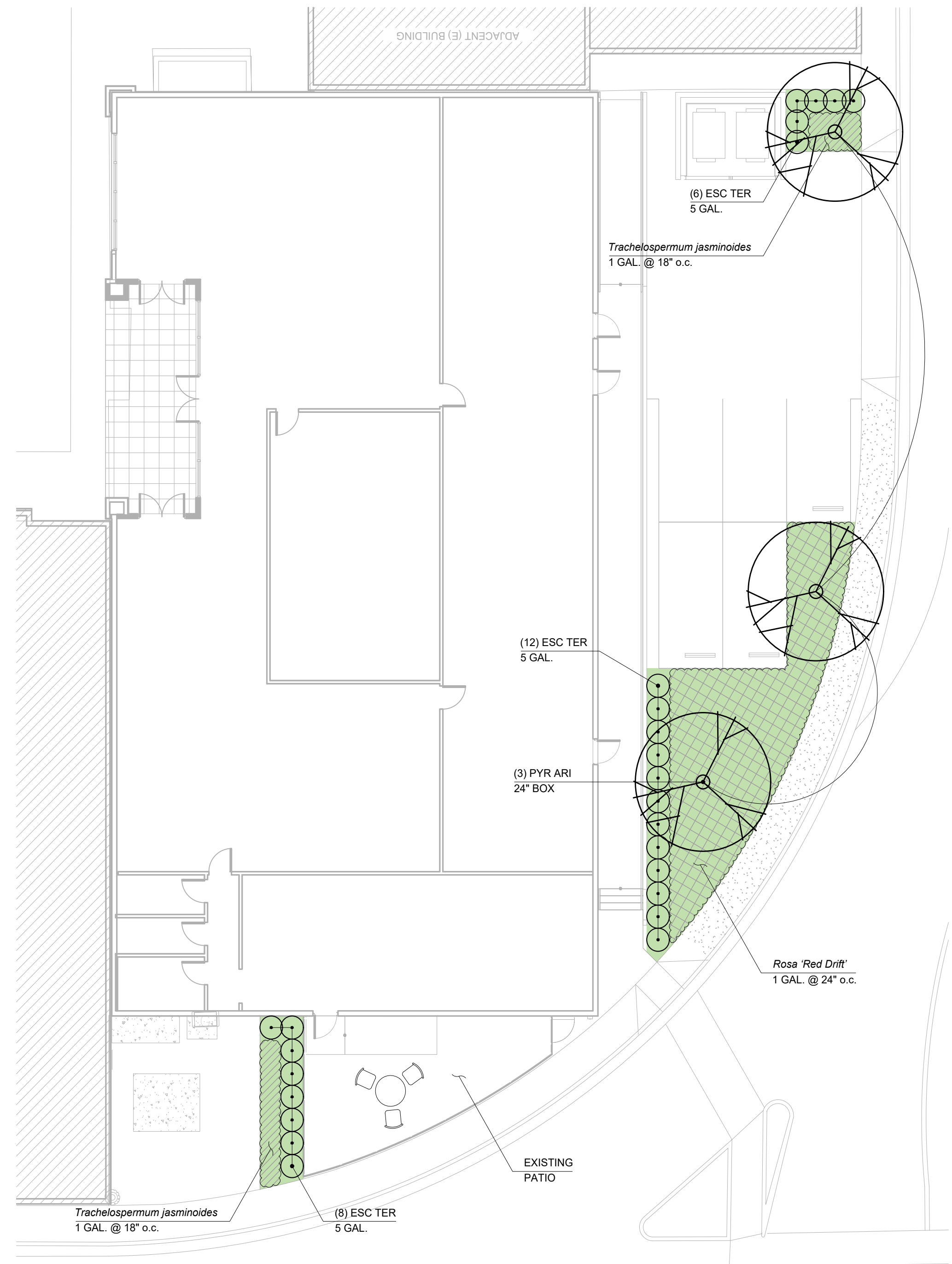


C TYPICAL IRRIGATION SYSTEM SCHEMATIC
Scale: No Scale

PLANTING NOTES

- The Contractor shall examine the site of proposed planting, noting existing trees and locations, and conditions relating to proposed planting as shown on drawings prepared by:
DONALD L. BLAYNEY & ASSOCIATES
(415) 258-9666
- The Contractor shall be responsible for finished grades in planting areas and for any fine grading required for surface drainage uniformity to the satisfaction of the Landscape Architect.
- Plant crown of trees and shrubs min. 2" above finished grade.
- The Contractor shall verify the locations of existing catch basins, drainage swales, site utilities, etc. The Contractor shall protect said areas as required during finish grading, demolition, and planting.
- Dimensions on planting details may vary depending on sizes of trees, shrubs, and/or vines.
- Provide watering basins for trees, shrubs, and vines located in planting areas as detailed.
- Trees, shrubs, and vines shall be approved by the Landscape Architect for variety, size, and condition prior to installation.
- Trees, shrubs, and vines shall be field spotted and/or staked by the Contractor and locations approved by the Landscape Architect prior to installation.
- The Contractor shall provide and install 3" min. depth shredded bark mulch in all finished planting areas. The Contractor shall submit mulch sample to the Landscape Architect for approval prior to installation.
- Hold mulch 3" away from trunks of trees, shrubs, and vines in watering basins.
- Plant counts are for convenience only. Verify count with the Planting Plan as shown. In the event of a discrepancy, plans will govern.
- Trees, shrubs, and vines shall be planted and staked as detailed. Individual plants shall receive additional staking as needed at the direction of the Landscape Architect.
- Provide min. 2% positive drainage away from all structures. If this is NOT possible, contact the Landscape Architect.
- Plant backfill shall be a thorough mixture of two (2) parts soil from the plant pit and one (1) part soil amendment. Mixture shall be free of rocks, clods, and debris.
- Amendment shall be redwood, fir bark, or cedar chips from 0 to ¼ inch maximum. Acceptable proportion of ¼" particles is 15%. Materials shall be nitrogen stabilized (1-0-0). Apply at the rate of 5 cubic yards per 1,000 square feet.
- The Contractor shall provide and install slow release fertilizer for trees, shrubs, and vines, per planting details. Use the following tablet quantities:
1 Gallon Plant 1 Tablet
5 Gallon Plant 2 Tablets
15 Gallon Plant 4 Tablets
24" Box 5 Tablets
- The Contractor shall perform a drainage test for all tree planting holes as follows: Fill each planting hole to grade with water and allow to drain. If all water does not drain in 8 hours, a drain sump shall be provided, per tree planting detail.

NOTE: TOTAL REHABILITATED LANDSCAPING AREA = ±900 s.f.



D PLANTING PLAN
Scale: 1" = 10.0'

Plant Materials List

Sym.	Quan.	Botanical Name	Common Name	Evergreen or Dec.	Water Usage	Height	Spread	Shade	Exposure	Full Sun	Recommended
ESC TER	3	Escalonia 'Terri'	Flowering Pear	Dec.	M	25' to 30'	20'	Shade	Part/Full	Full Sun	24 inch Box
ESC TER	25	Escalonia 'Terri'	Escalonia	Dec.	M	4'	4'	Shade	Part/Full	Full Sun	5 gal.
GRANDCOVER	1	Grandcover	Grandcover	Dec.	M	1.5' to 2'	2'	Shade	Part/Full	Full Sun	1 gal. - 1.5" o.c.
STAR JAS	1	Star Jasmine	Star Jasmine	Dec.	M	1.5' to 2'	2'	Shade	Part/Full	Full Sun	1 gal. - 1.5" o.c.

Unauthorized Changes and Uses:

The Landscape Architect preparing these plans will not be responsible for, or liable for, unauthorized changes to, or uses of, these plans. All changes to these plans must be approved in writing by Donald L. Blayney & Associates.

Copyright Notice:

Drawing and written material appearing herein are the original and unpublished property of the Landscape Architect and may not be duplicated, used, or disclosed without the prior written consent of the Landscape Architect. This office must be notified of any variations from the dimensions and conditions shown herein.

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Revisions:

- 09/04/2016 Annotation update
- 01/26/2018 Updates due to revised Bldg. Plan

FOR PLANNING REVIEW ONLY
NOT FOR CONSTRUCTION

DONALD L. BLAYNEY & ASSOCIATES

LANDSCAPE ARCHITECTURE & PLANNING

Urban Design ☐ Campus Planning
Park Planning ☐ Residential Design
Land Use Planning ☐ Golf Course Design
415-258-9666 Tel ☐ Fax 415-258-9888
16 Partridge Drive, San Rafael, California 94901
California Registration # 3370 ☐ New Mexico Registration # 113

PLANTING PLAN PLANTING DETAILS

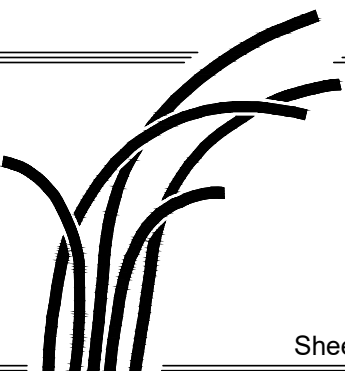
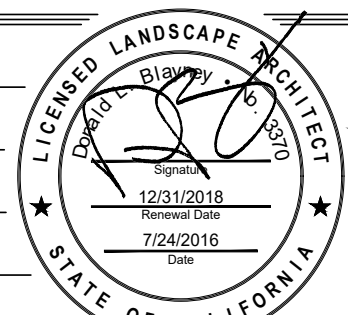
Dematei Building
1111 Main Street, St. Helena, California 94574 - A.P.N. 009-261-014

Date: January 26, 2018

Scale: AS NOTED

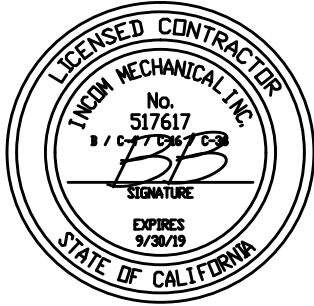
Drawn by: JDG

Approved by: DLB



L-1

Sheet _____ of _____



INCOM MECHANICAL, INC.
975 TRANSPORT WAY
PETALUMA, CA. 94954
CONTRACTORS LICENSE # 517617
CLASS B / C-4 / C-16 / C-36
PH# (707) 586-0511 FAX# (707) 586-0239

1111 MAIN ST.
ST HELENA, CA.

SCALE: 1/8"=1'-0"

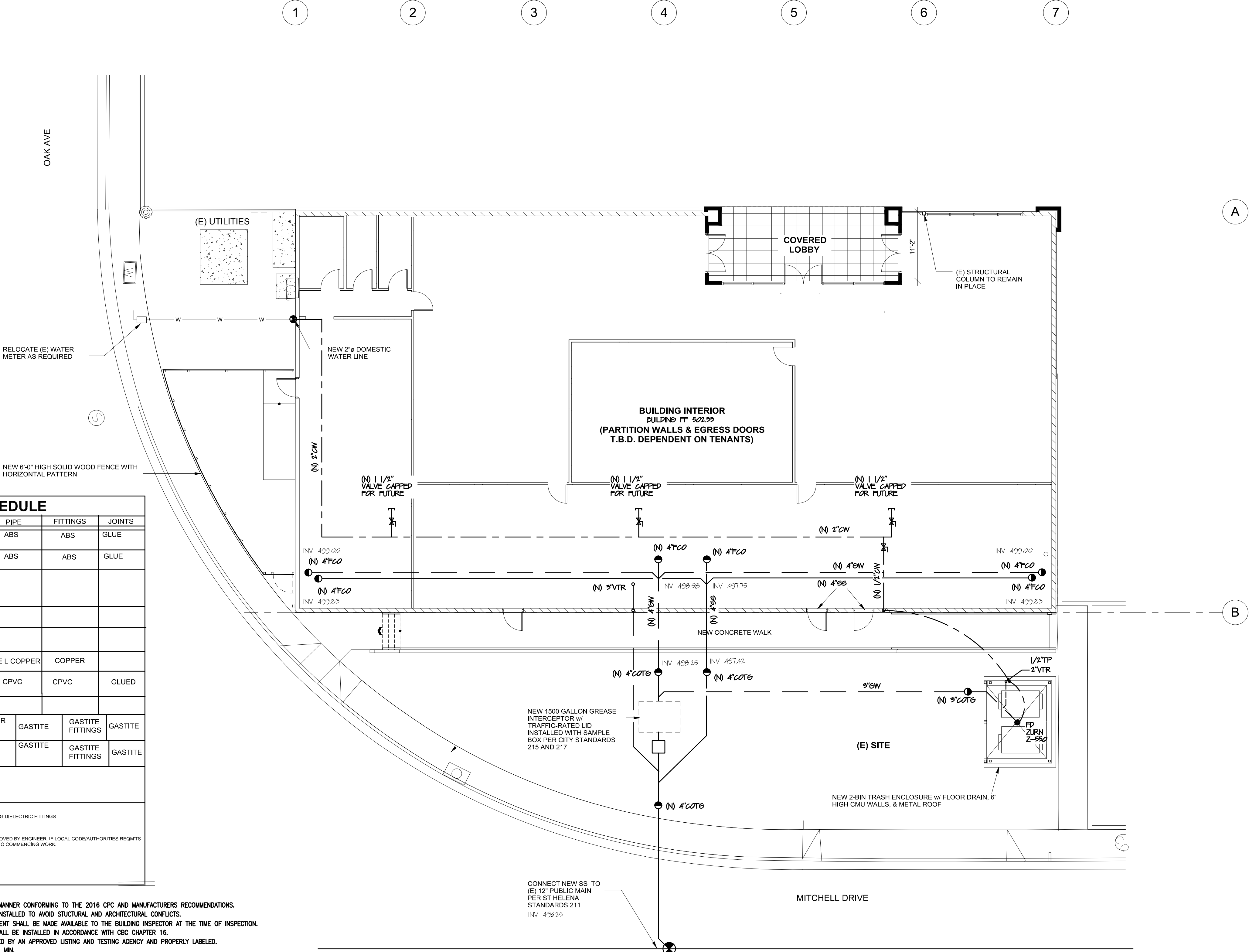
DATE 1/16/18

PLUMBING FLOOR PLAN

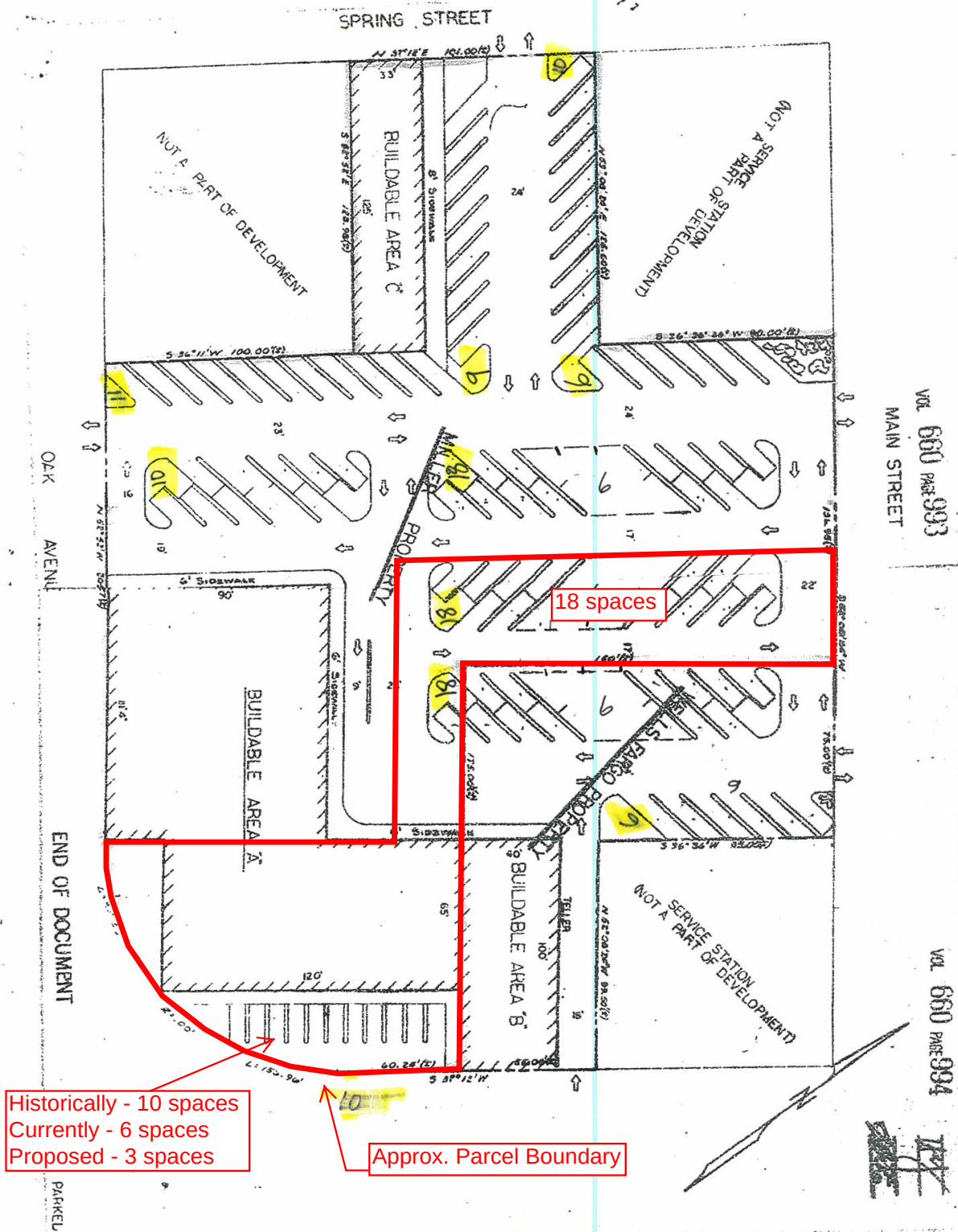
P-1

PIPING SCHEDULE					
SYSTEM	LOCATION	SIZE	PIPE	FITTINGS	JOINTS
SANITARY WASTE & VENT	BURIED	ALL	ABS	ABS	GLUE
	ABOVE GROUND	ALL	ABS	ABS	GLUE
RECLAIM WATER PIPING	N/A				
DOMESTIC WATER (CW, HW, TW, FW)	BURIED	ALL	TYPE L COPPER	COPPER	
	ABOVE GROUND	ALL	CPVC	CPVC	GLUED
NATURAL GAS	ABOVE GROUND	2-1/2" & LARGER	GASTITE	GASTITE FITTINGS	GASTITE
	ABOVE GROUND	2" & SMALLER	GASTITE	GASTITE FITTINGS	GASTITE
	EXPOSED TO WEATHER				
NOTES: 1. ISOLATE COPPER PIPE & TUBING FROM FERROUS PIPING USING DIELECTRIC FITTINGS					
2. PIPING AND FITTINGS SHOULD BE MFC'D WITH IN U.S.A.					
3. DO NOT SUBSTITUTE ABOVE PIPING & FITTINGS UNLESS APPROVED BY ENGINEER. IF LOCAL CODE/ AUTHORITIES REDMITS DIFFER & OR ARE MORE STRINGENT NOTIFY ARCHITECT PRIOR TO COMMENCING WORK.					

NOTE A. ALL PLUMBING SYSTEMS SHALL BE INSTALLED IN A MANNER CONFORMING TO THE 2018 CPC AND MANUFACTURERS RECOMMENDATIONS.
NOTE B. ALL PIPING IS DIAGRAMATIC. ALL PIPING WILL BE INSTALLED TO AVOID STUCTURAL AND ARCHITECTURAL CONFLICTS.
NOTE C. INSTALLATION INSTRUCTIONS FOR ALL LISTED EQUIPMENT SHALL BE MADE AVAILABLE TO THE BUILDING INSPECTOR AT THE TIME OF INSPECTION.
NOTE D. SEISMIC SUPPORT AND BRACING FOR ALL PIPING SHALL BE INSTALLED IN ACCORDANCE WITH CBC CHAPTER 16.
NOTE E. ALL PLUMBING FIXTURES AND PIPING IS TO BE LISTED BY AN APPROVED LISTING AND TESTING AGENCY AND PROPERLY LABELED.
NOTE F. ALL HORIZONTAL SEWER PIPING SHALL GRADE AT 1% MIN.
NOTE G. ALL VENTS TO TIE BACK 6" MINIMUM ABOVE THE FLOOD RIM OF THE HIGHEST FIXTURE.
NOTE H. ALL FIXTURES TO MEET CALIFORNIA LOW FLOW REQUIREMENTS AS DESCRIBED IN CHAPTER 13.12



PARKING EXHIBIT



RECORDED AT REQUEST OF
SECURITY TITLE

AB7783

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AT 1:30 PM. PAST 12 P. M.

OCT 11 1962

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GRANTS OF EASEMENTS AND

SAN JOAQUIN COUNTY, CALIFORNIA

AGREEMENT RELATING TO RESTRICTIONS, ETC.

John Swan
COUNTY RECORDER

Indexed..... Compared..... Paged.....

19.60

THIS AGREEMENT, executed in duplicate this 8th day of October, 1962, by and between J. W. MILLER REALTY CO., a California corporation, hereinafter called "Miller", and WELLS FARGO BANK, a California corporation, hereinafter called "Wells Fargo";

10190
2

W I T N E S S E T H:

RECITALS:

A. Miller is the owner of that certain real property more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof, which property is hereinafter called the "Miller Property", on which Miller contemplates the construction of a supermarket building for Purity Stores, Inc., and of certain other retail store buildings and of certain parking areas, access roads and pedestrian walks.

B. Wells Fargo is the owner of that certain real property described on Exhibit "B" attached hereto and by this reference made a part hereof, hereinafter called the "Wells Fargo Property", on which Wells Fargo contemplates the construction of a bank building and of certain parking areas, access roads and pedestrian walks.

C. Each party to this agreement has agreed to grant to the other certain easements and interests in the property owned by such party, with the intent of creating a single unified parking area and shopping development substantially as shown on the plot plan marked Exhibit "C" attached hereto and by this reference made a part hereof.

ONE Key

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NOW, THEREFORE, the parties agree:

1. Grant of Easements to Wells Fargo. For value received, Miller grants to Wells Fargo those certain interests in real property, as appurtenant to the Wells Fargo property:

A. Parking Area Easements.

Non-exclusive easements appurtenant to the Wells Fargo property for the purpose of parking thereon motor vehicles of Wells Fargo, the lessees, concessionaires, sublessees or owners of any portion or portions of the Wells Fargo property, and the customers, officers, employees, licensees and invitees of Wells Fargo and of such lessees, concessionaires, sublessees or owners, limited, however, for purposes connected with or incidental to any use being made of any portion of the Wells Fargo Property. The parking area easements are easements upon each and all of the one or more surface portions of the Miller Property as is, or are, improved by Miller from time to time for the parking or accommodation of motor vehicles and available for such use. Each parking area shall include, in addition to the parking spaces therein for vehicles, such space for the ingress and egress of vehicles to and from the parking spaces as is reasonably necessary for the number of parking spaces therein, in the light of the type of parking use involved, and also such access or perimeter roads as are reasonably necessary to give access to such parking areas from the public streets and thoroughfares adjacent to the Wells Fargo Property or the Miller Property.

B. Accommodation Area Easements.

Non-exclusive easements appurtenant to the Wells Fargo Property for the purpose of pedestrian traffic of customers, invitees and licensees of Wells Fargo, the lessees, concessionaires, sublessees or owners of any portion of the Wells Fargo Property, and the customers, officers, employees, licensees and invitees of Wells Fargo and of such lessees, concessionaires or owners, limited, however, for purposes connected with or incidental to any use then being made of the Wells Fargo Property. The accommodation area easements are easements upon the surface portions of the Miller Property (other than the parking areas) which are provided or available for general use and the convenience of the lessees of Miller and concessionaires, employees and customers of the Miller Property as such portions may be made available and designated from time to time for such purposes by Miller, as each such portion or portions so made available and designated may from time to time be reduced or increased in size or relocated by Miller, and includes, but is not limited to, the pedestrian exterior sidewalks and pedestrian ways, and landscaped areas, if any.

C. Access Easements.

Non-exclusive easements appurtenant to the Wells Fargo Property for the purpose of furnishing access and the right

Handwritten signature/initials

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of access between (a) the public streets and (b) any parking areas situated on the Miller Property and between (i) the public streets and such parking areas, and (ii) the Wells Fargo Property, including any and all improvements from time to time located on and/or in the Wells Fargo Property.

Each and all of such easements and rights are appurtenances to the Wells Fargo Property and none of such easements and rights may be transferred, assigned or encumbered except as an appurtenance to the Wells Fargo Property. For the purposes of such easements and rights, the Wells Fargo Property shall constitute the dominant estate, and the particular areas in the Miller Property which, respectively, shall be burdened by such easements and rights shall constitute the servient estate.

Each and all of such easements and rights are subject to easements, reservations and restrictions of record.

2. Grant of Easements to Miller. For value received, Wells Fargo grants to Miller those certain interests in real property as appurtenant to the Miller Property:

A. Parking Area Easements.

Non-exclusive easements appurtenant to the Miller Property for the purpose of parking thereon motor vehicles of Miller, the lessees, concessionaires, sublessees or owners of any portion or portions of the Miller Property, and the customers, officers, employees, licensees and invitees of Miller and of such lessees, concessionaires, sublessees or owners, limited, however, for purposes connected with or incidental to any use being made of any portion of the Miller Property. The parking area easements are easements upon each and all of the one or more surface portions of the Wells Fargo Property as is, or are, improved by Wells Fargo from time to time for the parking or accommodation of motor vehicles and available for such use. Each parking area shall include, in addition to the parking spaces therein for vehicles, such space for the ingress and egress of vehicles to and from the parking spaces as is reasonably necessary for the number of parking spaces therein, in the light of the type of parking use involved, and also such access or perimeter roads as are reasonably necessary to give access to such parking areas from the public streets and thoroughfares adjacent to the Miller Property or the Wells Fargo Property.

B. Accommodation Area Easements.

Non-exclusive easements appurtenant to the Miller Property

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for the purpose of pedestrian traffic of customers, invitees and licensees of Miller, the lessees, concessionaires, sub-lessees or owners of any portion of the Miller Property, and the customers, officers, employees, licensees and invitees of Miller and of such lessees, concessionaires or owners, limited, however, for purposes connected with or incidental to any use then being made of the Miller Property. The accommodation area easements are easements upon the surface portions of the Wells Fargo Property (other than the parking areas) which are provided or available for general use and the convenience of the lessees of Wells Fargo and concessionaires, employees and customers of the Wells Fargo Property as such portions may be made available and designated from time to time for such purposes by Wells Fargo, as each such portion or portions so made available and designated may from time to time be reduced or increased in size or relocated by Wells Fargo and includes, but is not limited to, the pedestrian exterior sidewalks and pedestrian ways, and landscaped areas, if any.

C. Access Easements.

Non-exclusive easements appurtenant to the Miller Property for the purpose of furnishing access and the right of access between (a) the public streets and (b) any parking areas situated on the Wells Fargo Property and between (i) the public streets and such parking areas, and (ii) the Miller Property, including any and all improvements from time to time located on and/or in the Miller Property.

Each and all of such easements and rights are appurtenances to the Miller Property and none of such easements and rights may be transferred, assigned or encumbered except as an appurtenance to the Miller Property. For the purposes of such easements and rights, the Miller Property shall constitute the dominant estate, and the particular areas in the Wells Fargo Property which, respectively, shall be burdened by such easements and rights shall constitute the servient estate.

Each and all of such easements and rights are subject to easements, reservations and restrictions of record.

3. Miller to Improve Miller Property. Miller agrees to hard-surface with a four-inch redrock base and a two-inch asphaltic concrete top surface, mark, properly drain, grade, adequately light and landscape all of the parking area or areas, together with the necessary access roads on the Miller Property at a time to coincide

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with the completion of any building or buildings on the Miller Property; and agrees to operate, manage and maintain all parking areas, roads and accommodation areas within the Miller Property in good condition and repair for the purposes intended by this agreement at its own cost and expense, and shall pay the cost of electricity for the lights thereon, subject, however, to the provisions of paragraph 6 hereof.

4. Wells Fargo to Improve Wells Fargo Property. Wells Fargo agrees to hard-surface with a four-inch redrock base and a two-inch asphaltic concrete top surface, mark, properly drain, grade, adequately light and landscape all of the parking area, access roads and accommodation areas on the Wells Fargo Property, at a time to coincide with the completion of any building or buildings on the Wells Fargo Property. Wells Fargo agrees to operate, manage and maintain all parking areas, roads and accommodation areas within the Wells Fargo Property in good condition and repair for the purposes intended by this Agreement at its own cost and expense, and shall pay the cost of electricity for the lights thereon, subject, however, to the provisions of paragraph 6 hereof.

5. Layout of Parking Areas. Layout of the parking areas, access roads and accommodation areas on the Wells Fargo Property and on the Miller Property shall be in express conformance with that shown on the plot plan marked Exhibit "C" attached hereto. Miller and Wells Fargo agree to match grade levels of the properties of the respective parties at the common property lines thereof.

6. Conditions of Easements and Rights. For the purposes of this paragraph an "Easement Owner" means any owner of any portion of the real property to which any of the easements and rights referred to in this agreement are appurtenant and/or which any of such easements and rights burden. It is intended, and hereby

SEE Ref

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affirmed, by this agreement that each and every Easement Owner who is a successor in interest to Miller of any subdivided portion of the Miller Property shall enjoy, not only all of the easements and rights appurtenant to such respective portion of the Miller Property over and in the Wells Fargo Property as are provided in this agreement, but shall also enjoy all the similar easements and rights over all the remaining Miller Property; and such Easement Owner who is a successor in interest to Miller of any subdivided portion of the Miller Property shall be bound not only by the obligations imposed by this agreement on such respective Easement Owner's property and which benefit the Wells Fargo Property, but shall also be bound by similar obligations which shall extend to and benefit the remaining Miller Property.

Each Easement Owner shall comply with the covenants set forth in subparagraphs (a) and (b) below:

- (a) The obligation of each Easement Owner to operate, manage and maintain the parking areas, roads and accommodation areas within such Easement Owner's property as set forth in paragraphs 3 and 4 hereof, shall include, without limitation,
- (1) the obligation to maintain public liability and property damage insurance in amounts of not less than \$100,000 for injury to or death of one person and \$200,000.00 for injury to or death of two or more persons and \$10,000.00 property damage;
 - (2) the obligation to clean any such facilities or improvements (including, but not limited to, landscaping, drainage, paving, curbs and parking space lines),
 - (3) the obligation to operate adequate lighting to the extent reasonably appropriate for any business being operated on such property,
 - (4) the obligation to make reasonable and adequate repairs, replacements and maintenance of any such areas, and

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(5) the obligation to pay real property taxes and assessments levied or assessed against any such areas.

(b) In the event of the failure of any Easement Owner to operate, manage and maintain any parking areas, roads and accommodation areas within such Easement Owner's property in accordance with the provisions of this agreement after written notice from any other Easement Owner of such default and a sufficient time being granted to the defaulting Easement Owner within which to cure such default, then any remaining Easement Owner may perform any of the provisions or covenants of this Agreement with respect to such defaulting Easement Owner's property on its part to be performed for and on behalf of such defaulting Easement Owner and the cost thereof, together with all interest and/or penalties necessarily paid, shall be paid to such performing Easement Owner by the defaulting Easement Owner upon demand. In the event that any Easement Owner elects to perform, for and on behalf of any defaulting Easement Owner, any provision or covenant of this Agreement on the part of such defaulting Easement Owner to be performed which such defaulting Easement Owner has so failed to perform, the Easement Owner electing so to perform shall, for such purposes, have, and the defaulting Easement Owner hereby grants to such performing Easement Owner, an easement in, over and through any and all lands owned by such defaulting Easement Owner and the right of entry to and into any and all improvements thereon located for the purpose of performing such provisions or covenants of the defaulting Easement Owner, subject, however, to the rights granted to each Easement Owner pursuant to the provisions of paragraphs 1 and 2 hereof.

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7. Restrictions on Building on Miller Property: Miller agrees that it shall not erect, cause or permit to be erected any building or buildings on the Miller Property which shall not be contained within the boundaries of Buildable Areas "A" and "C" as shown on the plot plan marked Exhibit "C" attached hereto.

Nothing herein contained is intended to preclude Miller from constructing (i) sidewalks and marquees over any portion of Buildable Areas "A" and "C" as shown on the plot plan marked Exhibit "C", or over a six (6)-foot-wide strip of its property surrounding and abutting the perimeter of such Buildable Area "A", or over an eight (8)-foot-wide strip of its property abutting the northeasterly line of such Buildable Area "C"; (ii) pylon or other free-standing signs, and/or other signs on buildings constructed on the Miller Property advertising the businesses of the lessees, concessionaries, sublessees or owners of any of such buildings; or (iii) such curbs, sidewalks, signs and planting areas as shall reasonably be suitable to the purposes of preserving such area with the Wells Fargo Property as a unified parking lot, or which shall not interfere unreasonably with its use for that purpose.

8. Restrictions on Building on Wells Fargo Property. Wells Fargo agrees that it shall not erect, cause or permit to be erected, any building or buildings on the Wells Fargo Property which shall not be contained within the boundaries of Buildable Area "B", as shown on the plot plan marked Exhibit "C" attached hereto, and be of other than masonry construction.

Nothing herein contained is intended to preclude Wells Fargo from constructing (i) sidewalks and marquees over any portion of Buildable Area "B" or over a six (6)-foot-wide strip of its property abutting the northwesterly line of such Buildable Area "B"

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as shown on the plot plan marked Exhibit "C" attached hereto;
 (ii) a single pylon or other free-standing sign and/or signs on buildings constructed on the Wells Fargo Property advertising the businesses of the lessees, concessionaires, sublessees or owners of any of such buildings; (iii) such curbs, signs and planting areas as shall reasonably be suitable to the purposes of preserving such area with the Miller Property as a unified parking lot and/or service road or which shall not interfere unreasonably with its use for that purpose.

9. Restriction on Development of Land Areas Outside Buildable Areas. All of the land areas described in Exhibits "A" and "B" not contained within the boundaries of Buildable Areas "A", "B" and "C", as shown on the plot plan marked Exhibit "C" attached hereto, shall be developed for parking, accommodation areas and access purposes as hereinabove elsewhere set forth, and for no other purposes.

10. Right to Close Parking, Accommodation and Access Areas. Each Easement Owner (as defined in paragraph 6 hereof) shall have the right to close, if necessary, all or any portion of said parking areas, accommodation areas or access ways to the extent as may in the opinion of such Easement Owner's counsel be legally sufficient to prevent a dedication thereof or the accrual of any rights of any person or of the public therein, or to close temporarily all or any portion of such parking areas or facilities, and may make reasonable use of portions thereof while engaged in the work of constructing improvements on such Easement Owner's property or making repairs thereto, including, but not restricted to, construction of new buildings or building additions and the construction or reconstruction work done by any tenant of any such Easement Owner with respect to improvements on such Easement Owner's property.

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In determining the reasonableness of any such use, all pertinent factors shall be taken into consideration, including, but not limited to, the interference, if any, with the business and operations of the various business enterprises then located on the Miller Property and the Wells Fargo Property, the availability of other space for such purposes and the cost of using such other space for such purposes.

11. Restriction Against Parking Charges. Miller and Wells Fargo agree each with the other that no charges will be imposed for parking privileges on any of the lands described in Exhibits "A" and "B" attached hereto or on any other lands permitted to merge with the shopping development shown on Exhibit "C" attached hereto.

12. Purity Stores, Inc. as Beneficiary. Miller contemplates that Miller or its successors in interest in the Miller Property will negotiate to enter into an agreement of lease with Purity Stores, Inc., a Nevada corporation, covering all or a portion of the Miller Property. As an inducement to Purity Stores, Inc. to enter into such agreement of lease, all of the benefits, rights and privileges inuring to Miller under this "Grants of Easements and Agreement Relating to Restrictions, Etc." shall inure to the benefit of and be enforceable by Purity Stores, Inc., a Nevada corporation, its successors or assigns, during the term of such lease or any extension thereof. Notwithstanding any provision to the contrary that may be contained in this agreement, this agreement shall not be altered, amended, modified, nor terminated, during the term, or any extension thereof, of such lease with Purity Stores, Inc. without the prior written consent of Purity Stores, Inc. No unity of title of the lands encompassed under this agreement shall work a merger with the fee or extinguish any right

OK E HJ

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of Purity Stores, Inc. under the provisions of this paragraph and such title holder or holders will be bound by all the restrictions, covenants, easements, et cetera, herein set forth, as they affect Purity Stores, Inc. during the term of such lease or any extension thereof. Notwithstanding anything to the contrary hereinabove in this paragraph 12 set forth, all the benefits, rights and privileges inuring to Purity Stores, Inc., its successors or assigns, under the terms of this paragraph 12 shall not exceed in duration the term of such lease or any extension thereof or in any event seventy-five (75) years from date hereof.

13. Covenant of Wells Fargo Restricting Competition. Wells Fargo covenants that --

(a) for a period coincident with the duration of said easements and restrictions, or

(b) for so long a time, from and after construction of the supermarket building contemplated to be constructed on the Miller Property, a supermarket is in operation on the Miller property (excluding therefrom delays or interruptions caused by strikes, lockouts, labor disputes, acts of God, governmental restrictions, regulations or controls, civil commotion, enemy or hostile governmental action, fire or other casualty or other causes beyond the reasonable control of the owner or operator of said supermarket),

whichever time shall be the shorter, no portion of the Wells Fargo Property described in Exhibit "B" attached hereto, or of any property now owned or hereinafter acquired by Wells Fargo adjoining the Wells Fargo Property described on Exhibit "B", shall be used or occupied as, or in connection with, (i) a store commonly known, as of the date of this agreement, as a general food and/or supermarket. Wells Fargo covenants, further, that if any lands of other parties which shall adjoin the shopping development shown on Exhibit "C" shall be used or occupied as, or in connection with, a general food and/or supermarket, Wells Fargo shall not permit a physical merger of such property with the shopping development shown on

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Exhibit "C". These restrictions, however, shall not apply to specialty shops such as delicatessens, bakeries, liquor stores, etc., provided that any such specialty shop or shops shall, however, be restricted as follows: (i) the individual gross selling area of any such shop shall not exceed two thousand (2,000) square feet except in the case of any liquor store said limitation on size of selling area shall apply only to gross selling area devoted to non-alcoholic products; (ii) no specialty shop or shops shall stock and/or sell fresh produce and/or fresh meat.

14. Covenant of Miller Restricting Competition. Miller covenants that --

(a) for a period coincident with the duration of said easements and restrictions, or

(b) for so long a time, from and after construction of the bank building contemplated to be constructed on the Wells Fargo Property, a bank is in operation on the Wells Fargo Property (excluding therefrom delays or interruptions caused by strikes, lockouts, labor disputes, acts of God, governmental restrictions, regulations or controls, civil commotion, enemy or hostile governmental action, fire or other casualty or other causes beyond the reasonable control of the owner or operator of said bank),

whichever time shall be the shorter, no portion of the Miller Property described in Exhibit "A" attached hereto, or of any property now owned or hereinafter acquired by Miller adjoining the Miller Property described on Exhibit "A", shall be used or occupied as, or in connection with, a bank. Miller covenants, further, that if any lands of other parties which shall adjoin the shopping development shown on Exhibit "C" shall be used or occupied as, or in connection with, a bank, Miller shall not permit a physical merger of such property with the shopping development shown on Exhibit "C".

15. Construction. Except for purposes of designating Buildable Areas (as referred to in paragraphs 7 and 8 hereof), those areas to be used for parking, accommodation and access purposes (as referred to in paragraph 9 hereof), and layout of parking areas,

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access roads and accommodation areas, the plot plan attached hereto and marked Exhibit "C" is for the purpose of illustration only. The written provisions of this Agreement shall prevail over said plot plan in the event of any conflict. The rights created hereby extend solely to the parties hereto, their successors and assigns, and nothing herein contained shall be construed as a provision for the benefit of any person, firm, association or corporation who or which does not derive title or interest through Miller or Wells Fargo by virtue of a conveyance; and no right herein granted is intended to be enforceable by customers or employees of any party or the tenant of any party to this Agreement, subject to the provisions of paragraph 12 hereof.

16. Duration of Easements, Covenants and Restrictions. The easements herein granted and the covenants and other restrictions herein provided for shall all continue for a period of seventy-five (75) years from date hereof. Notwithstanding the foregoing this Agreement may be sooner terminated as otherwise herein specifically stipulated or by a declaration signed by all Easement Owners (as defined in paragraph 6 hereof) revoking such easements, covenants and restrictions; provided, however, that the obligations of any Easement Owner (as so defined) to any other Easement Owner as set forth in paragraph 6 hereof incurred up to such date shall survive any such termination.

17. Effect of Condemnation. In the event of condemnation in eminent domain of any portion of any Easement Owner's property, any sums paid to such Easement Owner by reason of such condemnation shall belong to the Easement Owner who owns the fee interest in such portion of such property so taken and no other party shall be entitled to any portion of any such payment or award by reason of any easement rights which such person may have in and to any such property.

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18. Successors and Assigns Bound. The benefits and obligations hereof shall inure to and be binding upon the heirs, executors, successors and assigns of the parties hereto. Each party agrees that any conveyance he makes of the property affected by this instrument, or of any part thereof, will expressly bind his grantee or grantees to abide by these covenants.

The easements, restrictions and burdens hereof constitute a general scheme for the benefit of all persons, present and future, who shall or do own any portion of the property affected by this instrument, and are or will be imposed upon the grantee of any portion of said property by express covenants (which covenants (which covenants shall not be set out in full but shall be incorporated by reference to the herein recorded agreement).

These easements and restrictions are for the benefit of all such property owners; may be enforced by any of them and are to bind all. They are to be a burden upon and a benefit to not only all grantees of the present parties but all subsequent owners of said property. Thus, all covenants of this instrument are intended to constitute covenants running with the land or equitable servitudes upon the land, as the case may be, binding on any future holder of the property affected by this instrument.

Failure to enforce any covenant, condition or restriction herein shall be no waiver of the right to do so hereafter.

However, any owner in fee of any portion of either the Miller or Wells Fargo property who has assigned, transferred or conveyed such interest shall be personally liable for the performance of such covenants and servitudes only with respect to obligations arising thereunder prior to such conveyances; and further such covenants and servitudes running with the land shall not impose any personal liability upon the holder of any security title or lien.

FILE 11/21

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The various duties and obligations created by this agree-
ment shall be enforceable as covenants, promises or equitable
servitudes as the case may be, but shall not be construed to be
conditions to the continuance of the easements herein created.

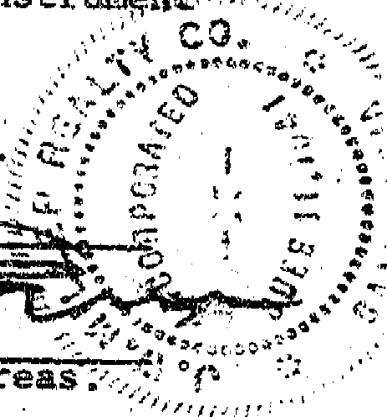
19. Captions. None of the captions of the paragraphs of
this Agreement shall be construed as a limitation upon the
language of said paragraphs, said captions having been inserted
as a guide and partial index and not as a complete index of the
contents of the paragraphs.

IN WITNESS WHEREOF, the parties have executed this instrument
on the day and year first above written.

J. W. MILLER REALTY CO.

By *[Signature]*
Vice President

By *[Signature]*
Ass't Vice Pres. & Treas.



STATE OF CALIFORNIA
City and County of San Francisco ss.

On this 10th day of October, in
the year 1962, before me, HAZEL E. THOMPSON, a Notary
Public in and for the City and County of San Francisco, State
of California, residing therein, duly commissioned and sworn,
personally appeared J. W. Miller Realty Co.

and J. W. Miller Realty Co.
known to me to be the Vice President
and Assistant Secretary
respectively of

Wells Fargo Bank,
corporations of the corporation described in and that executed
the within instrument, and also known to me to be the persons
who executed the within instrument on behalf of the corpora-
tion therein named, and acknowledged to me that such corpora-
tion executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and af-
fixed my official seal the day and year in this certificate first
above written.

[Signature]
HAZEL E. THOMPSON, Notary Public
In and For the City and County of San Francisco, State of California

My Commission Expires October 14, 1965

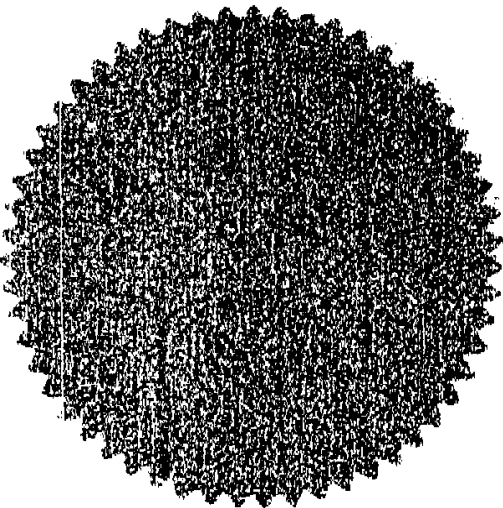
WELLS FARGO BANK

By *[Signature]*
Vice President

By *[Signature]*
Assistant Secretary

STATE OF CALIFORNIA

County of San Mateo



Notary's Form No. 27—(Acknowledgment Corporation).
(C. C. Form, 1150—1155.1)

On this 8th day of October
in the year one thousand nine hundred and sixty-two
before me, Ione A. Nonni, a Notary Public in and for
the San Mateo County of San Mateo, State of California,
duly commissioned and sworn, personally appeared
Lowell H. Carlson and Henry W. Ehlers
known to me to be the Vice Pres., and Asst. Vice Pres. & Treas.
of the corporation described in and that executed the within instrument, and also known to
me to be the person S who executed the within instrument on behalf of the corporation
therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal
in the San Mateo County of San Mateo the day and year in this
certificate first above written.

Ione A. Nonni (Ione A. Nonni)
Notary Public in and for the San Mateo County of San Mateo State of California
My Commission Expires Mar. 8, 1964

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EXHIBIT "A"

DESCRIPTION
OF THE MILLER PROPERTY

All that certain real property in the City of St. Helena, County of Napa, State of California described as follows:

PARCEL A:

Commencing at a point on the Southwesterly line of Main Street, said point being the most Easterly corner of the lot conveyed to Anthony Howe by deed of record in Book 35 of Deeds, at Page 43, said Napa County Records, running thence Southwesterly along the Southeasterly line of said lot so conveyed to Howe, 150 feet, more or less, to the Northeasterly line of Parcel 1, as described in the Lis Pendens in the Action of Pacific Greyhound Lines, a corporation, vs. Alden H. Jones, Administrator of the Estate of Richard Williams, deceased, et al, of record in Book 210 of Official Records, at Page 157, said Napa County Records; thence Southeasterly along said last mentioned line 31 feet, to the Northwesterly line, or its extension Southwesterly of the lot conveyed to Walter E. Twichell by deed of record in Book 24 of Official Records, at Page 441, said Napa County Records, thence Northeasterly along said last mentioned line, 150 feet, more or less, to the Southwesterly line of Main Street; thence Northwesterly along said last mentioned line, 31 feet to the point of commencement.

PARCEL B:

PARCEL ONE: Commencing at a point on the Southwestern line of Main Street, Distant thereon South 52° 08' 24" East 361.63 feet from the intersection thereof with the monumented center line of Spring Street; and running thence from said point of intersection South 63° 36' West 144.68 feet to the Northern line of the Parcel of land awarded to the Pacific Greyhound Lines by Judgment recorded August 11, 1947 in Book 275 of Official Records, at Page 176; thence along said line North 52° 38' 40" West 133.83 feet; thence North 36° 37' East 143.53 feet to said Southwestern line of Main Street; thence along last mentioned line South 52° 08' 24" East 133.86 feet to the point of commencement.

PARCEL TWO: Beginning at the monument set for the intersection of Oak Avenue and Spring Street; running thence South 52° 52' East 156.75 feet; thence North 37° 12' East 25.0 feet to the Northeastern line of Oak Avenue; thence South 52° 52' East, along said line of Oak Avenue, 160 feet to the true point of commencement of the property herein described; running thence South 52° 52' East, along said line

Page 1 of 4 pages of EXHIBIT "A"

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J. E.

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of Oak Avenue, 44.27 feet; thence continuing along the Northeastern and Northwestern lines of said Oak Avenue, on a curve to the left with a radius of 100 feet, through a central angle of $89^{\circ} 56'$, a curve distance of 156.96 feet, and North $37^{\circ} 12'$ East 50.24 feet; thence North $53^{\circ} 03' 48''$ West 98.07 feet; thence North $52^{\circ} 38' 40''$ West 49.45 feet; thence Southwesterly, in a direct line, to the true point of commencement.

PARCEL C:

Commencing at a point on the Northeastern line of Oak Avenue from which the monument set in the intersection of Oak Avenue and Spring Street bears South $37^{\circ} 12'$ West 25.0 feet, and thence North $52^{\circ} 52'$ West 155.75 feet; running thence from said point of commencement, South $52^{\circ} 52'$ East, along the Northeastern line of Oak Avenue 160 feet; thence Northeasterly in a direct line, to a point on the Northeastern line of the tract of land described in the deed to J. C. Stansberry and wife recorded November 27, 1951, in Book 377 of Official Records, at Page 153, that is 160 feet Southeasterly from the most Northern corner thereof; thence North $52^{\circ} 38' 40''$ West 160 feet; thence South $36^{\circ} 11'$ West 150.90 feet to the point of commencement.

PARCEL D:

The Southwesterly 50 feet of the following described property, said 50 feet being measured along the southeasterly and northwesterly lines of said property:

PARCEL ONE: Commencing at a point on the Southwesterly line of Main Street and distant thereon South $53^{\circ} 08' 24''$ East 473.63 feet from the point of intersection thereof with the monumented center line of Spring Street, said point of intersection being further described as bearing South $37^{\circ} 12'$ West 36.87 feet distant along said line of Spring Street from the monument at the intersection of Spring and Main Streets; and running thence from said point of commencement South $37^{\circ} 12'$ West 144.83 feet; thence North $53^{\circ} 03' 48''$ West 37.0 feet; thence North $37^{\circ} 12'$ East 144.78 feet to said line of Main Street; thence along last mentioned line, South $53^{\circ} 08' 24''$ East 37.0 feet to the point of commencement.

PARCEL TWO: Commencing at a point on the Southwesterly line of Main Street, and distant thereon South $53^{\circ} 08' 24''$ East 436.63 feet from the point of intersection thereof with the monumented center line of Spring Street, said point of intersection being further described as bearing South $37^{\circ} 12'$ West 36.87 feet distant along said line of Spring Street, from the monument at the intersection of Spring and Main Streets; and running thence from said point of commencement South $37^{\circ} 12'$ West 144.78 feet; thence North $53^{\circ} 03' 48''$ West 73.57 feet; thence North $36^{\circ} 38'$ East 144.68 feet to said line of Main Street; thence along last mentioned line, South $53^{\circ} 08' 24''$ East 75.0 feet to the point of commencement.

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of EXHIBIT "A"

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PARCEL E:

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Commencing at a point on the Southwesterly line of Main Street distant thereon South 53° 08' 24" East 124.68 feet from the intersection thereof with the Southeasterly line of Spring Street (said point of intersection being further described as bearing South 37° 12' West 36.87 feet and thence South 53° 08' 24" East 25.0 feet from the monument marking the intersection of said Main and Spring Streets); and running thence South 36° 36' 36" West 142.87 feet; thence South 53° 32' 49" East 1.92 feet; thence South 52° 38' 40" East 45.17 feet; thence North 36° 37' East 143.25 feet to said Southeasterly line of Main Street; thence along last mentioned line North 52° 08' 24" West 47.09 feet to the point of commencement.

PARCEL F:

PARCEL ONE: Commencing at a point on the Southeasterly line of Spring Street distant thereon North 37° 12' East 100.0 feet from the intersection thereof with the Northeasterly line of Oak Avenue, (said point of intersection being further described as bearing South 52° 52' East 25.0 feet and thence North 37° 12' East 25.0 feet from the monument marking the intersection of said Spring Street and Oak Avenue), and running thence South 52° 52' East 128.98 feet to the Northwestern line of the parcel of land awarded to the Pacific Greyhound lines in the Judgment recorded August 11, 1947 in Book 275 of Official Records, at page 176; thence along said line North 36° 11' East 50.88 feet; thence North 53° 32' 49" West 128.09 feet to said Southeastern line of Spring Street; thence along last mentioned line South 37° 12' West 49.35 feet to the point of commencement.

PARCEL TWO: Commencing at the point of intersection of the Southwestern line of Main Street and the Southeastern line of Spring Street, said point of intersection being South 37° 12' West 36.87 feet and thence South 53° 08' 24" East 25 feet from the monumented intersection of the center lines of said Streets; running thence South 53° 08' 24" East along said Southwestern line of Main Street 124.68 feet; thence South 36° 36' 36" West 142.87 feet; thence North 53° 32' 49" West 126.17 feet to said Southeastern line of Spring Street; thence North 37° 12' East along last mentioned line to the point of commencement.

EXCEPTING FROM said Parcel Two that portion thereof described as follows:

Commencing at a point formed by the intersection of the Southeasterly line of Spring Street with the Southwesterly line of Main Street, said point of intersection being further described as bearing South 37° 12' West 36.87 feet and thence South 53° 08' 24" East 25.0 feet from the monument marking the intersection of said Main and Spring Streets; and running thence along said line of Main Street South 53° 08' 24" East 124.68 feet; thence South 36° 36' 36" West 90.00 feet; thence North 53° 08' 24" West 125.60 feet to said Southeasterly line

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of EXHIBIT "A"

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of Spring Street; along last mentioned line North 37° 12' East 90.0 feet to the point of commencement.

EXCEPTING FROM said Parcels B, C and D those portions thereof described as follows:

Beginning at a point on the Southwesterly line of Main Street, distant thereon South 53° 08' 24" East 286.63 feet from the point of intersection thereof with the center line of Spring Street; thence from said point of beginning, South 37° 12' West, 150.00 feet; thence, South 53° 03' 48" East to a point in the Northwesterly line of that certain Right of Way conveyed to the City of St. Helena and described in Book 204 at Page 136 of Official Records, Napa County Records; thence along said Northwesterly line, North 37° 12' East, 55.00 feet; thence leaving said Northwesterly line, North 53° 03' 48" West to the Northwesterly line of that certain parcel of land described as Parcel Two in the deed to Albert E. Michel and wife, recorded in Book 386 at Page 249 of Official Records, said Napa County Records; thence, along said Northwesterly line, North 36° 38' East to a point in the Southwesterly line of said Main Street, distant thereon, South 53° 08' 24" East 361.63 feet from the point of intersection thereof with the center line of Spring Street; thence along the Southwesterly line of said Main Street, North 53° 08' 24" West, 75.00 feet to the point of beginning.

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EXHIBIT "B"

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DESCRIPTION
OF THE WELLS FARGO PROPERTY

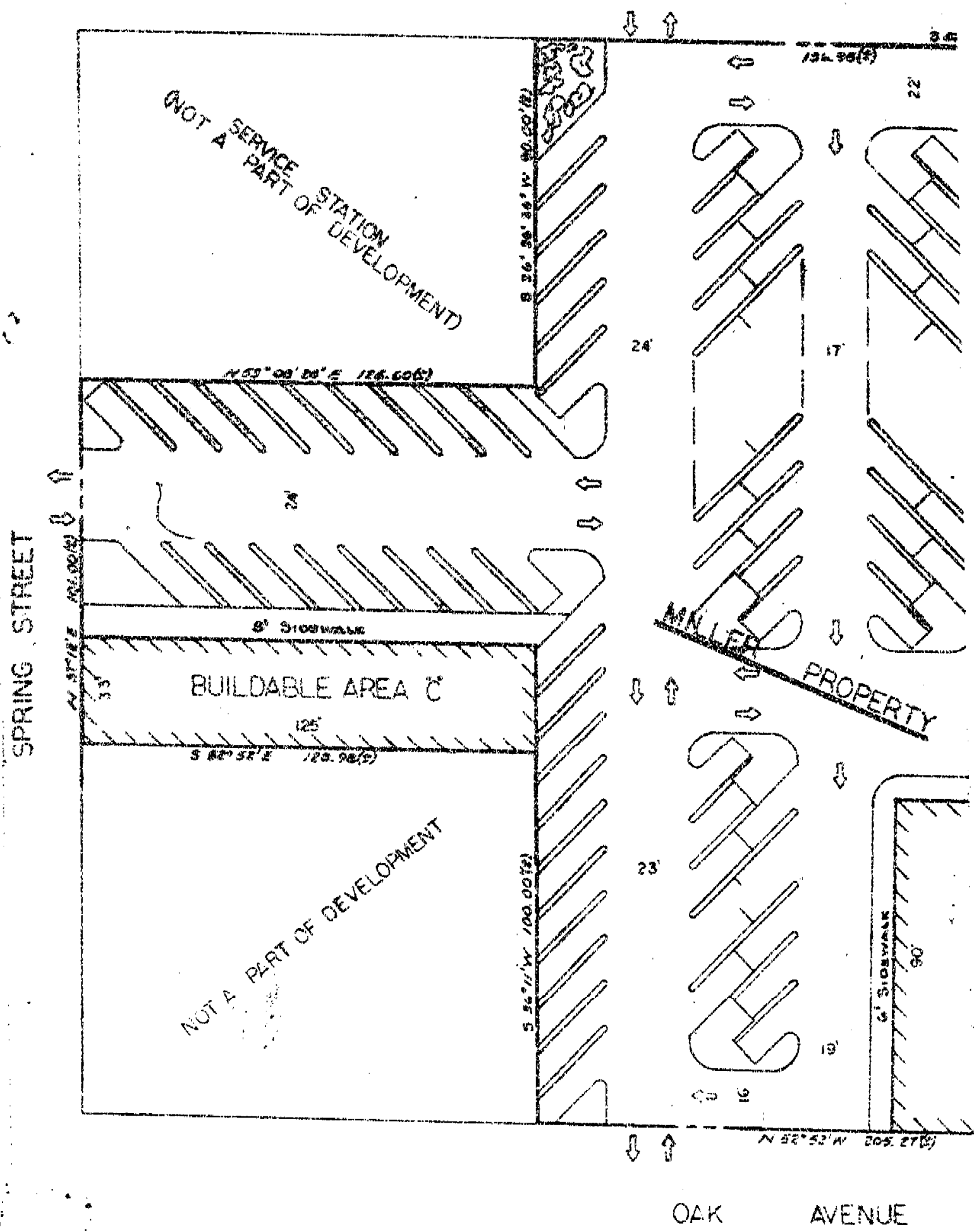
That certain real property in the City of St. Helena, County of Napa, State of California, described as follows:

Beginning at a point on the Southwesterly line of Main Street, distant thereon South 53° 08' 24" East 286.63 feet from the point of intersection thereof with the centerline of Spring Street; thence from said point of beginning, South 37° 12' West, 150.00 feet; thence, South 53° 03' 48" East to a point in the Northwesterly line of that certain Right of Way conveyed to the City of St. Helena and described in Book 204 at Page 136 of Official Records, Napa County Records; thence along said Northwesterly line, North 37° 12' East, 55.00 feet; thence leaving said Northwesterly line, North 53° 03' 48" West to the Northwesterly line of that certain parcel of land described as Parcel Two in the deed to Albert E. Michel and wife, recorded in Book 386 at Page 249 of Official Records, said Napa County Records; thence, along said Northwesterly line, North 36° 38' East to a point in the Southwesterly line of said Main Street, distant thereon, South 53° 08' 24" East 361.63 feet from the point of intersection thereof with the centerline of Spring Street; thence along the Southwesterly line of said Main Street, North 53° 08' 24" West, 75.00 feet to the point of beginning.

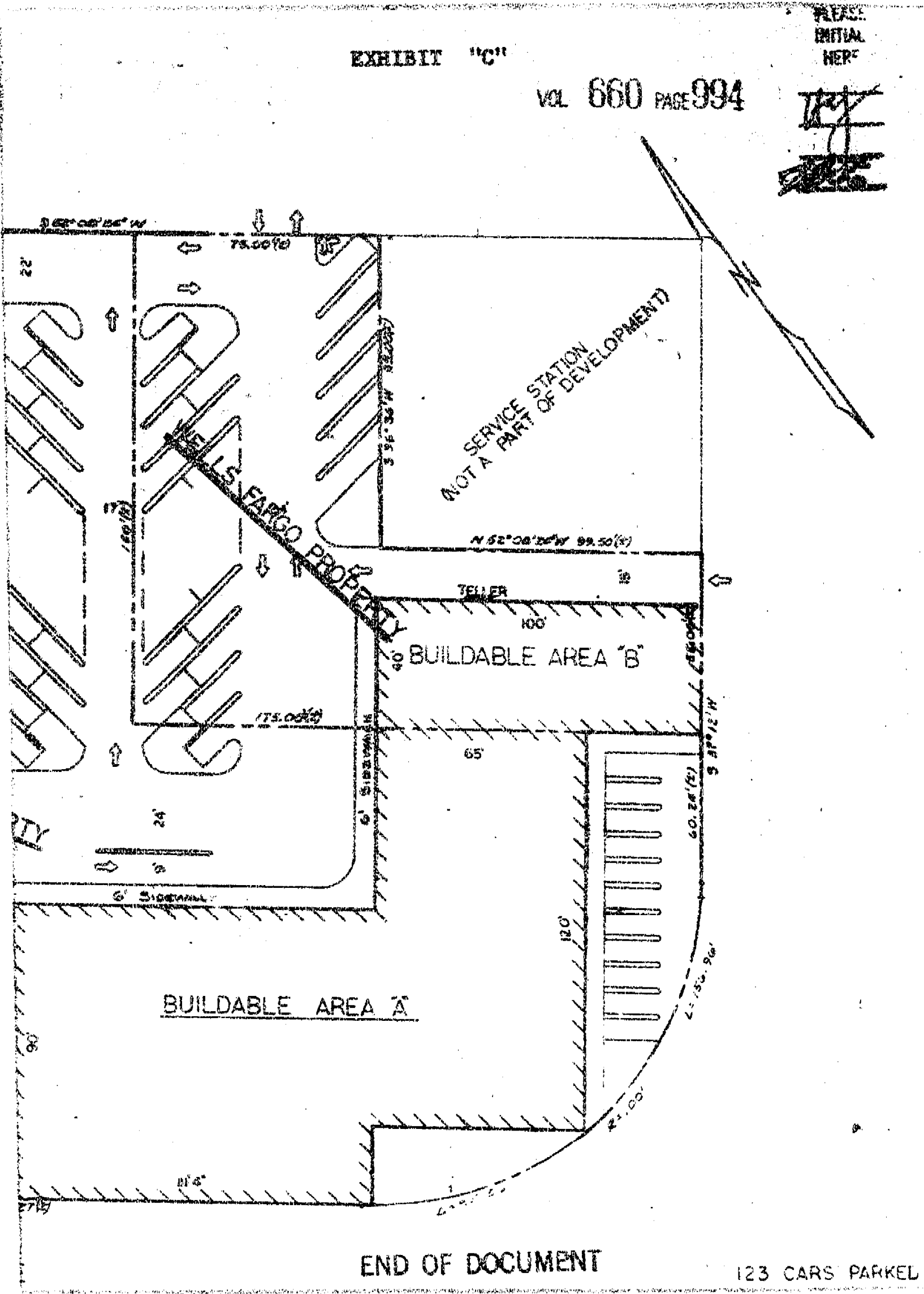
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MAIN STREET



OAK AVENUE



END OF DOCUMENT

123 CARS PARKED

18294
Sonoma Highway
Sonoma
CA 95476

TEL 707 996 8448
FAX 707 996 8542

City of St Helena, City Hall
Received

SEP 01 2017

1480 Main St.
St Helena, CA 94574

RosDrulisCusenberry

ARCHITECTURE

Project:
Building Improvements
1111 Main Street
St. Helena, CA 94574
APN: 009-261-014-000

Applicant:
1111 Main Street SH, LLC
1112 Sir Francis Drake Boulevard
Kentfield, CA 94904
(415) 482-8899

Project Description August 29, 2017

Overview

The subject property is part of a shopping center positioned on the south end of St. Helena's downtown core. Access to the center is off Main Street (State Highways 128 & 29), Mitchell Drive, Oak Avenue, and Spring Street. Both the Zoning and General Plan designation is "Central Business" (CB) as delineated on the "Zoning Map" dated August 2000 and the "General Plan Land Use Map" dated August 2009.

The Owner obtained a Master Use Permit from the City in February 2017 in order to repurpose the underutilized commercial building.

To create visual interest from Main Street, add a "spark" to the long existing shopping center, and enhance the ability to attract long-term tenants, the Owner plans to improve the building exterior as delineated in the attached drawings.

Existing Building

The existing building shares common walls with Wells Fargo Bank and Sunshine Foods Market and its primary entrance is on the northeast wall facing the shopping center's common parking lot. The "rear" of the building has parking and a concrete access ramp (non-conforming to current standards) fronting Mitchell Drive and a wood-fenced paved patio, concrete access ramp, and sparse landscaping along Oak Avenue.

The single-story structure is approximately 7,760 SF in size and consists of a concrete slab-on-grade floor, perimeter CMU walls, and a wood-framed roof supported by tapered steel beams that clear-span the building's width. The maximum building height is +17'-4" measured from the existing floor level to the top of the existing parapet.

Proposed Improvements

The improvements to enhance the existing structure include the following:

- A. **Site Design:**
 - 1. Develop new multi-tenant entry Lobby facing the existing shopping center parking lot.

Building Renovations

1111 Main Street, St. Helena

August 29, 2017

Page 2 of 3

2. Replace existing non-code compliant pedestrian ramps on the southeast and southwest walls.
3. Install additional man-doors on the southeast wall to provide code-required exit doors from the new tenant spaces. The doors will include new access ramps coordinated with the elements mentioned in Item #2 above. The final locations of the doors & ramps will be determined in the future based upon tenant-specific requirements.
4. Provide new wood fence at utilities (electrical meters, gas meters, fire sprinkler connection).

B. Exterior Design:

1. New recessed primary Lobby framed with portal extending to +20'-8" above the existing floor level.
2. New exit doors and ramps as outlined under Site Design.
3. Cover existing CMU with smooth stucco finish on northeast and northwest walls.
4. Paint existing CMU on southeast and southwest walls.
5. Provide new perforated metal mechanical screen extending from top of existing CMU to +18'-2" above the existing floor level.
6. Utilize exterior color scheme to unify/enhance new/existing exterior materials.

C. Interior Design:

1. Anticipated future occupancies: eating & drinking establishments, florist, real estate services, shoe store, clothing store, health club, ice cream/frozen yogurt shop, or office/chamber of commerce.
2. Final interior layout and finishes will be tenant-specific developed in the future.

Site Materials

No work is proposed in the shopping center parking lot other than adjustments to the existing sidewalk that extends across the north face of the subject building.

No new planting areas are proposed.

Utilities

The building is currently connected to the public water system off Oak Avenue. The service will be upgraded as required for a new fire sprinkler system and multiple meters to service the planned tenant demand.

The building is currently connected to the public sewer system. A new central sewer line will be installed along the entire length of the building to service future tenants. A grease interceptor will be provided to facilitate occupancy by potential food service uses.

New electrical and natural gas services to the building were recently installed on the northwest side of the building fronting Oak Avenue. No additional changes are anticipated.

Water Use Efficiency Guidelines

The existing structure can be occupied by multiple tenants of the various uses in the Master Use Permit (Resolution PC2017-006) approved February 21, 2017. As part of the approval, the Planning Commission found that the proposed use would not make excessive demands on the provision of public services (including water supply) in that the proposed uses will have similar service demands as the previous uses within the existing building.

The proposed improvements do not alter the Master Use Permit or entail the addition of nonresidential floor area. Therefore, this Application is not subject to compliance with Section 13.12.020 of the City of St. Helena Municipal Code.

Building Renovations

1111 Main Street, St. Helena

August 29, 2017

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The future interior tenant improvements will comply with State Building Codes and the applicable sections of Chapter 13.12 to include:

- Ultra-low flush toilets and flush valves (maximum 1.6 gallons per flush)
- Water-efficient urinals and flush valves (maximum 1.0 gallons per flush)
- Water-efficient interior faucet aerators (maximum 2.2 gpm)

Please contact me should you have questions or require clarification.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Ross".

Michael B. Ross AIA, NCARB

RossDrullisCusenbery Architecture, Inc.



PLANNING COMMISSION REPORT
Planning Commission Meeting of February 20, 2018

AGENDA SECTION: Scheduled Matters

FILE NUMBER: N/A

SUBJECT: Consideration of amendments to the City's Zoning Ordinance, St. Helena Municipal Code ("SHMC") Title 17, potentially revising Section 17.148, Signs, to be consistent with current case law as deemed appropriate by the Planning Commission.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 02/20/18

BACKGROUND

City staff, the Planning Commission, City Council and project applicants regularly find challenges with the existing Zoning Code, including incomplete requirements, antiquated policies and a general lack of consistent regulations. In the spring of 2017, City staff worked with the Planning Commission to prioritize an on-going list of potential citywide projects of interest to the Commission. One of the leading priorities identified at this time was initiation of a comprehensive Zoning Code update in order to address a number of problematic issues and inconsistencies with the Code.

On August 22, 2017, the City Council and the Planning Commission prioritized an update of the zoning code as a top priority to both address these on-going issues, as well as provide an efficient method to tackle a number of other priorities identified by the Planning Commission and City Council. In addition to addressing the inconsistencies and improving the usability of the code, the list of prioritized code improvements includes:

1. Review of the Floor Area Ratio (F.A.R.) allowances and exemptions (Discussion held and direction provided February 6, 2018);
2. Review of the sign standards;
3. Review of the Use Permit requirements in the Service Commercial and Central Business Zoning Districts;
4. Review of the small lot zoning standards;
5. Review, clarify and improve the applicability of the non-conforming zoning standards, with particular focus on large industrial users;
6. Review the Demolition permit process and potential increases in limitations on Demolition permit approval;
7. Food Truck Ordinance;
8. Temporary Use Permit process;
9. Update the Daycare regulations to be consistent with State law; and
10. Update Telecommunication regulations to be consistent with State and Federal law.

Separate from these Zoning Code "clean-up" efforts, adoption of the draft 2035 General Plan (likely to occur in late 2018) will trigger a comprehensive Zoning Code update to implement the direction of this policy document. It is important to make the distinction between the comprehensive changes the General Plan update will trigger, and the code "clean-up" envisioned through this process. This effort is intended to consist of minor revisions and modifications to existing policy, not whole-sale policy changes the scope of which were not anticipated or covered in existing adopted policy documents and therefore past California Environmental Quality Act (CEQA) analysis and determinations.

PROJECT DESCRIPTION

Staff has identified several issues and concerns with the sign code as it is currently written, including conflict with established court rulings related to "free speech" signs and burdensome procedural requirements. In addition, the Commission has voiced general concerns over the sign code, and staff is seeking more direction on these concerns.

Free Speech Issues

In *City of Ladue v. Gilleo*, 512 U.S. 43, 48 (1994), the Supreme Court held that it is unconstitutional for local regulations to prohibit homeowners from displaying small, temporary signs with political or other noncommercial messages on their property.

Municipal Code Section 17.148.040 (Regulated signs) states that *"No sign, addition to a sign, alteration of a sign or replacement of a sign, unless specifically excluded in Section 17.148.020, shall be permitted in any district without first obtaining an administrative sign permit or a planning commission sign permit."* This section therefore arguably requires a permit for any "sign" not excluded under Section 17.148.020. The term "arguably" is being used because the Code's definition of "sign" focuses exclusively on either commercial messages or identification:

“Sign” means any medium, including its structure and component parts in view of the general public, which is used to attract attention for advertising or identifying purposes.

Nevertheless, the Code does define “campaign signs” and regulates them in Section 17.0149.090, so a challenger could argue that Section 17.48.040, which only permits commercial signage, effectively precludes the posting of all noncommercial signs on residential property other than a campaign sign. As long as the Sign Code implicitly precludes the posting of yard signs with noncommercial messages other than “campaign” messages, any attempt to remove temporary noncommercial signs could be challenged – and such a challenge would likely be successful.

It is also prudent to allow additional opportunities for noncommercial signage during an “election period” (“Election period” means the period commencing [60] days before any national, state, or local election in which city electors may vote up through the date of the election). This is intended to address the need for “campaign signs” but in light of the Supreme Court’s holding in *Reed v. Town of Gilbert*, 576 U.S. 15, 17 (2015), allowing only additional “campaign” signs would amount to a content-based regulation that favors one form of speech over another.

In order to resolve these inconsistencies, the City should amend the Municipal Code to allow the posting of small non-commercial yard signs in all residential zones and election period signs in all zones as described below.

Procedural Burdens

Currently, the S.H.M.C. Chapter 17.148 (the Sign Code) provides prescriptive standards for signs within the Service Commercial (SC) and Central Business (CB) District, while also allowing signs that do not meet these prescriptive standards to be approved by the Planning Commission. From the staff perspective, signs which comply with these prescriptive standards could be approved at the staff level, while those which seek allowances beyond these prescribed requirements could be approved by the Planning Commission. From the staff perspective, it is not an efficient or effective process to utilize the expertise of the Planning Commission to review projects which are deemed to comply with prescribed zoning standards; rather it is those unique or atypical proposals which warrant individual review by the Commission. Therefore staff is requesting direction from the Commission on seeking some methods to streamline the review of signs which clearly meet the prescribed zoning standards.

Planning Commission Concerns

Staff is aware of concerns over the enforcement of the sign code, with specific focus on the allowances of staff to ensure commercial businesses comply with the requirements. In addition, there may be other specific concerns of the Commission regarding signage within the City. This portion of the discussion is intended to allow the Commission an opportunity to provide staff with input on their concerns, and direction on how they may be addressed. Staff will then utilize this direction to formulate code modifications to bring back before the Commission for review and further input prior to taking an ordinance before the City Council to implement these directed changes.

ANALYSIS

To address the issues described above, staff has scheduled a discussion with the Planning Commission to gain input and direction on potentially amending the City's Zoning Code to make the code consistent with typical permit processing procedures as well as current case law. Suggested additions are shown in underline and deletions are shown in ~~strike through~~.

17.148.040

A. Administrative Sign Permit.

1. An administrative sign permit shall be reviewed by the planning department ~~director~~ for compliance with the standards set forth for the district in which the sign is to be located.
2. The applicant shall be notified within ~~fourteen (14) days~~ thirty (30) days whether or not the administrative sign permit is approved. If the permit is not approved the applicant may either amend the design to comply with the standards or may amend the application to request sign permit approval from the planning commission. If the design of the sign is amended and resubmitted for review the applicant shall be notified within ~~fourteen (14) days~~ thirty (30) days from the date the amended design is submitted whether or not the administrative sign permit is approved.

17.148.085

A. Freestanding Noncommercial Signs.

1. General Regulations.

- (a) Number. In residential zones only, each parcel is permitted two (2) freestanding noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.
- (b) Area. A freestanding noncommercial sign may not exceed six (6) square feet in area per side.
- (c) Height. A freestanding noncommercial sign may not exceed four (4) feet in height or two (2) feet in height from the top on any wall or fence if posted on a wall or fence. Signs are not permitted on top of walls or fences greater than 42 inches in height.
- (d) Location. Freestanding noncommercial signs may be placed in the front yard, rear or side yard of any property; provided, that the signs do not encroach into any public right-of-way. Freestanding noncommercial signs shall not be located in the visibility triangle on corner lots.
- (e) Lighting. Freestanding noncommercial signs may not be illuminated.

2. Election Period Regulations. During any election period (the period commencing sixty (60) days before any national, state, or local election), the following additional opportunities for temporary noncommercial signs are permitted subject to the following regulations:

- (a) Number. Each parcel in all zones is permitted two (2) temporary freestanding noncommercial signs. Such signs are in addition to all other signage allowed in this chapter.
- (b) Area. The sign may be double-faced. In residential areas, no temporary freestanding noncommercial sign may exceed six (6) square feet in total area per side.
- (c) Height. In residential zones, a temporary freestanding noncommercial sign may not exceed four (4) feet in height or two (2) feet in height from the top on any wall or fence if posted on a wall or fence. In residential districts, signs are not permitted on top of walls or fences greater than 42 inches in height.
- (d) Location. Temporary freestanding noncommercial signs may be placed in the front, rear or side yard of any property; provided, that the signs do not encroach into any public right-of-way. Temporary freestanding noncommercial signs shall not be located in the visibility triangle on corner lots.
- (e) Lighting. Temporary freestanding noncommercial signs may not be illuminated.
- (f) Removal. All of the additional temporary freestanding noncommercial signs permitted during an election period must be removed within seven (7) days following the end of the election period.

17.148.120

A. An application for an administrative sign permit or a planning commission sign permit shall be made by the property owner, or his or her authorized agent, to the planning department director on forms prescribed for this purpose.

Staff Response: Making the revisions suggested above will make the City's current sign code and review process for administrative sign permits more consistent with typical permit processing procedures and will bring the current code into compliance with current case law regarding "free speech" signage. In addition, allowing staff level approval of signs that meet the prescriptive standards outlined for administrative and Planning Commission approval within the CB and SC zoning districts would relieve procedural burdens for both staff and the applicant. Signs outside of the prescriptive standards would still require Planning Commission approval as part of this streamlined process. Staff would also appreciate any additional direction from the Commission on other ways to improve provisions of the sign code.

CEQA

An action to adopt an Ordinance to amend Chapter 17 of the St. Helena Municipal Code is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.). Specifically, 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, projects are exempt from the requirements of CEQA. Furthermore, these changes are in accordance with the adopted 1993 General Plan

Environmental Impact Report (EIR) and 2015 Housing Element Mitigated Negative Declaration (MND).

ISSUES

The City's current sign code is out of compliance with state and federal law; the revisions identified above will correct this lack of compliance.

CORRESPONDENCE

As this is a discussion item, staff has received no correspondence regarding this item at this time.

STAFF RECOMMENDATION

It is recommended by the Planning and Community Improvement Department that the Planning Commission review the suggested changes described above and provide direction to staff regarding which, if any, they would like made.



PLANNING COMMISSION REPORT
Planning Commission Meeting of February 20, 2018

AGENDA SECTION: Scheduled Matters

FILE NUMBER: n/a

SUBJECT: Review of 2035 General Plan Update and Environmental Impact Report (EIR) Scope and Process

APPLICATION FILED:

BACKGROUND

The General Plan update formally began in April 2007, when the “Community Visioning and Existing Analysis” process was begun by the General Plan Update Steering Committee (GPUSC). This effort involved extensive community input leading to the preparation of first full draft of the General Plan in the summer of 2010. Concurrently, environmental analysis was also taking place, leading to the completion of the Draft General Plan EIR in August 2010.

The Draft General Plan EIR was subsequently circulated for review, comments were received, and a Final EIR (FEIR) was prepared in October 2010. The Planning Commission completed its review and recommended City Council approval of the document in October 2010.

During the City Council review in late 2010, a number of issues surfaced, most notably concerning water supply. Ultimately, it was decided by Council to postpone action on the General Plan in order to appropriately address the issue of water supply. A “Safe Yield Committee” was formed and a Water Management Program was developed. The Water Management Program was adopted by Council in November 2012, and thereafter incorporated into the draft General Plan.

The City Council continued with a detailed review of the draft General Plan during numerous hearings held during late 2013 through June of 2014. In the late summer and fall of 2014, the Planning Commission reviewed the various changes made by Council since the Commission had reviewed the General Plan in October 2010. However, no

significant action was taken to formally update the associated EIR, as the focus appears to have been on updating the General Plan document itself. During this timeframe, the Planning and Community Improvement Department also experienced significant staff turnover, impacting the ability for the City to efficiently manage the EIR and General Plan update process.

On April 15, 2015, the City Council held a Study Session on the St Helena 2035 General Plan update, and provided direction to City staff regarding the creation of a new residential land use category, *Low-Medium Density Residential*. This designation was intended to better fit the existing density and development pattern of a majority of the City's single family neighborhoods (which are primarily developed at approximately 5-6 units per acre), than the current Medium Density Residential designation which allows an unusually wide density range of 5 to 16 dwelling units per acre.

Between April and August of 2016, the Planning Commission held six study sessions to review the 2016 draft of the St Helena 2035 General Plan Update (April 19, 2016, May 17, 2016, June 7, 2016, June 21, 2016, and July 19, 2016, and August 2, 2016). At the July 19, 2016, Planning Commission meeting, Chairperson Grace Kistner, and then Vice Chairperson Mary Koberstein presented a compilation of the comments and direction concerning the General Plan taken from the preceding Commission Study Sessions. This summary augmented and clarified the summary contained in the staff report prepared for the meeting.

The Commission spent the majority of the July 19, 2016 Study Session reviewing and discussing the summary as prepared by the Commission Chair and Vice Chair. After a thorough discussion of the document, the Commission directed staff to incorporate into the summary the various changes/edits as agreed to by the Commission and further directed that staff present this revised summary to the Commission at the August 2, 2016 Commission meeting, which occurred.

On January 9, 2018, the City Council approved a contract with Dyett and Bhatia to finalize the St Helena 2035 General Plan Update and draft a new EIR for the document. In approving this contract, concerns over finalizing the scope of the General Plan Update and EIR analysis were expressed by the City Council. In response, staff has scheduled a Joint Planning Commission/City Council meeting to gain input on the scope of both documents, before the Consultant formally initiates the process.

PROJECT DESCRIPTION

This item is intended as a discussion between the public, the City Council, Planning Commission, staff and the consultant to finalize the direction and scope of the 2035 General Plan Update and associated EIR. As identified above, the General Plan Update and environmental review process has occurred over many years, and there have been competing policy priorities over this time frame. Based on this history, it is important to provide the consultant with guidance regarding the scope and policy direction prior to

initiating the work to finalize the General Plan Update and analyze the environmental impacts of the draft 2035 General Plan.

To facilitate this discussion, staff has provided a number of attachments which include the memo drafted by Chairperson Kistner and Council Member Koberstein (then Vice-Chair); a number of written comments received during the summer of 2016; a written summary of the changes previously incorporated into the document by the City's last consultants and; a conceptual map of potential areas beyond the City boundary to incorporate into the EIR analysis.

It is worth emphasizing that the April 2016 Draft of the 2035 General Plan is the product of numerous City Council and Planning Commission meetings held over the last several years. The April 2016 Draft General Plan, as published, reflects staff's efforts to compile the direction from those numerous hearings and study sessions. The wording contained in April 2016 draft of the St Helena 2035 General Plan Update reflects City Council direction received to date. The intent of this meeting is to both acknowledge this past input from the City Council, and also allow the current decision making bodies input to finalize direction on the draft that will be brought back before them for action. A link to the 2016 draft is provided below.

<http://cityofsthelena.org/planning/page/general-plan>

However, it is anticipated that the work on individual elements of the General Plan and EIR have the potential to drive additional questions needing resolution, and therefore there may be further direction requested over the coming months as the issues are analyzed.

ANALYSIS

July 19, 2016 Commission Chair and Vice Chair Summary Memo

As identified, Chair Kistner and then Vice-Chair Koberstein provided a draft of a memo outlining the remaining General Plan issues to be considered by the City Council, to facilitate a Commission discussion and recommendation. The Commission discussed this memo, and generally was supportive of the direction in it, with a few areas needing further discussion. Consulting staff then made some minor edits to the document and presented these changes to the Commission on August 2, 2016, in an effort to reach consensus with the Commission before these changes were to be presented to the Council. Unfortunately, the memo was never presented to the City Council, primarily due to staff changes within the Department and City and a shift in resources toward the EIR update.

Staff has provided this memo and the referenced attachments to allow a continued discussion and ultimate direction to be provided to the Consultant on these remaining issues.

Generally, these topics include:

Regularly Updating the General Plan

Low Medium Land Use Designation-Deleted after March 14, 2017, Council Direction

Direction to Conduct a Comprehensive Zoning Review

Managing Tourism

Wineries

Housing (Specific to Our Town St Helena Comment Letter)

Staff is looking for review and concurrence on the identified issues.

April 19, 2016 Consultant Staff Summary of Key Changes Memo

On April 19, 2016, consulting staff presented a memo identifying the primary changes between the 2015 draft of the 2035 General Plan Update and the 2016 draft of the document. This memo is being provided in an effort to clarify and summarize these changes, with the goal that the discussion can be focused on the remaining unanswered elements. However staff is ready to discuss these elements of the update process as needed.

Public Comments

As identified, this update process has been underway for many years. As such there have been numerous public engagement efforts and public comments on the progressing document. Staff has compiled several of the most recent of these comment in an effort to further inform the process regarding the public input most recently received on the 2035 General Plan Update project and process.

Expanded Planning Area

The City's current General Plan Planning Area coincides with City limits. State planning law permits the City to include land outside its limits that bears relationship to St. Helena. In many communities, the Planning Area coincides with a service boundary or the Sphere of Influence, or other unincorporated land with a direct planning relationship to the city. St. Helena currently provides water, public safety and other services to several areas outside its limits. The City Council has directed staff to incorporate a few focused areas contiguous to the City, totaling approximately (no more than) 100 to 150 acres, for inclusion in the potential Planning Area and EIR analysis. Staff has attached a draft map of these potential scoping areas, and is seeking direction from the Council and Commission on these areas prior to their inclusion into the analysis.

Planning Area 1-City Spray Fields

The City utilizes spray irrigation on fields that are owned by the City, but not within the City boundary, as a part of the wastewater treatment facility. It is within the interest of the City to have such a critical piece of utility infrastructure under the jurisdiction and control of the City. Therefore, Planning Area 1 is recommended by staff for inclusion into the study areas.

Planning Area 2- HWY 29 South Corridor

The HWY 29 corridor south of the City is currently developed with a variety of commercial and residential land uses under the jurisdiction of the County of Napa, many

of which receive direct services and benefits from the City of St Helena. These properties are in an area of relatively dense development, and are likely served by individual septic systems, of various ages and capacities. As such, staff has identified this potential study area to capture and reflect the level of services and development on these properties, as well as to allow for flexibility in how their utility infrastructure may be provided or repaired in the future and to enhance and protect the environment.

Planning Area 3-Meadowood Resort and Surrounding Properties

This area is located across the Napa River and the Silverado Trail, and is developed with a resort and various residential and agricultural land uses several of which receive water and other direct services from the City of St Helena. Similar to Planning Area 2, these properties are served with a variety of utility infrastructure systems, including a private wastewater treatment system and likely a number of individual septic systems. In addition, many of the properties identified in this study area are environmentally sensitive due to their proximity to the Napa River. Based on this variety of factors, staff is recommending inclusion of these properties into an area to study as a part of the 2035 General Plan EIR.

ISSUES

No issues beyond those discussed above have been identified as a part of the request for direction regarding finalizing the 2035 General Plan update and environmental analysis.

CORRESPONDENCE

Due to the nature and extent of the 2035 General Plan Update, numerous comments have been received over the project time period, on all manner of issues and topics. An assortment of the most recent comments has been attached to this report to aid the Council and Commission in understanding the perspective of the community on the remaining issues.

STAFF RECOMMENDATION

Staff recommends the City Council and Planning Commission review the provided documents and analysis, discuss the various elements of them and provide direction to staff and the consultant regarding the overall scope of the General Plan Update and EIR.

ATTACHMENTS

[PC Recommendations for GP edited for 8-2-16 PC Meeting Draft](#)

[April 19, 2016 Comparison Sept 2015 GP with April 2016 GP Memo](#)

[Potential Expanded Planning Areas](#)

[Public Comment 1. George David Comments](#)

[Public Comment 2 Mary Stephenson Comments](#)

[Public Comment 3 Compilation of Previous General Plan Public Comments](#)

July 19, 2016 Memo (Including Staff Edits)

DRAFT SUMMARY OF COMMISSION COMMENTS/DIRECTION ON THE APRIL 2016 DRAFT GENERAL PLAN, UPDATED FOR AUGUST 2, 2016 PLANNING COMMISSION MEETING.

The Planning Commission recommends as follows:

1. Chapter 1 INTRODUCTION

A. Periodic Updating (item 5 on staff list). The following new Section 1.9 should be added to the Introduction, to underscore the importance of regular updates to the General Plan:

"1.9 Periodic Review and Updates to the General Plan by the City:

For the General Plan to be truly effective over the full 20 year period to its Horizon Year of 2035, the St Helena General Plan needs to be reviewed and updated by the City on a regular basis. State Planning Law specifies that by April 1 of each year an annual report should be prepared on the General Plan by the City and presented to the legislative body (which for St Helena is the City Council). At a minimum, the following issues need to be addressed as part of this review:

- Address the current status of the General Plan, and evaluate the progress made in implementing the various provisions of the Plan.
- Focus on the City's progress in meeting its regional housing needs, including actions taken by the City and others to facilitate the construction of housing.
- The degree to which the General Plan complies with the most current State General Plan Guidelines.

While the preceding three items comprise the minimum scope of an annual review of the General Plan, the City has the discretion to add any other items to the review process as the City sees fit. In order to determine the administrative requirements and scope of this annual General Plan review process, City staff, within six months of the adoption of the General Plan, subject to the prior review and recommendation of the Planning Commission, shall bring to the City Council an agenda item presenting a process to implement an annual review of the General Plan. This agenda

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item would include a recommended list of topics to address in the annual review process. Each year as part of the annual General Plan review process, City Council will provide direction to staff on the topics to be addressed as part of the review for the upcoming year."

Comment: The Planning Commission initiated this concept at its first study session on the General Plan. Regular updating is a mandated and important mechanism to maintaining the relevance of the General Plan. Review of specific General Plan issues may warrant more than an annual review of the General Plan.

2. Chapter 2 LAND USE AND GROWTH MANAGEMENT ELEMENT

A. Deletion of Low/Medium Density Land Use Designation. (Item 1 on staff list) The General Plan should be adopted without the proposed Low/Medium Density Land Use Designation. This new designation is a recently introduced, significant shift from the fully vetted 2010 draft General Plan. This new designation has not been fully analyzed or examined by the community. Deleting it from the General Plan will assist in achieving proposed adoption of the General Plan within the scheduled timeline.

Comment: Essentially, through this recommendation, the Planning Commission urges the City Council to adopt project Alternative 2 in the Draft REIR: No Low-Medium Land Use Designation Alternative.

The Commission received lengthy written comment from Our Town St. Helena and George David in opposition to inclusion of the Low/Medium Density Land Use District, both of which are attached to this recommendation. In the case of OTSH, stated opposition is based on inconsistency with the Housing Element, negative impact on the ability to provide local workforce housing in the coming years and inadequate community input and staff analysis. See June 21, 2016 OTSH letter to Noah Housh and Victor Carniglia.. See also written statement of George David, submitted for July 19, 2016 Planning Commission meeting stating that the proposed Low/Medium Density Land Use Designation does not anticipate long term impacts of this change on the City, and urging instead that the City initiate comprehensive reform of all land within the City.

B. Comprehensive Zoning Review. (item 2 on staff list) A new section should be added to this Element to require a comprehensive review and analysis of the City's zoning district regulations. This new section might take the form of a Policy and Implementing Action:

"Within three months of the adoption of the General Plan, initiate a comprehensive review of all zoning districts in the General Plan and Zoning Ordinance. Particular emphasis should be placed on analysis of the compatibility of existing regulations with the built environment and the

utility of new or modified regulations to better achieve General Plan objectives. Recommendations regarding revised or newly proposed district language in the General Plan and implementing regulations in the Zoning Ordinance would be the result of this process."

Comment: The Planning Commission recommends inclusion of this concept whether or not the Low/Medium Density Land Use Designation is included in the adopted General Plan. The Commission received comments during the review process directed toward regulations in residential districts other than the existing Medium Density District, and comments on the proposed Mixed Use District, suggesting that more comprehensive approach to zoning throughout the City and in particular along the Route 29 corridor is warranted. The General Plan includes a Mixed Use District that has great potential but needs further study and development. This concept is not duplicative of the annual updating recommended in Chapter 1 above. See in particular, George David comments, Planning Commission July 19, 2016.

C. Managing Tourism. (item 6 on staff list) The following underlined language is recommended to be added to the Goals in Section 2.4:

"Manage Growth and Maintain Community Character. St Helena is committed to preserving its existing community character, maintaining agricultural lands, managing growth and tourism and ensuring that adequate infrastructure and facilities are provided."

Comment: This recommendation is based on recognition that the City must manage the growth and change brought by tourism. As such, while it is acknowledged tourism brings to the City many potential benefits, managing tourism rises to the level of importance of managing growth in the maintenance of community character. The Chamber of Commerce and others did not oppose inclusion of this language in the General Plan. The Planning Commission received numerous comments on tourism, and Commission recommendations on those specific concerns are set forth below in Chapter 3, Economic Sustainability Element.

Commented [VC1]: There was some disagreement about the exact wording supported by the Commission. What is shown is a proposal by staff to strike a balance based on the Commission discussion of this issue.

D. Wineries. (item 3 on staff list, revised). The following language should be added to Policy LU5.6:

"Permit wineries and other agricultural related industries to locate in the city if their location does not adversely impact surrounding uses or city services (water , traffic, etc) or the quality and character of the community. As part of the comprehensive Zoning Ordinance update following adoption of the General Plan, distinct functions and uses accessory to wineries (event centers, production facilities, tasting rooms for example) should be recognized and categorized as appropriate or not to each land district in which wineries are allowed as a permitted or conditional (use permit) use.

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Comment: The Commission discussed Citizen's Voice comments concerning winery operation locations at a study session on June 7, 2016. The consensus was that concerns about the future location of winery operations within the City should be resolved by tailored permitted and conditional use winery definitions that are appropriate for each zoning district.

E. [Placeholder: OTSH Land use comments 6-24-2016]

Comment: Policy LU2.6 concerns allowing higher density housing in specific residential districts subject to specified criteria. If the Low-Medium Density Land Use Designation is adopted in the Plan, to avoid concentration of such housing in limited areas of the City, this Policy should be removed or modified to include the Low-Medium Density district.

3. Chapter 3 ECONOMIC SUSTAINABILITY ELEMENT

A. Citizen's Voice Comments on Tourism. (item 4 on staff list)

Citizen's Voice submitted comments to the Planning Commission recommending changes in the Economic Sustainability Element, directed primarily at assessing impacts related to tourism. See attached comments.

It is the consensus of the Planning Commission that the comments in the Citizen's Voice letter dated April 15, 2016 as redlined in materials presented May 17, 2016, warrant consideration, and that the City Council should evaluate them with respect to specific wording changes in the Plan.

Comment: The Planning Commission formulated this recommendation after it considered the Citizen's Voice April 15, 2016 Letter (copy attached) at a study session on April 19, 2016. Subsequently, the staff brought the issue back to the Planning Commission for further discussion on May 17, 2016. At that time, the Planning Commission reviewed specific redlined recommendations attached hereto and reached consensus on some of the items. When further item by item discussion of the tourism issue was initiated in June, Citizen's Voice requested the Planning Commission to forward the April 15, 2016 letter and redlined changes in their entirety directly to the City Council for consideration and action.

B. Consensus Items Regarding Citizen's Voice Comments. (item 7 and additional items not included in initial staff recommendation). During discussion of the Citizen's Voice comments, the Planning Commission did reach consensus on the following three concepts and recommends consideration and/or inclusion of them as the Council considers the Citizen's Voice recommendations:

1. ES3.E The Planning Commission supports the concept of requiring a cost benefit analysis for development projects in order to assist the City in measuring their impacts on the community, with the cost of the

analysis funded by the developer with the City determining the scope of the analysis and retaining the consultant performing the analysis.

Comment: This concept is an important planning tool. In any specific case, the City would establish the scope of review and retain the consultant to prepare the study. The project developer should fund the cost of this work.

- ES1.B, ES2.A These Implementing Actions are concerned, in part, with the concepts of “local serving uses” and “chain” retail stores.

2. The Planning Commission recommends that the concepts of “local serving uses” and “chain” stores be further developed through definitions that recognize and support businesses that have a “vested interest in the community”.

2.The Planning Commission recommends to City Council that the land use definitions for retail and service uses contained in Policies ES1.B and ES2.A, be further defined and developed concerning what the City considers to be “chain stores”, and for the City to develop incentives and programs to recognize and support businesses that provide a distinct community benefit and have demonstrated a vested interest in the community.

3. The Planning Commission supports inclusion of policy language in the General Plan that recognizes the importance of business retention and the need to support on-going providers in the community.

Comment: We all value our local businesses. Defining them as owned or staffed by community residents, or consisting of “non-chain” stores may not provide a broad enough, workable solution. The concept of businesses with a vested interest in the community can encompass local ownership, local management, established history, and still allow for businesses that are not “chains” but may have multiple outlets in the Valley. To the extent feasible, City regulations should support, not thwart, local business retention.

C. Various Sustainable Tourism Goals (in part, staff item 8)

Add language to the General Plan that sets forth criteria for review and evaluation of proposed lodging uses, specifically hotels and other such uses, but excluding short term rentals.

Comment: Citizen’s Voice and George David submitted comments on Policies ES 2.3 and ES2.2. The Commission supports Policy ES2.2 and Implementing Action ES2.B that address the removal of caps on hotel rooms and, in the case of ES2.2, restaurant seats. Hotel use is a hot topic with respect to revenue generation and community character. Policy ES2.2 already requires visitor serving uses to be oriented toward an

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Commented [VC2]: There was no consensus among Planning Commissioners at the July 19, 2016 Planning Commission meeting as to whether Implementing Actions ES.1.B and ES2.A should remain as worded in the April 2016 GP, or whether the language should be modified to better define the concepts of “local serving” and “chain stores”, although it was agreed the phrase “local serving” would not be utilized. Staff expressed possible legal concerns over a policy that favored those that had “a vested interest in the community”. The following wording underlined in red is an attempt by staff to capture what the Commission intended. The Commission should feel free to modify as appropriate.

Commented [VC3]: This is new wording proposed by staff as described in the previous comment.

upscale market and discourages development directed at mass tourism. Some have urged, and the City may wish to include more specific language in the General Plan to elaborate on the desired nature of lodging uses. The Commission recommends that ES2.2 and ES2.3 be left in its present form.

D. Various Sustainable Tourism Implementing Actions.

Modify the language in Implementing Action ES1.F as follows:

“Provide development incentives for new visitor-serving businesses to develop affordable and workforce housing either through construction of housing or payment of an appropriate in lieu fee to develop housing elsewhere in the City. ~~Such incentives shall include visitor-serving uses in Medium Density Residential or Higher Density Residential districts, where a project provides affordable housing or an appropriate payment of an in lieu fee.~~

Comment: As drafted this Implementing Action appears to support development of visitor serving uses in the referenced Districts.

Add wording to Implementing Action ES2.B to prohibit visitor serving uses, including lodging uses (with the exception of short term rentals) from locating in residential land use designations.

Add language to LU5.1 that would exclude Housing Opportunity Sites, as identified in the current Housing Element, from Policy LU5.1 that currently states: *“LU5.1 Discourage conversion of existing farmland to non agricultural uses”*

Clarify Policy LU5.3 so that it does not prohibit property from being developed simply because the property in question is being used for agricultural purposes, by deleting the words “or used”, so the policy reads as follows; *“LU5.3 Strictly limit development on properties existing at the time of the adoption of this General Plan that are designated as agricultural land.”*

Attachments:

- A. OTSH Comments June 21, 2016
- B. Comments Submitted by George David, June 21 as revised July 19, 2016
- C. Citizen’s Voice Comments Letter April 15, 2016, Highlighted revisions reviewed by Planning Commission May 17, 2016.
- D. Citizen’s Voice Winery Comments.

April 19, 2016 Consultant Staff Summary of Key Changes Memo

To: St. Helena Planning Commission

From: Victor Carniglia, Planning Consultant

Date: April 19, 2016

Subject: Summary of Key Changes between the September 2015 version of the General Plan and the April 2016 Draft General Plan

The following is a summary of the changes of substance between the September 2015 version of the General Plan that was reviewed by the City Council at a General Plan Workshop on September 8, 2015, and the April 2016 Draft General Plan currently before the Commission. This summary is intended for comparison purposes. It should be emphasized that the September 2015 version of the General Plan was one of several versions of the General Plan that have been prepared since the General Plan was first formally published in August 2010. While such comparisons between iterations of the General Plan have value, the decision ultimately for the Commission, and the most meaningful comparison, is between the 20 plus year old 1993 General Plan and the latest version of the updated General Plan, which at this point in time is the April 2016 Draft General Plan.

The comparison between the September 2015 and April 2016 documents is organized by Chapter, as summarized below:

Chapter 1: Introduction:

- Pg 1-15: Updated the wording concerning the General Plan review process to reflect the most current General Plan review dates and process.
- Pgs 1-16 to 18: Updated references to the City's Housing Element, and clarified that the 2015-2023 Housing Element is a separate document, although it is part of the City General Plan.

Chapter 2: Land Use:

- ~~Figure 2.1 (Land Use) and Figure 2.3 (Residential Areas) were corrected to show the location of the new Low/Medium Density Land Use Designation.~~
Note: The Low/Medium Designation was eliminated based on Council direction received on March 14, 2017
- Pg 2-22 to 2-27: Corrections and changes were made to the General Plan Change Areas
 - Added "Change Area #14 (the City Hall site) to reflect City Council direction.
 - Modified the designations in Change Area #1 (the Adams Street and Library Lane property) to Central Business District from "Public/Quasi Public based on Council direction.
- Pg 2-24: Added that the maximum residential growth rate is 9 units/year (affordable and 2nd units exempt from limit).
- Pg.2-31: Added policy limiting residential development to 9 units/year(affordable and 2nd units exempt from limit).
- Pg. 2-33: Based on City Council direction, deleted 2nd sentence from Policy LU2.1, which would have allowed hotel uses to be considered in the City's High and Medium Density zones subject to certain criteria. Also based on Council direction, deleted second sentence

from Policy LU2.8, which similar to the wording in Policy LU2.1, would have allowed hotels to be considered in the Medium and High Density Residential zones.

- Pg 2-35: Based on Council direction, deleted Implementing Action LU2.F: which would have allowed hotels to be considered in the Medium and High Density Residential zones.
- Pg. 2-44: Added Policy LU5.H, which directs the City to adopt guidelines concerning agricultural buffer area, to reflect a mitigation measure contained in the EIR.

Chapter 3: Economic Sustainability:

- Pg.3-13: Based on Council direction, deleted the last sentence from Implementing Action ES2.B, which would have allowed hotel uses to be considered in the Medium and High Density residential zones.

Chapter 4: Public Services:

- Pgs 4-6 and 4-8: Updated the water usage tables with the most current information available.

Chapter 5: Circulation:

- Pg 5-5, 5-7, and 5-8: Updated information in travel tables, specifically Figures 5.1, 5.2, and 5.3.
- Pg. 5-10: Added wording at the bottom of the page reflecting the fact that the Wine Train had been purchased by new owner that have discussed the possibility of adding facilities and amenities.
- Pgs 5-16 and 5-17: Revised Table 5.4 and Figure 5.1 to reflect current street cross sections and requirements.
- Pg 5-19: Deleted wording that would have made the extension of Starr Avenue north to Adams Street contingent on the concurrent extension of Adams Street to the Silverado Trail. Such a requirement is not practical based on the speculative nature of the extension of Adams Street east to Silverado Trail, given the fact that such an extension is outside the City jurisdiction, combined with the cost and environmental constraints of an extension of Adams Street east to the Trail.
- Pg 5-29: Based on Council direction added wording to Policy CR1.7, in the context of using the rail corridor to reduce traffic, to consider tourist oriented uses that are primarily accessed by passengers traveling on the Wine Train corridor.

Chapter 6: Historic Resources:

- Pg 6-14: Clarified in Policy HR1.5 the process for conducting a records search to determine if historic resources are present.

Chapter 7, Community Design:

- Pg 7-11: Added wording to update the process concerning the Adams Street property.
- Pg 7-15: Added language encouraging the seeking of funds from grants and other sources to underground existing overhead power/phone/cable lines.

Chapter 8, Open Space and Conservation:

- Pg. 8-24: Added wording to Implementing Action OS1.P to describe the process that is triggered if jurisdictional wetlands cannot be avoided.

Chapter 9, Public Health, Safety and Noise:

- Pg 9-5: Figure 9.1 depicting the locations of flood zones has been updated.

Chapter 10: Climate Change:

- No change of substance

Chapter 11: Housing Element:

- Separate document. No changes.

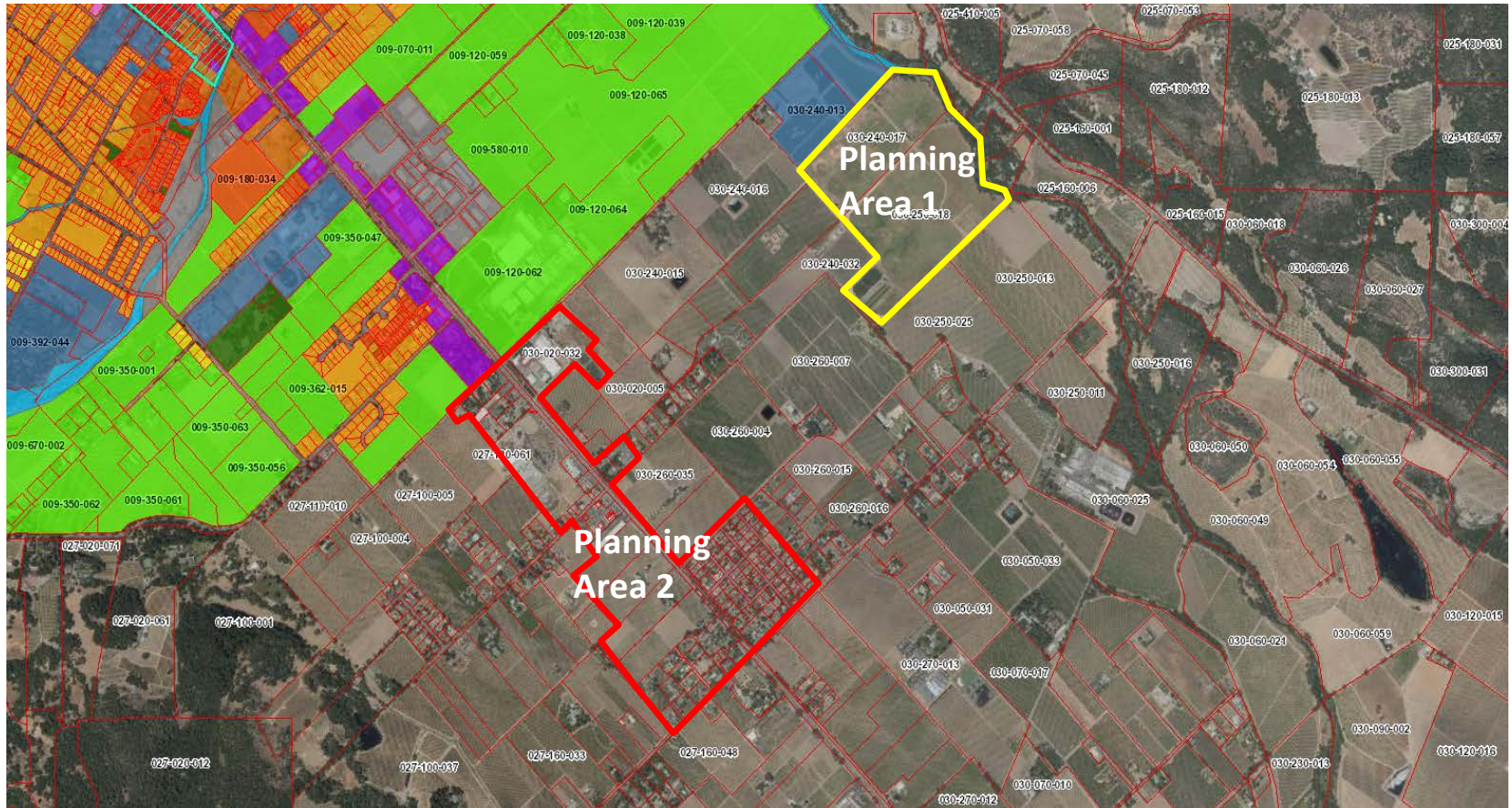
Chapter 12: Parks and Recreation:

- Pg 12-12: Based on Council direction, modified Policy PR1.1 to state that while the City goal is 10.5 acres of parkland per 1000 population, due to State law the City's park fee is limited to a ratio of 5.0 acres of park per 1000 population.

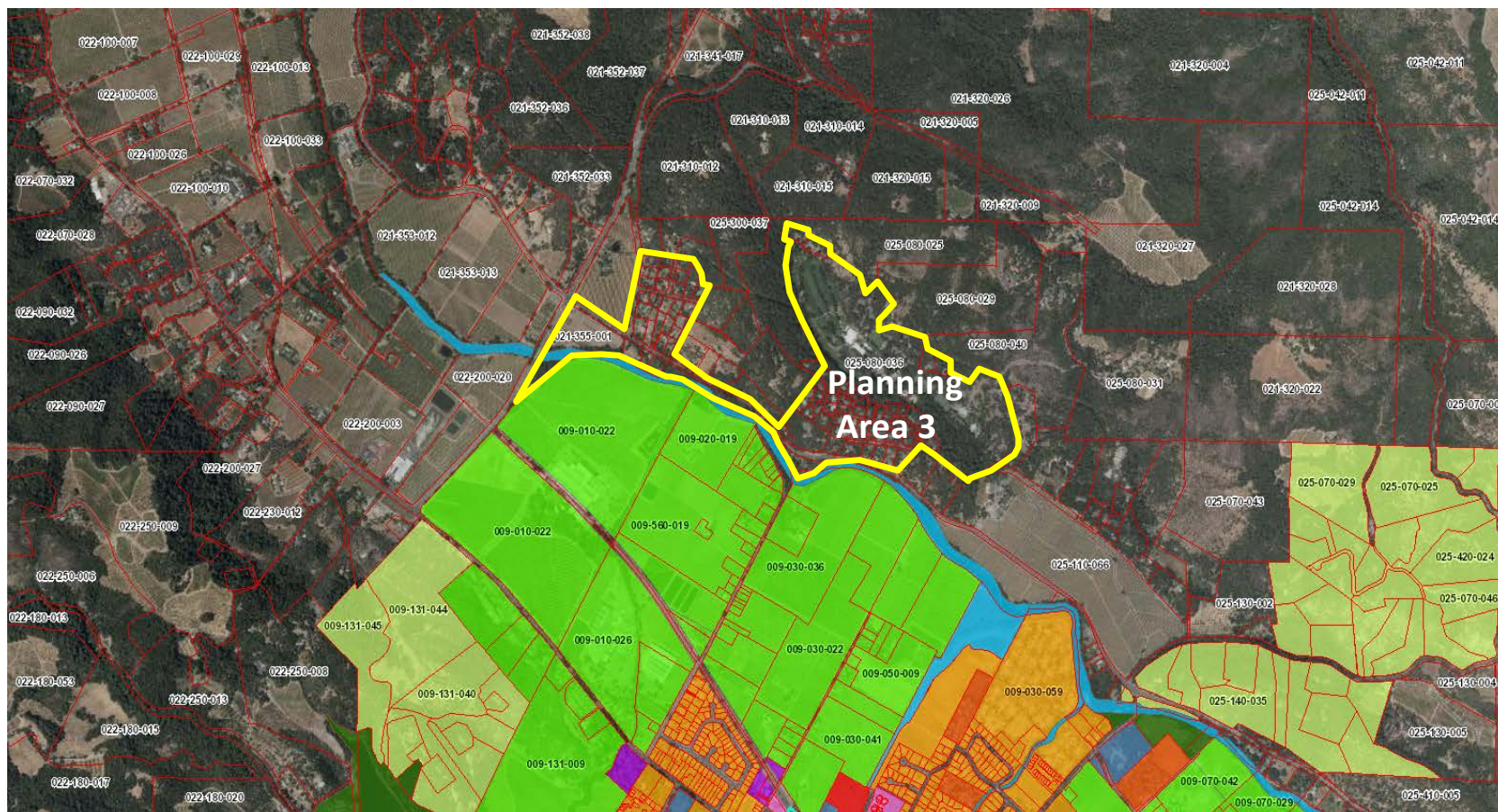
Chapter 13, Arts, Culture, and Entertainment:

- No change of substance

Potential Expanded Planning Areas



Potential Expanded Planning Areas



Members of the Planning Commission

Over the past nine months I have been in contact with Victor Carniglia, consultant to our City related to the pending General Plan. Since resolution of the City's efforts to potentially locate Hotels in residential neighborhoods, we have focused our efforts on six specific provisions of the Plan. At the June 21 Planning Commission meeting I advised the Commission that our requests for change to these six provisions should be considered separately from the requests made by Citizens Voice and the Chair advised Staff to work with us to finalize our comments for submission back to you.

I am attaching a request for change that was prepared in early May identifying these six provisions and our argument for change. Our intent was to submit this document to you, the City Council and City Staff, however we sent the request to Vincent in advance and he encouraged me to work these issues through with him as opposed to submitting them to the City.

Vincent and I have come to agreement on each of these provisions but he requires your approval to amend the plan prior to submission to the City Council. I am attaching a summary sent to Victor on May 13 with my understanding of our verbal discussions and his response on May 16. I would like to confirm the actions to be taken based on my best interpretation of Victor's responses.

LU2.6 – to be removed if the proposed Low Medium Density is adopted and left as is if Low Medium Density is not adopted.

ES1.F – wording should be modified to clarify that the intent of this provision is not to include visitor serving uses in Medium and High Density zones.

ES2.2 – to remain as is but amend Chapter 1, the Introduction, to stress the importance of and need for periodic review of the General Plan, state how often the review should occur, and identifies the issues that should be focused on as part of the regular review which would include "measuring" tourism and the impacts of tourism.

ES2.3 – In lieu of caps on hotels and motels, definitive criteria will be created for all lodging uses which will be used by City decision makers to judge the merits and acceptability of approving an addition to or creation of a new lodging facility. Lodging facilities would include all facilities which offer overnight lodging as a routine part of its business except Short Term Rentals. Implicit in this is a requirement that the bar is set high and relies primarily on the level of benefits to our community.

ES2.A – Requires better definition of discount chains and prohibition of chain stores including recitation of the kinds of retail the City is trying to avoid.

ES2.B – Needs to reiterate that lodging is not permitted in any land use that permits residential development or creates neighborhoods. ES2.A and ES2.B need to be in sync as to removal of caps and not duplicative.

Time is now of the essence so we respectfully request your approval on July 19 2016. George David

Members of the City Counsel, Planning Commission and City Staff

RE: Proposed General Plan as Reflected in the April 2016 Version

On behalf of our coalition of neighbors and neighborhoods, we appreciate the significant efforts being expended to complete the General Plan. As stated in its introduction, "the St. Helena General Plan is a powerful policy and implementation tool designed to reflect the change that has occurred since the adoption of the 1993 General Plan, responds to the community's visions and desires for its future and addresses changes anticipated to take place in the years to come through 2035". As such it is the most important single document to be approved by City Government in a generation and should carefully consider comments for change as expressed by its citizens.

We recognize that perfection is unachievable and that further delay in adoption of the Plan is undesirable but no Plan of this importance should receive final adoption until it represents the best collective efforts of its citizens and Government. To that end we ask that you consider the following specific changes to the General Plan and ask that City Staff use its best efforts to implement them.

LU2.6 St. Helena Medium (16) and High Density (28) zoned parcels currently allow densities in excess of all other communities in Napa County by a substantial margin and are very high compared to other small rural California City's yet this provision encourages consideration of exceeding the permitted densities in residential neighborhoods. The potential density bonuses for Affordable Housing, 20%, more than adequately accommodate any proposed Affordable Housing developments so it seems illogical to include this provision in the GP, especially since the anticipated new Low Medium density will significantly reduce the number of Medium Density sites in the City. This fly's in the face of the objective of the Low Medium density which is to conform existing neighborhoods to their actual use and would exacerbate the pressure to increase density in some neighborhoods with large undeveloped sites creating imbalances in certain specific neighborhoods in the City as opposed to equitable distribution throughout the City. This provision should be removed.

ES1.F We ask that you insert the words "other than hotels or other forms of overnight lodging" after uses in sentence two, or other specific language that makes it clear that hotels and any form of overnight lodging is not permitted in residential neighborhoods. In light of past attempts to permit hotels in residential neighborhoods except as permitted by the Short Term Rental Ordinance and the definitive retraction thereof by the City Council due to public outcry, we believe it is essential to eliminate any language in the GP that would encourage or permit such uses.

ES2.2 We ask that you add the following words to the end of the sentence ending in market "or that compromises the quality of life for St. Helena residents by significantly increasing number of tourists as benchmarked by professional measurement every five (three?) years". I could write a book about the necessity of maintaining our quality of life and the potential effects of increased tourism on that

quintessential goal but the more often we repeat that goal and protect it, the better. Without consistent periodic measurement of tourists and adjustment, we cannot assess their impact and defend our goal or our citizens.

ES2.3 We ask that you rewrite this provision to read as follows: “Ensure a diverse mix of uses that avoids an over representation of any particular use. Establish reasonable caps on the number of hotels, motels and every other form of overnight lodging providing rooms or accommodations and continue to limit vacation rentals. Establish a process for periodic review and updating of the caps”. We know that that additional hotels and lodging are the fastest way for the City to generate revenue that is sorely needed and support reasonable expansion but caution must prevail if we want to maintain our small town character and quality of life. By eliminating the cap, just as Circes invited all to come so that they could be destroyed by the rocks, we need to make it clear that we are not wide open to multiple or unlimited hotels and lodging but are selectively interested and no single statement can make that more clear than establishing a reviewable cap. The GP runs through 2035 and should express our long term goal not near term solutions that can cause great damage that can never be undone.

ES2.A We ask that the words “chain retail stores” be inserted after “discount stores” and that the following words be inserted at the end of the second sentence “but do not conflict with the character of the City or negatively impact neighbors or neighborhoods.” Nothing distinguishes St. Helena from the vast majority of the world more than disallowing chains in any form and if chains are ever allowed will change our community forever and make us like every other City. Uniqueness is a very large part of our appeal and drives our quality of life and desirability to create values both in the place in which we live but also in the financial security of maintaining the values of our homes and the integrity of our community. This uniqueness is our “brand” and St. Helenians are willing to pay for and fight for that brand. While it is tempting to change to increase financial prosperity for some, destruction of our brand in the process is completely wrong. As discussed, neighbors and neighborhoods are the glue of our community and must be protected and preserved.

ES2.B We ask that you insert the words “, neighborhoods or neighbors” after community. The last sentence should be eliminated. This is consistent with our efforts to protect neighborhoods and neighbors and to maintain caps on hotels and other forms of lodging.

GENERAL PLAN PROVISIONS UNDER REVIEW

LU2.6 Consider allowing higher density housing in single family neighborhoods within Medium and High Density Residential Land Use Designations as long as the development character of the single family area is maintained, including lot widths, orientation to street, building heights, onsite parking, traffic, noise, among other considerations

ES1.F Provide development incentives for new visitor-serving businesses to develop affordable workforce housing either through construction of housing or payment of an appropriate in lieu fee to develop housing elsewhere in the City. Such incentives shall include consideration of visitor-serving uses in Medium Density Residential or Higher Density Residential where a project provides affordable housing or an appropriate payment of an in lieu fee.

ES2.2 Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.

ES2.3 Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms, and restaurant seats but continue to limit vacation rentals.

ES2.A Continue to prohibit formula restaurants, chain discount stores, and time-share lodging projects (excluding Fractional Ownership Lodging). Consider destination membership clubs and other potential lodging options that contribute to the Transient Occupancy Tax (TOT) revenue stream.

ES2.B Study and recommend guidelines for permitting lodging uses in a range of land use designations, and ensure that the requested uses will not result in significant adverse impacts to the community while recognizing that the hotel taxes provide a valuable source of revenue for the City. Remove the cap on the number of hotel and motel rooms.

Prepared by George David

Noah Housh

From: Victor Carniglia <VCarniglia@cityofsthelena.org>
Sent: Monday, May 16, 2016 5:30 PM
To: George David
Cc: Noah Housh
Subject: Comments about GP language

George,

Thanks again for being open minded and flexible, and for your commitment to trying to find the right balance on this policy stuff! The following are my thoughts in red italics under each policy you raise/discuss:

LU2.6 Higher than permitted density in medium and high density zones – You indicated that you see no need for change in this unless the proposed low-medium density is adopted, in which event you would agree that it is not necessary to include this provision in the GP. Can we adopt an approach that if and when the proposed low-medium density is approved, this provision will be dropped?

I agree. The wording is not really needed if the City adopts the proposed Low/Medium Density designation, or something equivalent. Also, the requirement to prepare Design Guidelines should address the need for any proposed higher density housing to be compatible with neighboring single family.

ES1.F Encourage incentives for tourist serving businesses located in medium and high density zones if affordable housing or in lieu fees are paid – I think I missed the boat on this one as my notes just don't make sense. The goal is to keep lodging out of residential neighborhoods while this provision encourages their creation through City incentives so long as affordable housing is created or in lieu fees are paid. Need your help but this is a major issue to us. There are no tourist serving businesses that belong in neighborhoods unless the neighborhood is mixed and has an existing level of business participation, i.e., in the center core.

I concur the wording as proposed needs to be modified. I presume the second sentence intended to refer to locating proposed work force housing for visitor serving uses in the Medium and High Density zones, and not locating the visitor serving uses in the Medium and High Density zones! In any case this policy needs some work.

ES2.2 Believe we agreed that all tourism, even upscale tourism, needs to be measured periodically, that tourism needs to be managed, and that tourism management is a major element to be considered in reviewing and amending the GP. Believe we agreed to leave this provision alone but to include a requirement in the GP periodic review and amendment section to measure and manage tourism as a part of the required review of the GP. We discussed quarterly review but not sure that is appropriate

As you say let's leave Policy ES2.2 as currently worded, and add a section, probably in Chapter 1 Introduction, that stresses the importance of and need for a regular periodic review of the General Plan, states how often such a review should occur, and identifies the issues that should be focused on as part of the regular review, which could include "measuring" tourism and the impacts of tourism.

ES2.3 Create diversity of use and remove the cap on hotels and motels – Know that you favor no cap and I will do my best to sell this to our group, subject to what we discussed and that is the establishment of definitive criteria for all forms of overnight lodging, not just hotels and motels, to protect the City. The criteria would be tight legal criteria and possibly include benchmarks. One of the criteria would be no lodging in residential

neighborhoods as approved by the City Council. Do you want us to take a shot at creating the criteria, would you like to do it jointly, or do you want to create it?

I would picture staff taking the first shot at preparing criteria for decision makers to consider in making a decision on hotel/lodging uses seeking to locate within the City of St Helena.

ES2.A Continues to prohibits creation of discount chains and time share and encourages destination clubs and other forms of lodging – Believe we agreed that discount chains needs to be carefully defined and that chain stores be prohibited and carefully defined. We did not discuss the destination clubs and other lodging which we would object to if they are located in residential neighborhoods. We need to find a way to limit the locations out of neighborhoods and a solution would be creation of the Enterprise Zone(s) that are discussed below, but we don't want to count on that.

I agree completely that we should try to better define discount chains and the kind of retail the City is trying to avoid, and make it as clear as we can. Not sure how the enterprise zone concept would work. Let's discuss.

ES2B. Study and create guidelines to allow creation of lodging in a number of land uses and remove the caps on hotels – The creation of lodging criteria including no lodging in residential neighborhoods is a help in potentially limiting the application of this but it now occurs to me that the lodging criteria should cause modification of this provision to other land uses so I am not sure ES2B has a purpose. Also don't see why removal of the Hotel and motel cap needs to be repeated.

There is definite duplication/overlap between ES2.3 and ES2.B. The duplication is in part due to the fact that ES2.3 is a "Policy" while ES2.B is an "Implementing Action". Implementing Actions are supposed to be more detailed/specific. As you say ES2.3 and ES2.B need to be in "sync" and work together without duplicating each other.

Goal 5a., Opportunity sites and the proposed Low Medium Density – I would like to take a shot at marrying these elements with particular emphasis on creating an Opportunity Zone or zones, relocating and creating more Opportunity Sites to locations within the zones, limiting TOT producing lodging uses to the zones, including all of the new Mixed Use sites in the Zones, creating City incentives for redevelopment in these zones, removing "spot" zoning from neighborhoods Citywide, including all remaining single family housing in the City in the Low-Medium density designation, and amending the Housing Element with state Approval. Once your input is received, I would ask you to include a Policy in the GP and whatever implementing language that would be required to cause the City to vet and adopt the Enterprise Zones and all related zoning or use changes within a certain timeframe. I know we will discuss this one!

I appreciate where you want to go with this wording, but a key stumbling block that needs to be avoided is propping wording in a General Plan Policy or Implementing Action that conflicts with the Housing Element. Perhaps this issue could be addressed as part of the future periodic review process focusing on optimizing the "Opportunity Sites", as long as it is clear that such a future action would likely trigger a General Plan Amendment to the Housing Element, and that such a GPA would involve State HCD review.

Thanks again for your thoughts/ideas!!

Victor



June 24, 2016

TO: Victor Carniglio, Noah Housh
City of St. Helena Planning
FROM: Mary Stephenson, John Sales, Howard Siegel and Steve Goldfarb
Representing Our Town St. Helena

Our Town St Helena request that the City Council consider adding wording to the Land Use and Growth Management section of the draft General Plan under the Topic Area Five: Agricultural Uses. This new wording would clarify how this section applies to Affordable Housing Opportunity Sites as well as the ability to expand housing of all types in St. Helena in the future.

We have made our comments in **red** below in the areas that appear to address this challenge. There may be other segments of the General Plan that would need modification based on these proposed changes. The placement and proper wording of such changes is up to you. The goal is to make sure the opportunity to build housing – both affordable and workforce - within the Urban Lot Line is not impinged upon by the desire to maintain vineyard in town.

st.helenageneralplanupdate2035, APRIL 2016

2. Land Use and Growth Management

The Urban Limit Line strictly limits development in order to protect agricultural uses.

Policies

LU5.1 Discourage conversion of existing farmland to non-agricultural uses **[Exclude opportunity sites from this statement.]**

LU5.3 Strictly limit development on properties existing at the time of the adoption of this General Plan that are designated ~~or used~~ as agricultural land. **[Should not include sites not zoned agricultural even if they are in vine.]**

Implementing Actions

LU5.A Update the zoning ordinance and map to be compatible with the General Plan land use map and designations. **[Note: We do not think that land the is not currently zoned for Agricultural Use should be rezoned to Agricultural use even**

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if the land is currently farmland. This would preclude such parcels as being affordable and workforce housing sites in the future.]

LU5.C Explore the feasibility and desirability of implementing permanent agricultural protection for lands within the Urban Limit Line in the form of agricultural preserves. [The County Agricultural Preserve mandates that all housing should be located in the urban areas. Allowing additional agricultural preserves within the Urban Limit Line would seem unnecessary and contrary to the spirit of the County Ag Preserve.]

LU5.F Evaluate rezonings, or General Plan amendments to determine their potential for impacts on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance mapped by the State Farmland Mapping and Monitoring Program and avoid converting these farmlands. [What parcels within the Urban Limit Line would be considered? We do not see this in the current maps.]

LU5.I Evaluate discretionary land use applications, rezonings, and/or General Plan amendments outside the Urban Limit Line to determine their potential for impacts on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance mapped by the State Farmland Mapping and Monitoring Program and avoid converting these farmlands where feasible. Where conversion of farmlands mapped by the state cannot be avoided, require long-term preservation of at least one acre of existing farmland of equal or higher quality for each acre of state-designated farmland that would be rezoned or redesignated to non-agricultural uses.

This protection may consist of establishment of farmland easements or other similar mechanism, and the farmland to be preserved shall be located within the City and preserved prior to approval of the proposed discretionary land use application rezoning, or General Plan amendment. [Not sure the motive or impact of this action but assume it will be addressed in the evaluation process.]

LU5.H Prepare and adopt guidelines and regulations to assist in the determination of the appropriate type and scope of agricultural buffer areas needed in circumstances that warrant the creation of such buffer areas. [Same comment as LU5.1]



June 21, 2016

TO: Noah Housh, Victor Carniglio
City of St. Helena Planning
FROM: Mary Stephenson, John Sales, Howard Siegel and Steve Goldfarb
Representing Our Town St. Helena

Our Town St Helena joins the St. Helena Planning Commission in requesting that the City Council consider removing the LMD zoning change that was added to the draft General Plan at the council's request in 2015. This zoning change will have a significant affect on housing in St. Helena and warrants more analysis and reflection. It is our opinion that the General Plan is not proper place to initiate this zoning change and that it would be better to analyze the City's residential zoning after the General Plan is approved.

This would allow the Council, Planning Commission, staff and community to give this change due consideration as part of an overall housing strategy. It would also allow the much-delayed General Plan to move forward to completion.

Our opinion on why a LMD Zoning change should not be included in the General Plan is based on the following factors:

1. The proposed LMD Zoning contradicts the 2015 Housing Element
2. It will have a negative impact on the ability to provide local workforce housing in the coming years
3. The change in strategy received inadequate community input and staff analysis

1. CONTRADICTS THE 2015 HOUSING ELEMENT

It is OTSH's opinion that the LMD proposal is not aligned with the stated goals, policies and implementing actions of the city's Housing Element dated May 25, 2016, as excerpted here:

Goal 2: Efficient Land Use and High Quality Neighborhoods

Policies

1. HE2.1 Encourage higher density development where appropriate.

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2. *HE2.2 Ensure that higher density housing opportunity sites are not lost to lower density uses.*
3. *HE2.3 Promote mixed-use developments.*
4. *HE2.4 Promote second unit production.*
5. *HE2.5 Allow conversion of single-family homes to multi-unit dwellings.*
6. *HE2.6 Promote a balance of types of housing throughout the whole community.*

Selected, Applicable Implementing Actions [emphasis added]

HE2.A : Provide incentives for higher density housing. Explore possible incentives for building attached market rate housing units for rent and for sale. Incentives to adopt as appropriate include, but are not restricted to, fast tracking development applications, deferred development fees, reduced parking and/or other city standards, and density bonuses.

HE2.B: 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.C

Amend regulations to discourage exemptions from the minimum density requirements. The City shall discourage exemptions for minimum density requirements and establish mitigation measures for exemptions in the Zoning Ordinance.

HE2.-P: 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 potential sites on the City's web site. In addition the City will explore and adopt as appropriate incentives to encourage affordable housing clusters, including, but not limited to priority permit processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus.

2. NEGATIVE IMPACT ON ABILITY TO PRESERVE AND BUILD LOCAL HOUSING

The primary reason stated for the down zoning of the majority of our current residential parcels is to "preserve neighborhood". The Planning Commission staff report dated 4/19/16 states that "the proposed creation of the new Low/Medium Density designation would avoid the potential for as many as 1500 added multiple family units being "squeezed into the City's existing single family neighborhoods." While this may be a factual statement, it is unrealistic and not a valid reason for such as significant change in zoning. Most importantly it does not address the main factors that are compromising our neighborhoods.

By far, the two biggest impacts on local neighborhoods in the last ten years are as follows:

1. Transition through renovation or replacement of moderate-priced homes into large houses, most of which take advantage of the guesthouse density bonus to fill small lots to the maximum.
2. Significant reduction of existing local housing units, many of which were workforce housing, as more single family houses are converted to second homes

The first impact is allowed, even encouraged, by current city policy. This is a policy that should be getting staff attention at the direction of the Council. Although the City cannot stop the influx of second homes, it can make every effort to balance this impact by preserving some percentage of moderate housing in all of our neighborhoods. Rather than address the need to increase housing density, as stated in the Housing Element Goal 2 – Efficient Land Use and High Quality Neighborhoods, the LMD proposal actually makes it more likely that more parcels will be either overbuilt as SFD and/or become second homes since the down zoning virtually eliminates any development other than SFD and guest houses. Given the median home price of over \$1,000,000, few working families will be able to buy or build in St Helena's established neighborhoods.

The proposed down zoning would prohibit building small projects of affordable or workforce housing as neighborhood infill. In effect, it establishes a city policy that appears to continue a disingenuous approach to housing since the Council and the community has not supported any of the larger affordable housing plans presented in the last 10 years. With a shrinking housing pool, no in-fill and strong resistance to larger projects, what will happen to our neighborhoods? We are not preserving neighborhoods by this change, but assuring that only affluent residents and weekenders will be living in our town.

If the City of St. Helena had a housing strategy it would most likely identify the scope and range of housing needed over the next decade. There are a variety of needs and each require a different type of housing:

- Additional Low and Very Low Income Rentals are needed and financial realities require that this type of housing be built in developments of at least 28 units. These are the types of projects that can and should be built on opportunity sites.
- Smaller complexes are financial feasible for market rate rental and there are some projects in the works in St. Helena now. The designated opportunity sites as well as smaller MD parcels around town are viable for this type of housing.

- Low-Income Homeownership is financially possible only through Self-Help Programs; these usually consist of 6 to 12 attached units, which require a minimum of .5 acres.

What's missing is Moderate Income & Market Rate rentals and homeownership. There are very few, if any, homes on the market in St. Helena that are affordable to working families making from \$50K to \$150K. This will be our town's biggest challenge in the next few decades if we are to maintain our economic vitality and our small town character. It is the middle class who volunteers at the schools, shop at Steve's Hardware and Brown's Auto Parts, who belong to the local health clubs, take their dogs to the local vets. Our local serving businesses and services depend upon their patronage and these businesses are experiencing decreased revenue as the number of second homes increase. On the flip side, local employers find it increasingly difficult to hire skilled workers – particularly at mid and high management level - because of the housing shortage. Homes that have been available to this group in the past are disappearing from our neighborhoods. We can point out a dozen previously moderately priced homes that have been sold in the last 24 months, all with plans to become multi-million dollar second homes.

This is the biggest housing challenge St. Helena is facing and it will not be solved on the large parcel opportunity sites, particularly with our current codes allowing for estate home developers to count guest houses as a second unit for density thus making it even harder to get anything built except for multi-million dollar houses.

There is growing interest with our neighboring communities of Calistoga and Napa to find ways to balance the massive increase of high-end homes with a strategy to maintain some homes as local housing. Using duplexes, triplexes and fourplexes to provide moderate and market rate homes scattered throughout our neighborhoods as housing for working families is a worthwhile objective. It is not easy and it is expensive but it is also not as susceptible to nibbyism and can be done with creative planning and political will. There is interest in using industry funds and transfer tax revenues to develop a "Community Preserve" which would support the Ag Preserve by providing housing in town, as well as balance the influx of second home with the type of housing needed to actually preserve our neighborhoods. It is OTSH's opinion that we do not need to guard against "1500" units being "squeezed" into our neighborhoods. We would certainly like to see 20 or 30 such units scattered throughout town over the next decade. Particularly knowing that St. Helena has lost an estimated 200+ houses to second homeowners in the last decade.

It is in the proposed LMD areas of St. Helena that this type of development can occur. Examples are the fourplex on Tainter, which provides housing for the volunteer firemen, and the duplexes on Oak and on Allyn Avenues. These small, multi-unit buildings have existed within our neighborhoods for years with no problems. Our community would be well served by having more of these small, multi-unit buildings to balance the "fill-the-lot" estate homes that are springing up

all over town. The proposed LMD zoning would eliminate the vast majority of parcels that are suitable for this type of housing.

Wouldn't it make more sense to analyze the existing challenges of MD zoning in the context of our larger housing needs and do so separately from the General Plan? Unless we review this proposal in context, it could have far-reaching negative effects including allowing significant changes in our neighborhoods as they continue to be filled with affluent, but absent homeowners.

3. INSUFFICIENT COMMUNITY INPUT AND CITY ANALYSIS

The Council probably discussed this issue during the many meetings it conducted as it pursued a line-by-line edits to the General Plan. However, the LMD zoning change did not make it into the Housing Element that was approved in 2015 nor into the General Plan draft that was in place at the time the Housing Element was approved.

On April 15, 2015 the Council asked city staff to address a residential zoning issue as part of the General Plan. There was consensus on the Council to do this but no specific direction was given at the meeting other than to address the "MD issue". From that meeting on April 15 until the September 8 General Planning work session, the residential zoning issue did not appear on any Council agenda.

On September 8, 2015 the Council held a work session to discuss the General Plan. To our knowledge, this was the first public airing of the proposed LMD change. This discussion happened at the same meeting in which another new GP element was introduced – building hotels on MD residential parcels – which received considerable negative resident reaction from the neighbors who did not want to see a hotel built on the old Romero property.

OTSH did not see the agenda that came out on Friday, September 4, before the meeting so we did not know of this major zoning change was included in the GP. From the tape of the meeting, it appears the council only concern about the LMD change was if the rezoning would affect the opportunity sites, which it did not. There was no reference made to how this zoning change coordinated with the 2015 Housing Element or how this change was reconciled with at least some council member's long-standing publicly spoken objective to see "small, in-fill developments because that is what the community wants."

To our knowledge, these are the only two public discussions about this significant zoning change until the GP vetting session with the Planning Commission on April 19, 2016. None of the staff reports and neither of the City Council meetings, as viewed on video, address how removing 57% of MD housing parcel would affect our town's ability to house it's workforce beyond building low income rental units of opportunity sites.

OTSH request that this proposed zoning change be considered in context of a larger housing strategy for St. Helena and be fully vetted – not as a General Plan element - but as a zoning issue.

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Public Comments Before the St. Helena Planning Commission

Victoria Bradshaw
May 3, 2016

Thank you for the opportunity to speak this evening. My name is Vickie Bradshaw and I am a resident of St Helena.

The issue I would like to address is related to the Draft General Plan section on Land Use, specifically as it relates to the development project frequently referred to as the Hunter Subdivision Project. I recognize this has become a controversial subject, which is part of the reason my husband, David, and I have spent so much time and effort trying to figure out exactly what has happened. As a result, we have read the Draft General Plan and the draft EIR on this project. We have read all of the minutes from City Council and Planning Commission meetings since as far back as the minutes go on this subject. We have read the 2008-2009 Grand Jury report, recent scientific research on the subject of levees, relevant court cases, staff reports, newspaper articles and other pertinent documents. We recognize, of course, that most of the people currently on the Planning Commission and the City Council were not involved in the events that started before 2008.

After doing all of this research, it became apparent to us there is one issue that has not been discussed in public and in any comprehensive manner by either the Planning Commission or the City Council. That issue is a complete analysis of the potential economic liabilities to the City associated with building homes on the land-side of the St Helena levee, as well as the fact these liabilities could be eliminated or significantly reduced simply by rezoning this 16.9 acre Hunter parcel to agriculture land.

The original land swap deal and alleged commitments made by the City Council to the developer were not part of a transparent process, were found to be in violation of the open meeting Brown Act by the Napa County District Attorney, were not subject to any input from the Planning Commission and did not allow for any meaningful public comment or public scrutiny. There may have been a good reason for this during the two-year period of time the negotiations with the developer took place, but the result is that everything coming from those closed-door non-public actions should be now subject to heightened public scrutiny. This would include any form of communication between the developer, his attorneys or his staff that helped focus the design and placement of the levee, behind which he now proposes to build 87 residential units. The issue of the construction of the levee and the

building of homes on the land-side of the levee are basically intertwined subjects, as are the associated economic liabilities.

The **first** potential economic liability to the City involves whether or not the levee was in anyway designed and subsequently constructed to allow the building of homes on the land-side of the levee. If so, an argument could be made that public monies were spent to benefit a developer by increasing the value of the developer's property, rather than to benefit the general public. The argument would continue that the protection of existing structures and homes may have been compromised to allow growth through new housing construction on the land-side of the levee. The lawsuit by the Fulton Lane residents to stop the building of the levee is just one indication that not all existing structures may have benefited from this specific levee design or may even have been sacrificed to benefit the interests of a private developer. The lack of transparency in the original land deal could make this particular issue even more problematic for the City.

The **second**, and potentially the most significant economic liability to the City, is if the levee was designed with the idea of allowing growth on the land-side of the levee -- then the City may be in violation of Measure A, which states the following under Section 2:

"None of the projects in the Plan are intended or designed to encourage population growth in Napa County. All of the projects are for flood protection, preserving ground water integrity, reducing sediment in the Napa River system, and for maintaining the reliability of the water supply for the existing Napa County populations on the effective date of this Ordinance."

Under Section 8, Measure A requires:

"The component of the Plan that involves the rest of the County must include the following projects which are designed to protect against flooding, improve water quality, preserve the integrity of ground water resources and/or stabilize water supply reliability for the existing Napa County population as of the effective date of this Ordinance. None of these projects are intended or designed to expand water capacity for growth or new development."

In addition, under Section 9, Measure A requires:

"Informing the public if there is an expenditure of the Flood Protection Sales Taxes that will be generated as a result of the approval of this Ordinance by the Authority and the electorate, which is inconsistent with the purpose and intent of this Ordinance."

In a letter requesting a Measure A reimbursement for \$2.5M for the period of 2009-2010, the Finance Director for St Helena certified that "this project is not intended or designed to expand water capacity for growth or new

development." This request included reimbursement for services that were integral to the building of the levee.

The timing of the land swap deal, the timing of the levee design and construction, the timing of the letting of the RFP for the levee, the levee design itself, the current subdivision projects' timeline milestones, statements by the developer or his representative that alleged commitments were made to him about building behind the levee by City Council Members at the time of the land swap deal, and the City Council and Planning Commission discussions on these subjects could easily lead a neutral party to the conclusion that the levee was designed, in whole or in part, to provide for growth and not simply for the protection of existing homes and structures. The language of Measure A is clear that the residential growth concept currently being considered by the City on the 16.9 acre land-side parcel is entirely inconsistent with Measure A.

If the current development proposal is approved, the City will be exposing itself to litigation regarding its expenditure of Measure A funds on the design and construction of a levee project to facilitate development of property behind the levee. It would be very unfortunate if St Helena found itself having to repay all or part of the Measure A monies, which we believe are now close to \$18M. This would be in addition to all the other financial damage this levee project has already inflicted on the City's finances.

The **third** potential economic liability to the City involves the levee project itself. There is no one who could describe it as a model public works project. It has put the City finances completely upside down for years now and potentially until the year 2028. The City has had to hire a forensic accountant just to figure out where the public funds were spent. And if those funds can't even be accounted for properly, it shouldn't give anyone any confidence that anything else on this project was done correctly.

I happen to know a little about public works projects, since I was the Secretary of Labor and Workforce Development for the State of California, which oversees public works enforcement and makes the determination of whether or not a project is, in fact, a public works. Among other things I have also been the Deputy Chief of Staff and Cabinet Secretary to two California Governors. So I have been involved in most of these public policy issues for a very long time.

If it can be shown that public monies were spent for the purpose of increasing the value of a private development, there is a distinct possibility this subdivision proposal could be determined to be a public works project. If

this is even remotely a possibility, it would behoove the City to find out ahead of time, in order to avoid these additional problems and potential liabilities.

The **fourth** potential economic liability to the City deals with life and property safety issues and the City's financial responsibility in the event of a 100-year flood or in the event of a levee breach or failure. We've heard that some people rely on the fact that "lots of cities build homes behind levees" as a justification for why St Helena should do the same. But that hasn't worked well for a lot of those cities and not just because the levees were old. Building behind levees is not without its risks and even FEMA believes this is the case, otherwise they wouldn't be strongly recommending flood risk disclosures and flood insurance for all homes built behind this levee. The financial liability of such an event could literally bankrupt St Helena.

There also has been a significant amount of scientific research done on this very subject, and one important study by a UC Davis expert on levees was just published this past February. The upshot of that research is that levees should only be built to protect lives, to protect property and to protect EXISTING structures. Levees should not be built to promote growth.

The bottom line is there is more than enough potential economic liability for the City to stop and take a renewed look at the serious risks of a breach or failure of the levee, as well as the occurrence of a major storm. We know that there have been 27 major floods in our area in the last 150 years. So, the ultimate question for every member of the Planning Commission and the City Council is, do you feel so confident that this levee will never fail or breach so that you would be willing to gamble the entire financial future of the City of St Helena on it, just so we can have a housing development on this particular parcel of land? I don't know anyone who would take that bet.

In conclusion, this parcel needs to be rezoned as agricultural land in the General Plan and it needs to be done now. We don't need this proposed subdivision and, far more importantly, we can't afford it. The economic downside of this project may put the City in financial jeopardy for decades to come, which is not what any of us wants. This discussion can no longer be held only in closed door sessions with the result that the public has no ability, whatsoever, to express an opinion or to know what is going on. That is exactly how we got in this mess in the first place.

Thank you for your patience and consideration.

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MAR 17 2016

City of St. Helena

March 14, 2016 City of St. Helena

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Planning Commission

RECEIVED
PLANNING DEPARTMENT

City of St. Helena

St. Helena, CA

Subject: Planning Commission Public Hearing, General Plan

Dear Commissioners,

The updated General Plan is scheduled for delivery to the Planning Commission on March 28, 2016 with delivery of the GP EIR to follow on April 4 2016. According to the February 22 GP update attached to the City Council Agenda as item 7 on its February 23 2016 meeting agenda, a public hearing is tentatively scheduled by the Planning Commission at its meeting on April 19, which is 15 days after the forty five day comment period on the GP and its EIR begins. We ask that you schedule the public hearing for May 3 2016 to allow additional review time and preparation for reasons stated below.

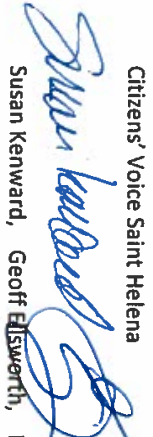
We have reviewed the GP posted to the City Website on September 8 2015 which includes extensive changes from the previous posted GP, but an undetermined number of changes made after September 8 2015 have not been disclosed. While the City Council update stated that all of the changes since the September posting had been made, based on an email we received from the City's GP consultant Victor Carniglia, no changes have been made since September 8 2015 because updates are still in process due to changes required by the EIR which is not yet complete. Mr. Carniglia advises in his email that no changes will be posted online until March 28 or the day that the revised GP is delivered to the PC.

Considering that the EIR exceeds 600 pages in length and no update has been provided since August 2010, and the fact that changes to the GP made since September 8 2016 will not be disclosed until March 28, it is unreasonable to hold a public hearing with only 15 days of review time by interested and concerned citizens, or their representatives.

We respectfully ask that assuming the updated GP is released on March 28 and the EIR on April 4, you schedule a public hearing on these subjects not earlier than May 3 2016 or not earlier than 30 days after release of the updated GP and its EIR.

Respectfully,

Citizens' Voice Saint Helena


Susan Kenward, Geoff Elsworth, Douglas Barr, Michael Caldarola, Faith Echtermeyer


Faith Echtermeyer

Noah Housh

From: Doug Barr <trpbarr@comcast.net>
Sent: Saturday, April 16, 2016 10:53 AM
To: Victor Carniglia; Noah Housh
Subject: well done

Victor, Noah: Your UGP Study Session Guide, is extraordinarily clear, concise and informative. It should go a long way in smoothing the discussion of a ridiculously complicated comparison of multiple drafts, voices, agendas, generated over way too much time. Your heads must've been ready to explode at times but you managed to pull it off. Well done!

Doug

Douglas Barr

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Noah Housh

From: Libby Shafer <libshafer@gmail.com>
Sent: Monday, May 30, 2016 2:48 PM
To: Noah Housh; Aaron Hecock
Subject: Adding an Agenda Item to June 14, 2016 City Council Meeting

Dear Noah and Aaron,

We would like to ask you to add an agenda item to the June 14, 2016 City Council Meeting.

That item is: Discussion of the addition of the Low Medium Density Zone to the General Plan Update

We believe it is prudent and wise to wait until AFTER the General Plan Update and the General Plan EIR are approved, and certified, BEFORE changing any zoning districts and would like to have an opportunity to express this at the meeting.

Thank you for your consideration.

Respectfully,

Libby Shafer

Noah Housh

From: Mary Stephenson <stepcomm@aol.com>
Sent: Monday, May 23, 2016 8:21 AM
To: Victor Carniglia; Noah Housh
Cc: John Sales
Subject: Monte Vista Zoning

Victor - congratulations on finishing the General Plan document. I think you did an excellent job of organizing and updating a very complex document. I particularly appreciate the summary explaining the substantive changes made.

However, I was surprised to see that the Monte Vista neighborhood is still zoned as Low-Medium Density. As I have pointed out on multiple occasions to several city officials over the last few years during the General Plan development process, including several emails to you, this one-block long street consist of 12 buildings with over 50 units of rental units. According to Carol Poole, a previous Planning Director, this street was inadvertently zoned incorrectly in the 1993 General Plan. If the zoning is not corrected, the City could lose some of these rental units as these 40 year old buildings are sold, renovated or demolished and rebuilt. St. Helena can not afford to lose any existing rental stock.

According to the General Plan, Low-Medium Density Residential is "Density typical of St. Helena's existing single family detached neighborhoods 4.1 to 7.0 dwelling units per acre" while Higher density Residential (HDR) is "Multi-family housing, including apartments, townhouses and group homes 16.1 to 28.0 dwelling units per acre". All 12 buildings on Monte Vista, including the 1347 and 1357 Monte Vista, which my husband and I owned are multi-unit buildings. I am fairly certain this street meets the density requirements for HDR.

Can you please let me know why this area is not recommended for rezoning in the proposed General Plan?

Mary Stephenson

Noah Housh

From: Mary Stephenson <stepcomm@aol.com>
Sent: Tuesday, May 31, 2016 9:13 AM
To: Victor Carniglia; Noah Housh
Cc: John Sales; Steve Goldfarb; Sara Chrisman Bjerkan; John Brenkle; Yesenia Guitron; Rick Swig; Rebecca Flores; Ericka Holzhauser
Subject: Proposed LMD in General Plan

Noah and Victor - This weekend between Warriors games (incredible!) I spent some time learning about the new proposal included in the amended General Plan which would downzone 57% of the Medium Density property in the city from to Low Medium Density . I have some questions for you:

1. What was the impetus to initiate this change in zoning? Has there been direction from the Mayor and City Council to do this?
2. Why is this change being incorporated into the General Plan at this late date with no vetting by the public, limited discussion by the Planning Commission and no study session by the Council?

I found the details of this proposed change in the Planning Commission staff reports of April 19 and May 17. The stated rationale for the change are: "1. the economics of development and 2. the progressive State preemption of local authority in relation to housing developments". It is further stated that if we do not include this new element in the General Plan that "The City would very likely find itself facing proposals to build multiple family projects of up to 16 units/acre in many of the City's existing single family neighborhoods". Is this not directly conflicting with several of the sitting council members long term stated preference that St Helens should only build "small, in-fill housing projects"?

OTSH has repeatedly asked the current administration to discuss our town's housing challenges for the last two years. To my knowledge, there has been no public discussion on the proposed housing strategy for our city yet this proposed zoning is, in essence, establishing a housing strategy for the next 20 years. And, it appears to me that the proposed strategy is not consistent with the approved Housing Element in that it eliminates opportunities to build multi-unit housing in a large portion of our community. "By right" housing on the opportunity sites - many of which have questionable feasibility - does not seem like a fair trade off.

OTSH has a board meeting on June 20 and we would like to be well-informed before then so we can discuss this subject and form an opinion during the public hearing timeline. Can you please help me and the board of Our Town St. Helena understand why we should not be concerned that this strategy will significantly limit the ability to build a diverse array of workforce and affordable housing in our town in the next 20 years?

Thanks,
 Mary

Noah Housh

From: Pat Dell <pat@dell1.com>
Sent: Wednesday, April 20, 2016 2:01 PM
To: Mary Koberstein
Cc: Noah Housh
Subject: Density discussion at the Planning Commission meeting April 19, 2014

Dear Mary, I really appreciated your stance on the issue of reducing the density on medium density residential lots being changed to medium low. I always appreciate the great deal of research you do before presenting your opinion. It is obvious that you have done this research. I also appreciate that you tenaciously albeit it diplomatically defend your position when you have done that research. You evidenced a lot more understanding of the long standing housing issues in St. Helena that did the consultant who developed this policy. Everything I read shows City Councils making the opposite type of decisions because there is an epidemic of housing shortages in Northern California communities. The concept that we can just build 6-8 units of housing here and there cited by Commissioner Monnette just simply won't work. Even with the City having donated the property on McCorkle where 8 units are being built it was necessary for Our Town to partner with an organization that has Federal support which comes with Federal regulations. Financing for these small developments is literally impossible. So, if the General Plan creates an absolute dearth of building sites that might be appropriate for Work Force Housing they have effectively shut down the building of this type of housing. Thank you again. Regards, Pat Dell

Sept 8, 2015

Dear Mayor Beltracchi and members of
City Council,

I am concerned that a developer wants to build a 100 km. stretch of Highway. It is true - the city needs to increase its revenue. But I am concerned about the negative impact that this and other developments - the Hunter project - having to deal with even worse would have on residential neighborhoods both on the East and West sides of St. Helena. I am sure we can agree that increased traffic and out-migration of residents do not enhance or preserve the safety and character of our neighborhoods and our downtown.

Please carefully weigh all the consequences of these developments and provide plenty of time for public input.

Let's work together on this!

Thank you,

Elizabeth Styrud
St. Helena, CA

My computer crashed so this handwritten letter

St. Helena thrives on tourism.



[St. Helena Chamber of Commerce St. Helena, CA](#)



[St. Helena Chamber of Commerce](#)

[St. Helena, CA](#)

212

Supporters

We, the undersigned, support managed tourism as the economic engine that drives St. Helena. Our jobs, businesses and livelihoods depend on agriculture, hospitality, wine and restaurants. We know that when business thrives, St. Helena can have the infrastructure, services and strong community that we all want.

Incorporating outdated language back into the updated General Plan is futile and new answers to traffic, housing and infrastructure need to be pursued. We cannot limit ourselves by saying no to tourism. With the City's current financial situation, we cannot re-adopt policies that limit our economic options and potential. We believe that there can be a balance between tourism and our quality of life and we endorse strategic, forward thinking economic development programs instead of repeating failed policies.

We have the data: Our quality of life is affected negatively by failed restrictions placed on tourism. St. Helena has severe financial issues due to lack of funding. St. Helena could flourish if we embrace tourism effectively. The facts are:

- Tourists only pay the TOT (Transient Occupancy Tax). This is a hotel tax paid by those who stay in hotels. Residents do not pay TOT. In St. Helena's General Fund, TOT is the least revenue generating source of income for St. Helena bringing in only approximately 10% of the General Fund. Property Tax approximately is 35% and Sales Tax is approximately 25% (remaining is impact and other fees). With TOT revenues remaining 100% in the City coffers (no share with the County or State), St. Helena is not fully taking advantage of this opportunity.
- The City has in place restrictions on tourism with limits on wine sales and production, limited hotel development, caps on restaurant seats and restrictive local serving retail guidelines. This has led to harmful business practices resulting in less sales tax and less TOT than other jurisdictions in Napa County.
- The City is currently in poor financial shape and our infrastructure is weak. St. Helena's Pavement Condition Index (PCI) was 46 out of a possible 100, the worst in Napa County and the fourth worst score out of the 109 Bay Area jurisdictions rated by the Metropolitan Transportation Commission. We have cut our library budget and City services to the bone because of lack of funding.
- Other jurisdictions who have embraced tourism with managed growth are flourishing.
- St. Helena's budget shows a shortfall in revenue unless the Las Alcobas hotel opens and immediately generates revenue.
- St. Helena generates the least amount of TOT of any jurisdiction in the County except American Canyon. We generate \$3 million less than Calistoga and \$5 million less than Yountville. American Canyon generates only \$500,000 less than St. Helena.
- TOT is 100% captured by the City and stays in the City. The direct benefit of hotel rooms are seen in the City's bottom line.
- With only 215 rooms, St. Helena can and should pursue high end hotels; those with less rooms but

higher rates, this is an example of sustainable tourism. Compared to 444 rooms in Yountville and 738 rooms in Calistoga, St. Helena has room to grow.

- Hotel guests spend more in the jurisdiction where they stay. Restaurants fill their second seatings and retail stays open later in jurisdictions where there are more hotel rooms. The indirect benefit of TOT tax is demonstrated in sales tax.
- St. Helena sales tax rises and falls throughout the year in concert with TOT indicating tourists pay a good portion of sales tax.
- The economic impact of tourism shows that each St. Helena resident would pay an additional \$11,741 per person in taxes to maintain our economy if the tourists were not here.
- Tourist spend on average \$389 per day in direct (TOT) and indirect revenue (sales tax) in the City every day.
- 80% of our downtown merchants claim their customers are approximately 50% local and 50% tourism. This demonstrates that the current diversity of retail stores are in line with local serving and tourist serving businesses.
- Bike lanes, the Vine Trail, Wine Train, employer shuttles and other options should be encouraged and supported as car free alternatives to traffic.
- Car free and sustainable tourism alternatives and practices should be adopted rather than restricting tourism.

Yet there are still attempts to legislate against an industry that could put St Helena back on a decent financial track. We feel it is vital and ultimately fiscally responsible to accept and manage tourism to improve our quality of life.

We respectfully request you reject restrictive tourism language proposed for the General Plan. We ask instead that you allow St. Helena to thrive.

Signed,

- Residents of St. Helena,
- residents of Inglenwood, Angwin, Deer Park, north and south St. Helena, and bordering County areas who pay sales tax and help generate sales tax to St. Helena,
- employees of taxpaying St. Helena businesses, and
- business owners who have invested in and pay taxes to St. Helena.

This petition will be delivered to:

- St. Helena Planning Commission and City Council

☐ Letter to

St. Helena Planning Commission and City Council

St. Helena thrives on tourism.

St. Helena Chamber of Commerce started this petition with a single signature, and now has 212 supporters. Start a petition today to change something you care about.

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St. Helena Planning Commission and City Council : St. Helena thrives on tourism.

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Recipient: St. Helena Planning Commission and City Council

Letter: Greetings,

St. Helena thrives on tourism.

Signatures

Name	Location	Date
Pam Simpson	Napa, CA, United States	2016-06-05
Donna Hinds	Saint Helena, CA, United States	2016-06-06
Jay Smith	Saint Helena, CA, United States	2016-06-06
Kaleigh Smektxerr	Napa, CA, United States	2016-06-06
Beth Pryor	Saint Helena, CA, United States	2016-06-06
Sarah Elliman	Saint Helena, CA, United States	2016-06-06
Maria Stel	Saint Helena, CA, United States	2016-06-06
David Brotemarkle	Saint Helena, CA, United States	2016-06-06
Kim Boston	Saint Helena, CA, United States	2016-06-06
Norman Mitroff	Saint Helena, CA, United States	2016-06-06
Kevin Dimond	Saint Helena, CA, United States	2016-06-06
Eileen Gordon	Saint Helena, CA, United States	2016-06-06
Jon Brandt	Saint Helena, CA, United States	2016-06-06
Chris Birdwell	Saint Helena, CA, United States	2016-06-06
Lilia OConnor	Saint Helena, CA, United States	2016-06-06
Skyler Spitz	St Helena, CA, United States	2016-06-06
katie leonardini	saint helena, CA, United States	2016-06-06
Tony Leonardini	Saint Helena, CA, United States	2016-06-06
Farley Green	Saint Helena, CA, United States	2016-06-06
Kris Coryell	Saint Helena, CA, United States	2016-06-06
Joe Ogdie	Saint Helena, CA, United States	2016-06-06
Brent Miller	Saint Helena, CA, United States	2016-06-06
Cameron Crebs	Saint Helena, CA, United States	2016-06-06
Mary Smith	Saint Helena, CA, United States	2016-06-06
Mark Smith	Napa, CA, United States	2016-06-06
John Collins	Saint Helena, CA, United States	2016-06-06
Antonio Castellucci	Saint Helena, CA, United States	2016-06-06
Matthew Heil	Malvern, PA, United States	2016-06-06
Claudia Beck	Saint Helena, CA, United States	2016-06-06
Kimberly L Phinney	Saint Helena, CA, United States	2016-06-06

Name	Location	Date
Marcus Marquez	Saint Helena, CA, United States	2016-06-06
Kerry Groth	Saint Helena, CA, United States	2016-06-06
Sean Knight	Saint Helena, CA, United States	2016-06-06
Catherine Dann	Saint Helena, CA, United States	2016-06-06
perry butler	Saint Helena, CA, United States	2016-06-06
Nile Zacherle	Rutherford, CA, United States	2016-06-06
Shannon Salvestrin	Saint Helena, CA, United States	2016-06-06
Erin Przybylinski	Saint Helena, CA, United States	2016-06-06
carolyn herrandez	st. helena, CA, United States	2016-06-06
Kristine Waldenburg	Vallejo, CA, United States	2016-06-06
Matt Hileman	Saint Helena, CA, United States	2016-06-06
Jared Clevenger	Saint Helena, CA, United States	2016-06-06
Guneet Bajwa	Sacramento, CA, United States	2016-06-06
Krisi Raymond	Saint Helena, CA, United States	2016-06-06
D Duncan	Saint Helena, CA, United States	2016-06-06
Sue Furddek	Saint Helena, CA, United States	2016-06-06
Dan Reidy	Saint Helena, CA, United States	2016-06-06
Christopher Dann	Saint Helena, CA, United States	2016-06-06
Debbie Greene	Saint Helena, CA, United States	2016-06-06
Monique Davies	Saint Helena, CA, United States	2016-06-06
William Wright	Saint Helena, CA, United States	2016-06-06
Doreen Fank	Saint Helena, CA, United States	2016-06-06
William Ryan	Saint Helena, CA, United States	2016-06-06
Kristin Martin	Saint Helena, CA, United States	2016-06-06
Patrice Ferguson	Saint Helena, CA, United States	2016-06-06
Perry Clark	Saint Helena, CA, United States	2016-06-06
Sarah Gott	Saint Helena, CA, United States	2016-06-06
Robert Lawson	Saint Helena, CA, United States	2016-06-06
Celeste Neeley	Birmingham, AL, United States	2016-06-06
Beth Wagner	Napa, CA, United States	2016-06-06
Thomas Allen	Saint Helena, CA, United States	2016-06-06
Shannon Kuleto	Saint Helena, CA, United States	2016-06-06

Name	Location	Date
James Decker	Saint Helena, CA, United States	2016-06-06
Matthew Levy	Napa, CA, United States	2016-06-06
Jason Elkin	Saint Helena, CA, United States	2016-06-06
Mila Holt	Saint Helena, CA, United States	2016-06-06
Matthew Rion	Saint Helena, CA, United States	2016-06-06
Peter Przybylinski	Saint Helena, CA, United States	2016-06-06
James Dolen	Saint Helena, CA, United States	2016-06-06
Kirk Wrede	Saint Helena, CA, United States	2016-06-06
Suzanne Gay	Saint Helena, CA, United States	2016-06-06
Sara Chappellet	St Helena, CA, United States	2016-06-06
Liz Lease-McCaffrey	Deer Park, CA, United States	2016-06-06
Sara Cakebread	Saint Helena, CA, United States	2016-06-06
Matthew Rogers	Saint Helena, CA, United States	2016-06-06
Seana Stephens	Saint Helena, CA, United States	2016-06-06
R Fisher	Saint Helena, CA, United States	2016-06-06
Kevin Melancon	Saint Helena, CA, United States	2016-06-06
Angus Cieland	Saint Helena, CA, United States	2016-06-06
Melissa Leonardini	Saint Helena, CA, United States	2016-06-06
Shannon Meyer	Angwin, CA, United States	2016-06-06
Stephanie Robotham	Saint Helena, CA, United States	2016-06-06
Tawnia Knox	Saint Helena, CA, United States	2016-06-06
Ryann Calder	Saint Helena, CA, United States	2016-06-06
Jason Strots	Saint Helena, CA, United States	2016-06-06
Marcus Robbins	Saint Helena, CA, United States	2016-06-06
Wayne Armstrong	Saint Helena, CA, United States	2016-06-06
Liz Lopez	Saint Helena, CA, United States	2016-06-06
Chuck Meibeyer	Saint Helena, CA, United States	2016-06-06
Timothy Nieman	Saint Helena, CA, United States	2016-06-06
Barbara Morrisette	Saint Helena, CA, United States	2016-06-06
Mary White	Saint Helena, CA, United States	2016-06-06
Linda Beckstrom	Saint Helena, CA, United States	2016-06-06
Dave Pinney	Saint Helena, CA, United States	2016-06-06

Name	Location	Date
Corey Beck	Saint Helena, CA, United States	2016-06-06
Elizabeth Naylor	Saint Helena, CA, United States	2016-06-06
Duncan Lange	Saint Helena, CA, United States	2016-06-06
Nicole Perry	Saint Helena, CA, United States	2016-06-06
Emily Menegon	Saint Helena, CA, United States	2016-06-06
Reese Chappellet	Saint Helena, CA, United States	2016-06-06
Katie Somple	Saint Helena, CA, United States	2016-06-06
Mark Netoskie	Saint Helena, CA, United States	2016-06-06
Claire McConnell	Angwin, CA, United States	2016-06-06
Jocelyn Hoar	Saint Helena, CA, United States	2016-06-06
Amanda McWane	Napa, CA, United States	2016-06-06
Gretchen Brakesman	Angwin, CA, United States	2016-06-06
Jeff Zappelli	Novato, CA, United States	2016-06-06
Tapan Ganguli	Saint Helena, CA, United States	2016-06-07
Georg Salzner	Saint Helena, CA, United States	2016-06-07
Linda Crawford	Saint Helena, CA, United States	2016-06-07
Ron SCULATTI	Saint Helena, CA, United States	2016-06-07
Robert Creager	Saint Helena, CA, United States	2016-06-07
Ashley McMullen	Saint Helena, CA, United States	2016-06-07
Kathy McCarthy	Saint Helena, CA, United States	2016-06-07
Chris Hall	Saint Helena, CA, United States	2016-06-07
Ronald Burns	Saint Helena, CA, United States	2016-06-07
MARGARET FRIEDRICH	Saint Helena, CA, United States	2016-06-07
Lissy Hudock	Napa, CA, United States	2016-06-07
Dani Brown	St Helena, CA, United States	2016-06-07
Thomas Paul Smith	Lafayette, CA, United States	2016-06-07
Steven Leveque	Saint Helena, CA, United States	2016-06-07
Geni Whitehouse	Saint Helena, CA, United States	2016-06-07
Denise Johnson	Saint Helena, CA, United States	2016-06-07
Marcus Johnson	Saint Helena, CA, United States	2016-06-07
Corey Sprott	Napa, CA, United States	2016-06-07
Andrew Walters	Saint Helena, CA, United States	2016-06-07

Name	Location	Date
Christine Hale	Saint Helena, CA, United States	2016-06-07
Laurence Schlatter	St Helena, CA, United States	2016-06-07
andrea Guzman	Santa Rosa, CA, United States	2016-06-07
Kaethy Kennedy	Calistoga, CA, United States	2016-06-07
James Turrell	Rutherford, CA, United States	2016-06-07
Joshua Cowan	Saint Helena, CA, United States	2016-06-07
Don Finley	Saint Helena, CA, United States	2016-06-07
Victoria Kinet	Saint Helena, CA, United States	2016-06-07
Alfonso Trejo	Moraga, CA, United States	2016-06-07
Shannon Kelly	Saint Helena, CA, United States	2016-06-07
Thomas Macleod	Saint Helena, CA, United States	2016-06-07
Julia Eyer	Rutherford, CA, United States	2016-06-07
Rene Schlatter	Saint Helena, CA, United States	2016-06-07
Nathan Bergeron	Saint Helena, CA, United States	2016-06-07
Anna Schram	Saint Helena, CA, United States	2016-06-07
Brittany Eyer	Saint Helena, CA, United States	2016-06-07
Elizabeth Wright	San Francisco, CA, United States	2016-06-07
Laura Rombauer	Saint Helena, CA, United States	2016-06-07
Karen Caldwell	Saint Helena, CA, United States	2016-06-07
Edwin Williams	Saint Helena, CA, United States	2016-06-07
Stacia Williams	Saint Helena, CA, United States	2016-06-07
laura Heferran	Saint Helena, CA, United States	2016-06-07
Kathryn Reynolds	Napa, CA, United States	2016-06-07
Henry Gomez	Rutherford, CA, United States	2016-06-07
Christina Kennedy	Saint Helena, CA, United States	2016-06-07
Janet Peischel	St. Helena, CA, United States	2016-06-07
Michael Laseke	Saint Helena, CA, United States	2016-06-07
Gail Lane	Saint Helena, CA, United States	2016-06-07
Jeanie Kerr	Saint Helena, CA, United States	2016-06-07
Thomas Bensel	Saint Helena, CA, United States	2016-06-07
Kimberlina Carpenter	Calistoga, CA, United States	2016-06-07
Barbara Galante	Saint Helena, CA, United States	2016-06-07

Name	Location	Date
Susan Duryea	Saint Helena, CA, United States	2016-06-07
Leslie Ellis	St Helena, CA, United States	2016-06-07
Toni Hunt	Saint Helena, CA, United States	2016-06-07
Karen Cassel	Saint Helena, CA, United States	2016-06-07
Lisa Pelosi	Saint Helena, CA, United States	2016-06-07
Ferenc Brunner	Saint Helena, CA, United States	2016-06-07
Bryan Dante Sandoi	Saint Helena, CA, United States	2016-06-07
Hal Barnett	Saint Helena, CA, United States	2016-06-07
Erin Lail	Angwin, CA, United States	2016-06-07
Anna Marie Longo	Saint Helena, CA, United States	2016-06-07
Karin Gilpin	Saint Helena, CA, United States	2016-06-07
Michael Garrow	Saint Helena, CA, United States	2016-06-07
Grant Ellis	Saint Helena, CA, United States	2016-06-07
Dianne Maher	Saint Helena, CA, United States	2016-06-07
Paul Asikainen	Saint Helena, CA, United States	2016-06-07

General Plan Tourism Management Petition

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(2.4) St. Helena is committed to preserving its existing community character, maintaining agricultural lands, managing growth and tourism, and ensuring that adequate infrastructure and facilities are provided.

(U3.D) Encourage diversity and give preference to local-serving retail services which do not require a consumer base larger than the population of St. Helena and its vicinity

(ES1.B) Update the Municipal Code to encourage diversity and give preference to local-serving businesses that are complementary to St. Helena's small-town character and that provide goods at a range of prices. Local serving should be defined not only as offering goods and services appropriate to the citizens of the St. Helena vicinity, but also as businesses with owners and/or staff actively participating in the community. Update the Municipal Code to define and prohibit chain retail services and stores. Chain stores should be defined as any business having multiple commercial properties with the same ownership and name which is required by contractual or other arrangement to provide any of the following: standardized merchandise, similar architectural design, interior decor, signage, display or marketing materials and techniques.

(ES2.1) Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development, but prohibit any visitor serving activity, which would compromise the quality of life for St. Helena residents. Although a proposed visitor-serving use may be economically beneficial to the City, it should not be approved if it significantly impacts residents by increasing traffic, introducing visitors into residential areas, increasing noise levels, etc.

(ES2.2) Discourage the introduction of uses that are dependent upon a mass tourist market or that compromise the quality of life for St. Helena residents by significantly increasing the total number of tourists.

(ES2.3) Establish a reasonable cap on the number of hotel and motel rooms, and continue to limit vacation rentals. Establish a process for periodic review and updating of the cap.

(ES2.A) Continue to prohibit formula restaurants, outlet and chain discount stores, chain retail stores and time-share lodging projects Consider destination membership clubs and other potential lodging options that contribute to the Transient Occupancy Tax (TOT) revenue stream and do not conflict with the character of the City or negatively impact neighbors or neighborhoods. Establish a cap on the total number of such destination membership clubs and other lodging options designed to contribute to the TOT revenue stream.

(ES3.E) Although tourism offers economic benefits, it does not come without a toll on St. Helena's infrastructure, i.e. water, sewer, roads, sidewalks, parking, additional police, fire, park maintenance, traffic and, most significantly, small town rural character and quality of life. To provide data with which to make responsible decisions regarding soliciting additional tourism, visitor-serving retail, and hotel development, the City will commission an independent third party consultant to produce a detailed cost-benefit analysis of tourism development in St. Helena and vicinity.

Total signatures: 74	
Name	State Comment
1. Leslie Rudd	CA
2. Susan Kenward	CA
3. Roman Coppola	CA
4. Mark Smithers	CA
5. Connie Wilson	CA
6. Brian Nash	CA
7. Thomas Smith	CA
8. Adrian Hayne	CA
9. Connie Wilson	CA
10. Chuck Dake	CA
11. David Garden	CA

2 of 3

Name	State Comment	Default
12. Shannon Lail	CA	
13. John York	CA	
14. Jon Berlin	CA	
15. Jennifer Coppola	CA	
16. Andrea York	CA	
17. Jane Bowyer	CA	
18. Angela Franceschi	CA	
19. Ken Woytisek	LA	
20. Clare Kirkconnell	CA	
21. Kathryn Lazar	MA	
22. Rebecca Bell	CA	
23. Linda Rose	CA	
24. John Palmer	CA	
25. Polly Alberigi	CA	
26. Kristen Mickelwait	CA	
27. Mollie Baker	CA	
28. Terry McWilliams	CA	
29. Amy Caldarola	CA	
30. Joice Beaty	CA	
31. Mary Wilson	KS	
32. Anthony Holzhauser	CA	
33. Lisa Togni	CA	
34. Susan Davis	CA	
35. Michele Hyde	CA	
36. Pam Smithers	CA	
37. Jerry Hyde	CA	
38. Bruce Edwards	CA	
39. Nick Coy	OH	
40. Michael Caldarola	CA	
41. Marilyn Ryan	TX	
42. Carolyn Duryea	CA	
43. Geoff Ellsworth	CA	
44. Paul Bertoli	CA	
45. Faith Echtermeyer	CA	
46. Herman Froeb	CA	
47. George David	CA	
48. Charles Vondra	CA	
49. Sandra Lowry	CA	
50. Douglas Barr	CA	
51. Lana Ivanoff	CA	
52. Larry Merla	CA	
53. Grant Peniston	CA	
54. David Valentine	CA	
55. Robert Leighton	CA	
56. Sharon Dellamonica	TX	
57. Siena Oconnell	CA	
58. Thomas Belt	CA	
59. Antonia Allegra	CA	
60. Donn Black	CA	
61. MaryMargaret Simonson	CA	
62. Kathy Coldiron	CA	
63. Eleanor Kapner	CA	
64. Glenn Smith	CA	
65. Anne Carr	CA	
66. Giovanna Scruby	CA	
67. Martin Bennett	CA	
68. Connie Kay	IL	
69. Barry Ives	CA	

3 of 3		Default
Name	State Comment	
70. Jane bowyer	CA	
71. Phil Murphy	CA	
72. Bennett Rita	CA	
73. Nancy Garden	CA	
74. Pat Friday	CA	

nationbuilder_id name					state	country	comment	created_at
378	Leslie Rudd	CA	US		CA	US		2016-04-16 03:00:54.689245
22	Susan kenward	CA	US		CA	US		2016-04-27 19:24:21.598875
12	Roman Coppola	CA	US		CA	US		2016-04-27 23:12:12.219489
78	Mark Smithers	CA	US		CA	US		2016-04-27 23:14:09.651906
119	Connie Wilson	CA	US		CA	US		2016-04-27 23:17:44.78528
72	Brian Nash	CA	US		CA	US		2016-04-27 23:18:05.437694
260	Thomas Smith	CA	US		CA	US		2016-04-27 23:18:06.033151
200	Adrian Hayne	CA	US		CA	US		2016-04-27 23:18:39.577626
379	Connie Wilson	CA	US		CA	US		2016-04-27 23:20:31.069923
265	Chuck Dake	CA	US		CA	US		2016-04-27 23:26:58.392107
77	David Gaiden	CA	US		CA	US		2016-04-27 23:30:55.406643
130	Shannon Lail	CA	US		CA	US		2016-04-27 23:40:42.369574
286	john york	CA	US		CA	US		2016-04-27 23:44:22.732573
118	Jon Berlin	CA	US		CA	US		2016-04-28 00:05:35.22426
380	Jennifer Coppola	CA	US		CA	US		2016-04-28 00:09:09.345683
381	Andrea York	CA	US		CA	US		2016-04-28 00:17:21.364761
382	Jane Bowyer	CA	US		CA	US		2016-04-28 00:18:09.095662
196	Angela Franceschi	CA	US		CA	US		2016-04-28 01:09:47.220465
383	Ken Woytisek	LA	US		LA	US		2016-04-28 02:20:30.100799
137	Clare Kirkconnell	CA	US		CA	US		2016-04-28 02:25:31.551594
384	Kathryn Lazar	MA	US		MA	US		2016-04-28 02:28:29.208319
288	Rebecca Bell	CA	US		CA	US		2016-04-28 02:32:24.031318
356	Linda Rose	CA	US		CA	US		2016-04-28 02:51:40.296177
385	John Palmer	CA	US		CA	US		2016-04-28 03:01:46.258521
386	Polly Alberigi	CA	US		CA	US		2016-04-28 03:20:10.212597
387	Kirsten Mickelwait	CA	US		CA	US		2016-04-28 03:24:35.369125
360	Mollie Baker	CA	US		CA	US		2016-04-28 05:05:22.518394
103	Terry McWilliams	CA	US		CA	US		2016-04-28 14:10:46.483697
220	Amy Calderola	CA	US		CA	US		2016-04-28 14:25:02.926143
291	Joice Beatty	CA	US		CA	US		2016-04-28 14:27:16.638438
389	Mary Wilson	KS	US		KS	US		2016-04-28 15:35:03.885703
263	Anthony Holzhauser	CA	US		CA	US		2016-04-28 16:39:18.786598
390	Lisa Togni	CA	US		CA	US		2016-04-28 17:32:10.989234
134	Susan Davis	CA	US		CA	US		2016-04-28 17:58:34.209235
391	Michele Hyde	CA	US		CA	US		2016-04-28 20:01:25.669551
294	Pam Smithers	CA	US		CA	US		2016-04-28 20:04:16.846562
349	Jerry Hyde	CA	US		CA	US		2016-04-28 22:24:17.346726
393	Bruce Edwards	CA	US		CA	US		2016-04-29 02:20:27.99948
394	Nick Coy	OH	US		OH	US		2016-04-29 04:58:22.196833
111	Michael Calderola	CA	US		CA	US		2016-04-29 15:09:15.228265
395	Marilyn Ryan	TX	US		TX	US		2016-04-29 15:11:18.676777
128	Carolyn Duryea	CA	US		CA	US		2016-04-30 03:30:57.004114
173	Geoff Ellsworth	CA	US		CA	US		2016-04-30 14:28:44.648861
397	Paul Bertoli	CA	US		CA	US		2016-05-01 16:40:24.500106
25	Faith Echtermeyer	CA	US		CA	US		2016-05-02 16:20:50.045673
398	Herman Froeb	CA	US		CA	US		2016-05-02 17:40:56.29535
400	George David	CA	US		CA	US		2016-05-02 22:18:40.54886
138	Charles Vondra	CA	US		CA	US		2016-05-02 22:46:54.57811
402	Sandra Lowry	CA	US		CA	US		2016-05-02 23:22:34.658677
68	douglas barr	CA	US		CA	US		2016-05-03 15:49:59.399591

Sheet1

Sheet1			
177 Lana Ivanoff	CA	US	2016-05-03 22:05:19.033095
404 Larry Merla	CA	US	2016-05-03 22:09:30.372421
41 grant peniston	CA	US	2016-05-03 23:05:09.219148
37 David Valentine	CA	US	2016-05-04 14:00:58.021799
405 Robert Leighton	CA	US	2016-05-04 17:02:31.045417
15 Sharon Dellamonica	TX	US	2016-05-04 21:08:33.901184
406 siena oconnell	CA	US	2016-05-04 23:34:02.595483
407 Thomas Belt	CA	US	2016-05-05 02:50:57.4515
330 Antonia Allegra	CA	US	2016-05-05 05:17:45.497401
408 Donn Black	CA	US	2016-05-05 23:35:27.723777
409 MaryMargaret Simonson	CA	US	2016-05-07 02:53:21.178148
81 Kathy Coldiron	CA	US	2016-05-07 04:14:22.11753
410 eleanor kapner	CA	US	2016-05-07 22:29:00.981777
341 Glenn Smith	CA	US	2016-05-08 21:32:55.888413
165 Anne Carr	CA	US	2016-05-12 13:20:02.216726
109 Giovanna Scruby	CA	US	2016-05-12 14:17:57.390007
61 Martin Bennett	CA	US	2016-05-12 17:07:20.374225
272 Connie Kay	IL	US	2016-05-12 18:11:37.349248
79 Barry Ives	CA	US	2016-05-12 21:30:04.336869
411 jane bowyer	CA	US	2016-05-13 16:40:37.998672
107 Phil Murphy	CA	US	2016-05-13 18:45:21.123171
105 Bennett Rika	CA	US	2016-05-13 23:59:53.412838
82 Nancy Garden	CA	US	2016-05-14 16:07:47.572022
73 Pat Friday	CA	US	2016-05-14 16:39:29.110938

Susan Kenward 246-6389 citizensvoicest@gmail.com

citizensvoicest.org

Citizens' Voice proposes a compromise between the 1993 and 2035 Update. We would like to see new language incorporated into the 2035 Updated General Plan before it is approved by the Planning Commission and City Council.

We, the undersigned, petition to change the following text(s) in the 2035 General Plan update by the City Council.

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Name/date Franklin Albert Van Konyak
Address 1168 Meadowbrook Circle, St. Helena, CA
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Name/date Michael J. Buchanan
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Email/phone mbuchan@comcast.net ph: 963-2565

Name/date Enid Ruth Cowie 5-10-16
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Email/phone 707-968-0909

Name/date Janice I. O'Leary 5-10-2016
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Email/phone jioleary@comcast.net 94514

Name/date Paul E. Placens 5-12-2016
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Name/date Mary Slater 5-13-16
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Email/phone inger.laidley@hotmail.com 707-968-9594

Name/date ALONSO VILLA
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Email/phone (707) 963-7087

Name/date MICHAEL BUCHANAN 5/14/16
Address 709 HUNT AVE
Email/phone (707) 967-0453

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Name/date Carol M. Geller 5/5/16
Address 1717 S. John St. St. Helena, CA 94574
Email/phone 707-963-8408

Name/date Super Center
Address 1150 Popocatepec Ave
Email/phone _____

Name/date Marlene Girdley
Address 3749 Calaveras Avenue S.H.
Email/phone marlene@calaveras.com

Name/date Robert W. Carter
Address 1150 Popocatepec Ave
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Name/date Claire Pott
Address 1849 Pine Street, St. Helena 94574
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Name/date Jellie Ferrell
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Email/phone _____

Name/date Bruce Ing
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Name/date Ann Mitchell
Address 1120 Edwards St. St. Helena, CA 94574
Email/phone amitchellryan@yahoo.com

Name/date Wendy Shadon
Address 2081 Olive Ave St. Helena
Email/phone wendyshadon@gmail.com

Name/date _____
Address _____
Email/phone _____

Name/date _____
Address _____
Email/phone _____

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(2.4) St. Helena is committed to preserving its existing community character, maintaining agricultural lands, managing growth and tourism, and ensuring that adequate infrastructure and facilities are provided.

(L.U.3.D) Encourage diversity and give preference to local-serving retail services which do not require a consumer base larger than the population of St. Helena and its vicinity

(ES1.B) Update the Municipal Code to encourage diversity and give preference to local-serving businesses that are complementary to St. Helena's small-town character and that provide goods at a range of prices. Local serving should be defined not only as offering goods and services appropriate to the citizens of the St. Helena vicinity, but also as businesses with owners and/or staff actively participating in the community. Update the Municipal Code to define and prohibit chain retail services and stores. Chain stores should be defined as any business having multiple commercial properties with the same ownership and name which is required by contractual or other arrangement to provide any of the following: standardized merchandise, similar architectural design, interior décor, signage, display or marketing materials and techniques.

(ES2.1) Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development, but prohibit any visitor serving activity, which would compromise the quality of life for St. Helena residents. Although a proposed visitor-serving use may be economically beneficial to the City, it should not be approved if it significantly impacts residents by increasing traffic, introducing visitors into residential areas, increasing noise levels, etc.

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TOURISM/LOCAL SERVICES

Name/date	Donnie Wilson	5/15/16
Address	1053 Scott St.	
Email/phone	awilson@comcast.net	707.337.2210
Name/date	William Saladin	5/15/16
Address	1058 Scott Street	
Email/phone		
Name/date	Martin Popick	5/16/16
Address	1069 Alexander Ct.	707.225.2394
Email/phone		
Name/date	Ruby Solano	5/16/16
Address	1171 Steele Lane St Helena	707.280.8337
Email/phone		
Name/date	Dianne Wilson	5/16/16
Address	1515 Stockton Street	707.563.9586
Email/phone		
Name/date	Chris Saladin	5/16/16
Address	1058 Scott St	
Email/phone		
Name/date	Philip Popick	5/16/16
Address	1069 Alexander Ct.	
Email/phone		
Name/date	Harvard Popick	5/16/16
Address	1069 Alexander Ct.	
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TOURISM / LOCAL SERVICES

Name/date Christine
Address 533 McCarrie Ave
Email/phone 707-967-6278

Name/date Mike Greenhill
Address 2 Redondo Ct.
Email/phone 707 967 9491

Name/date _____
Address _____
Email/phone _____

Name/date _____
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(E31.B) Update the Municipal Code to encourage diversity and give preference to local-serving businesses that are complementary to St. Helena's small-town character and that provide goods at a range of prices. Local serving should be defined not only as offering goods and services appropriate to the citizens of the St. Helena vicinity, but also as businesses with owners and/or staff actively participating in the community. Update the Municipal Code to define and prohibit chain retail services and stores. Chain stores should be defined as any business having multiple commercial properties with the same ownership and name which is required by contractual or other arrangement to provide any of the following: standardized merchandise, similar architectural design, interior decor, signage, display or marketing materials and techniques.

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TOURISM / LOCAL SERVING

Name/date SANDRA DELCARRE MAY 9, 2016
Address 201 ROSEBUD AVE #2
Email/phone Sdelcarre@comcast.net

Name/date Mary O'Leary May 9, 2016
Address 1501 Allen Pk. St Helena
Email/phone mmoleary@me.com

Name/date Annie May May 9, 2016
Address 61541 Elmhurst Ave St. Helena CA 94574
Email/phone anniemay@comcast.net

Name/date Muel Servin
Address 1641 Elm St
Email/phone 707 332-0917

Name/date Muel Servin 5-19-2016
Address 1641 Elm St
Email/phone 707 332-0917

Name/date Teresa Oguin
Address 1130 Belle Ave St Helena
Email/phone Tgr Oguin@aol.com

Name/date PATTI CURTIS 5-9-16
Address 2080 Birch St. S.14.
Email/phone pcurtis@aol.com

Name/date David M Roth 5-9-16
Address 2155 VORHIES BLVD, S4
Email/phone 707 963-9232

Name/date ANTONIA CURTIS 5-9-16
Address 941 Hunt Avenue, St Helena, CA 94574
Email/phone 707-363-0846

Name/date Susan Helen 5-9-16
Address 2105 Spring St St Helena
Email/phone susanhelen@att.net

Name/date Sharon Delamater
Address 2504 ROSEBUD LA, ST HELENA, CA 94574
Email/phone 707-963-9242

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Name/date JOAN WANG 5/17/16
Address 5542 QUAN @ ST HELENA CA 94574
Email/phone JEAN434@ATTOL.COM

Name/date _____
Address _____
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PETITION TO THE PLANNING COMMISSION AND CITY COUNCIL OF ST. HELENA

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DATE 5/15/16 NAME Lynn Lieber SIGNATURE 

Bob Lieber 

ADDRESS: 1181 Starr Avenue

St. Helena EMAIL: 

lynn@lieberlawyers.com
Bob@LieberLawyers.com

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DATE	NAME	SIGNATURE
5/16/14	Chen Holtz	
ADDRESS: 645 McCorkle Ave		
		EMAIL:

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DATE 5/16/16 NAME Elizabeth Galt SIGNATURE Elizabeth Galt

ADDRESS: 445 McCord Ave

EMAIL:

lizzygalt@comcast.net

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(ES3.E). Although tourism offers economic benefits, it does not come without a toll on St. Helena's infrastructure, i.e. water, sewer, roads, sidewalks, parking, additional police, fire, park maintenance, traffic and, most significantly, small town rural character and quality of life. To provide data with which to make responsible decisions regarding soliciting additional tourism, visitor-serving retail, and hotel development, the City will commission an independent third party consultant to produce a detailed cost-benefit analysis of tourism development in St. Helena and vicinity.

DATE 3/16/16 NAME MARY SPRAAT SIGNATURE 

ADDRESS: 1421 TRINITER ST ST HELENA
EMAIL: mspraat@aol.com

PETITION TO THE PLANNING COMMISSION AND CITY COUNCIL OF ST. HELENA

We the undersigned ask that the City Council include the following (in red) passages in the 2035 UPDATED GENERAL PLAN:

(2-2) The increasing pressures of growth and increasing tourism caused serious concern in the community back in the 1970's, and resulted in a Growth Management System in the late 1970's, and a Tourism Management Element in the 1993 General Plan. At that time, public workshops and a phone survey conducted for the 1993 General Plan Update indicated that the principal land use concerns were the rate of growth of the city and that additional tourism development and its negative consequences would detract from their quality of life. Therefore, the City should follow the long-standing philosophy that growth and tourism in St. Helena should be carefully managed, and that each of these decades-long public concerns are adequately addressed in future land use determinations.

(2-4) St. Helena is committed to preserving its existing community character, maintaining agricultural lands, managing growth and tourism, and ensuring that adequate infrastructure and facilities are provided.

(LU3.D) Encourage diversity and give preference to local-serving retail services which do not require a consumer base larger than the population of St. Helena and its vicinity

(ES1.B) Update the Municipal Code to encourage diversity and give preference to local-serving businesses that are complementary to St. Helena's small-town character and that provide goods at a range of prices. Local serving should be defined not only as offering goods and services appropriate to the citizens of the St. Helena vicinity, but also as businesses with owners and/or staff actively participating in the community. Update the Municipal Code to define and prohibit chain retail services and stores. Chain stores should be defined as any business having multiple commercial properties with the same ownership and name which is required by contractual or other arrangement to provide any of the following: standardized merchandise, similar architectural design, interior décor, signage, display or marketing materials and techniques.

(ES2.1) Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development, but prohibit any visitor serving activity, which would compromise the quality of life for St. Helena residents. Although a proposed visitor-serving use may be economically beneficial to the City, it should not be approved if it significantly impacts residents by increasing traffic, introducing visitors into residential areas, increasing noise levels, etc.

(ES2.2) Discourage the introduction of uses that are dependent upon a mass tourist market or that compromise the quality of life for St. Helena residents by significantly increasing the total number of tourists.

(ES2.3) Establish a reasonable cap on the number of hotel and motel rooms, and continue to limit vacation rentals. Establish a process for periodic review and updating of the cap.

(ES2.A) Continue to prohibit formula restaurants, outlet and chain discount stores, chain retail stores and time-share lodging projects. Consider destination membership clubs and other potential lodging options that contribute to the Transient Occupancy Tax (TOT) revenue stream and do not conflict with the character of the City or negatively impact neighbors or neighborhoods. Establish a cap on the total number of such destination membership clubs and other lodging options designed to contribute to the TOT revenue stream.

(ES3.E). Although tourism offers economic benefits, it does not come without a toll on St. Helena's infrastructure, i.e. water, sewer, roads, sidewalks, parking, additional police, fire, park maintenance, traffic and, most significantly, small town rural character and quality of life. To provide data with which to make responsible decisions regarding soliciting additional tourism, visitor-serving retail, and hotel development, the City will commission an independent third party consultant to produce a detailed cost-benefit analysis of tourism development in St. Helena and vicinity.

DATE NAME SIGNATURE

5-16-16 Mary Gundling

ADDRESS: 1185 Westview Circle

St Helena EMAIL: marygundling@gmail.com

DATE NAME SIGNATURE

ADDRESS:

EMAIL:

DATE NAME SIGNATURE

ADDRESS:

EMAIL:

General Plan Winery Petition

We, the undersigned, petition against the text(s) in LUS.6 in the 2035 General Plan update by the City Council.

LU 5.6

Permit wineries and other agricultural related industry to locate in the city if their location does not adversely impact surrounding uses or city services (water, traffic, etc.) or the quality and character of the community.

We petition to change LUS.6 to the following:

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Accessory uses, such as picnic areas, tasting rooms, winery offices, equipment maintenance shops, employees facilities, cooperage repair shops, wine storage tanks, scales, employee parking, winery waste treatment and/or disposal facilities may be permitted at a winery if they do not adversely impact surrounding uses or city services (water, traffic, etc.) or the quality and character of the community.

Total signatures: 61		
	Name	State Comment
1.	Susan kenward	CA
2.	Mark Smithers	CA
3.	Thomas Smith	CA
4.	David Garden	CA
5.	Susan McWilliams	CA
6.	John Hawkins	NY
7.	Jon Berlin	CA
8.	Jennifer Coppola	CA
9.	Angela Franceschi	CA
10.	Ken Woytsek	LA
11.	Claire Kirkconnell	CA
12.	Rebecca Bell	CA
13.	Anne Carr	CA
14.	Linda Rose	CA
15.	Jennifer Garden	CA
16.	grant peniston	CA
17.	Chuck Dake	CA
18.	Mollie Baker	CA
19.	Richard Seiferheld	CA
20.	Terry McWilliams	CA
21.	Amy Caldarola	CA
22.	Joice Beatty	CA
23.	robin iail	CA
24.	Mary Wilson	KS
25.	Lisa Togni	CA
26.	Susan Davis	CA
27.	Betsy Holzhauser	CA
28.	Pam Smithers	CA
29.	Jerry Hyde	CA
30.	Michele Hyde	CA
31.	Phoebé Ellsworth	CA
32.	Ron and Hannah Nunn	CA
33.	Bruce Edwards	CA
34.	Betsy Holzhauser	CA

2 of 2

Name	State Comment	Default
35. Michael Caldarola	CA	
36. Susann Ortega	MA	
37. Carolyn Duryea	CA	
38. Geoff Ellsworth	CA	
39. Jane Skeels	CA	
40. George David	CA	
41. Charles Vondra	CA	
42. Sandra Lowry	CA	
43. douglas bair	CA	
44. Lana Iwanoff	CA	
45. Larry Merla	CA	
46. John york	CA	
47. Robert Leighton	CA	
48. Sharon Dellamonica	TX	
49. Thomas Belt	CA	
50. Antonia Allegra	CA	
51. MaryMargaret Simonson	CA	
52. Glenn Smith	CA	
53. Kathy Coldiron	CA	
54. Giovanna Scruby	CA	
55. Pete McClory	CA	
56. Leslie Baglish	CA	
57. Martin Bennett	CA	
58. Connie Kay	IL	
59. susan allen	CA	
60. Barry Ives	CA	
61. Pat Friday	CA	

Default

nationbuilder_id name					state	country	comment	created_at
22	Susan Kenward	CA	US		CA	US		2016-04-27 19:26:28.856143
78	Mark Smithers	CA	US		CA	US		2016-04-27 23:16:57.526395
260	Thomas Smith	CA	US		CA	US		2016-04-27 23:20:00.29179
77	David Garden	CA	US		CA	US		2016-04-27 23:32:59.897445
97	Susan McWilliams	CA	US		CA	US		2016-04-27 23:52:31.508449
63	John Hawkins	NY	US		NY	US		2016-04-28 00:05:34.18502
118	Jon Berlin	CA	US		CA	US		2016-04-28 00:07:50.12987
380	Jennifer Coppola	CA	US		CA	US		2016-04-28 00:09:45.321388
196	Angela Franceschi	CA	US		CA	US		2016-04-28 01:10:51.211136
383	Ken Woytsek	LA	US		LA	US		2016-04-28 02:22:39.289968
137	Clare Kirkconnell	CA	US		CA	US		2016-04-28 02:26:25.222606
288	Rebecca Bell	CA	US		CA	US		2016-04-28 02:33:08.225835
165	Anne Carr	CA	US		CA	US		2016-04-28 02:47:36.553721
356	Linda Rose	CA	US		CA	US		2016-04-28 02:54:29.149175
6	Jennifer Garden	CA	US		CA	US		2016-04-28 03:04:46.962716
41	grant peniston	CA	US		CA	US		2016-04-28 03:17:44.528202
265	Chuck Dake	CA	US		CA	US		2016-04-28 04:09:23.648465
360	Mollie Baker	CA	US		CA	US		2016-04-28 05:07:03.715987
369	Richard Seiterheld	CA	US		CA	US		2016-04-28 12:25:56.106405
103	Terry McWilliams	CA	US		CA	US		2016-04-28 14:12:09.549937
220	Amy Calderola	CA	US		CA	US		2016-04-28 14:27:53.88515
291	Joice Beatty	CA	US		CA	US		2016-04-28 14:27:53.88515
46	robin jall	CA	US		CA	US		2016-04-28 14:28:50.591511
389	Mary Wilson	KS	US		KS	US		2016-04-28 14:46:34.306764
390	Lisa Togni	CA	US		CA	US		2016-04-28 15:36:29.747947
134	Susan Davis	CA	US		CA	US		2016-04-28 17:33:16.239903
332	Betsy Holzhauer	CA	US		CA	US		2016-04-28 17:59:24.191136
294	Pam Smithers	CA	US		CA	US		2016-04-28 20:04:53.44838
349	Jerry Hyde	CA	US		CA	US		2016-04-28 20:05:56.564414
391	Michele Hyde	CA	US		CA	US		2016-04-28 22:25:19.034394
40	Phoebe Ellsworth	CA	US		CA	US		2016-04-28 22:38:33.607732
365	Ron and Hannah Nunn	CA	US		CA	US		2016-04-29 00:35:26.3485
393	Bruce Edwards	CA	US		CA	US		2016-04-29 00:47:24.476648
29	Betsy Holzhauer	CA	US		CA	US		2016-04-29 02:25:44.083931
111	Michael Calderola	CA	US		CA	US		2016-04-29 05:53:20.13506
87	Susann Ortega	MA	US		MA	US		2016-04-29 15:10:34.814387
128	Carolyn Duryea	CA	US		CA	US		2016-04-29 22:04:15.383355
173	Geoff Ellsworth	CA	US		CA	US		2016-04-30 03:30:30.798183
399	Jane Skeels	CA	US		CA	US		2016-04-30 14:30:20.771449
400	George David	CA	US		CA	US		2016-05-02 18:07:03.714067
138	Charles Vondra	CA	US		CA	US		2016-05-02 22:20:07.687686
402	Sandra Lowry	CA	US		CA	US		2016-05-02 22:47:59.776899
68	douglas barr	CA	US		CA	US		2016-05-02 23:24:30.713972
177	Lana Ivanoff	CA	US		CA	US		2016-05-03 15:51:17.816697
404	Larry Merla	CA	US		CA	US		2016-05-03 22:06:29.641962
286	john york	CA	US		CA	US		2016-05-03 22:12:21.233757
405	Robert Leighton	CA	US		CA	US		2016-05-04 00:52:16.989955
15	Sharon Dellamonica	TX	US		TX	US		2016-05-04 17:03:07.759996
407	Thomas Belt	CA	US		CA	US		2016-05-04 21:09:56.432134
330	Antonia Allegra	CA	US		CA	US		2016-05-05 02:52:31.471178
								2016-05-05 05:23:32.260529

Sheet1

Sheet1			
409 MaryMargaret Simonson	CA	US	2016-05-07 02:55:55.697926
341 Glenn Smith	CA	US	2016-05-08 21:37:08.437562
81 Kathy Coldiron	CA	US	2016-05-09 19:14:49.386465
109 Giovanna Scruby	CA	US	2016-05-12 14:20:51.166437
362 Pete McClory	CA	US	2016-05-12 15:11:29.617655
20 Leslie Baggin	CA	US	2016-05-12 16:57:02.952467
61 Martin Bennett	CA	US	2016-05-12 17:10:00.109908
272 Connie Kay	IL	US	2016-05-12 18:19:07.113429
313 susan allen	CA	US	2016-05-12 20:23:12.029321
79 Barry Ives	CA	US	2016-05-12 21:32:20.966912
73 Pat Friday	CA	US	2016-05-14 16:40:25.985656

To provide greater clarity of vision, a consistent understanding of "winery," and a consistent approach toward the regulation of wineries within the City limits, we propose modifying LU 5.6. As modified, LU 5.6 will better guide winery-related development in every district in the City and help guarantee adequate protection for the residential neighborhoods and the small town character of the city.

We, the undersigned, petition against the text(s) in LU 5.6 in the 2035 General Plan update by the City Council.

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Wineries

Name/date Steven A. Ericson Steven A. Ericson 5-05
Address 1400 B. Giverson Ave., St Helena, Ca 94514
Email/phone ericsondealty@gmail.com 707-963-7815

Name/date Maria L. Ericson Maria L. Ericson 5-05
Address 1400 B. Giverson Ave., St Helena, Ca 94514
Email/phone maoericson@hotmail.com

Name/date Kathleen Carrick Kathleen Carrick 5
Address 1321 Stockton St, St Helena
Email/phone Kathleen.Carrick@comcast.net 963-9707

Name/date Elizabeth Holzhauser Elizabeth Holzhauser 5/12/11
Address 17 Los Robles Ct, St Helena
Email/phone bholzhauser@comcast.net 963-9707

Name/date Anthony Holzhauser Anthony Holzhauser 5/12/11
Address 17 Los Robles Ct, St Helena, CA
Email/phone 170LEIA@COMCAST.NET 963-9707

Name/date Jeane McClann-Baswell
Address 3053 - ST. Helena Hwy N.
Email/phone jeanemhsuwell@yahoo.com

Name/date Charlotte Morgan Charlotte Morgan 5/12/11
Address 3051 St. Helena Hwy
Email/phone cmorgan1234@yahoo.com

Name/date Joe Drazni Joe Drazni
Address 3 Los Robles Ct, St Helena 94514
Email/phone 012121@NARRABEEAUGUST/107-963-7210

Name/date SAUNDY VAN DOTTEN SAUNDY VAN DOTTEN 5-17-16
Address 4607 Charles Pope Valley Rd. St Helena, 94574
Email/phone _____

Name/date Elizabeth Slater Elizabeth Slater 5-17-
Address 683 McCuttle Ave, St Helena
Email/phone elizabethslater@gmail.com 707-227-9005

Name/date DAVID S. BRADSHAW DAVID S. BRADSHAW
Address 709 HAWK ST HELENA
Email/phone 707-302-5932 bradshawd@jacksonlaw.com 5-17-1

10

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WINERIES

Name/date NENA TALBOT 5/6/16
Address 1467 KEARNEY ST. ST. HELENA
Email/phone NENA@GAPRIVE45.COM

Name/date Scott Henry
Address 1030 W. ALVARO DR, ST. HELENA, CA 94574
Email/phone (707) 467 9616

Name/date Scott Henry
Address 24 Marina Dr.
Email/phone 707-455-4858

Name/date Pat Foley
Address 1065 G-cell Ct
Email/phone 694-8387

Name/date Neil Smith
Address 1045 Quivella Ct.
Email/phone 481-4980

Name/date Cheryl
Address 1355 Carole Ct.
Email/phone chenrodagaga@aol.com

Name/date Bill Moseley 5-7-16
Address 1705 KIVINSKY PL. 94574
Email/phone bill@billmoseley.net

Name/date Chuck DREAR 5-7-16
Address 2140 Dea Court
Email/phone chuck@wines.com 913 2663

Name/date Kathleen Lutz
Address 15033 WING STREET
Email/phone KATH@CALIFOR.COM

Name/date Steven Bressler
Address 1911 Volleba St.
Email/phone Steve@BresslerWines.com

Name/date Victoria Bradshaw VBBradshaw
Address 708 Hunt Ave
Email/phone VBradshaw@CalStrat.com

To provide greater clarity of vision, a consistent understanding of "winery," and a consistent approach toward the regulation of wineries within the City limits, we propose modifying LU 5.6. As modified, LU 5.6 will better guide winery-related development in every district in the City and help guarantee adequate protection for the residential neighborhoods and the small town character of the city.

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Name/date **David Menegas**

Address 741 McCorkle Ave St. Helena, Ca

Email/phone DM STEVE@yahoo.com

Name/date Glen Rattersee

Address 1328 Monticosa St. Helena Ca

Email/phone Gussglen@yahoo.com

Name/date COURTNEY MENEGON

Address 1320 ANDREA AVE ST. HELENA, CA

Email/phone court21-22@yahoo.com

Name/date RICK STICE

Address 1347 Monte Vista Dr St Helena Ca

Email/phone 953-1698

Name/date Joyce Costner

Address 1158 Repulse Circle

Email/phone 707-302-5961

Name/date Rebecca Coe

Address 1150 Popocatepec Cir

Email/phone 302-5361

Name/date Ann White

Address 170 Edwards St. St. Helena, CA 94574

Email/phone whitebellryan@yahoo.com

Name/date Scotty Stachon

Address 208 Olive Ave St. Helena

Email/phone scottymystachon@gmail.com

Name/date Dee Toller

Address 1990 Birch St

Email/phone St. Helena, Ca 94574

Name/date BRUCE LEFAVRE

Address 1247 Hudson Ave CA 94574

Email/phone

Name/date Tam Muir

Address 1606 Hillview Circle St.

Email/phone

To provide greater clarity of vision, a consistent understanding of "winery," and a consistent approach toward the regulation of wineries within the City limits, we propose modifying LU 5.6. As modified, LU 5.6 will better guide winery-related development in every district in the City and help guarantee adequate protection for the residential neighborhoods and the small town character of the city.

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Winery

Name/date	Donnie Wilson	5/15/16
Address	1658 Scott Street SH	
Email/phone	chris1956@comcast.net	707-337-2210
Name/date	William Saladin	5/15/16
Address	1658 Scott St. St. Helena	
Email/phone		
Name/date	Martha Popick	5/16/16
Address	16109 Alexander Ct	707-225-2394
Email/phone		
Name/date	Ruby Solano	5/16/16
Address	1171 Still Lane St. Helena Ca, 94574	
Email/phone	707-260-8397	
Name/date	Chris Saladin	5/16/16
Address	1658 Scott Street SH	
Email/phone		
Name/date	Philip Popick	5/16/16
Address	1609 Alexander Ct,	
Email/phone		
Name/date	Harrah Popick	5/16/16
Address	1609 Alexander Ct,	
Email/phone		
Name/date	Dianne Wilson	5/16/16
Address	1515 Stockton St,	707-903-9586
Email/phone		
Name/date	Keith Thornton	
Address	1247 Hudson Ave. SH.	
Email/phone		

To provide greater clarity of vision, a consistent understanding of “winery,” and a consistent approach toward the *regulation of wineries* within the City limits, we propose *modifying LU 5.6*. As modified, LU 5.6 will better guide winery-related development in every district in the City and help guarantee adequate protection for the residential neighborhoods and the small town character of the city.

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winery

Name/date	Cristina Shive
Address	535 Alameda Ave
Email/phone	707-967-0278
Name/date	Mike Genns, II
Address	2 Redondo Ct
Email/phone	707 967 9491
Name/date	Paula Turner
Address	920 Hunt Ave St Helena
Email/phone	707-967-9733
Name/date	Jim Holcomb
Address	3923 Chula Bone Valley, St. Helena, CA
Email/phone	707-963-0454
Name/date	Janet Costner
Address	1495 Kennedy St. St.
Email/phone	
Name/date	
Address	
Email/phone	
Name/date	
Address	
Email/phone	
Name/date	
Address	
Email/phone	
Name/date	
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Email/phone	

(5)

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We, the undersigned, petition against the text(s) in LUS.6 in the 2035 General Plan update by the City Council.

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Permit wineries and other agricultural related industry to locate in the city if their location does not adversely impact surrounding uses or city services (water, traffic, etc.) or the quality and character of the community.

We petition to change LUS.6 to the following:

Permit wineries to locate in the city if they meet the definition of a winery or small winery. A "winery" is defined as an agricultural processing facility used for the fermenting and processing of grape juice into wine, and the re-fermenting of still wine into sparkling wine. A winery shall be sited on twenty acres or greater in size, (to ensure the protection of the quality and character of the community.) unless it meets the definition of a "small winery." A "small winery" is defined as a winery on a parcel of five acres or greater in size where the winery is an accessory use to a residential use. The residential use shall be the primary residence of the winery owner or winery operator.

Accessory uses, such as picnic areas, tasting rooms, winery offices, equipment maintenance shops, employees facilities, cooperage repair shops, wine storage tanks, scales, employee parking, winery waste treatment and/or disposal facilities may be permitted at a winery if they do not adversely impact surrounding uses or city services (water, traffic, etc.) or the quality and character of the community.

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WINE RUN

Name/date SHARON DELCROSSE MAY 9, 2016
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Name/date Mary O'Leary May 9, 2016
Address 1501 Alhambra Ave. Altadena, CA
Email/phone monoleary@me.com

Name/date Michel Serin
Address 1644 Elmwood
Email/phone 707 332-0979

Name/date William D. Wadley June 2016
Address 4515 S. Wadley Circle AN
Email/phone 403-3777X

Name/date TERESA OLGUIN
Address 1130 Bell St
Email/phone Tyrolguin@aol.com 363 9136

Name/date PATRY GUZDA
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Name/date Kyle Jones
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Name/date MARCIA CUNNINGHAM 5/9
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(18)

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ELLISON FOLK
Attorney
folk@smwlaw.com

April 15, 2016

Via E-Mail and U.S. Mail

Members of the St. Helena Planning Commission
City of St. Helena
1480 Main Street
St. Helena, California 94574

City of St. Helena, City Hall
Received

APR 18 2016

1480 Main St.
St. Helena, CA 94574

Re: St. Helena General Plan Update: Land Use and Tourism Management Issues

Dear Members of the Planning Commission:

This firm represents Citizens Voice St. Helena ("Citizens Voice") and submits these comments on the proposed General Plan Update on its behalf. Citizens Voice reserves the right to submit additional comments on the draft and to submit comments on the City's environmental review of the draft General Plan at a later date.

Citizens Voice has reviewed the draft General Plan and believes that it ignores residents' concerns about tourism and the potential loss of the authentic rural character of our community. Specifically, the second paragraph of 2.2 Community Development Framework, incorrectly suggests that the phone survey conducted for the 1993 general plan update indicated the only major concern of St. Helena citizens was general growth. See General Plan Update at 2-4. The draft ignores and obscures the fact that tourism was and is another primary concern of St. Helena residents, even to such an extent that in 1993 it inspired its own Tourism Management Element.

In fact, the 1993 General Plan states that "[t]he Tourism Management element is not a State-mandated General Plan Element, but has been included because of the significant impact that tourism plays in the life of this community." 1993 General Plan, Tourism Element at 3-1. The 1993 General Plan continues, "[t]ourism is not an isolated phenomenon. Its effects are experienced in many different arenas, including traffic, recreation, public services, land use (e.g. reduction in the number of local serving businesses) and community design." *Id.* And finally, "[t]he majority of the citizens of St. Helena believe that tourism has provided more benefits than drawbacks, but also believe that additional tourism-related development would detract from their general

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quality of life. This view of tourism is a fundamental element of the entire General Plan, i.e., additional tourism-related development should be discouraged.” *Id.* at 3-2.

The population of St. Helena has barely changed over the last 16 years (a net increase of only 38 people from 2000 to 2014).¹ Therefore it should be apparent that population growth is not the sole focus of citizen concern. Rather, as in 1993, residents remain anxious about ever increasing tourism. The 1993 General Plan also stated that, “[w]hile most of the residents of St. Helena recognize the economic significance of the tourist industry, they also believe tourism has substantial associated costs, particularly as it impacts the character of the community.

The tension between our rural community and the pressures of increasing tourism continues to be a topic of concern for St. Helena residents. Polling in 2007 for this updated 2035 General Plan suggests that the majority of citizens believe St. Helena remains, at heart, a small rural community and not a tourist-oriented town. *See* St. Helena General Plan Update, Visioning Statement Development, Summary of Top Issues of Disagreement, attached as Exhibit A. Sixty-four percent of respondents called St. Helena either a wine country village, a rural agricultural center, or a rural residential community. *Id.* at 3. Less than a third identified St. Helena as “tourism-oriented.” *Id.* Seventy-eight percent felt the increase in visitor-related traffic was unacceptable. *Id.* at 4. Fifty-seven percent disagreed that market forces rather than city government should control visitor related growth and that managing tourism to the benefit of residents and the quality of the town, as a whole is important. *Id.* at 2.

As such, Citizens Voice believes the sentiments expressed in that 2007 poll, which are barely acknowledged in the current draft, must be reflected in the final 2035 General Plan. Citizens Voice offers the following suggested revisions² to be adopted with the City’s proposed revisions:

2-2 Community Development Framework

The increasing pressures ~~to grow~~ of growth and increasing tourism caused serious concern in the community back in the 1970’s, and resulted in a Growth Management System in the late 1970’s, and a Tourism

¹ Compare QuickFacts, St. Helena, California, U.S. Census Bureau, available at <http://www.census.gov/quickfacts/table/PST045215/0664140.22091.00> with City of St. Helena, Bay Area Census, available at <http://www.bayareacensus.ca.gov/cities/StHelena.htm>.

² Underline indicates an addition, strikethrough indicates a deletion.

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 Page 3

Management Element in the 1993 General Plan. At that time, public workshops and a phone survey conducted for the 1993 General Plan Update indicated that the principal land use concern was the rate of growth of the city and that additional tourism development and its negative consequences would detract from their quality of life. The community was generally concerned that there would be a loss of charm and beauty, increased traffic conditions and an inadequate water supply. For the 2035 GENERAL PLAN Update, a phone survey, Town Hall meetings and mail-in survey were conducted and the community still highlights all these concerns - increased traffic, inadequate water and preservation of small town character. Therefore, the City should follow the long-standing philosophy that growth and tourism in St. Helena should be carefully managed, and that each of these decades-long public concerns are adequately addressed in future land use determinations.

Draft Update at 2-4.

2.4 Goals

The goals of the Land Use and Growth Management Element are:

Manage and Maintain Community Character.

St. Helena is committed to preserving its existing community character, maintaining agricultural lands, managing growth and tourism, and ensuring that adequate infrastructure and facilities are provided.

Draft Update at 2-28.

The purpose of the following changes is to offer tools to the City Council and Planning Commission to maintain some control over the types of business that will complement the rural character of St. Helena and not negatively impact the lifestyle of the town's residents or existing business community. Poling in the General Plan Update Visioning Statement suggests that allowing the marketplace, rather than city government, to decide what kinds of businesses will best serve St. Helena, contradicts what the majority of residents believe will sustain the quality of life that originally attracted them (as well as tourists) to our city.

LU3.C Encourage diversity and give preference to local-serving retail services which do not require a consumer base larger than the population of

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St. Helena and its vicinity. For the purposes of the General Plan, "vicinity" is defined as the surrounding agricultural area for which St. Helena has historically provided goods and services, including Calistoga, Angwin, Deer Park, Meadowood, Madrone Knoll, Rutherford and the unincorporated area south of St. Helena.

Draft Update at 2-38.

The object of the following revisions is to give preference when possible to local-serving businesses applying for permits in St. Helena. Local-serving is redefined more broadly to make it easier for existing and new businesses to comply. Citizens Voice believes absentee ownership and a low-wage salesforce diminish St. Helena's charm and character. Chain stores as defined below are unlikely to be locally owned or staffed, will not complement existing stores, and will create a generic suburban feel that conflicts with the small town rural character that appeals both to tourists and locals. There are times when preservation and progress are the same thing.

ES1.B Update the Municipal Code to encourage diversity and give preference to local-serving businesses that are complementary to St. Helena's small-town character and that provide goods at a range of prices. Local serving should be defined not only as offering goods and services appropriate to the citizens of the St. Helena vicinity, but also as businesses with owners and/or staff actively participating in the community. Update the Municipal Code to define and permit prohibit non-chain, discount-type retail services and stores. Chain stores should be defined as any business having multiple commercial properties with the same ownership and name which is required by contractual or other arrangement to provide any of the following: standardized merchandise, similar architectural design, interior décor, signage, display or marketing materials and techniques. Maintain the existing provisions in the Municipal Code that prohibit formula restaurants, outlet and chain discount-type stores, and retail businesses over 10,000 square feet in size.

Draft Update at 3-11.

ES2.1 Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development, but prohibit any visitor serving activity, which would compromise the quality of life for St. Helena

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residents. Although a proposed visitor-serving use may be economically beneficial to the City, it should not be approved if it significantly impacts residents by increasing traffic, introducing visitors into residential areas, increasing noise levels, etc.

Draft Update at 3-12.

ES2.2 Encourage visitor-serving uses oriented toward a more discriminating market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market or that compromise the quality of life for St. Helena residents by significantly increasing the total number of tourists.

Id.

The draft proposes eliminating the cap on the number of hotel and motel rooms in the City. Such a dramatic change of policy is unwarranted. Instead, the City should take a more moderate approach, replacing the complete prohibition on hotel growth in the 1993 General Plan with a new, increased cap along with a process for occasionally updating this cap. Most citizens believe opening the door to unlimited, or market driven, development is an unacceptable approach to maintaining the character of St. Helena. Citizens Voice's approach offers the City a way to control hotel and motel growth in a way that matches residents' desire for responsible growth.

ES2.3 Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the Establish a reasonable cap on the number of hotel and motel rooms, but continue to limit vacation rentals.
Establish a process for periodic review and updating of the cap.

Draft Update at 3-12.

ES2.A Continue to prohibit formula restaurants, outlet and chain discount stores, chain retail stores and time-share lodging projects (excluding Franchised Ownership Lodging). Consider destination membership clubs and other potential lodging options that contribute to the Transient Occupancy Tax (TOT) revenue stream and do not conflict with the character of the City or negatively impact neighbors or neighborhoods.
Establish a cap on the total number of such destination membership clubs

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and other lodging options designed to contribute to the TOT revenue stream.

Draft Update at 3-13.

ES3.E Encourage partnerships between the City and private and/or nonprofit organizations to enhance the City's economic sustainability. Although tourism offers economic benefits, it does not come without a toll on St. Helena's infrastructure, i.e. water, sewer, roads, sidewalks, parking, additional police, fire, park maintenance, traffic and, most significantly, small town rural character and quality of life. To provide data with which to make responsible decisions regarding soliciting additional tourism, visitor-serving retail, and hotel development, the City will commission an independent third party consultant to produce a detailed cost-benefit analysis of tourism development in St. Helena and vicinity.

Draft Update at 3-14.

Thank you for the opportunity to comment on the Draft General Plan Update. Citizens Voice looks forward to continued collaboration with the City as it moves forward in the planning process. If you have any questions about our requested edits, please do not hesitate to contact me at folk@smwlaw.com or (415) 552-7272.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP


 Ellison Folk

Attachment: Exhibit A: St. Helena General Plan Update, Visioning Statement Development, Summary of Top Issues of Disagreement

cc: Noah Housh, Planning & Community Development Director
 Jennifer Phillips, City Manager
 Victor Carniglia, Planner

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 WEINBERGER LLP

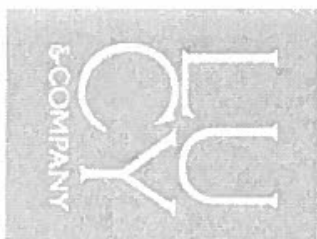
EXHIBIT A

SAINT HELENA

GENERAL PLAN UPDATE

Visioning Statement Development

Summary of Top Issues of Disagreement



Phrases to Describe St. Helena

“Wine country village” and “tourism-oriented community” were each chosen by one-third of the respondents as the best phrase to describe St. Helena among four with which they were presented (34% and 32%, respectively). *GPUSC 50% & 10% respectively.*

This indicates very mixed perceptions of the town, and explain the difficulty in defining a realistic vision. New residents that haven't seen the changes tend to view the area more idyllically than long-timers.

Quality of Life

Two visitor-related businesses had roughly equivalent percentages rating them as negative and positive impacts on quality of life in St. Helena.

- ◆ “lodging” (28% negative, 25% positive) *GPUSC 50% & 30%*
- ◆ “art galleries” (30% negative, 26% positive). *GPUSC 50% & 30%*

There are clear advantages to serving a larger market area that tourism supports, and obvious uncertainty about the implications of some of these uses.

Visitor-Related Uses

The lowest level of agreement on a five-point scale (“strongly agree” to “strongly disagree”) for statements about visitor-related uses was for the following statement:

- ◆ “Future development of visitor-related uses in St. Helena should be driven by market forces, not controlled by local government.” (36% agreed “strongly” or “somewhat” and 57% disagreed “strongly” or “somewhat.”) *GPUSC 80% disagree 20% agree*

Managing tourism to the benefit of residents and the quality of the town as a whole is important.

The two remaining statements had quite comparable levels of agreement and disagreement.

- ◆ Forty-five percent agreed that “There should be no further development of visitor-oriented uses in St. Helena,” and another 45 percent disagreed. *GPUSC 50%, 20%*
- ◆ Forty percent agreed that “Future visitor-oriented uses should be limited strictly to Main Street” and 48 percent disagreed. *GPUSC all over the board*

Clearly the jury is still out on the role and nature of “visitor vs local serving” uses.

Conservation and Sustainability

Fifty-two percent of full-time St. Helena residents agreed that “St. Helena residents should be able to choose whether or not to conserve water, energy, recycle or take other steps to live more sustainably” and 41 percent disagreed. *GPUSC 70% disagree*
Choice is perceived as being taken away with this wording, so this one is not surprising.

Potential Future Development

Residents were asked to rate several types of potential future development on a 10-point scale from “very beneficial” (1) to “very detrimental” (10).

- ◆ “Residential development” received roughly equivalent top three 1, 2, 3 beneficial ratings (2%, 9, and bottom three 8, 9, 10 detrimental ratings (29%)). *GPUSC 30%, 30%*

Is this a concern regarding any additional people in town or worries over poor quality development negatively affecting the small town character of the town?

Preferences for Potential Future Actions in St. Helena

In a series of tradeoff questions in which full time residents expressed their preferences for one potential action over another in St. Helena, two of the tradeoff pairs yielded no clear cut preference.

- ◆ “Construct affordable housing in St. Helena” (35%) and “maintain current lot sizes and densities” (35%) received equal preference in this tradeoff. *GPUSC 30%, 50%*
Does this indicate that 2nd units, and other infill development is not supported to meet our housing needs? Or is this just the wrong question?

- ◆ “Drive to other towns to meet my needs for entertainment, shopping and services” (38%) was slightly preferred over “add more retail, commercial, office and restaurants in St. Helena” (34%). *GPUSC 20%, 60%*
Is this a question of where, how much and what kind? It indicates a desire for some limited commercial development within walking distance to the core town.

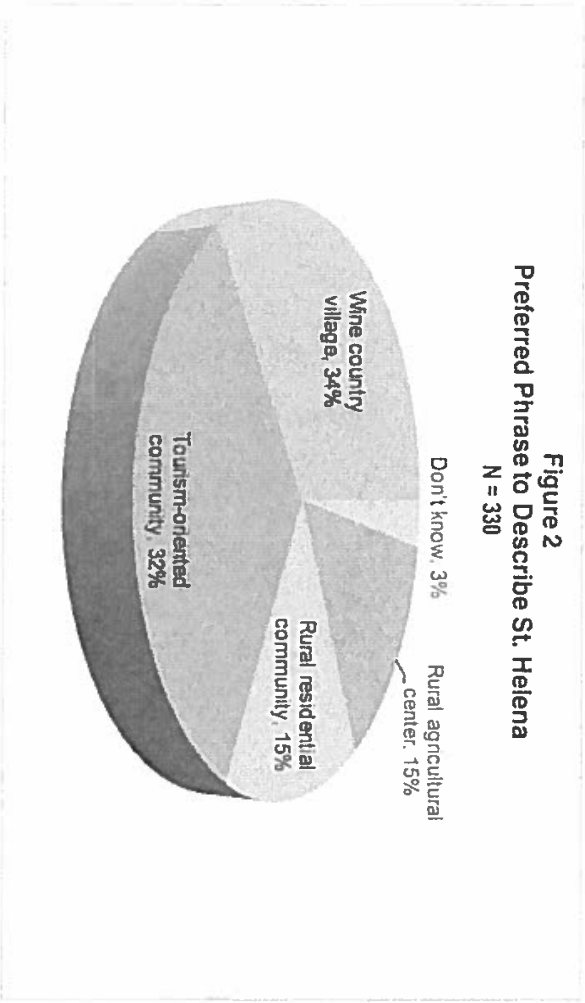


Figure 4
Impact of Visitor-Related Effects
On Quality of Life in St. Helena
10-point scale: 1 = Very positive, 10 = Very negative
N = 330

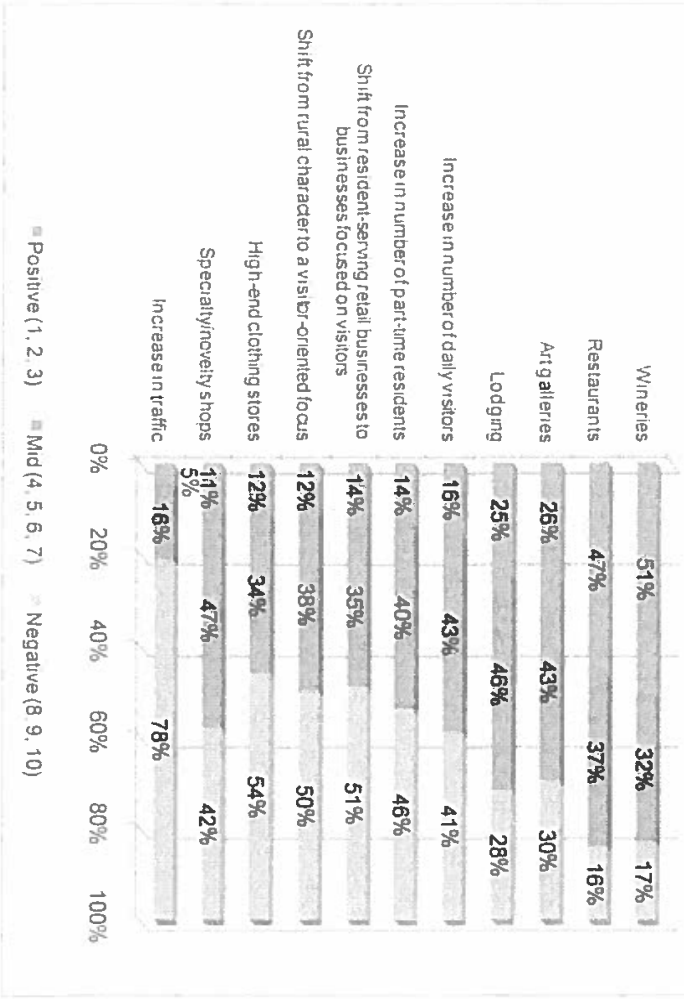
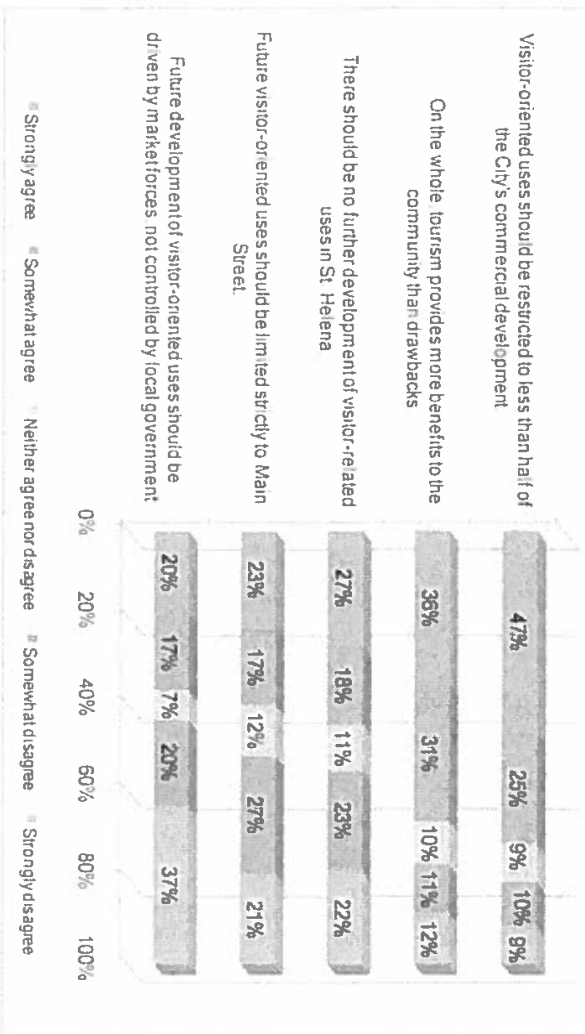


Figure 5
Level of Agreement with Statements
Related to Visitor-Related Uses in St. Helena
5-point scale: Strongly agree to Strongly disagree
N = 330



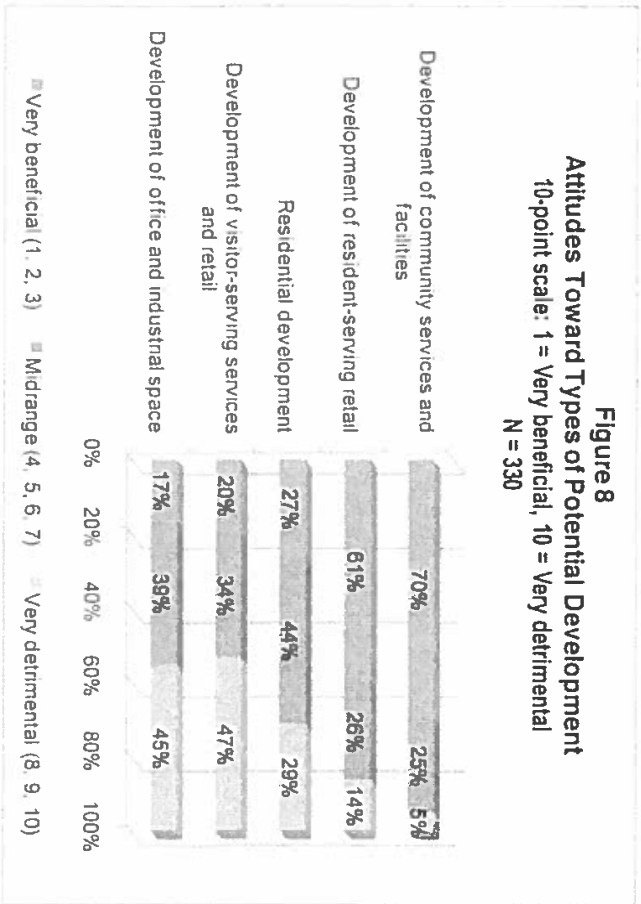
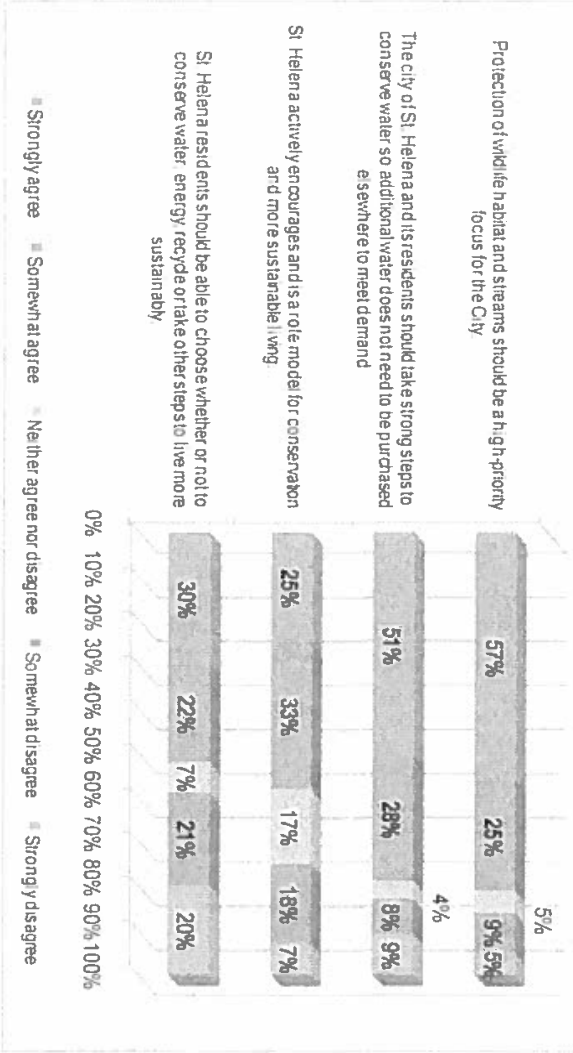
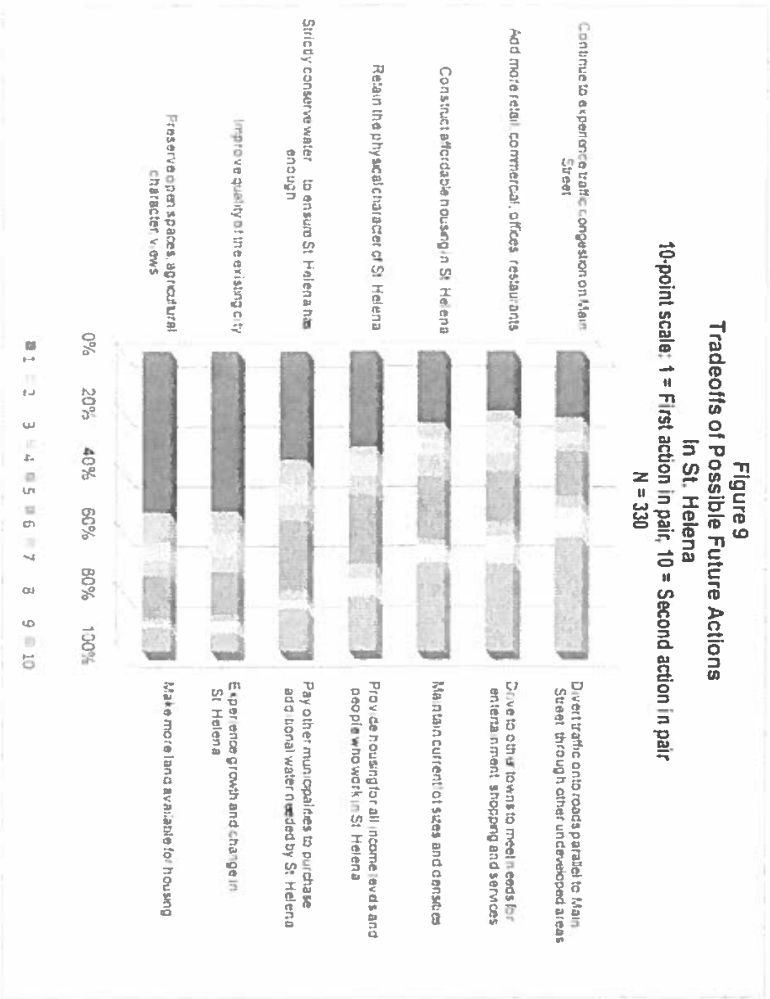
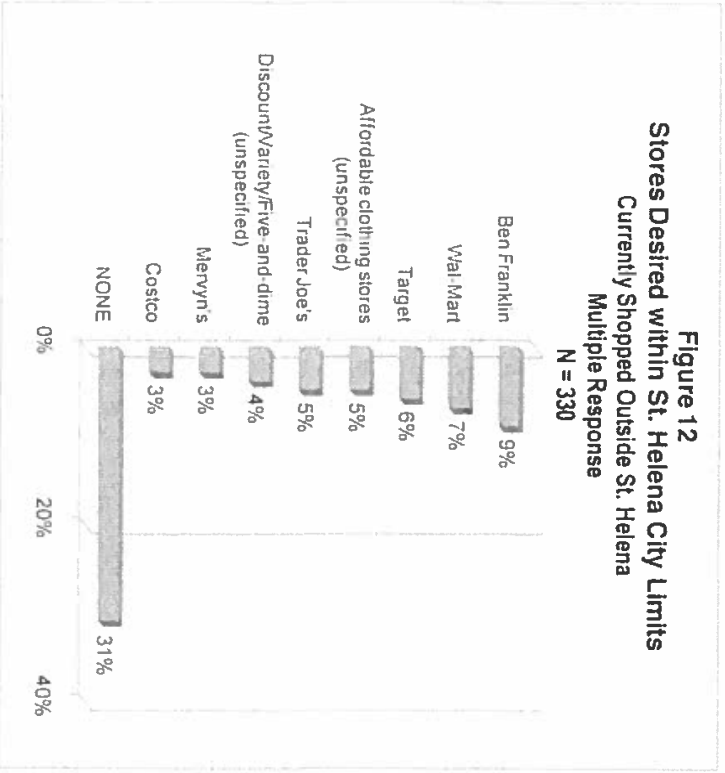


Figure 6
Level of Agreement with Statements
Related to Conservation and Sustainability in St. Helena
5-point scale: Strongly agree to Strongly disagree
N = 330









The property owned by the City on the other side of the levee has been designated as Open Space. These designations are different from those in the September 2015 draft General Plan, where the City's property and the eastern portion of the Hunter Parcel were designated as Low-Medium Density and the western portion was designated as Medium Density (Figure 2.1). As discussed below, the Hunter Parcel should be re-designated Agricultural in the General Plan in order to comply with Measure A and the conditions attached to the state and federal funding received by the City to construct the Flood Control Project.

The changes in the land use designation of the Hunter Parcel from the September 2015 draft General Plan to the April 2016 draft General plan are not explained. Nor is the decision to permit Medium Density housing to be constructed on the eastern portion of the parcel. These designations will create serious legal issues regarding the City's compliance with Measure A, as well as other state and federal funding sources. Moreover, the designations will facilitate the destruction of agricultural land despite the draft General Plan's strong emphasis on the need to preserve agricultural land – even in urban areas. Among the "Growth Strategy Principles" set forth on Page 2-21 of the draft General Plan is the following: "Preserve agriculture, green and open space within the ULL to ensure the City maintains a rural and small town character with sufficient 'fingers of green,' particularly in light of St Helena's longstanding significant inadequacy of park land." The Medium Density designation of the eastern portion of the Hunter Parcel and the Low-Medium Density designation of the western portion are in conflict with the requirements of Measure A and the conditions imposed by other state and federal funding sources, and they are inconsistent with the General Plan's goal of preserving agricultural land. These designations also fail to account for – and mitigate – the lack of parks in the City, a serious deficiency noted in the General Plan that will only be exacerbated by permitting a park-less subdivision to be constructed on the Hunter Parcel. As stated in "Understanding The Basics Of Land Use And Planning" published by the Institute for Local Government (2010):

The text of the general plan must be consistent with accompanying maps and diagrams. For example, if the text of the general plan includes a policy of conserving prime farmland while at the same time a map designates all or most of the existing farmland as an area for housing development, the plan would be internally inconsistent (page 16).

Here, although the draft General Plan repeatedly trumpets the City's commitment to preserving agricultural lands – even within the Urban Limit Lines (page 2-21) - it inconsistently sanctions ripping out the existing vineyards and covering the open space in the Hunter Parcel with asphalt and housing units (Figure II-4 Hunter



Subdivision Project EIR). Especially in light of the City's construction limit of nine new market-rate houses in St. Helena per year, as well as the recent designation of adequate Key Housing Sites in the Housing Element, there is no demonstrable public need that would justify allowing a developer to destroy agricultural land to erect a subdivision that will increase the demand for City services - at a time when the City cannot even properly maintain existing roads, facilities, and public buildings.

In addition to failing to deal in a meaningful way with the critical issues involving the Hunter Parcel and the need to preserve agricultural land and open space, the draft General Plan completely ignores the enormous financial risks to the City if development is allowed behind the levee. The plans put forward by the developer for subdividing the landside of the levee pay no attention to recent studies warning of the dangers of building housing and other structures behind levees, including a recent study by a U.C. Davis expert on levees. (Professor Nicholas Pinter, see article in *Environmental Science & Policy*, February 2016, summarized in "Behind The Levee: Flood Risk Can Be Higher With Levees Than Without Them," <https://www.ucdavis.edu/news/behind-levee>). As noted in the U.C. Davis summary:

You don't take largely undeveloped floodplain, build a big wall and then build billions of dollars of new infrastructure behind it. The beneficiaries of such projects are the developers and the local tax base, but residents, the state, and U.S. taxpayers are left with a Pandora's box of residual risk and liability....

The scientists modeled four flood conditions - 2-year, 5-year, 100-year and 400-year levels - with and without levees. Levee failures were also modeled. The study included floodplain land excluded from flood hazard maps because it is behind levees accredited by the Federal Emergency Management Agency. The researchers noted that excluding such lands underestimates the actual flood risk nationwide.

Because levees raise flood levels in surrounding locations, they are known to export flood risk from one set of floodplain residents to their neighbors.

Ignoring the risk of levee failure is a blueprint for disaster, and the liability for a disaster such as a failure or breach of the levee belongs to the City, which can ill afford the massive damages that would be involved. See e.g. California Water Code, section 12748.3.

Additionally, the draft General Plan is deficient because it ignores the City's potential liability for misuse of Measure A funds and other state and federal flood control funds if it allows development of the Hunter Parcel. The Hunter Parcel must be re-designated Agricultural in order to comply with Measure A, and the conditions imposed by state and federal funding sources used to finance the levee. This should



be spelled-out fully in the General Plan because the City’s ability to meet the objectives of the General Plan will be severely impacted if the City is required to repay all or part of the Measure A sales tax revenues it has received (and still is receiving) by allowing a subdivision to be constructed on the Hunter Parcel. The City also will be severely impacted if it has to defend litigation by taxpayers or respond to inquiries and audits by state or county agencies (see e.g. California Gov. Code section 8546.10 – the High Risk Local Government Agency Audit Program effective July 1, 2015). Measure A prohibits the City from using Measure A funds to increase “growth” in the City; the funds can be used only to protect the property and structures that existed *before* the Flood Plan was implemented. Thus, Measure A states:

None of the projects in the Plan are intended or designed to encourage population growth in Napa County. (Section 2. Findings)
 The components of the Plan that involves the rest of the County (other than the City of Napa) must include the following projects which are designed to protect against flooding, improve water reliability for the existing Napa County population as of the effective date of this Ordinance. None of these projects are intended or designed to expand water capacity for growth or new development. (Section 8. Approved Projects: County-Wide Flood Protection and Watershed Improvement Projects Not Involving the City of Napa)

The use of Measure A funds to design a levee in a way that will facilitate the construction of a new housing subdivision behind the levee is not permitted. Measure A also requires the City to comply with the principles set forth in the Napa River Watershed Owner’s Manual. Destroying vineyards and open space to build a subdivision on a historic floodplain behind a levee does not comply with these principles (see e.g. Section L. Land Use: “Streets, roofs, parking lots and driveways all add to the amount of impervious surfaces that do not allow rainfall to percolate into the groundwater”). Constructing a subdivision on the Hunter Parcel will simply increase the amount of rainwater that runs off into the Napa River instead of percolating into the groundwater.

Unfortunately, there is considerable evidence that could bring into question the City’s compliance with Measure A with respect to the Hunter subdivision project. Based on the Report to the City Council from the Finance Director and Grants Manager (and approved by the City Manager) on January 26, 2016, it appears that the City is “working closely with the Napa County Auditor-Controller to provide all detailed documentation for all past drawdowns, contract amendments for future drawdowns and ensuring full compliance.” While the meaning of this statement in the Report is unclear, one could infer that the City has not fully and timely reported its use of Measure A funds in the past. Such an inference would not be unreasonable



given the City's repayment of \$1.9 million of Measure A funds that could not be justified.

There are also serious questions that could be raised about the City's compliance with the Brown Act in connection with its closed-door sessions on the levee and the development of the Hunter Parcel.

We are mindful of the requirements of the Housing Accountability Act (Gov. Code § 65589.5), but note that the tentative subdivision map submitted by the developer's representatives and deemed complete by the Planning Department staff on March 28, 2011 was submitted prior to the completion of the Flood Control Project at a time when the Hunter Parcel was still within FEMA's 100 year floodplain. The FEMA floodplain map was not updated until 15 months later on November 5, 2012. Thus, it appears that the Hunter Subdivision Project was subject – and continues to be subject – to all federal, state and local restrictions on new construction on a 100 year floodplain.

We understand that an application for a vested tentative map for the Hunter Subdivision Project may be pending. Such an application can and should be denied pursuant to Government Code section 66498.1 (c)(1) and (2), which provides:

(c) Notwithstanding subdivision (b), the local agency may condition or deny permit, approval, extension, or entitlement if it determines any of the following:

- 1) A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
- (2) The condition or denial is required in order to comply with state or federal law.

The City should instruct the Planning Department to deny the application for a vested tentative map in order to comply with Measure A and other state and federal funding sources, and in order to prevent placing residents of the subdivision and the community "in a condition dangerous to their health or safety, or both."

Given all of the circumstances described above, we feel strongly that the City should take the following actions, and make appropriate amendments to reflect these actions in the draft General Plan:

1. Deny approval of the Hunter Subdivision Project pursuant to the Housing Accountability Act on the ground that at the time the subdivision map was deemed complete by the Planning Department staff on March 28,



2011, the Hunter Property was located on a 100 year floodplain and construction of residential housing was restricted.

2. Additionally, deny approval of the Hunter Subdivision Project pursuant to the Housing Accountability Act, and make the following specific findings: (1) the Project has a specific adverse impact on public health and safety, namely, approval of the project would violate Measure A and other state and local funding sources for the Flood Control Project, and would subject the City to large potential liabilities for repaying the Measure A and other state and federal funds it received to construct the levee, which could exhaust City funds and prevent the City from continuing to provide essential services needed for public health and safety including adequate police and fire protection and other essential services; and (2) there is no feasible method to mitigate or avoid the adverse impact that could arise from approval of the Project;

3. Additionally, deny approval of the Hunter Subdivision Project pursuant to Subsection (d) of the Housing Accountability Act (Gov. Code § 65589.5(d)) and make the following specific findings: (1) The City has met its RHNA for the Housing Element Period; (2) as noted above, there would be a specific adverse impact on public health or safety that cannot be feasibly mitigated; and (3) denial is required to comply with Measure A and other state and federal requirements on the use of flood control funds;

4. Amend the draft General Plan to place the Hunter Parcel outside the Urban Limit Line, as it was in the land use map/zoning exhibit to the September 13, 2011 Staff Report (referred to above). Thus, the new Urban Limit Line should run along the property lines of the existing houses, Hunt's Grove Apartments, and Vineyard Valley that border the Hunter Parcel;

5. Amend the draft General Plan to re-designate the Hunter Parcel as Agricultural in accordance with its current use as a vineyard and the strong preference expressed in the draft General Plan for preserving existing agricultural land; and

6. Amend the draft General Plan to list the Hunter Parcel as Agricultural on the "General Plan Change Areas" on pages 2-22 and 2-24 of the draft General Plan.

Among the reasons for making the suggested findings pursuant to the Housing Accountability Act and the suggested amendments to the draft General Plan are the following:



1. Re-designating the Hunter Parcel as Agricultural would be consistent with the requirements of Measure A, which the City likely will be breaching if it allows a new residential subdivision to be built behind the levee. By classifying the Hunter Parcel for residential development, the City exposes itself to the argument that it misused Measure A funds (and possibly state and federal funds as well) to promote growth and the building of new structures behind a levee, rather than protecting *existing* structures and property. The timeline of events surrounding the closed-door land deal, the design of the levee, the date of the request for proposal for the Flood Control Project, the construction and completion of the levee, and the announcement of the proposed 87-unit residential project on the Hunter Parcel logically could lead to the conclusion that the levee project was approved by the City with the intent to allow for growth of new homes behind the levee.

On the other hand, by moving the Urban Limit Line and designating the Hunter Parcel as Agricultural – consistent with what was proposed as early as April 2009 - the City would be able to demonstrate through the General Plan its intent to abide by the letter and spirit of Measure A.

2. Measure A is an extremely serious issue – one that needs to be addressed head-on and in a public session. The City already has received approximately \$18 million in Measure A funds. Anyone who has walked the levee cannot help but wonder why a lengthy levee running perpendicular to the river and cutting across the floodplain was constructed, when alternative measures would have provided more protection to *existing* property and structures, including those on Fulton Lane (see e.g. "Fulton Lane Residents Still Worried," Napa Valley Register, November 1, 2007; City Council Minutes, December 9, 2008). It can be argued that the closed-door deal struck by the City and the developer in 2008 primarily promoted the prohibited objective of new housing growth behind the levee at the expense of protecting the existing housing and property of other residents.

3. Another troubling fact is that the City Council paid the developer \$325,000 to settle a suit alleging that the City had failed to use the dirt excavated from the flood control project to construct a building pad on his property. Of course, a building pad would not have been needed unless there was an intention to build new housing behind the levee. *This settlement was paid out of Measure A funds and was approved in a closed session of the City Council on December 19, 2012.*

4. Even more troubling from the standpoint of Measure A is the land swap deal that was agreed to by the City and the developer. In October of 2008 the City Council voted for the land deal *in a closed session*. After accusations



were made to the Napa County District Attorney that the Brown Act had been violated, the City Council rescinded the deal at its December 2008 Council meeting but then went ahead and re-approved the deal in an open session at the same meeting. The request for proposal for the levee was released the following month in January 2009. A contractor was approved by the City Council in April 2009, and a start date for the project was set for June 2009. The levee was completed two years later in June 2011. Well before completion, however - in September 2010 - the developer submitted a tentative map for a subdivision behind the levee.

5. The dealings between the City and the developer during this time period were anything but transparent. The Napa Valley Register reported on November 24, 2008 that "during years of closed-door negotiations" the City agreed on a land swap plus the payment of \$899,500 to the developer. The Planning Commission was not allowed to play a role in the decisions that were made behind closed doors. Apparently, these closed-door negotiations went on for over two years (see Napa Valley Register, December 4, 2008).

6. An important case dealing with the implications of closed-door sessions is *Trancas Property Owners Association v. City of Malibu* (2006) 138 Cal.App.4th 172. In that case, Malibu had disapproved the developer's final subdivision maps, and the developer sued. Malibu then made a deal with the developer under which it would approve one of the maps, and exempt a downsized version of the development from certain zoning restrictions. In exchange, the developer agreed to drop the lawsuit and dedicate three-fourths of the acreage to the city. This deal was approved by the city council in a closed-door session. The appellate court held that the deal was invalid and that the closed-door session violated the Brown Act - even though the agreement included a settlement of litigation. *Trancas* at 175. Obviously, this case has very significant implications for the Hunter Parcel dispute. First, under *Trancas*, a city cannot contract with a developer to restrict the application of zoning laws or other ordinances applicable to property. This means any deals allegedly made by the developer and the City behind closed doors as part of the land swap deal are unenforceable. Second, under *Trancas*, the Brown's Act's "implied exception for adoption of litigation settlements in closed session does not embrace such agreements as provide for governmental decisions without legally required public hearings. . . ." *Trancas* at 187. Thus, it is very clear that any agreements the developer may have negotiated with the City with respect to developing the Hunter Property during the closed-door sessions with the City are invalid and unenforceable.

7. We are aware that the developer has claimed a "vested interest" in the zoning of the Hunter Parcel. While the developer may or may not have



certain rights under the Housing Accountability Act, the developer does not have “vested rights” or the right to claim that the City is “estopped” from denying approval of the Hunter Subdivision Parcel. California law is crystal clear that a developer has no vested interest in the designation or zoning of property unless and until a building permit has been issued, and the developer has performed substantial work and incurred substantial liabilities in good faith reliance on the permit. *Avco Community Developers, Inc. v. South Coast Regional Commission* (1976) 17 Cal.3d 785. As stated by the California Supreme Court in *Avco*: “... neither the existence of a particular zoning nor the work undertaken pursuant to government approvals preparatory to construction of buildings can form the basis of a vested right to build a structure which does not comply with the laws applicable at the time a building permit is issued.” *Avco* at 793. Numerous California cases have followed *Avco*, such as: *Raley v. California Tahoe Regional Planning Agency* (1977) 68 Cal.App.3d 965; *Billings v. California Coastal Commission* (1980) 103 Cal.App.3d 729, 735; *South Central Coast Regional Commission v. Pratt Construction Co.* (1982) 128 Cal.App.3d 830; *Blue Chip Properties v. Permanent Rent Control Board* (1985) 170 Cal.App.3d 648; and *Consaul v. City of San Diego* (1992) 6 Cal.App.4th 1781. The cases also make clear that a refusal by the City to approve the Hunter Subdivision Project in accordance with the Housing Accountability Act and/or CEQA does not constitute a “taking” of private property by the City, since the land can be used for agricultural purposes. See *Lakeview Development Corporation v. City of South Lake Tahoe* 915 F.2d 1290 (9th Cir. 1990) [restrictions on development did not constitute a “taking” or deprive developer of his property without due process].

8. Particularly instructive is the decision of the California First District Court of Appeal (the appellate court that hears appeals from Napa County) in *Toigo v. Town of Ross* (1998) 70 Cal.App.4th 309. The property owners in that case sued the Town of Ross when the Town refused to grant an application to build a five lot residential subdivision on a hillside property. The property owners sued the Town, asserting estoppel and regulatory taking claims. They lost in the trial court and appealed. The Court of Appeal upheld the decision of the trial court. The appellate court rejected the property owners’ claims of estoppel. According to the appellate court, a property owner “... faces daunting odds in establishing estoppel against a governmental entity in a land use case,” and “estoppel can be invoked in the land use context in only ‘the most extraordinary case where the injustice is great and the precedent set by the estoppel is narrow.’” *Toigo* at 321. The appellate court cited the California Supreme Court’s decision in *Avco* and noted: “Courts have yet to extend the vested rights or estoppel theory to instances where a developer lacks a building permit or the functional equivalent, regardless of the



property owner's detrimental reliance on local governmental actions and regardless of how many other land use and other preliminary approvals have been granted." *Toigo* at 322. The appellate court also said that "California courts apply this rule most strictly" and referred to the "rigidity of the 'building permit' rule." *Toigo* at 322.

It seems very clear that there is huge financial risk to the City if it allows the Hunter Subdivision Project to go forward, including the possibility of litigation by residents and sales tax payers who object to the misuse of Measure A funds and the closed-door deals with the developer. On the other hand, we believe the risk that the developer could *successfully* sue the City for changing the Urban Limit Line and changing the designation of the property to Agricultural and/or rezoning is relatively low if the City complies with the Housing Accountability Act and makes the appropriate findings required by that Act. Of course, CEQA may provide additional grounds for not approving the Project.

To do nothing – and simply "kick the can" down the road – is not really an option. The current members of the City Planning Commission and the City Council need to take a strong stand in favor of full compliance with Measure A and the requirements of other state and federal funding sources, such as the Department of Water Resources. Too much is at stake to do otherwise. The City should be careful not to ratify or condone the mistakes made by former City officials with respect to the Hunter Parcel. The levee has been constructed – for better or worse – but the Planning Commission and the City Council should not put the City at financial risk by approving the Hunter Subdivision Project. There are no upsidies, only downsidies. The City can win a suit by the developer; it cannot win a suit by its own residents and taxpayers, nor can it withstand an audit by local, state or federal agencies if it allows construction of the Hunter Subdivision Project to proceed. In our view, the Hunter Parcel should be re-designated as Agricultural in the General Plan and the City should refuse to permit the construction of housing behind the levee.

Thank you for your consideration of these comments and suggestions.

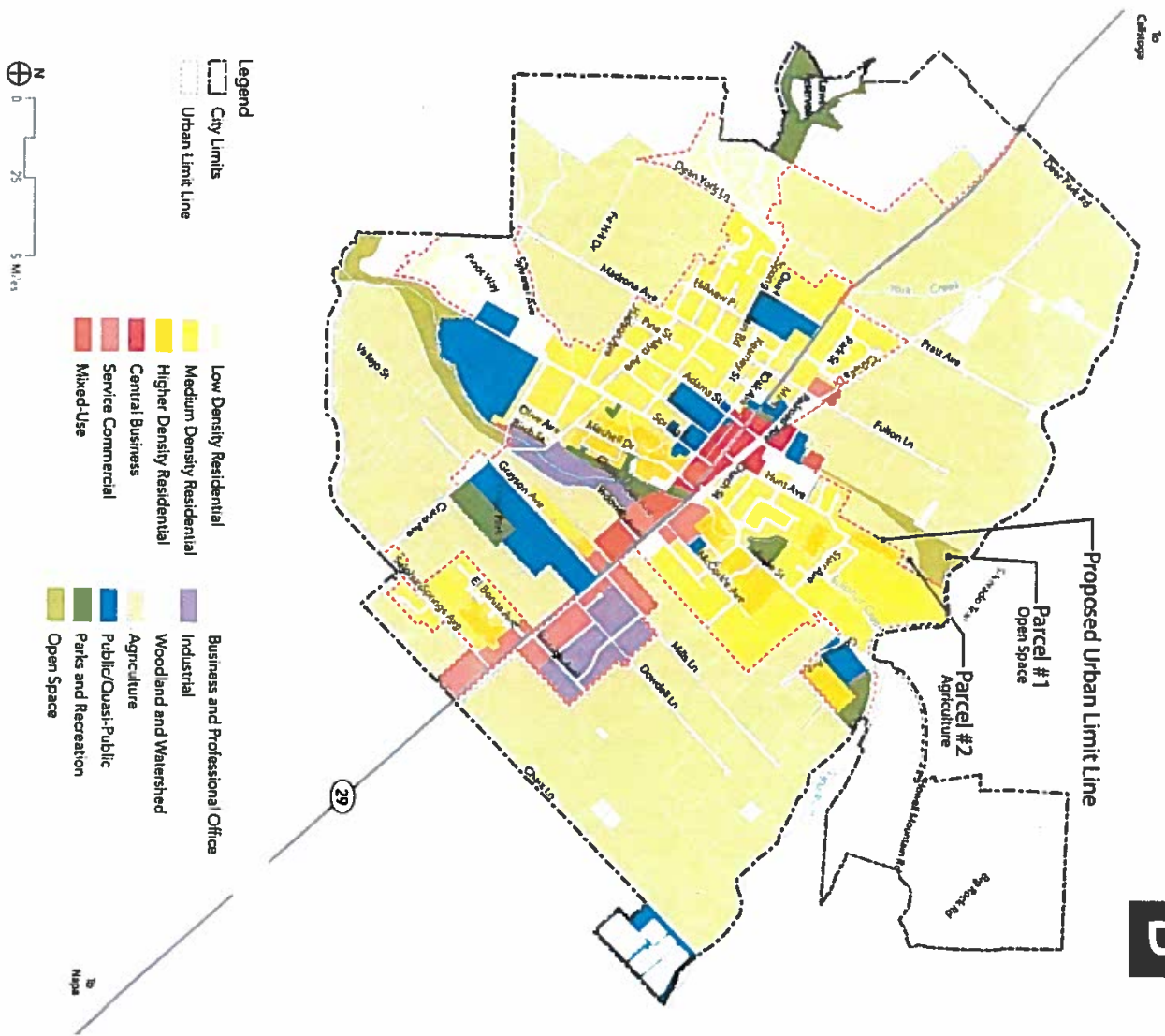
Respectfully,


David S. Bradshaw

cc: Planning Commission Members
Mayor
Planning & Community Improvement Director

Proposed Land Use

B



Source: Crystal Ball Review/Maple County
April 2009

27

Cindy Tzaopoulos

From: Ann Nevero [REDACTED]
Sent: Tuesday, February 20, 2018 10:12 AM
To: Cindy Tzaopoulos
Subject: Please reschedule tonight's meeting to allow public participation

Good morning Council and City manager,

I am sending another more detailed email today to encourage you to notice the GP EIR scoping meeting in a manner that would allow the public to actually weigh in. The notice for this important meeting was sent out on Thursday night at 6:15 pm on a Holiday weekend. While I understand the need to move forward on this, I also feel it is important to emphasize a few points:

- 1) Our city manager stated that CC meetings would be noticed 10 days in advance in order to give the public a genuine chance to learn about important meetings, and make necessary arrangements to attend those that are of importance to them. Thank you for this very real attempt to ensure the public is not left out – please don't go back on the intent and practice, because it is a welcomed and excellent improvement.
- 2) Tonight's Staff Report is over 100 pages long with the majority of references and input from 2016. Some are discussing items and issued from 2 years ago that have been resolved or are no longer relevant. There is even a 2016 report written by 2 members of the 2016 Planning Commission which did not achieve PC consensus, and was actually never presented to the CC. Further, there are a number of comments about "previous work in the EIR being adequate and so it will just be reviewed" - This seems to indicate we are simply going to dust off old views/data and move forward. Of course I am not suggesting this is the case, but the perception by the public would be very reasonable. The cost of this EIR and intent is to "do a new EIR". It doesn't seem feasible to gather additional scoping questions when so many people were unaware of this meeting.
- 3) Not all public comments are included– there is "a selection" of public comments attached. It seems reasonable to have all the comments available.
- 4) The page numbering is inadequate and there are redundant letters that have no date or reference regarding the author or recipients.
- 5) Many St Helenans were not checking email and reviewing a 100 page document during the 3 day weekend and were not preparing their schedule to attend a meeting they are just seeing in their notification emails this morning.

In the spirit of inclusiveness and to demonstrate that this exercise is not just an automatic "checkbox" of the existing GPEIR and very specific views of the commenters from 2016, please reschedule this item with appropriate notice. It is not in anyone's best interest to begin this process by seemingly pushing this important scoping meeting through with very minimal public participation.

Many thanks as always for all your work to take care of our wonderful little city – it is appreciated.

Best regards,
 Ann

Ann Nevero

Cindy Tzaopoulos

From: Ann Nevero <ann@nieman.org>
Sent: Friday, February 16, 2018 5:00 PM
To: Cindy Tzaopoulos
Subject: 2/20 joint meeting

Dear City council and City manager,

I would like to attend the meeting on 2/20, but am unable to attend with the standard notice provided.

Since this is a joint meeting of PC and CC, and Mark had stated that the CC meetings would be noticed 10 days in advance so the public can take advantage of attending important meetings of interest to them, I would ask that you notice this meeting at 10 days notice as well

We greatly appreciate the move toward additional noticing of meetings and hope you will notice this one the same.

Thank you for all your work,
Ann Nevero

Sent from my iPhone

Cindy Tzaopoulos

From: Carol Gruetzner <forhasi@comcast.net>
Sent: Tuesday, February 20, 2018 11:18 AM
To: Cindy Tzaopoulos
Subject: Request

Can tonight's meeting be rescheduled so the public has more notice?
Carol Gruetzner
Sent from my iPhone

Cindy Tzafopoulos

From: Don Simons <desimons05@comcast.net>
Sent: Tuesday, February 20, 2018 11:08 AM
To: Cindy Tzafopoulos
Subject: Meeting 2/20/18

Can tonight's meeting be rescheduled so the public has more notice?

Thx,

Don Simons

Signorelli Cr.

Sent from my iPhone

Cindy Tzaopoulos

From: Patty Simons <pattysimons@comcast.net>
Sent: Tuesday, February 20, 2018 10:40 AM
To: Cindy Tzaopoulos
Subject: Tonight's meeting

Is there any way you can reschedule tonight's meeting so the public can have a chance to be there? We just found out about it and cannot attend.

Thank you,
Patty Simons
831 Signorelli

Sent from my iPhone

Cindy Tzaopoulos

From: Tim Nieman <tim@nieman.org>
Sent: Tuesday, February 20, 2018 7:48 AM
To: CityCouncil; Cindy Tzaopoulos
Subject: Feb 20 Joint Meeting of CC and PC

City Council and Planning Commission,

Over the holiday weekend, I attempted to read and absorb the very long staff report of the GP/EIR item set for Feb 20 in a joint session of the city council and planning commission. I am concerned because staff selected some comments to include from the summer of 2016, while excluding others. Why were all of the comments not made available so we could review them all? What criteria were used to decide what got left out, and therefore not seen? No matter how objective you attempt to be, including some and excluding others imparts a bias to what is being presented. Either all of the comments should be included, or none at all – that’s transparent and fair. It’s too late to choose the option of “no comments”. We need to delay this item until all comments can be included so that the public and City Council/Planning Commission are well-informed to provide input on the scope.

Tim Nieman

Cindy Tzaopoulos

From: Tishna Pastrama <pastrama@sbcglobal.net>
Sent: Tuesday, February 20, 2018 11:01 AM
To: Cindy Tzaopoulos
Subject: Meeting tonight

To whom it may concern:

I am asking that you please reschedule the meeting this evening that was hastily scheduled last week. As a citizen of St. Helena, I feel it was grossly inappropriate and highly underhanded to schedule it right before a 3 day holiday weekend, giving the public no chance to attend this imperative meeting. Thank you in advance for your thoughtful attention and decision in this matter.

Sincerely,

Tishna Pastrama

Sent from my iPhone

Cindy Tzaopoulos

From: ele ele <bergamotto@yahoo.com>
Sent: Tuesday, February 20, 2018 11:20 AM
To: Cindy Tzaopoulos
Subject: Please reschedule tonight meeting

Can tonight's meeting be rescheduled so the public has more notice?
Please,
Elena Benassi St Helena resident

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Tuesday, February 20, 2018 11:39 AM
To: Xinia Gamero
Subject: FW: Please reschedule tonight meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you,

Cindy Tzaopoulos
City Clerk
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Direct 707-968-2742 | Fax 707-963-7748
ctzaopoulos@cityofstheleena.org
www.cityofstheleena.org

-----Original Message-----

From: Alex Pupillo [<mailto:alexpupillo@gmail.com>]
Sent: Tuesday, February 20, 2018 11:38 AM
To: Cindy Tzaopoulos <ctzaopoulos@cityofstheleena.org>
Subject: Please reschedule tonight meeting

Can tonight's meeting be rescheduled so the public has more notice?

Thank you

Alex Pupillo
St Helena resident

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Tuesday, February 20, 2018 11:59 AM
To: Xinia Gamero
Subject: FW: Agenda for tonight

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you,

Cindy Tzaopoulos
City Clerk
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Direct 707-968-2742 | Fax 707-963-7748
ctzaopoulos@cityofsthelena.org
www.cityofsthelena.org

-----Original Message-----

From: Elizabeth Goelz [<mailto:lizzyloves2b@comcast.net>]
Sent: Tuesday, February 20, 2018 11:58 AM
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Cc: Lizzy <lizzyloves2b@comcast.net>; ggoelz@kranzassoc.com
Subject: Agenda for tonight

City Council,

We feel, along with many others St Helena citizens, that there should have been more notice given to the public regarding tonight's agenda item around the general plan. The fact that the agenda was published late on Thursday night prior to a three day weekend does not give the public enough notice.

We request that the agenda item surrounding the general plan be tabled until such time that the community has the time to fully participate.

Respectfully,
Elizabeth and Glenn Goelz

Sent from my iPhone

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Tuesday, February 20, 2018 12:45 PM
To: Xinia Gamero
Subject: FW: Tonight Meeting

Thank you,

Cindy Tzaopoulos
City Clerk
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Direct 707-968-2742 | Fax 707-963-7748
ctzaopoulos@cityofsthelena.org
www.cityofsthelena.org

-----Original Message-----

From: MaryMargaret Simonson [<mailto:mx3hs@comcast.net>]
Sent: Tuesday, February 20, 2018 12:32 PM
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Subject: Tonight Meeting

Could tonight's meeting be rescheduled so the public can be notified ahead to be able to attend.

Thank you
MaryMargaret Simonson

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Tuesday, February 20, 2018 1:21 PM
To: Xinia Gamero
Subject: Fwd: Meeting

Sent from my iPhone

Begin forwarded message:

From: Paula Goyins <pjgoyins@gmail.com>
Date: February 20, 2018 at 1:20:13 PM PST
To: cityclerk@cityofsthelena.org
Subject: Meeting

Can tonight's meeting be rescheduled so the public has more notice?
Paula and Roger Goyins
Sent from my iPhone

Tentative Planning Commission Agenda Updated: February 6, 2017

CURRENT AND PENDING MATTERS

February/March Planning Commission (PC) and City Council (CC) Likely Items:	
1.	February 13, 2018-Joint PC/CC Meeting Fair Housing Workshop
2.	February 20, 2018-Joint PC/CC Meeting Review Scope of General Plan Update and EIR Analysis
3.	PL17-000 March 6, 2018 Main St UP for Caldwell Banker Office Relocation-Lilly Bianco
4.	PL17-000 March x, 2018 Montessori School DR for Building Re-Design
5.	
6.	
7.	
8.	
Active/Pending Projects In Process	
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.	PL14-10 1701 Madrona-Final Map and Tentative Map Extension-Frozen by Applicant
4.	PL16-012 633 Main St-UP to convert existing SFD into 2-room Hotel-Frozen by Applicant-Noah Housh
5.	PL16-018 & PL16-094 890 Dowdell Ln and 420 Lafata St. Mitigated Negative Declaration, UP and DR for a new custom crush winemaking facility-Noah Housh
6.	PL16-081 thru -083 1003 Charter Oak Subdivision and 2 SFDs; Under Review -Aaron Hecock
7.	PL16-097 563 Main St Admin Determination; Frozen by Applicant-Noah Housh
8.	PL16-025 661 Main St LLA-Frozen by Applicant-Noah Housh
9.	PL16-048 576 Pope St-DR for new SFD-Frozen by Applicant
10.	PL17-006 1000 Mills Ln Use Permit, LLA and Design Review for a new Farmstead Hotel-Application under review and CEQA in process-Aaron Hecock
11.	PL17-015 1136 Main TPM Extension
12.	PL17-017 995 Vintage Ave, Suite 100 Use Permit
13.	PL17-019 Design Review, Demo and CUP for demolition and re-construction of a new SFD on a small lot at 1734 Scott St-Continued-Date Uncertain-Lilly Bianco
14.	PL17-020 1727 Scott St DR & Demolition for New SFD and Second Unit-Lilly Bianco
15.	PL17-023 1237 Main St New Short Term Rental Renewal
16.	PL17-024 1830 Main St Remodel and Addition to a Historic Home-Lilly Bianco
17.	PL17-026 STR Permit Renewal-Aaron Hecock
18.	PL17-035 940 Brown St STR Renewal-In Process-Aaron Hecock
19.	PL17-036 738 Main St Farmstead UP Amendment In Process-Aaron Hecock
20.	PL17-038 880 College DR for New Montessori School Building-In Process-Aaron Hecock

21. PL17-040 1030 Fulton Ln DR for 2 new Office Buildings (9290 sq ft and x 4000 sq ft) with related site improvements-Review In Process-Noah Housh
22. PL17-043 CIA Use Permit and Design Review 2555 Main St-Request to increase the total number of students enrolled at the Greystone Facility to 300-Review in process-Lilly Bianco
23. PL17-044 1761 Stockton St DR for Residential Remodel and Addition-Under Review-Aaron Hecock
24. PL17-052 1335 Sulphur Springs-Final Map for Approved Subdivision-Noah Housh
25. PL17-053 1301 Allyn Ave-DR for Remodel of Existing Accessory Structure for Residential Use-Noah Housh
26. PL17-054 1407 Kearney St-STR Renewal –Aaron Hecock
27. PL17-055 1380 Main St-Sign Permit-Aaron Hecock
28. PL17-056 1915 Main St-Appeal of DR Approval for Las Alcobas Pedestrian Bridge-Lilly Bianco
29. PL17-058 1111 Main St- DR for Exterior Alteration- Aaron Hecock
30. PL17-060 631 Pratt- DR Exemption Laundry Room Addition- Aaron Hecock
31. PL17-061 684 McCorkle- Final Map- Aaron Hecock
32. PL17-062 710 Kidd Ranch Road- DR for Addition and Remodel- Aaron Hecock
33. PL17-063 929 Main St- Use Permit Amendment- Aaron Hecock
34. PL17-064 1781 Spring Mountain- DR Exemption- Aaron Hecock
35. PL17-066 2525 Madrona-Tentative Parcel Map- Noah Housh
36. PL17-067 1827 Vineyard- DR New SFR w/ 2 nd Unit & Demo Existing- Lilly Bianco
37. PL17-068 1234 Adams- Use Permit Wine Tasting Room and Offices- Lilly Bianco
38. PL17-069 1723 Dean York Lane- DR Exterior Remodel-Lilly Bianco
39. PL17-070 2600 Sulphur Springs- DR Demo Existing & Building New SFR & Garage- Aaron Hecock
40. PL17-071 280 Pope- DR Exemption Interior Remodel- Joseph Brockhoff
41. PL17-072 1200 Main- Use Permit Amendment Real Estate Office- Lilly Bianco
42. PL17-073 1135 Church- Lot Line Adjustment of 280 Sq. Ft.- Lilly Bianco
43. PL18-002 397 Main St DR and UP Amendment to Expand Salvestrin Winery
44. PL18-003 1309 Hillview DR Exemption for minor Exterior Changes
45. PL18-004 320 McCormick - Design Review for new 12,500 sq. ft. Herdell Printing Building
46. PL18-005 1401 Charter Oak - Proposed Cellular Infrastructure on existing PG&E Tower
47. PL18-006 115 Main St. Sign Permit – Joseph Brockhoff
48. PL18-007 567 Pope - Subdivision and Demolition – Noah Housh
49. PL18-008 567 Pope - Winery Design Review and Use Permit – Noah Housh
50. PL18-009 1702 Tainter – Short Term Renewal – Aaron Hecock
51. PL18-010 1200 Main St. - Coldwell Banker Sign Permit – Joseph Brockhoff
52. PL18-011 1222 Alexander - DR Exemption Carport – Joseph Brockhoff
53. PL18-012 489 Fulton – Short Term Rental Renewal – Aaron Hecock

54. PL18-013 1340 Pine – DR Historic Structure Remodel – Lilly Bianco
55. PL18-014 1304 Main St. – Use Permit Amendment for Brewery -
56. PL18-015 1136 Hudson – Short Term Rental – Lilly Bianco
57. PL18-016 1136 – 1154 Main – DR Exemption Exterior Remodel -
58. PL18-017 1309 Main Suite B – Use Permit -
Citywide PC/CC Assignments Prioritized by Staff and Planning Commission 9-5-17:
Tier 1 Priorities-2017-2018
1. General Plan Update and General Plan EIR-On Going
2. Initiate Creation of Design Guidelines-On Going
3. Comprehensive Zoning Code Update-On-Going
3a. F.A.R. Review-To be conducted with Zoning Code Update-PC Discussion 2-6-18
3b. Demolition Permit Review/ Limit on Demolition Permits
3c. Temporary Use Permit-Create Process-Ordinance and ZC Amendments
3d. Update Daycare Zoning Regs-Consistent with State Law
3e. Food Truck Ordinance
3f. Review Permitted/Conditional Uses in SC and CB Zoning Districts (CC Assigned 8/22/17)
3g. Review process for existing winery changes (PC assigned 8/22/17), existing Non-Conforming Uses, focusing on large Industrial Users
3h. Review of Small Lot Zoning Standards
3i. Update Sign Code Standards
3j. Review and Update Telecommunication regulations to be consistent with State and Federal Law
4. Pre-Application/Concept Design Review Meeting prior to Submittal (CC Assigned 3/28/17)
Tier 2 Priorities 2018 +
1. Housing Strategic Plan-“Housing First” and Workforce Housing Study and Determine What Uses Generate Housing Needs (CC Assigned 8/22/17)
2. Review and Update Noise Ordinance
3. Code Enforcement Policy and Procedures Update
4. Pools-Drought Policy Changes. Phase 1?
Other PC/CC Assignments for Planning Department
1. Facilities Assessment RFP (CC Assigned 7-11-17) RFP Issued 8-31-17
2. Water Update/Report from PW
Other Items of Interest to Planning Commission
1. Lot Line Adjustment Code Update-Potential
Required & On Going Items and Issues of Interest to Staff

1. Calderon Settlement Agreement Implementation and Monitoring-On Going
2. Short-Term Rental Ordinance Enforcement-On Going
3. Code Enforcement-On Going
4. PG&E Parking Lot Negotiation-On Going-Noah Housh
5. Growth Management Code Language Update and Annual Review (Sept)-Noah Housh
6. Fee Study-Pending
7. Review and Comment-Draft Tree Ordinance
8. AB 52 CEQA Process Implementation-Native American Consultation-On Going
9. PW & Planning - Ordinance to Amend Municipal Code Related to Exterior Fire Sprinklers
10. Affordable Housing Assistance; Contract Review; Term Negotiation; Etc.--On Going Noah Housh
Recent Actions
1. PL17-014 1000 Pratt Ave, DR for Beringer Winery Production Modifications April 18, 2017 Lilly Bianco-Approved- DR Appealed to the City Council 5-3-17 (PL17-032 1000 Pratt Ave) CC Review June 13, 2017-Appeal Denied by CC-Lilly Bianco
2. Zoning Code Update to Address Changes in State Law-Second Dwelling Units-Noah Housh- CC Pending for June 13, 2017 (PC Recommended May 2, 2017)-Approved
3. PL17-021 STR Permit 1764 Spring Street-Aaron Hecock-PC Approved
4. OTSH Concept for Affordable Housing on Railroad Property (CC Assigned 3/28/17) Presented to the CC
5. PL17-021 1764 Spring St New Short Term Rental-Aaron Hecock- Approved 6/6/17
6. RFP Selection Committee Recommendation on Adams Street RFP responses. Presented to the CC June 27, 2017.
7. PL17-045-1380 Main St-Sign Permit for New West Knife Works-Staff Approved-Aaron Hecock
8. PL17-039 1427 Kearney St DR for SFD Remodel + Addition –PC Approved-Lilly Bianco
9. PL17-019 1734 Scott St DR for Home and Second Unit Remodel-PC approved June 20, 2017 Lilly Bianco
10. PL17-028 1660 Kearney St DR for Residential Remodel + 455 Sq ft Addition-PC approved June 20, 2017 Lilly Bianco
11. PL17-030 APN 009-362-015 LLA-Aaron Hecock- Approved 7/18/17
12. Joint PC/CC Meeting-August 22-Land Use 101CC and PC Reviewed 8-22-17
13. City Facilities Assessment RFP-CC to Review and Direct staff-Noah Housh CC Reviewed 8-22-17
14. HOME Grant Acceptance and Administration Contract-CC to Review and Act-Noah Housh-CC Approved 8-22-17
15. OTSH Fee Waiver Request-CC To Review and Provide Direction to Staff-Noah Housh-CC Approved 8-8-17
16. PL17-013 1915 Main St DR for Pedestrian Bridge over York Creek extending from Las Alcobas Hotel to Historic Beringer winery (2000 Main St)-Lilly Bianco-Approved 8-15-17
17. PL16-055 1045 Pratt Avenue-DR for new SFD on existing undeveloped flag lot. Lilly Bianco-Continued for Re-Approved 9-5-17
18. PL17-051 1057 Pratt Ave Second Extension for approved DR and Demo-Approved 9-

5-17
19.PL17-046-627 Harvest Ln, Demolition of an Existing Barn –Aaron Hecock- Approved 11/7/17
20.PL17-057 1152 Church St-DR for Exterior Modifications to Existing Structure- Aaron Hecock-Approved 11/7/17
21.PL17-065 1226 Main St- Use Permit- Joseph Brockhoff approved 12/5/17
22. PL17-007 1178 Hudson Design Review Aaron Hecock- Approved 12/5/17
23.PL17-047-1916 Vineyard Ave-Demo and DR requesting to demolish existing SFD and construct a new SFD -Aaron Hecock- Approved 12/5/17
24.PL17-048 1843 Spring Mt Ct-DR for Exterior Building and Site Modifications-Lilly Bianco- Approved 12/5/17
25.PL17-059 1814 Spring St- DR for New SFR & Demo- Lilly Bianco Approved 12/19/17

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planning staff with questions about specific projects or properties at 707-967-2792.