



**City of St. Helena
Planning Commission
Regular Meeting
Tuesday, May 15, 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
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: May 1, 2018
[Commission Minutes 05-01-18](#)
 - 4.2. Applicant, Stan Montee, is requesting a Design Review Exemption to expand the floor area of the primary residence by a total of 218 sq-ft in order to introduce a master closet (189 sq-ft) and construct an addition to the master bath (29 sq-ft). The additions would be consistent with the exterior materials and treatments as currently exist on the residence.

CEQA Determination: The project is 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.
Prepared By: Lilly Bianco, Contract Planner
Recommendation:
Staff recommends that the Planning Commission adopt a resolution finding that:

7 - 9

11 - 33

1. The project is exempt from the requirements of CEQA pursuant to

CEQA Section 15301 as the minor addition to an existing structure ,
and

2. Accept the required findings and approve the Design Review
Exemption for the proposed addition at 468 Hollis Lane.

[Staff Report - 468 Hollis Lane](#)

5. PUBLIC HEARINGS

- 5.1. *This Item will be heard on June 5, 2018 and will be re-noticed as a Public Hearing*- Request by Brain Heim on behalf of Sander LLC for Tentative Parcel Map and Design Review approval in order to subdivide an existing 14.75 acre parcel into two newly created parcels, one 0.5 acres in size and the other 14.25 acres in size at 2525 Madrona Avenue in the Twenty-Acre Agriculture (A-20) zoning district. Prepared By: Noah Housh, Planning & Community Improvement Director
- 35

[2525 Madrona Tentative Parcel Map and Design Review](#)

- 5.2. Request for a Use Permit to operate a Green Biotics “beauty shop” in an existing tenant space at 1309 Main Street, Suite B in the Central Business Zoning District
- 37 - 59

CEQA Determination: The project is categorically exempt in accordance with CEQA Section 15301 “existing facilities” as the operation of an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination. 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.

Prepared By: Lilly Bianco, Contract Planner

Recommendation:

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

1. Determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15301 “existing facilities” as the operation of a business within an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination.
2. Consider the required findings enumerated in Municipal Code Section 17.168 040 and vote to approve, modify, or deny a Use Permit for the proposed Green Biotics formula business use.

[Staff Report - 1309 Main Street, Suite B](#)

- 5.3. 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.
- 61 - 88

CEQA Determination: Exempt pursuant to CEQA Guidelines Section

15061.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff recommends that the Planning Commission review the Draft Ordinance and proposed text amendments to the Sign Ordinance and recommend the following:

1. Determine that the recommendation on the proposed zoning code text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061 and further find that the proposed changes are in keeping with the 1993 General Plan EIR and 2015 Housing Element Mitigated Negative Declaration; and

2. Recommend that the City Council approve the proposed Ordinance in order to update and modify existing zoning code regulations governing signs to establish compliance with current state law.

3. Review and provide staff direction on the additional modifications proposed to the code regulations governing signs.

[PC - 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. - Pdf](#)
[Public Comment\(1\)](#)
[Commissioner Comments](#)

6. SCHEDULED MATTERS

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. [PC Tentative Agena 2018-March Update](#)

89 - 91

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for June 5, 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 May 9, 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, May 1, 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 David Knudsen, and Commissioner John Ponte

Absent: Commissioner Bobbi Monnette

Staff Present: Noah Housh, Planning & Community Improvement Director, Aaron Hecock, Senior Planner, Xinia Gamero, Administrative Assistant, and Joseph Brockhoff, Planning Intern

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. PUBLIC FORUM:

No public comment received.

4. CONSENT ITEMS

Commissioner Knudsen pulled item 4.2 on the Consent Calendar.

4.1 Approval of Minutes: April 17, 2018

Commissioner John Ponte moved to approve the Minutes on the Consent Calendar. The motion was seconded by Vice-Chair Lester Hardy and on roll call carried by the following vote:

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

NOES: None

ABSENT: Bobbi Monnette

ABSTAIN: None

RECUSE: None

4.2 Request for a Design Review Exemption to renovate the facade at 1136-1154 Main Street in the CB: Central Business Zoning District

CEQA Determination: Exempt

Prepared By: Joseph Brockhoff, Planning Intern

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 a Design Review Exemption approval for the applicant to make modifications to the building located at 1136-1154 Main Street.

Planning Intern Joseph Brockhoff reported on the item.

Steve Robertson addressed the Planning Commission.

Commissioner John Ponte moved to approve staff recommendation. The motion was seconded by Commissioner David Knudsen and on roll call carried by the following vote:

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

NOES: None

ABSENT: Bobbi Monnette

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

- 5.1 Request by Ted and Jamie Shuel for a Short-Term Rental Permit to rent the single-family home located at 980 Allison Avenue in the High Density Residential District in accordance with the requirements of the Short-Term Rental Ordinance.

CEQA Determination: Exempt from CEQA pursuant to Section 15061(B)3

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
2. Accept the required findings and approve a short-term rental permit at 980 Allison Avenue.

Senior Planner Aaron Hecock reported on the item.

Ted Shuel, Greg Neil and Suzanne Nicholas addressed the Planning Commission.

No public comment received.

Vice-Chair Lester Hardy moved to approve staff recommendation. The motion was seconded by Chair Grace Kistner and on roll call carried by the following vote:

AYES: Grace Kistner, Lester Hardy and John Ponte

NOES: David Knudsen

ABSENT: Bobbi Monnette

ABSTAIN: None

RECUSE: None

- 5.2 *This Item has Been Continued to a Date Certain of May 15, 2018* - Request by Brain Heim on behalf of Sander LLC for Tentative Parcel Map approval in order to subdivide an existing 14.75 acre parcel into two newly created parcels, one 0.5 acres in size and the other 14.25 acres in size at 2525 Madrona Avenue in the Twenty-Acre Agriculture (A-20) zoning district.

6. SCHEDULED MATTERS

7. DEPARTMENT REPORTS

8. AGENDA FORCAST

8.1 Tentative Agenda

Planning and Community Improvement Director Noah Housh reported on the item.

9. ADJOURNMENT

Chair Kistner adjourned the meeting at **6:37 P.M.**

The May 1, 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 May 15, 2018

AGENDA SECTION: Consent

FILE NUMBER: PL18-023

SUBJECT: Applicant, Stan Montee, is requesting a Design Review Exemption to expand the floor area of the primary residence by a total of 218 sq-ft in order to introduce a master closet (189 sq-ft) and construct an addition to the master bath (29 sq-ft). The additions would be consistent with the exterior materials and treatments as currently exist on the residence.

PREPARED BY: Lilly Bianco, Contract Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 03/13/18

ACCEPTED AS COMPLETE: 04/10/18

LOCATION OF PROPERTY: 468 Hollis Lane

APN: 009-030-055

GENERAL PLAN/ZONING: MR: Medium Density Residential

APPLICANT: Mr. Stan Montee

PHONE: (707) 689-3255

BACKGROUND

The subject property is a 0.81 acre (35283.6 sq-ft) parcel at 468 Hollis Lane and within the Medium Density Residential zoning district. At present, the property is improved with a single family residence (3266 sq-ft), accessory dwelling unit (563 sq-ft), barn (747 sq-ft), and carport (504 sq-ft).

PROJECT DESCRIPTION

Applicant, Stan Montee, is requesting a Design Review Exemption to expand the floor area of the primary residence by a total of 218 sq-ft in order to introduce a master closet (189 sq-ft) and construct an addition to the master bath (29 sq-ft). The additions would be consistent with the exterior materials and treatments as currently exist on the residence. Due to the locations of the additions at property rear and the presence of fencing and a hedge along property lines, the proposed changes would not be visible from any public right of way.

ANALYSIS

GENERAL PLAN/ ZONING

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

Relevant General Plan policies include:

2.6.15 Encourage new residential development in all density ranges that is consistent with scale and character of the older residential districts of the City, particularly the neighborhoods west of Main Street.

4.3.4 Strengthen community identity by appropriate building design, size, and site landscaping.

Consistent with the GP land use designation, 468 Hollis Lane exhibits a zoning designation of MR: Medium Density Residential. The MR zoning district allows for single-family detached homes, accessory dwelling units and other compatible uses insofar as they conform to the development standards prescribed by Municipal Code Section 17.40.060.

Staff Analysis

Review of the project indicates the project meets all applicable General Plan policies and development standards. The project would be very negligible in scope and not readily visible from any public way such that it would affect the character of the surrounding neighborhood. Additionally, the proposed 218 sq- ft addition would result in a net F.A.R of .118 or 4194 sq-ft which is within the allowable 0.21 or 4200 sq-ft. As such, the project meets General Plan and Zoning code 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. Consistent with Zoning Code Section 17.164.060, the Commission may approve a design review exemption insofar as the project raises no

substantial design problems of the sort enumerated in sections 17.164.010 to 17.164.030.

Design Review Criteria.

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 Analysis

The proposed additions would be consistent with the current exterior treatment of the residence and would also not be visible from any public right of way given the location of the proposed work and presence of fencing along property frontage. Accordingly, there is no expectation that the proposed work would raise any substantial design issues or would otherwise conflict with any of the required design review findings enumerated, above.

CEQA

The project is 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. 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.

ISSUES

No Issues Identified

CORRESPONDENCE

No Comments have been received at the writing of this staff report.

STAFF RECOMMENDATION

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

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15301 as the minor addition to an existing structure , and

2. Accept the required findings and approve the Design Review Exemption for the proposed addition at 468 Hollis Lane.

ATTACHMENTS

[468 Hollis Attch 1. Draft Resolution](#)

[468 Hollis Attch 2. APN map](#)

[468 Hollis Attch 3. Aerial View](#)

[468 Hollis Attch 4. Project Plans](#)

[468 Hollis Attch 5. Photos of Area of Work](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC20xx-xx

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A DESIGN REVIEW EXEMPTION
FOR THE MONTEE ADDITION LOCATED AT 468 HOLLIS LANE (File No. PL18-023)**

PROPERTY OWNER: AMBER MONTEE

APN: 009-030-055

Recitals

1. On March 13, 2018 Stan Montee submitted an application for a Design Review Exemption to construct a 218 sq-ft closet and master bath expansion at 468 Hollis Lane in the Medium Density Residential District; and
2. A staff report dated May 15, 2018 and incorporated herein by reference analyzed the projects consistency with the Design Criteria enumerated in Section 17.164.030 of the Municipal Code, and
3. On May 15, 2018 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.
4. Now, therefore let it be found that, the Planning Commission approves the requested Design Review Exemption on the following basis:

Resolution

A. The project is 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. 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.

B. The Planning Commission has considered the Design Review criteria identified in Municipal Code Section 17.164.030 to support the motion to approve the Design Review Exemption given that the project has been found to be consistent with the current exterior treatment of the residence and would also not be visible from any public right of way given the location of the proposed work and presence of fencing along property frontage. Accordingly, there is no expectation that the proposed work would raise any substantial design issues or would otherwise conflict with any of the required design review findings enumerated, below:

:

1. Consistency and compatibility with applicable elements of the general plan in that the project maintains the standards for lot sizes and development, identified in the Agriculture designation;
2. Compatibility of design with the immediate environment of the site given that the design maintains historic design features and materials;
3. Relationship of the design to the site given the scale of the addition, the proposed setbacks and the context of the neighborhood;
4. Determination that the design is compatible in areas considered by the Commission as having a unified design or historical character given the historic scale and design features incorporated into the proposal;
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land use given the surrounding agricultural properties;
6. Compatibility with future construction both on and off the site given the access, context and historic nature of the surrounding neighborhood;
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project providing appropriate design elements and exterior features;
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 which the project does through appropriate setbacks and thoughtful site planning;
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures which they are given the provided site plan, setback and landscaping proposed;
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 which the outdoor decks, pool and rear yard arbor are found to be;
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles which they are given the continuation of the single family use and maintenance of the existing access to the property;
12. Whether natural features are appropriately preserved and integrated with the project which the project seeks to do through careful site planning;
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 which they are given the historic design themes and elements;

14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character which the design is found to be, given the features and elements referenced above;
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 which it does through careful and appropriate planting choices and locations;
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, which it is given the drought tolerant elements proposed;
17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials which is, based on the significant energy and water saving requirements of the California Building Code and City of St Helena development criteria.

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

Conditions of Approval

1. The Design Review permit shall be vested within one (1) year from the date of approval. A building permit for the design allowed under this approval shall have been obtained within one (1) year from the effective date of the Design Review decision or these approvals shall expire; provided however that the approved Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
2. This permit is valid for this design only. New permits must be applied for any change substantial change in design.
3. The Design Review 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 Design Review 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 impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
6. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.

7. 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.
8. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
9. Provided they are in general compliance with the approved Design Review, minor modifications found to be in substantial conformance with the approved design may be approved by the Planning Director.
10. This Design Review shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
12. Construction documents shall be in compliance with approved plans and exhibits.
13. All conditions of approval shall be clearly identified and included on all plans submitted for building permit review and issuance.
14. Where the Medium Density Residential District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.

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.
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. No added drainage from the new hardscape, roofs, decks, pools or roof improvements shall be allowed to leave the site. The grading and/or site improvement plans shall provide a method to address how drainage will be treated, detained, diverted and infiltrated on site and at the property lines to prevent inundation of neighboring properties.
18. 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 to be constructed and tested 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.
19. 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.
20. 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.
21. An encroachment permit shall be required for any work performed in the public right of way.

Fire Department Conditions of Approval

22. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary. Fire resistant construction of interior walls shall be determined by type of occupancy.
23. Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

Building Department Conditions of Approval

24. A building permit is required for all onsite demolition, construction and/or change of occupancy.
25. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
26. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
27. The applicant shall provide a construction waste management plan with the building permit application.
28. 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.
29. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
30. 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.
31. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of

deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing 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 May 15,2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

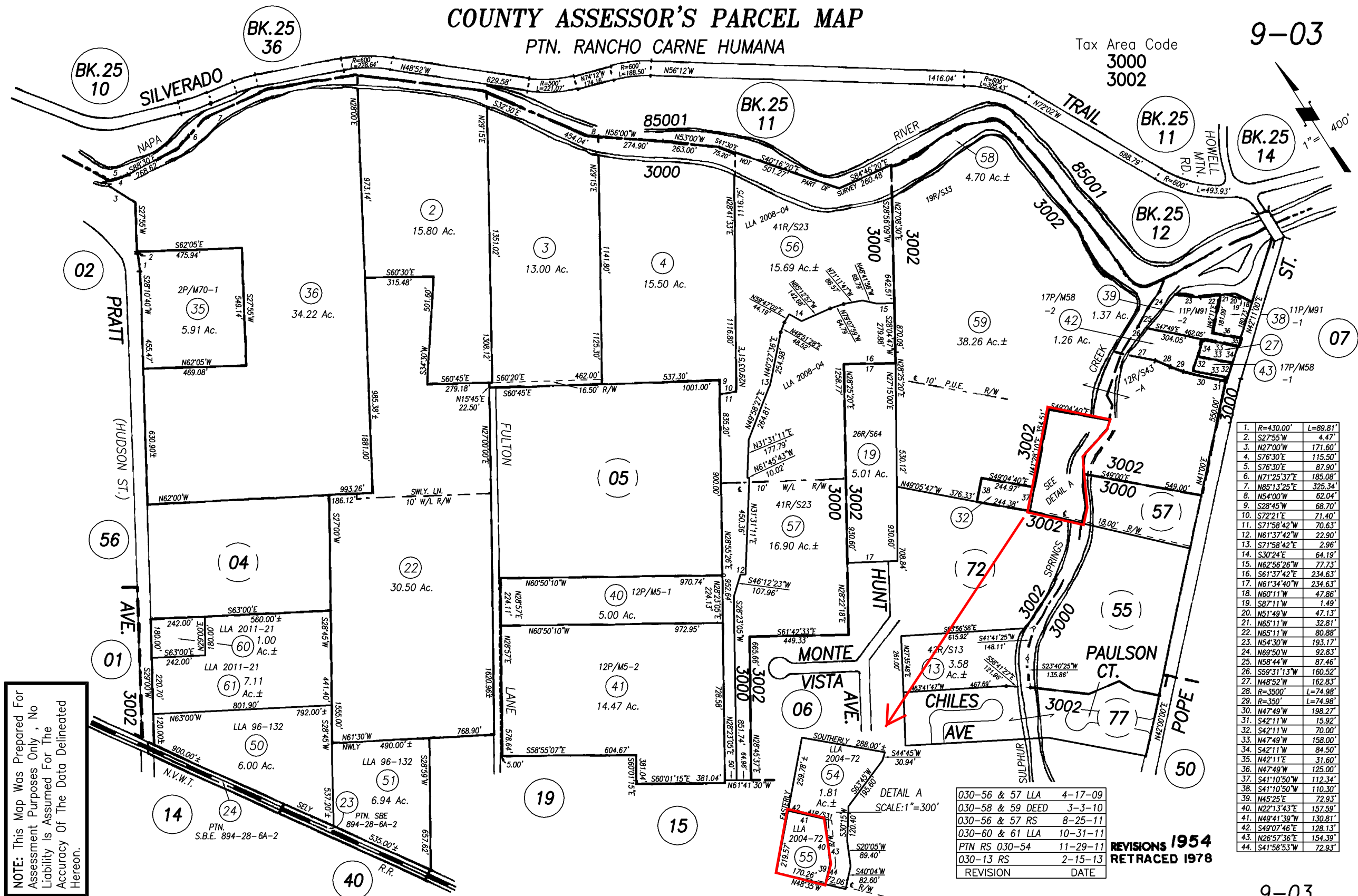
ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director



468 Hollis Lane

Write a description for your map.

Legend

468 Hollis Ln



CONTACT: STAN MONTEE, CONTRACTOR

PETER J. COLLINS ARCHITECTS
1212 MAIN STREET
ST. HELENA, CA 94574

T. 707.967.8383
F. 707.967.9335
E-MAIL: peter@picarchitects.com

CONTACT: PETER COLLINS, AIA

- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA FIRE CODE
- 2016 CALIFORNIA ENERGY CODE
- 2016 CALIFORNIA RESIDENTIAL CODE
- 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
- 2016 LOCAL CODES AND ORDINANCES

189 SF WALK-IN CLOSET ADDITION TO EXISTING MASTER BEDROOM;
29 SF ADDITION & REMODEL OF EXISTING MASTER BATHROOM

APN#:	009-030-055
LOT AREA:	0.81 ACRES
ZONING:	MIR
ALLOWABLE LOT COVERAGE:	4200 sf
CONSTRUCTION TYPE:	TYPE V-B, NOT SPRINKLERED
OCCUPANCY:	R-3,U
BLDG. HEIGHT	± 22'-0" EXISTING
# STORIES	1

(E) RESIDENCE	3266 SF
(E) EFFICIENCY UNIT	563 SF
(E) AG. ACCESSORY (BARN)	747 SF
(E) CARPORT OPEN ALL SIDES	0 SF
<u>SUB-TOTAL</u>	<u>4576 SF</u>

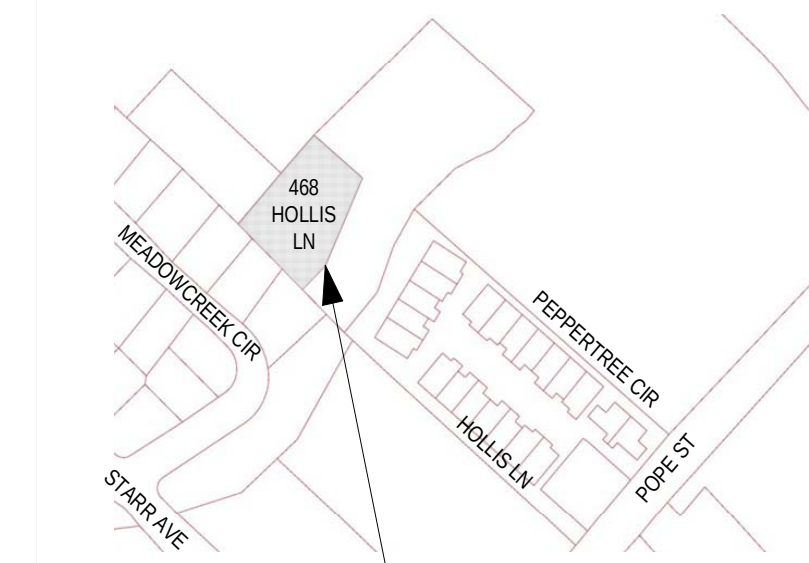
(N) MASTER CLOSET	189 SF
(N) ADDITION TO (E) MASTER BATH	29 SF
<u>SUB-TOTAL</u>	<u>218 SF</u>

TOTAL WITHOUT EXEMPTIONS: 4794 SF

EXEMPTIONS:	
(E) EFFICIENCY UNIT	- 400 SF
(E) COVERED PARKING	- 200 SF
<u>SUBTOTAL</u>	<u>- 600 SF</u>

TOTAL F.A.R. WITH EXEMPTIONS:	4194 SF
-------------------------------	---------

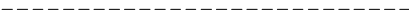
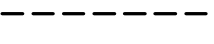
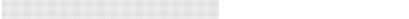
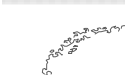
NO SCALE



LOCATION OF WORK



A0.0	COVER SHEET, SITE PLAN, AND PROJECT DATA
A1.1	EXISTING SITE PHOTOS
A1.2	PLANS
A2.1	ELEVATIONS, COLORS AND MATERIALS

	PROPERTY LINE
	YARD SETBACK
	UTILITY EASEMENT
	RIGHT OF WAY
	(E) LOW STONE WALL VARIES 18-24 in. HIGH X +/- 16 in. WIDE
	(E) GRAVEL DRIVE
	(E) DENSELY PLANTED OLEANDER HEDGE +/- 12 ft. HIGH
	(E) 6' HIGH WOOD FENCE
	(E) WOOD FENCE OR LOW STONE WALL
	PHOTO REFERENCE MARKER
	PROPOSED AREA OF NEW WORK
	(E) GAS
	(E) WATER
	(E) SEWER

1. THESE DOCUMENTS ARE FOR DESIGN REVIEW PURPOSES ONLY,
AND ARE NOT FOR CONSTRUCTION.

2. REFER TO SHEET A2 FOR EXISTING SITE PHOTOGRAPHS, KEYED
WHERE NOTED ON THIS SHEET.

1 SITE PLAN
SCALE: 1" = 20'

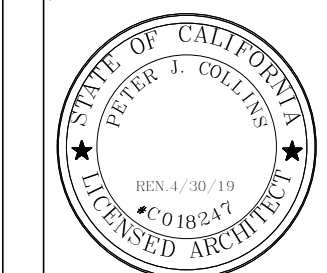
ISSUED FOR:	BY
PERMIT SUBMITTAL 12.18.17	RBE

ARCHITECT

PJ
Ca

PETER J. COLLINS ARCHITECTS
1212 MAIN STREET
ST HELENA, CA 94574
V: 707.967.8383
F: 707.967.9335

STAMP



CONSULTANT

MONTEE RESIDENCE
468 Hollis Lane, St. Helena, CA 94574
APN # 009-030-055-000

COVER SHEET
SITE PLAN

DATE: 12.18.2017

SCALE: AS NOTED

DRAWN BY: RBE

JOB: 17-005-MTE

A0.0

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A VIEW FROM DRIVEWAY TOWARD CLOSET ADDITION BEYOND



B VIEW FROM HOLLIS LANE TOWARD BATHROOM REMODEL



C VIEW FROM PRIVATE DRIVE TOWARD BATHROOM REMODEL



D VIEW FROM PRIVATE ADJACENT PROPERTY TOWARD BATHROOM REMODEL AND CLOSET ADDITION



E VIEW FROM HOLLIS LN TO (E) DRIVEWAY



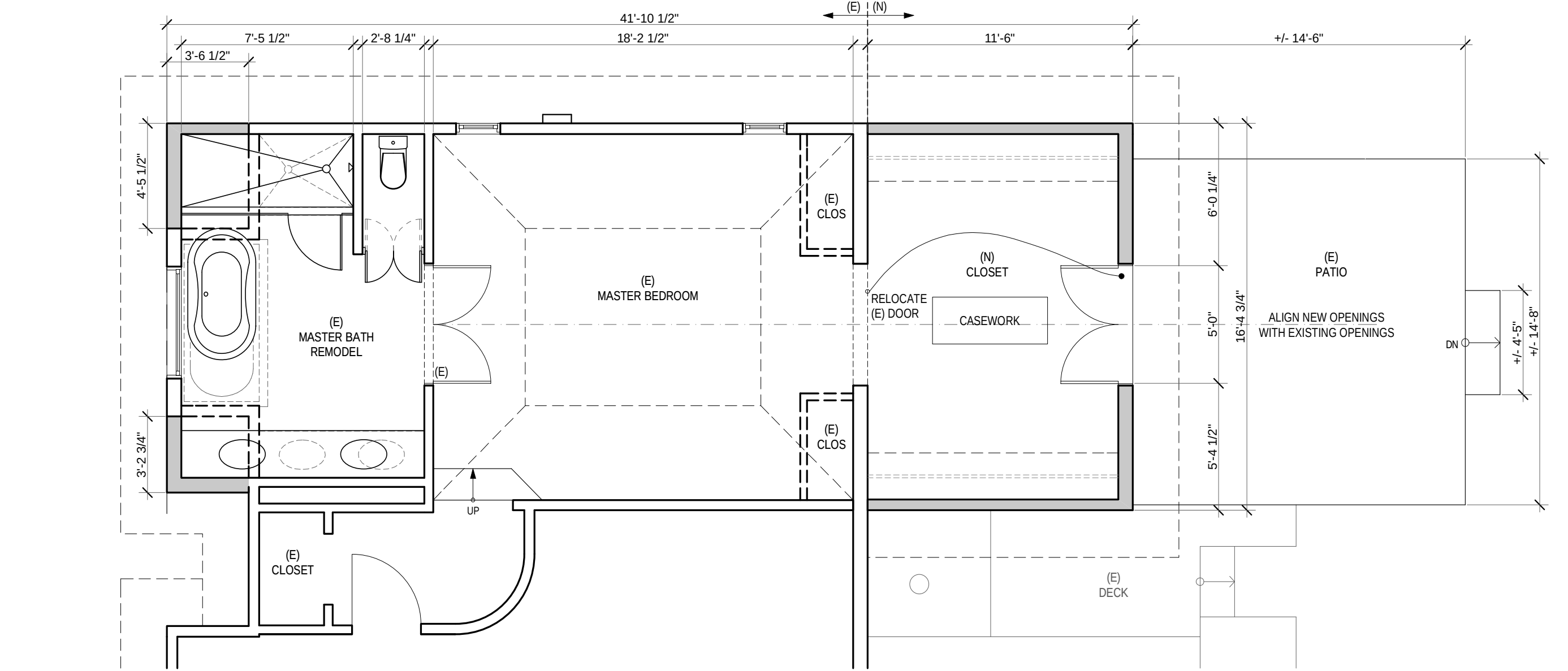
F VIEW FROM PROJECT AT HOLLIS LN ALONG HOLLIS TOWARD POPE STREET



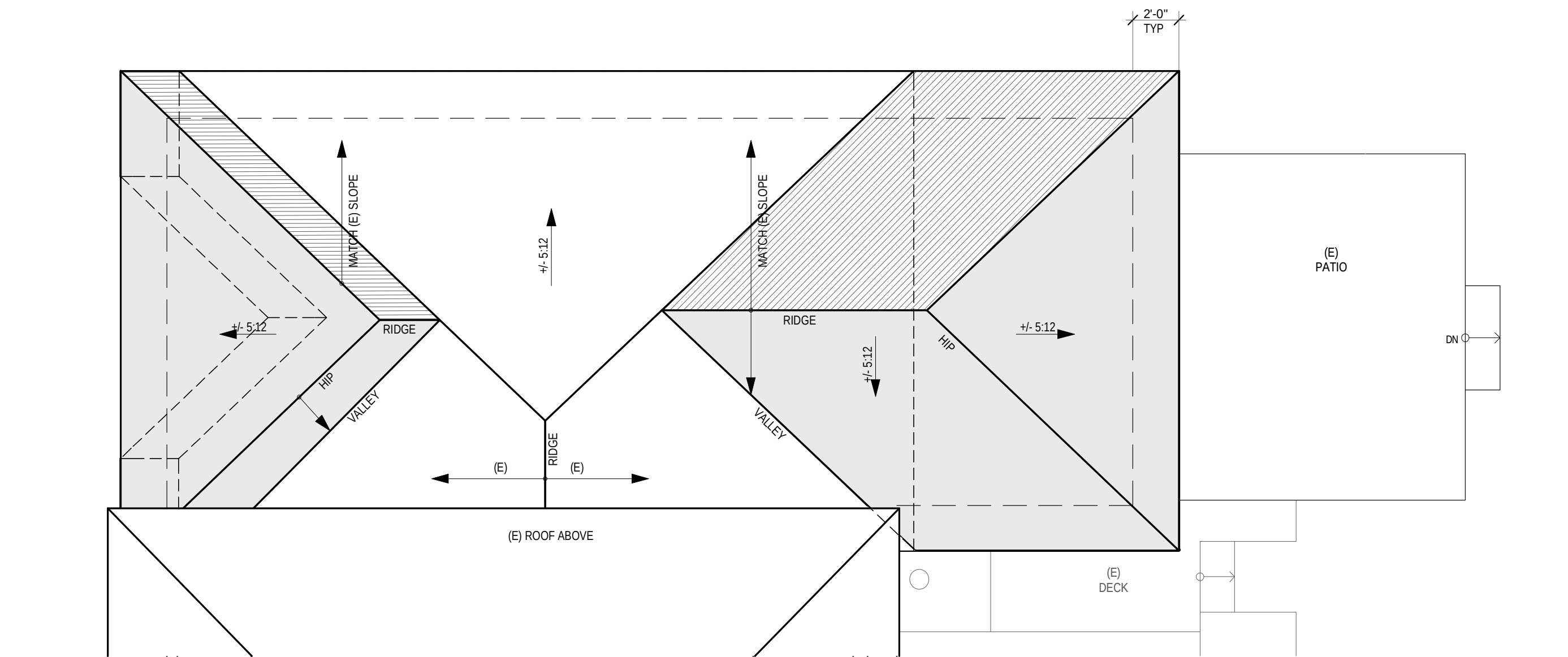
EXAMPLE OF EXISTING STUCCO EXTERIOR.
MATCH EXISTING COLORS AND FINISHES.

ISSUED FOR:	BY:
PERMIT SUBMITTAL 12.18.17	RBE
ARCHITECT	
PJ Ca PETER J. COLLINS ARCHITECTS 1212 MAIN STREET ST. HELENA, CA 94574 V: 707.967.8383 F: 707.967.5335	
STAMP STATE OF CALIFORNIA PETER J. COLLINS ARCHITECT EXPIRES 4/30/19 #018541 LICENSED ARCHITECT COROLLARY	
MONTEE RESIDENCE 468 Hollis Lane, St. Helena, CA 94574 APN # 009-030-055-000	
SITE PHOTOS	
DATE:	12.18.2017
SCALE:	AS NOTED
DRAWN BY:	RBE
JOB:	17-005-MTE
A1.1	

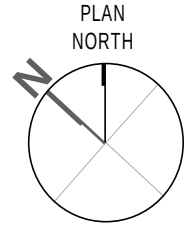
© 2017 Peter J. Collins Architects



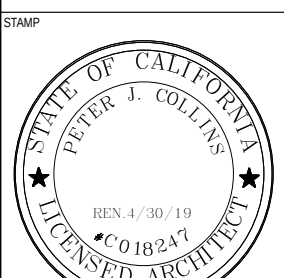
1 FLOOR PLAN
SCALE: 1/4" = 1'-0"



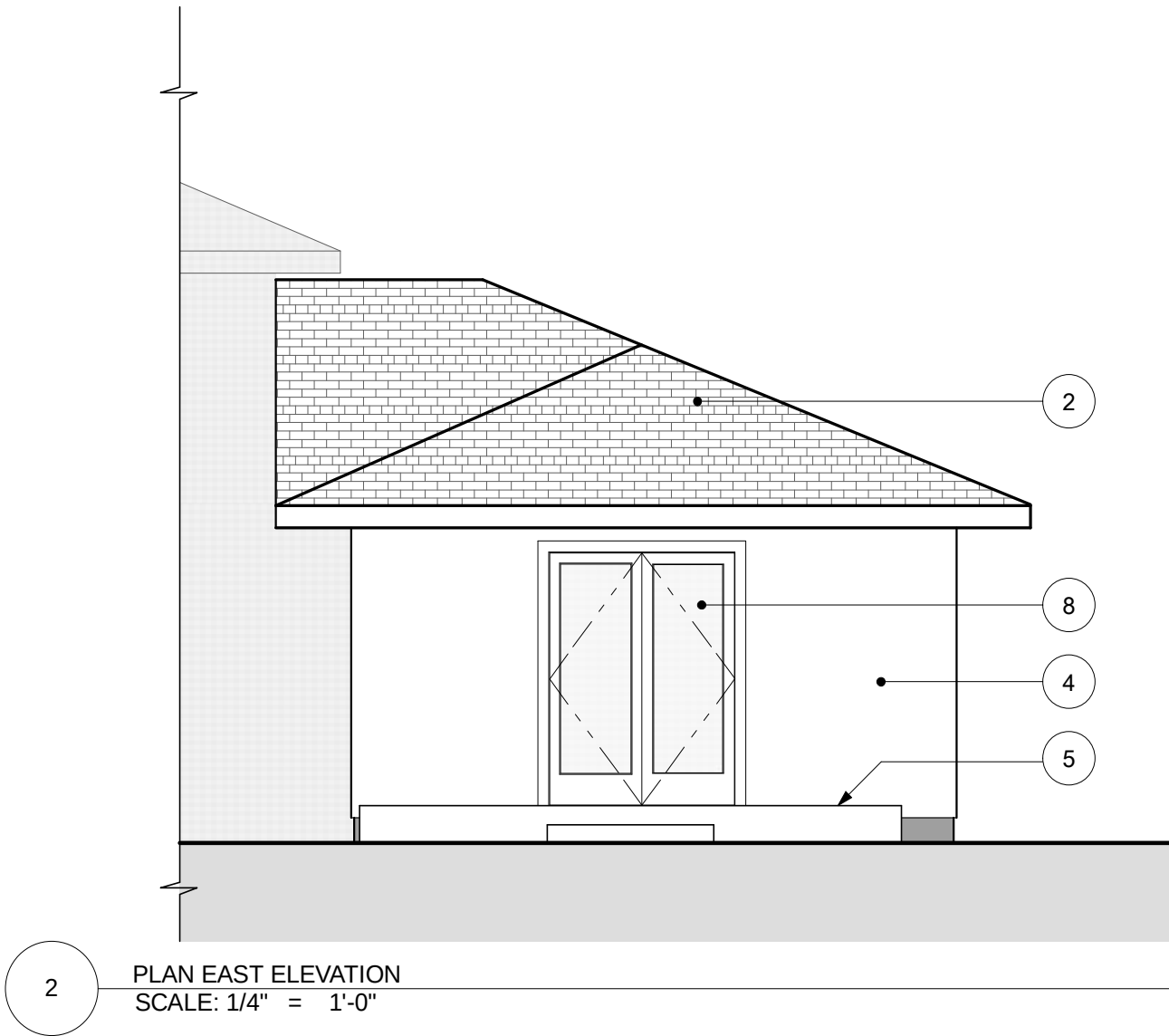
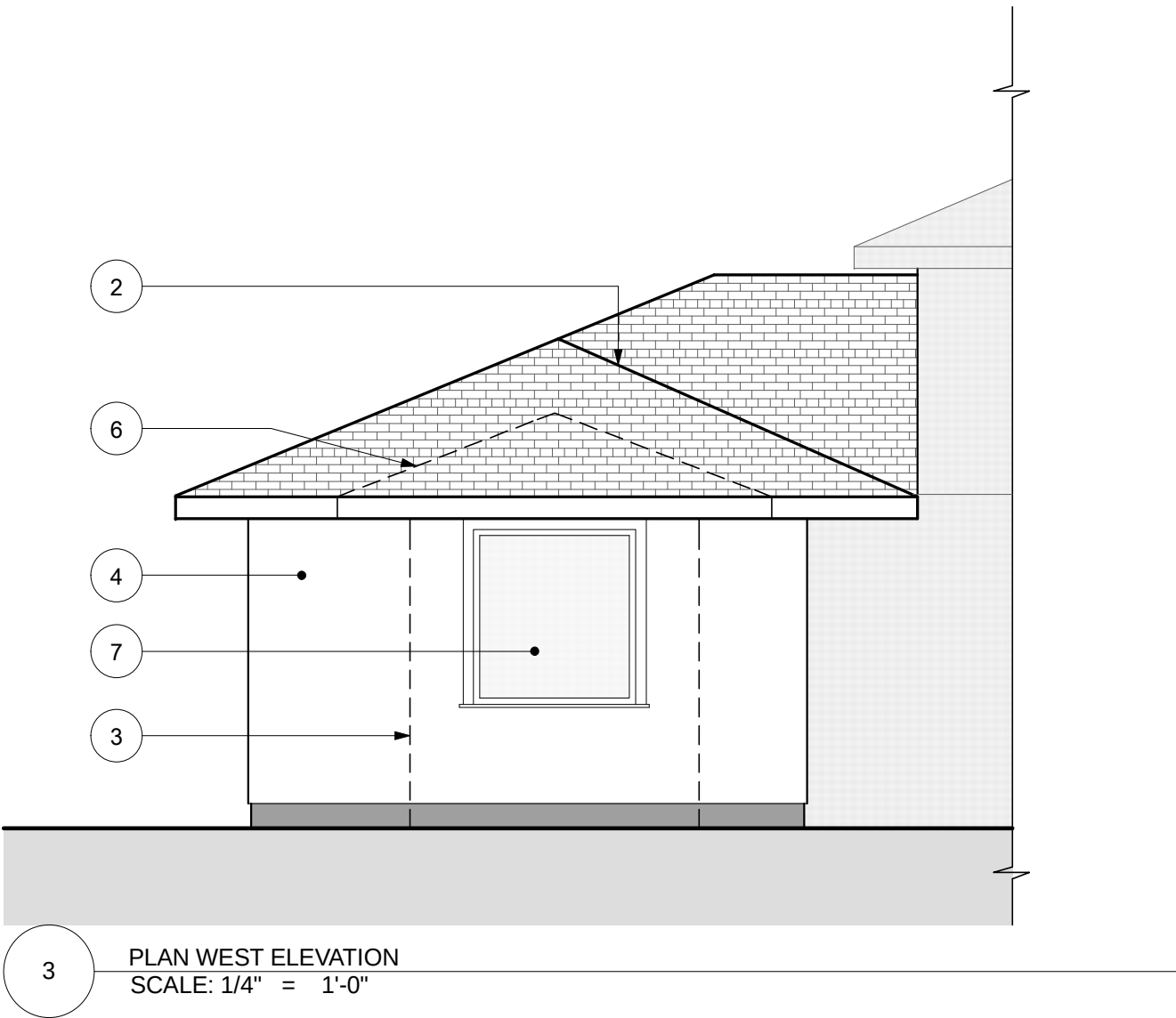
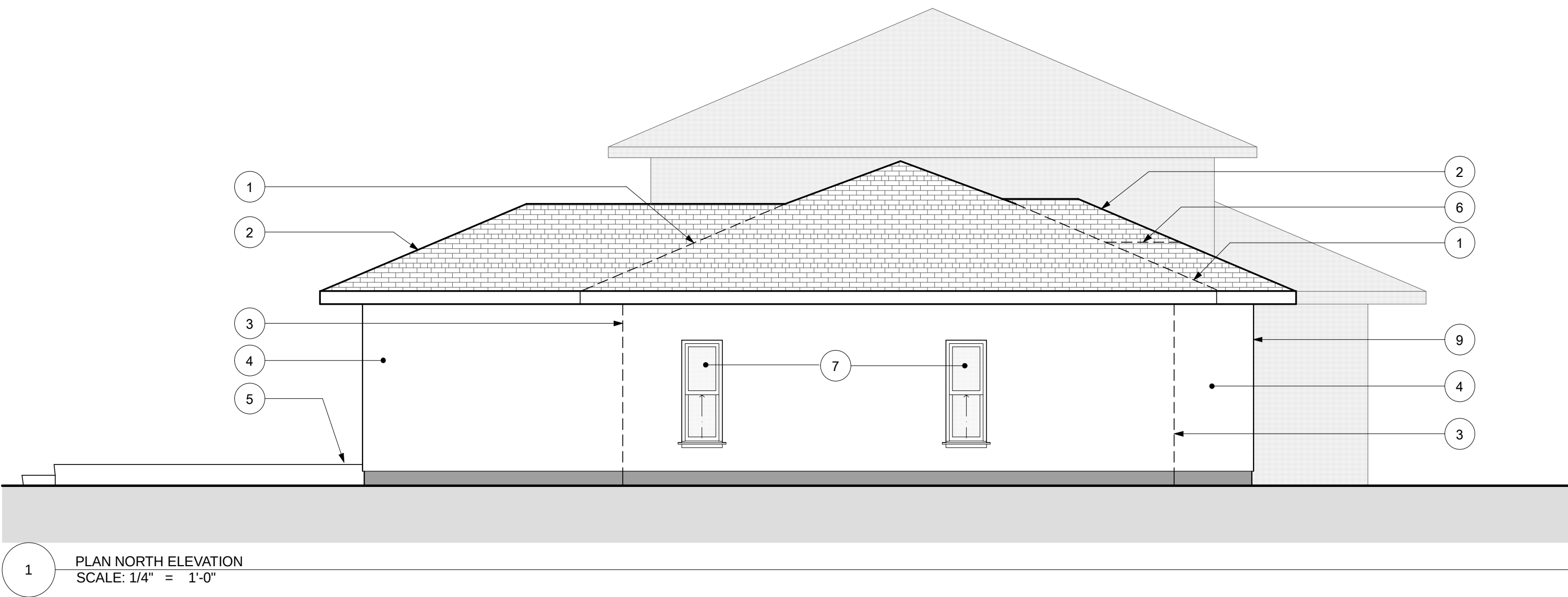
2 ROOF PLAN
SCALE: 1/4" = 1'-0"



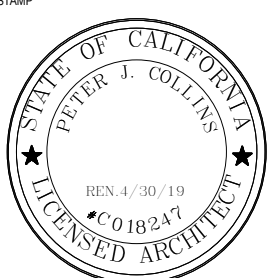
- LEGEND**
- EXISTING WALLS TO REMAIN
 - EXISTING WALLS TO BE DEMOLISHED
 - NEW WALLS, PATCH AND MATCH
EXISTING MATERIALS AND FINISHES
 - EXISTING BATHROOM FIXTURES TO BE REMOVED/REPLACED
 - NEW BATHROOM FIXTURES
 - ELEMENTS ABOVE
 - EXISTING ROOF OUTLINE, TO BE REMODELED
 - WALL LINE BELOW
 - EXISTING ROOF TO REMAIN
 - NEW ROOF IN PLANE WITH EXISTING ADJACENT SLOPE
 - NEW HIP ROOF

ISSUED FOR:	BY:
PERMIT SUBMITTAL 12.18.17	RBE
ARCHITECT	
	
PETER J. COLLINS ARCHITECTS 1212 MAIN STREET ST. HELENA, CA 94574 P: 707.967.8383 F: 707.967.5335	
STAMP	
	
CONSULTANT	
MONTEE RESIDENCE 468 Hollis Lane, St. Helena, CA 94574 APN # 009-030-055-000	
PLANS	
DATE:	12.18.2017
SCALE:	AS NOTED
DRAWN BY:	RBE
JOB:	17-005-MTE
A1.2	

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- KEYNOTES**
- 1 EXISTING ROOF TO REMAIN, ROOF AT ADDITION TO BE TIED IN
 - 2 NEW HIP ROOF, MATCH SLOPE OF ADJACENT ROOFS WHERE OCCURS
 - 3 EXISTING OUTSIDE CORNER
 - 4 AREA OF ADDITION, MATCH EXISTING MATERIALS AND COLORS
 - 5 EXISTING PATIO TO BE REDUCED IN SIZE DUE TO ADDITION
 - 6 EXISTING HIPPED GABLE TO BE REMOVED TO ACCOMMODATE NEW HIP
 - 7 EXISTING WINDOWS TO REMAIN
 - 8 EXISTING DOORS TO BE RELOCATED AT CLOSET ADDITION
 - 9 NEW OUTSIDE WALL AT CORNER TO ALIGN WITH EXISTING FACE OF BUMP OUT BEYOND

ISSUED FOR:	BY:
PERMIT SUBMITTAL 12.18.17	RBE
ARCHITECT	
	
PETER J. COLLINS ARCHITECTS 1212 MAIN STREET ST. HELENA, CA 94574 V: 707.967.6363 F: 707.967.5335	
	
CONSULTANT	
MONTEE RESIDENCE 468 Hollis Lane, St. Helena, CA 94574 APN # 009-030-055-000	
ELEVATIONS	
DATE:	12.18.2017
SCALE:	AS NOTED
DRAWN BY:	RBE
JOB:	17-005-MTE
A2.1	

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Agenda Item #4.2.







Agenda Item #4.2.



Agenda Item #4.2.



PLANNING COMMISSION REPORT

Planning Commission Meeting of May 15, 2018

AGENDA SECTION: Public Hearing

SUBJECT: *This Item will be heard on June 5, 2018 and will be re-noticed as a Public Hearing*- Request by Brain Heim on behalf of Sander LLC for Tentative Parcel Map and Design Review approval in order to subdivide an existing 14.75 acre parcel into two newly created parcels, one 0.5 acres in size and the other 14.25 acres in size at 2525 Madrona Avenue in the Twenty-Acre Agriculture (A-20) zoning district.

PREPARED BY: Noah Housh, Planning & Community Improvement Director

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director



PLANNING COMMISSION REPORT
Planning Commission Meeting of May 15, 2018

AGENDA SECTION: Public Hearing

FILE NUMBER: P18-017

SUBJECT: Request for a Use Permit to operate a Green Biotics “beauty shop” in an existing tenant space at 1309 Main Street, Suite B in the Central Business Zoning District

PREPARED BY: Lilly Bianco, Contract Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 02/09/18

ACCEPTED AS COMPLETE: 05/01/18

LOCATION OF PROPERTY: 1309 Main Street, Suite B

APN: 009-240-012

GENERAL PLAN/ZONING: CB: Central Business

APPLICANT: Itay Maor

PHONE: (818) 300-6790

BACKGROUND

The proposed 375 sq-ft tenant space is located at 1309 Main Street, Suite B (attached to the Hotel St. Helena) and exhibits frontage onto Main Street. The tenant space is supported by one designated off-street parking space located at building rear. It is located in the CB Zoning District and is within the boundaries of the Parking Impact Overlay District and the Main Street Historic District.

PROJECT DESCRIPTION

Applicant, Itay Maor, is requesting a Use Permit to operate a formula business “beauty shop”, Green Biotics, in an existing tenant space at 1309 Main Street, Suite B. Other Green Biotics locations include the mall at Wellington Green, Wellington, FL; La Jolla, CA; and Naples, FL.

The tenant space would primarily be devoted to the sales of pre-packaged luxury herbal supplements, beauty products, specialty coffee, and tea, with approximately 120 sq-ft serving as a treatment area for customers to sample products. The proposed hours of operation would extend from 10 a.m. to 7 p.m. seven days a week, with extended hours proposed for busy seasons and/or for special events until 9 p.m. The store would be staffed by one full time manager and two part time employees. No exterior modifications are proposed as part of this application.

ANALYSIS

GENERAL PLAN/ ZONING

The subject site exhibits a General Plan Land Use Designation of Central Business. The City of St. Helena General Plan (1993) states that the Central Business land use 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, particularly those which are “local serving.” Local-serving is characterized in the General Plan as encompassing, those uses that derive a significant portion of revenue from St. Helena residents, provide services and products which satisfy local resident’s day to day needs, for which a majority of the shoppers are regular repeat customers, and where the nature of goods focuses on necessity over novelty.

General Plan policies applicable to the proposed project include:

2.6.27 Prohibit commercial uses that are primarily tourist-serving in nature, and that are inconsistent with the community image of St Helena.

2.6.35 Maintain the CBD 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.

2.6.47 Allow only businesses which are primarily local-serving within all commercial areas. Exclude all fast food restaurants, outlet and discount type stores, as well as, large retail business whose consumer base requires a population larger than St. Helena

and its vicinity. For purposes of the General Plan, “vicinity” shall be defined as the surrounding agricultural area for which St. Helena has historically provided goods and services.

3.4.2 Support the development of a responsible visitor serving component to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities.

3.4.3 Give preference to visitor-serving uses whose orientation is toward a more discriminating upscale market consistent with the Valley's reputation as a producer of world class wines, and discourage the introduction of uses that are dependent upon a mass tourist market, while not increasing the total number of tourists.

Consistent with the Central Business Land Use Designation, the site exhibits a zoning designation of CB: Central Business providing for retail, personal service uses, offices, restaurants, hotels/motels, and similar and compatible uses. As detailed in the General Plan, the intent is for the CB land use and zoning district to remain primarily locally serving in character. Under the CB zoning designation, health and beauty uses and “formula business” are conditionally allowed.

Staff Analysis:

Overall, as a health and beauty store, the project potentially meets the applicable goals and policies in the General Plan and Zoning Code. However, it remains uncertain the extent to which the specific business would fit in with the established character of the CB District and current mix of uses. The proposed Green Biotics use would offer health and beauty products and treatments which could provide both a local and tourist serving use that is complimentary to the existing commercial uses in the CB District. However, the proposed use is classified as a formula business (per the zoning code definition) and therefore its introduction may not lend to the mix/balance of use types envisioned for the Central Business designation under the General Plan. If concerns arise during the review of the project, the Planning Commission may wish to request additional information from the applicant. This would allow further consideration of how this formula business would fit with the commercial district and whether it meets the intent of the local serving goals and policies, which support the community image of St Helena envisioned under the General Plan.

Commercial Historic District

Although the use is located within the National Register listed Historic District, no exterior modifications are proposed that would have the potential to impact the integrity of the building or greater District.

Parking

Chapter 17.104 specifies at least one dedicated parking space for 1200 sq-ft of ground floor area for buildings existing as of February 1, 1980. Given that the tenant space is only 375 sq-ft, the one dedicated space at building rear is sufficient.

WATER NEUTRALITY

The Green Biotics project does not propose any new development and therefore is not subject to the St. Helena Water neutrality provisions.

USE PERMIT

The purpose of a use permit is to allow the proper integration in the City of essential or desirable uses which may be suitable only in certain locations or zoning districts, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the city. No use permit shall be granted unless all of the following general findings can be made (Zoning Code Section 17.168 040).

Findings to approve a Use Permit

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

11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

Staff Analysis

Based on Staff's review the applications meets the majority of Use Permit findings, but as detailed above, it remains unclear to staff the extent to which the proposed formula business meets the policies related to community image and therefore, consistency with the General Plan. Accordingly, as a part of the decision, the Planning Commission will determine how the application fulfills all necessary findings.

CEQA

The project is categorically exempt in accordance with CEQA Section 15301 "existing facilities" as the operation of an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination. 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.

ISSUES

Issues raised herein include the project's ability to meet the "community image" goals of the CB District and its compatibility with the established CB District character.

CORRESPONDENCE

No comments have been received at the drafting of this staff report.

STAFF RECOMMENDATION

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

1. Determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15301 "existing facilities" as the operation of a business within an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination.
2. Consider the required findings enumerated in Municipal Code Section 17.168 040 and vote to approve, modify, or deny a Use Permit for the proposed Green Biotics formula business use.

ATTACHMENTS

[1309 Main Street- Attch 1. Draft Resolution](#)

[1309 Main Street- Attch 4. Aerial View](#)

[1309 Main Street- Attch 5. Project Narrative](#)

[1309 Main Street- Attch 6. Project Plans](#)

[1309 Main Street- Attch 3. APN Map](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC20xx-xx

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A USE PERMIT
FOR A GREEN BIOTICS HEALTH AND BEAUTY STORE LOCATED AT 1309 MAIN
STREET, STE. B (FILE NO. PL18-017)**

PROPERTY OWNER: Mary Haney

APN: 009-240-012

Recitals

1. On Feb 9, 2018 Itay Maor submitted an application for a Use permit to operate a Green Biotics health and beauty store at 1309 Main Street, Ste. B in the CB: Central Business Zoning District; and
2. A staff report dated May 15, 2018 and incorporated herein by reference analyzed the projects consistency with the Use Permit criteria enumerated in Section 17.168.050 of the Zoning Code, and
3. On May 15, 2018 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.
4. Now, therefore let it be found that, the Planning Commission approves the requested Use Permit on the following basis:

Resolution

A. The Planning Commission hereby finds that this project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301, of the California Environmental Quality Act (CEQA) as the operation of a business within an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination.

B. The Planning Commission has considered the Use Permit criteria identified in Municipal Code Section 17.168.050 to support the motion to approve the Use Permit application given that the project has been found to demonstrate:

1. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community;
As a health and beauty store the proposed use would not produce anything that would be injurious to surrounding uses.

2. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses;
The proposed use would generate levels of noise that are consistent with a small health and beauty store use and would not be expected to adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan;
As a health and beauty store located in a relatively small (375 sq-ft) tenant space, it is not expected that the use would generate traffic noise beyond what it already typical of the area.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection;
The proposed use would go in an existing vacant tenant space in the CB Zoning District which is well served by public utilities and services and the proposed office and tasting room would not place an excessive demand any utilities or services.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location;
No changes to ingress or egress are proposed. Any tenant improvements on the interior would comply with current building and fire code.
6. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy;
As a health and beauty store, the project would not inhibit the City's goal of maintaining the economic viability of a local-serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located;
As a beauty store, the proposed use would be compatible with surrounding land uses.
8. That the proposed use would not be in conflict with the city's general plan;
No aspect of the project would conflict with or otherwise inhibit the achievement of any General Plan goals.
9. That the proposed use would not be injurious to public health, safety or welfare;
No aspect of the proposed use would be injurious to health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan;
As use permits are issued on a discretionary basis, any similar uses would be considered based on their particular merits and as such, granting of this particular use permit would not set a precedent.

11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available;
As detailed herein and confirmed by the project applicant, one parking space, located at the rear of the property, will be designated for use by the proposed Green Biotics use.

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use. (Prior code § 27.439)
As a relatively small health and beauty store, any vehicle and/or truck traffic would be within the capacity of surrounding streets.

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

1. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit decision or these approvals shall expire; provided however that the approved Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
2. This permit is valid for this use only. New permits must be applied for any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. The Use 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 Use 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 impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
6. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an

in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.

7. 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.
8. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
9. Provided they are in general compliance with the approved Use Permit, minor modifications found to be in substantial conformance with the approved use may be approved by the Planning Director.
10. This Use 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.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
12. Construction documents shall be in compliance with approved plans and exhibits.
13. A business license is required for any new business or relocation of an existing business.
14. Where the CB District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
15. Normal hours of operation shall extend until 7 p.m. To accommodate the occasional special event or holiday season, hours may extend until 9 p.m. on a temporary basis.
16. At least one designated parking space shall be available to serve the tenant space.
17. No marketing, sales, or offer of any goods, samples, solicitation for goods or services shall occur outside of the interior of the tenant space.
18. Any proposed signage is subject to a separate sign permit.

Fire Department Conditions of Approval

19. Installation of approved interior fire sprinkler system, unless waived by the Fire Chief.

Building Department Conditions of Approval

20. A building permit is required for all onsite demolition, construction and/or change of occupancy.
21. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
22. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
23. The applicant shall provide a construction waste management plan with the building permit application.
24. 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.
25. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
26. 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.
27. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing Use Permit and 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 May 15, 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

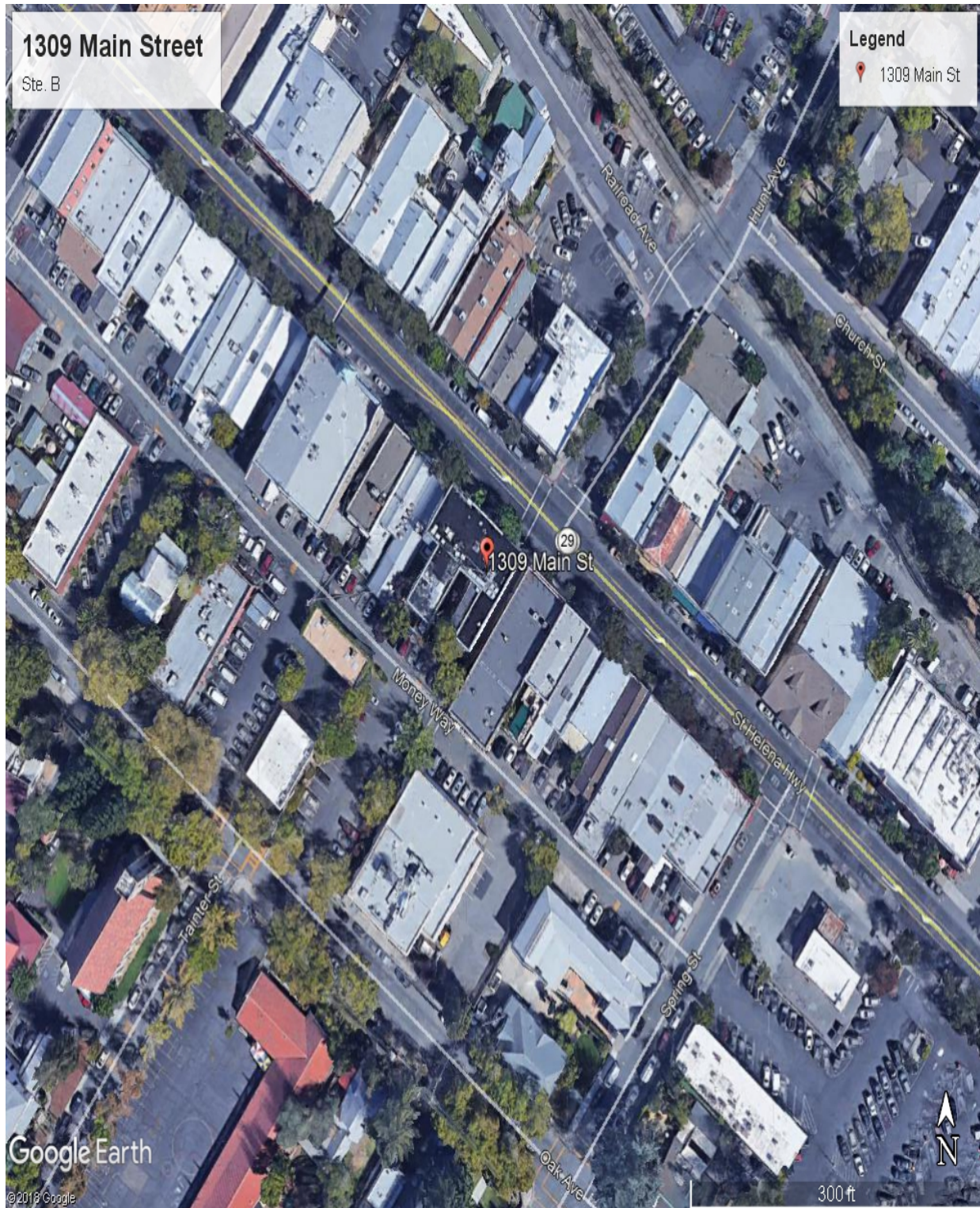
ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director





RECEIVED
PLANNING DEPARTMENT

FEB 09 2018

City of St. Helena

01/26/2018

Written statement for Green Biotics Use Permit

Applicant: Itay Maor

Location: 1309 Main Street Unit #B, Saint Helena, CA 94574.

Type of business: Wellness, Health & Beauty.

Summery Description of Business: Green-Biotics is a brand new, unique, revolutionary, multi-product concept, using a range of top quality ingredients to promote Health & Beauty. Products behind the concept are Vitamins and Supplements; tea; coffee and derma care products. At Green-Biotics we focus on promoting life -wellness, and providing our customers with information and simple techniques, that will inspire them to seek and maintain a successful and fulfilling lifestyle of wellness and well- being. While providing top quality products that substantiate our firm benefits of lifestyle promoted by our concept.

The store will be open 7 days a week 10:00 a.m. – 7:00 p.m. seating will be available for customers inside the stores and there will be sitting rooms inside the treatment area.

A floor plan is included in this application. Our full timer person will be hired to manage the store and two- three part time employees will be added, if needed. Prepackaged items such as vitamins and supplement; Tea, coffee and derma care products will be sold and sampled. Sales employee will provide product samples. While customers are inside the premises, employees will be educating customers about the product and their uses.

Each Green Biotics store is unique by the design and type of products that are being sold in each location.

Additional locations:

The mall at Wellington Green, Wellington, FL.

La Jolla, CA

Naples, FL

Sales guaranteed:

The majority of sales from this operation will be from products sold at the store.

Seating:

Inside chairs sitting (4-6 seats): There will be chairs available for those who prefer to sit.



Interior modifications:

Wall Painting: The wall be painted in black colored.

Electrical: Minor electrical modifications will be made to existing electrical system for enhanced lightning.

Flooring: The floor will be changed to Grey colored hard wood floor.

Treatment area: 120 SF of the promises will be dedicated to treatment area for customers to try the products.

Proposed hours of operation:

Retail hours: 10:00 a.m. – 7:00 p.m. Seven days a week.

Special Events: Extended hours for prime season and or special event until 9:00 p.m.

Parking: Available street parking.

Signage: Green Biotics will be placed on the awning.

Hours of operation: A small sign on or near the main door will display the hours of operation.

We look forward to contributing to the diversity and the uniqueness of the city of Saint Helena.

Itay Maor – Owner

Date

GREENBIOTICS

WELLNESS, VITAMINS AND MORE

St.Helena
california

2018





GREENBIOTICS
WELLNESS, VITAMINS AND MORE



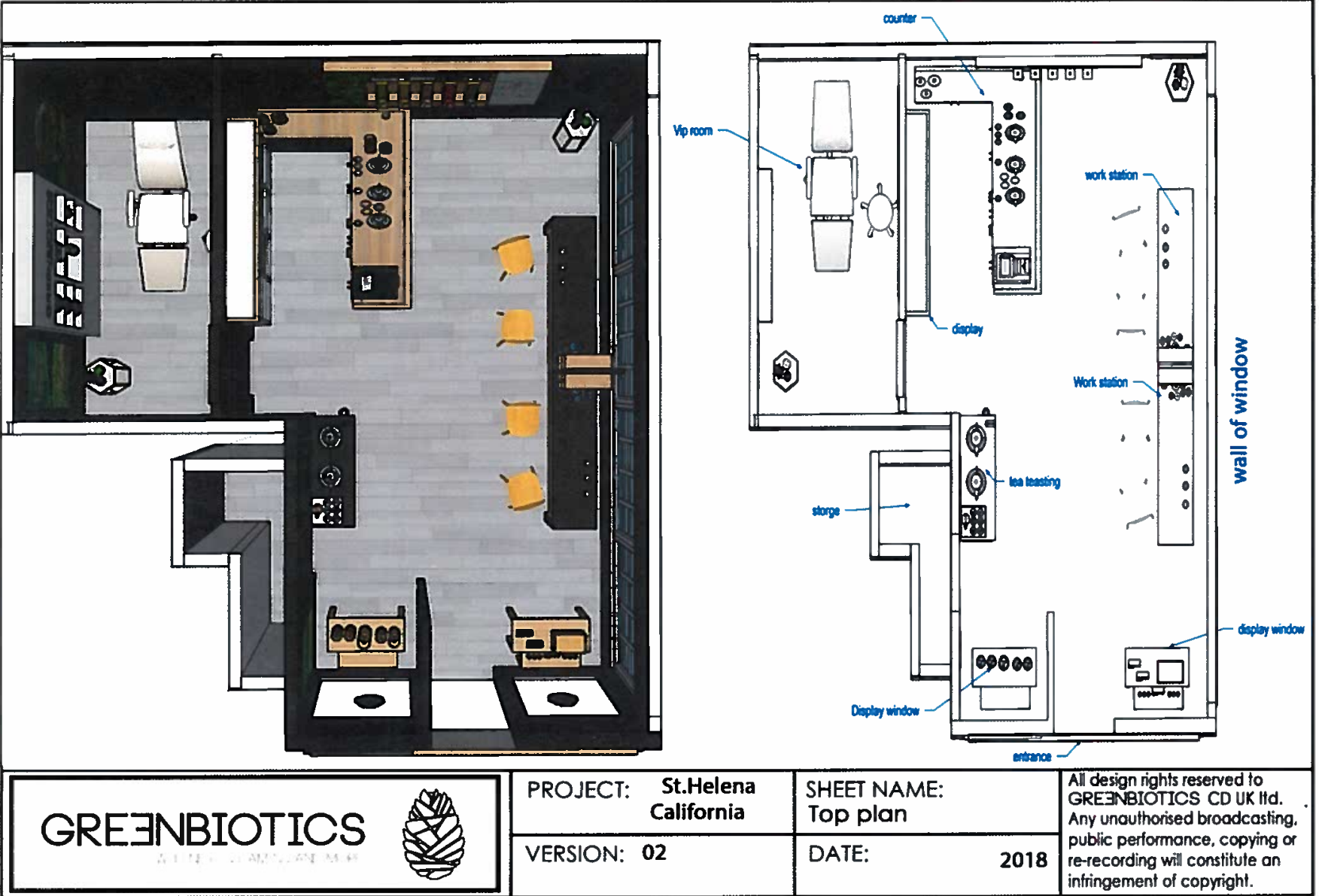
PROJECT: **St.Helena
California**

VERSION: **02**

SHEET NAME: **3D plan**

DATE: **2018**

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public performance, copying or
re-recording will constitute an
infringement of copyright.





GREENBIOTICS



PROJECT: St.Helena
California

VERSION: 02

SHEET NAME: 3D plan

DATE: 2018

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GREENBIOTICS



PROJECT: St.Helena
California

VERSION: 02

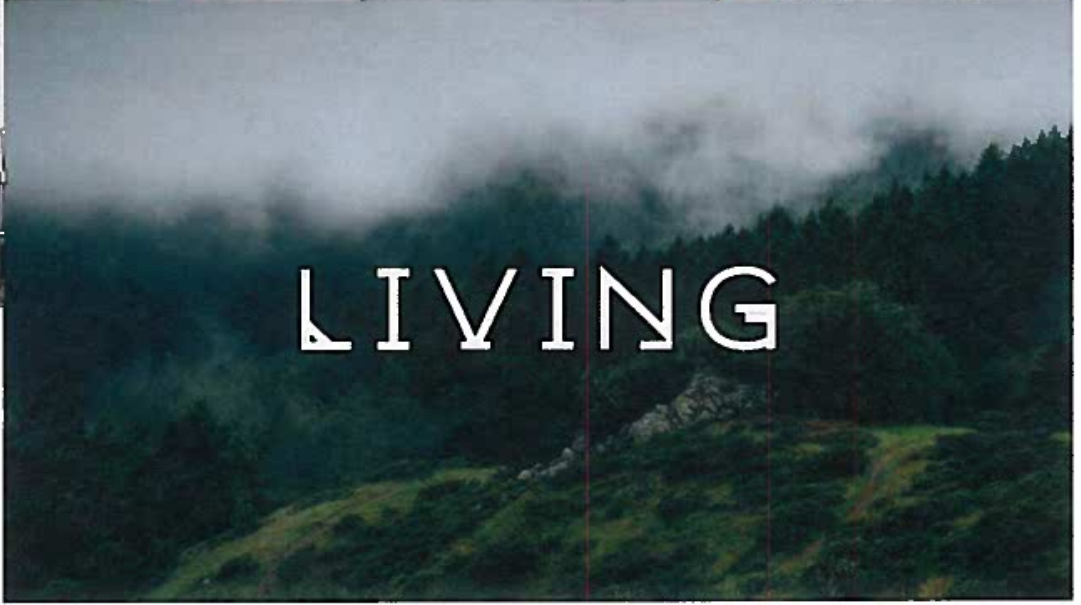
SHEET NAME: 3D plan

DATE: 2018

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infringement of copyright.



THINK POSITIVELY
and
EXERCISE DAILY
EAT HEALTHY
WORK HARD
STAY STRONG
BUILD FAITH
WORRY LESS
READ MORE
BE HAPPY



GREENBIOTICS
WELLNESS VITAMINS AND MORE

Thank you.

In-Store Communications

POR. RANCHO CARNE HUMANA
R.M. Bk. D of Patents, Pg.127

Tax Area Code 3002

9-24

HUNT
AVE.

08



MAIN

STATE HIGHWAYS 128 & 29

ST.

ST.

22

ADAMS

OAK

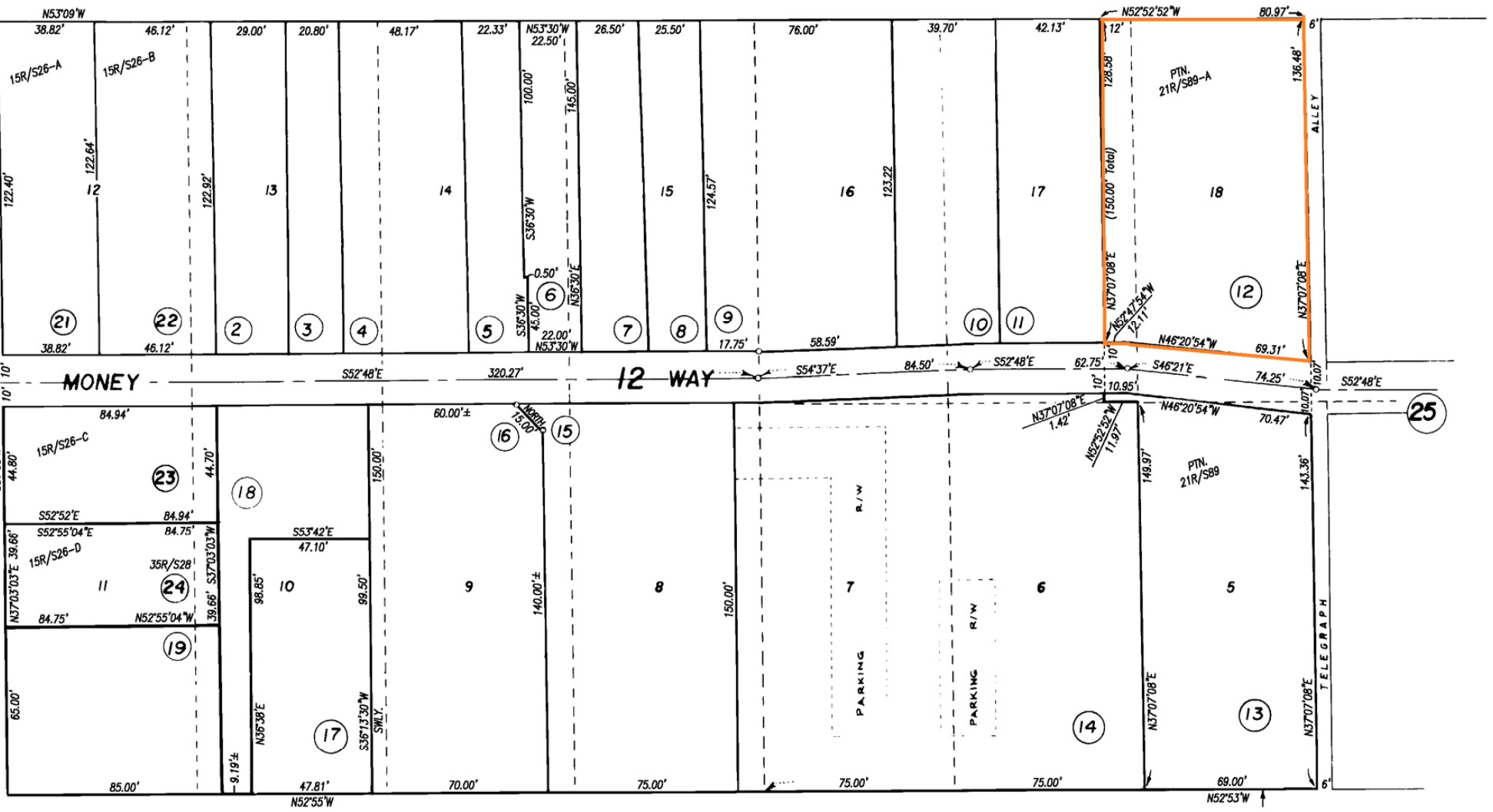
23

AVE.

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

	12-12-80
	8-9-91
240-24 RS	12-23-02
REVISION	DATE

CITY OF ST. HELENA
Assessor's Map Bk. 9 -Pg.24
County of Napa, Calif.
1954 - 61





PLANNING COMMISSION REPORT
Planning Commission Meeting of May 15, 2018

AGENDA SECTION: Public Hearing

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:

LOCATION OF PROPERTY: Citywide

APN: Citywide

GENERAL PLAN/ZONING: Citywide

APPLICANT: City of St Helena

PHONE: 707-968-2659

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 (Reviewed and discussed by the Planning Commission on January 16, 2018);
2. Review of the sign standards (Reviewed and discussed by the Planning Commission on February 20, 2018 and May 1, 2018);
3. Review of the Use Permit requirements in the Service Commercial and Central Business Zoning Districts (Reviewed and discussed by the Planning Commission on March 20, 2018 and April 17, 2018);
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.

To date, staff has brought forth and the Commission has provided direction on items 1, 2 and 3 above (see parentheses for dates). 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

Review Municipal Code Section 17.148 (Signs)

There are several issues with the sign code as it is currently written, specifically, the code is in conflict with established court rulings related to "free speech" signs. 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 property owners from displaying small, temporary signs with political or other noncommercial messages on their property.

Currently, 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:

As currently defined in the Municipal Code, “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 17.148.090, creating a situation whereby Section 17.148.040, which only permits commercial signage, effectively precludes the posting of all noncommercial signs on residential property other than a campaign sign. The courts have found that this is a violation of free speech and is proposed to be addressed by the attached Ordinance.

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 both the posting of small non-commercial signs in all residential zones and election period signs in all zones as described below.

In addition to addressing free speech provisions, staff has incorporated proposed changes into the sign code intended to reduce the regulatory procedures by which signs are reviewed and approved by the City; made minor modifications to clarify the intent of the regulations and has also proposed a conceptual wayfinding element to be reviewed by the Commission.

At this time, staff is seeking direction from the Commission on the suggested changes attached to the report and a recommendation to the City Council that said changes should be adopted. As previously noted, suggested amendments to Municipal Code Section 17.148 “Signs” are attached for Commission review. Additions are shown in underline and deletions are shown in ~~strike through~~.

ANALYSIS

Amendments are governed by Municipal Code Section 17.12 and by Government Code Section 65853. Municipal Code Section 17.12 stipulates that text amendments may be recommended by the Planning Commission for approval by the City Council insofar as the Planning Commission finds the proposed amendments are in conformance with the

General Plan and consistent with the public necessity, convenience, general welfare, and good zoning practice.

General Plan Consistency

The proposed text amendments are intended to clarify and streamline existing sign regulations and to bring the code into compliance with current state law. As such, the proposed text amendments are found to be consistent with the following policy listed in the in the 1993 City of St. Helena General Plan:

- *2.6.31 – Require the design of all new commercial development to be compatible with and complementary to the image and character of the historic Main Street area.*
- *2.6.50 – Require office development that is located within a commercial district to be similar in appearance and character with surrounding businesses so that it does not detract from the design character or pedestrian orientation of the shopping district.*
- *4.3.21 – This area (Service Commercial) serves as part of the entry sequence into the city from the south. For this reason care shall be exercised to ensure that this area is attractive and a positive element of the cityscape.*

Staff Response: As detailed under Municipal Code Section 17.12.080, the City Council may, by ordinance, approve Code amendments whenever the public necessity, the general community welfare, and good zoning practice warrant such amendment. Accordingly, the proposed text amendments would further the public necessity, convenience, general and good zoning practice by creating a more efficient and effective process that is consistent with current California state law.

CEQA

An action to recommend adoption of an Ordinance to amend Chapter 17 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) 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

Staff has not identified any issues that require additional discussion at this time.

CORRESPONDENCE

At the time of packet distribution staff had not received any correspondence related to this application.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the Draft Ordinance and proposed text amendments to the Sign Ordinance and recommend the following:

1. Determine that the recommendation on the proposed zoning code text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061 and further find that the proposed changes are in keeping with the 1993 General Plan EIR and 2015 Housing Element Mitigated Negative Declaration; and
2. Recommend that the City Council approve the proposed Ordinance in order to update and modify existing zoning code regulations governing signs to establish compliance with current state law.
3. Review and provide staff direction on the additional modifications proposed to the code regulations governing signs.

ATTACHMENTS

[Resolution](#)

[Chapter 17.148 redline update 5.15.18](#)

[Draft Ordinance](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE ATTACHED ORDINANCE (EXHIBIT 1) AMENDING MUNICIPAL CODE TITLE 17 TO UPDATE AND MODIFY EXISTING ZONING CODE REGULATIONS GOVERNING SIGNS AND TO ESTABLISH CONSISTENCY WITH CURRENT CALIFORNIA LAW.

Recitals

- A.** City of St. Helena Municipal Code Section 17.148 regulates the placement and modification of signs within the City;
- B.** To facilitate a better functioning code and compliance with State law, the City prepared draft text amendments to remove and/or amend provisions not readily consistent with State law;
- C.** The proposed text amendments are consistent with the goals and objectives of the General Plan;
- D.** The proposed text amendments are consistent with public necessity, convenience, general welfare, and good zoning practice; and
- E.** The Planning Commission of the City of St. Helena held a duly noticed Public Hearing to review the proposed text amendments on May 15, 2018 at which time all interested parties had the opportunity to be heard.

Resolution

- F. Now, therefore let it be resolved** that, the Planning Commission finds that the action to adopt this Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the “General Rule” Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment.
- G. Now, therefore be it further resolved** that the Planning Commission recommends that the City Council adopt the Ordinance attached hereto as **Exhibit 1**, modifying existing zoning code regulations governing signs thereby establishing consistency with current California law.

I HEREBY CERTIFY that the foregoing recommendation to the City Council was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on May 15, 2018 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh
Planning and Community
Improvement Director

Chapter 17.148**SIGNS**

Sections:

- 17.148.010 Definitions.
- 17.148.020 Exclusions.
- 17.148.030 Signs prohibited.
- 17.148.040 Regulated signs.
- 17.148.050 Illumination.
- 17.148.060 Neon signs.
- 17.148.070 Monument signs.
- 17.148.080 Real estate signs.
- 17.148.090 [Temporary noncommercial signs.](#)
- [Campaign signs.](#)
- 17.148.100 Public information signs.
- 17.148.110 Miscellaneous regulations.
- 17.148.120 Administration.
- 17.148.130 Nonconforming signs.

17.148.010 Definitions.

As used in this chapter:

“Abandoned sign” means any sign which pertains to a business or occupation which is no longer using the particular property, or which relates to a time or event which no longer applies, constitutes abandoned advertising or identification.

“Advertising billboard” means any structure or sign upon which there is any advertising message calling attention to a use, product, service or similar function not conducted or sold upon the site upon which the billboard is located or in the structure to which the billboard is attached or otherwise affixed. Billboards may be freestanding or affixed or otherwise attached to another structure.

“Awning, canopy or marquee” means a permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of a durable material such as metal, wood, glass or plastic or a less permanent hood or cover which projects from the wall of a building and is covered with a rigid or nonrigid material such as canvas.

“Awning, canopy or marquee sign” means any message which is painted on or otherwise affixed to a building awning, canopy or marquee. Each side of an awning with a message shall be counted as a separate sign.

“Balloon sign” means a temporary sign which may or may not contain graphics painted on or affixed to a balloon or inflated character.

“Banner” means a temporary sign for grand openings or special events composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as not to allow movement of the sign.

“Building sign” means a sign lettered to give the name of a building itself or the date constructed, as opposed to the name of occupants or services.

“Campaign sign” means a freestanding or attached sign seeking votes at an election for or against a public issue or candidate for public office.

“Changeable copy sign” means a sign which, in part or whole, provides for periodic changes in the letters or in the material composing the sign. Signs on which the only change is a periodic price change for the product or products customarily sold on the premises and on which the location, size and color of the numbers remain constant are not to be considered changeable copy signs.

“Commercial message” means any copy that directly or indirectly names, draws attention to, or advertises a business, product, good, service, or other commercial activity, or which proposes a commercial transaction.

“Commercial sign” means a sign- with a commercial message that advertises or promotes a commercial (including not-for-profit) business, product or service.

“Directory sign” means a sign designed and intended to list and/or name any or all of the business firms and/or types of businesses conducted at an office building or shopping-center-type development and which are freestanding or attached to the building or structure in which the use is conducted._

“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.

“Encroachment” means the extension of any sign over a public right-of-way or private access way.

“Freestanding sign” means a sign that is self-supporting in a fixed location and not attached to a building.

“Home occupation sign” means a sign identifying a home occupation, which is an accessory use of a residential property for gainful employment by the resident of a dwelling.

“Identification sign” means a sign designed and intended to identify the name of a commercial business, professional office use, public use, quasi-public use, or similar use and which sign is located upon the premises to be identified.

“Illegal sign” means any sign which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the erection of the sign or advertising statuary, or which was not installed with a valid permit from the city.

“Illuminated awning” means an internally illuminated shelter projecting from and supported by the exterior wall of a building constructed of a nonrigid translucent covering over a supporting framework. This type of sign may or may not contain graphics or copy on the surface of the awning.

“Incidental sign” means a sign pertaining to and advertising goods, products, services or facilities which are available on the premises. Such signing is in addition to the main identification signing.

“Interior sign” means a sign which may be displayed within a business or residence provided it is not displayed so as to be viewed from any public space.

“Internally illuminated sign” means a sign which is illuminated from a lighting source within the internal structure of the sign, not including neon signs.

“Message” means a graphic, letter, numeral, symbol, logo, hallmark, text, insignia, sample, model, picture, drawing, device, or appliance, or combination thereof, affixed to identification, and/or services.

“Monument sign (freestanding or detached or pole)” means a sign supported by structures or supports that are placed on or anchored in the ground that are independent from any building or other structure.

“Neon sign” means a sign which is illuminated in whole or in part by neon or similar gas.

“Nonappurtenant sign” means a sign which advertises a business, products, services or other uses which are not associated with the premises where the sign is located.

“Noncommercial message” means any copy that communicates a message that is not a commercial message. A noncommercial message does not directly or indirectly, name, draw attention to, or advertise a business, product, good, service, or other commercial activity, or propose a commercial transaction.

“Noncommercial Signs” means a sign that is not commercial in nature that is installed on a structure, posts or other supports. A sign that stands on its own or it mounted to an existing support structure.

“Noncommercial sign” means a sign with a noncommercial message.

“Nonprojecting sign” means a sign which uses a building structure as its main source of support and contains copy that is parallel to the wall to which it is affixed.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series designed to move in the wind.

“Portable freestanding sign” means a sign that is designed to be movable and is not structurally attached to the ground, a building, a structure or any other sign. Portable freestanding signs include, but are not limited to, sandwich board signs, A-frame signs, and easels.

“Primary frontage” means the side of a building facing a street or, in the case of a building having more than one side facing a street, the side so designated by the property owner.

“Projecting sign” means a sign which uses a building structure as its main source of support and contains copy that is perpendicular, or at an angle, to the building face.

“Public information sign” means a sign bearing symbols, badges or other messages identifying, stating the location of, or providing information concerning regularly scheduled meetings of civic and community service clubs, churches and religious organizations, hospitals serving the general public, and municipal services and buildings (e.g., fire station, police station, city hall, post office, etc.).

“Real estate open house sign” means a temporary portable freestanding two-sided A-frame sign that directs customers to property where an open house is in progress.

“Real estate sign” means a temporary, on-premises sign, which gives notice offering the sale, rental, or lease of real estate.

“Rider” shall mean additional signs or copy appended or attached to the main sign and frequently provides additional information in the form of text, graphics, and/or logo.

“Roof sign” means a sign placed upon, projecting from, or above the ridge of the roof, or above the roof itself, if there is no ridge.

“Secondary frontage” means the sides of a building other than the primary frontage which are visible from a public right-of-way or from adjacent private property or which provide secondary access to the use or activity.

“Shopping center development” means an integrated commercial development larger than one acre in size where two or more commercial uses are conducted and are provided with a common parking lot.

“Shopping center identification sign” means a sign designed and intended to name or identify a shopping-center-type development.

“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.

“Sign area” means that area enclosed in the frame of the sign as measured from the outside of the frame and following the contour of the frame. In those instances where a sign is painted or otherwise affixed or attached to a wall or similar structure or portion thereof, the area of a sign shall be computed by measuring the overall length and width of the message. This computation shall also be utilized when raised or freestanding letters are affixed or attached to a structural surface.

“Street furniture sign” means a sign located on a bench or similar structure which is located within the public right-of-way.

“Subdivision identification sign” means an identification sign with the name of the residential subdivision which is located within the subdivision.

“Temporary advertising sign” means a sign used for grand openings or special sales that is attached to the interior of a window.

“Temporary sign” means a sign constructed of cloth, canvas, lightweight fabric, cardboard, wallboard, wood or other light materials, with or without frames, which is not intended for or suitable for long-term or permanent display, due to the materials used.

“Vehicular sign” means a sign affixed on a vehicle or trailer for the purpose of circumventing the regulations within this chapter.

“Wall sign” means a sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than two feet from the building or structure and does not extend above the roof, parapet, building facade or any outermost edge of the building or structure.

“Window sign” means any sign painted on or attached to a window or located inside a window and designed to be viewed from outside of the building in which the window is located. This term does not include merchandise located in a window. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); Ord. 02-6 § 14; prior code § 27.320)

17.148.020 Exclusions.

The following signs are not governed by the provisions of this chapter:

A. Official notices posted by any public officer in performance of a public duty or by any person giving legal notice;

B. Business name added to a dDirectory sign for which a sign permit has previously been authorized.

C. City signs. Signs identifying the department, service, or location of cCity facilities and operations.

D. Directional warning or information signs required by law or by governmental authority;

EE. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or public telephones;

FD. Signs advertising a future occupant of a building or noting the contractors, engineers or architects erecting or remodeling a building, provided the same do not exceed sixteen (16) square feet, are single-faced and are removed upon occupancy or completion of erection or remodeling;

GE. Signs which are not visible from a public right-of-way or from other private property in the vicinity;

HF. Signs which are part of a temporary window display and which are not affixed to the window;

IG. Festival/benefit banners on/over public property, or off-premises signs advertising community events sponsored by or for the benefit of nonprofit organizations as approved by resolution of the city council;

JH. No more than one national flag of a country and/or no more than one flag of a state which are displayed in a manner consistent with laws governing respect of such flags, and flown from a pole the height of which is no more than the maximum permitted height for structures in the applicable zoning district. Other types of flags shall be considered signs;

KI. Temporary advertising signs for a business grand opening provided the sign is not displayed for more than thirty (30) days;

LJ. Temporary advertising signs or balloons (twelve (12) inches or smaller) for a special business sale or promotional event, provided the sign is not displayed for more than two weeks at any one time and for not more than four times per year (maximum of eight weeks of temporary advertising signs being displayed per year). When balloons (twelve (12) inches or smaller) are included as temporary advertising the number of balloons shall be limited so they are not the primary advertising feature;

MK. Paper banners attached to the interior of the window advertising weekly specials at grocery stores and variety stores;

NI. Real estate signs less than four square feet in size, ~~temporary signs for blood bank, community service club events, and garage or rummage sale signs pertaining to activity on the property where they are located and displayed on the day of the activity only;~~

QM. Building signs as defined in Section 17.148.010 and less than four square feet in size;

PN. Signs required to be posted by law;

QQ. Holiday lights and decorations. ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.321)~~

17.148.030 Signs prohibited.

The following signs shall be prohibited within the city:

- A. Airborne balloons greater than twelve (12) inches in size, banners (except as excluded by Section 17.148.020(G)), pennants, valances, propellers, spinners, streamers, lights or similar devices or ornamentation designed for purposes of attracting attention, promotion or advertising;
- B. Signs located within the public right-of-way including any sign or handbill attached to a utility pole or street sign pole;
- C. Revolving, animated or moving signs and signs with flashing illumination, including flashing arrows, blinking lights or other devices. This does not include traditional barber poles which may be allowed in front of barbershops upon approval of sign permit by the planning commission;
- D. Off-premises signs, except those signs approved by a planning commission sign permit to be located on a legal easement for an access way through another property when such access is required for public use;
- E. The following types of signs as defined in Section 17.148.010:
 - 1. Advertising billboards,
 - 2. Balloon signs,
 - 3. Changeable copy signs, except for theater marquees or gas station signs,
 - 4. Home occupation signs,
 - 5. Illuminated awnings,
 - 6. Internally illuminated signs, except for theater marquees,
 - 7. Neon "Open" signs, subject to planning commission review, provided the tubing is white and the neon "Open" sign is located on property where the speed limit is in excess of twenty-five (25) miles per hour,
 - 8. Nonappurtenant signs,
 - 9. Pennants,
 - 10. Portable freestanding signs,
 - 11. Roof signs,
 - 12. Street furniture signs,
 - 13. Subdivision identification signs,

Commented [DMD1]: This is a content based regulation, and in event, is addressed under the new temporary noncommercial sign provisions.

14. Vehicular signs. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.322)

17.148.040 Regulated signs.

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.

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)~~ 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)~~ thirty (30) days from the date the amended design is submitted whether or not the administrative sign permit is approved.
3. Insubstantial changes to existing signs, such as a change in color or business name, may be authorized by an administrative sign permit.

B. Planning Commission Sign Permit.

1. A planning commission sign permit shall be reviewed by the planning commission at a regularly scheduled meeting for compliance with the standards set forth for the district in which the sign is to be located.
2. The purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, of a unique design or location, or signs in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site, the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.
3. A sign program addressing the needs for all businesses within a building with multiple tenants, or within shopping centers or other types of planned commercial developments may be required prior to the approval of any signs for an individual business within that development. The planning commission shall consider the cumulative visual effect of all signs, and may reduce the overall number and/or area of signs allowed for each business or may require that directory signs be used instead of individual signs. A sign program ~~shall be required~~ may be proposed for ~~all businesses within~~ a building with multiple tenants, or ~~within~~ shopping centers or other types of planned commercial developments prior to approval of any signs for an individual business within that development ~~when located on a site of one acre or greater in area~~.
4. The planning commission may approve sign permits within any zoning district to retain historic signs or to approve new signs that are compatible with historic structures or uses. Signs that exceed the limitations of size, number or lighting may be approved with the finding that the signs contribute to the historical or architectural character of the community.
5. Permits shall be subject to general administrative procedures set forth in Chapters 17.04, 17.08, 17.12, 17.168 and 17.172.

C. Standards. The size and number of identification signs for each business on a property shall depend upon the zoning district in which it is located as described below follows: All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, will shall be subject to review and approval of a planning commission sign permit.

1. CB Central Business District.

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

a. Administrative Sign Permit. Each business shall be permitted a total of ~~two-three (3)~~ of the following types of nonilluminated signs upon issuance of an administrative permit, provided each sign is in compliance with the specified regulations.

- i. One identification sign not to exceed five (5) square feet ~~with a six-inch maximum letter size~~ on one side of an awning fascia over the primary frontage of the business;
- ii. One nonprojecting identification sign attached to the primary frontage of the building or painted on a door or window, limited to ~~six-ten (10)~~ square feet in size;
- iii. One projecting identification sign attached to the primary frontage of the building limited to three (3) square feet per side; ~~and~~
- iv. The business name, address, and hours of operation painted on a door or window and limited to four (4) square feet in size; ~~and/or~~

~~v. The business name on a directory sign for which a sign permit has previously been authorized.~~

Commented [AH2]: Added to list of exclusions above.

b. ~~Planning Commission Sign Permit. All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit. Limitations. The additional following limitations shall apply to signs approved by administratively approved sign permit under this subpart (1)s.~~

i. The aggregate area of all signs on the primary frontage, including incidental signs, shall not exceed the lesser of forty (40) square feet in sign area or a ratio of one square foot of signage to one linear foot of business frontage.

~~ii. No single sign shall exceed twenty (20) square feet in size.~~

Commented [AH3]: No longer applies with the restrictions in size above.

ii. Secondary frontage signs per business: one sign for each secondary frontage.

~~iii. Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.~~

c. Permitted Signs. Each business shall be permitted two nonilluminated incidental signs. Each sign shall not exceed two (2) square feet in size.

d. Identifying Information. Each business shall be permitted to paint on a door or window the address and/or hours of operation in an area not to exceed two (2) square feet.

2. SC Service Commercial District and I Industrial District.

a. Administrative Sign Permit. Each business shall be permitted a total of ~~twothree (3)~~ of the following types of nonilluminated signs upon issuance of an administrative permit, provided each sign is in compliance with the specified regulations.

- i. One identification sign not to exceed ten (10) square feet ~~with a six-inch maximum letter size~~ on one side of an awning fascia over the primary frontage of the business;
- ii. One projecting or nonprojecting identification sign attached to the building or painted on a door or window, limited to a total sign area of twelve (12) square feet in size; ~~and~~
- iii. The business name, address, and hours of operation painted on a door or window and limited to four (4) square feet in size; ~~and/or~~

~~iv. The business name on a directory sign for which a sign permit has previously been authorized.~~

Commented [AH4]: Added to list of exclusions above.

b. ~~Planning Commission Sign Permit. All other signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a sign permit by the planning commission. Limitations. The additional following limitations shall apply to signs approved by administrative sign permit under this subpart (2) by approved signs.~~

- i. Maximum number of identification signs on the primary frontage per business: two.
- ii. Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: sixty (60) square feet.
- iii. Secondary frontage signs per business: one sign for each secondary frontage.
- iv. Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.
- v. The planning commission may approve signs that exceed the height, size and number of signs specified in this district for properties located along Main Street where sign visibility is impaired due to consideration of the following circumstances:
 - (A) The building is set back from the street for a distance of fifty (50) feet or more;
 - (B) The visibility of the building is obscured;
 - (C) The speed limit on Main Street is greater than thirty-five (35) miles per hour; and
 - (D) A sign meeting the standards of this title would create a safety hazard by obscuring the vision of autos exiting the property.

c. Permitted Signs. Each business shall be permitted two nonilluminated incidental signs not more than two (2) square feet in size.

d. Identifying Information. Each business shall be permitted to paint on a door or window the address and hours of operation in an area not to exceed two (2) square feet.

3. BPO Business and Professional Office District.

a. Administrative Sign Permit. ~~OneTwo (2)~~ of each of the following types of nonilluminated signs shall be permitted upon issuance of an administrative permit provided each sign is in compliance with the specified regulations:

- i. ~~One identification sign not to exceed ten (10) square feet on one side of an awning fascia over the primary frontage of the business;~~
- ii. ~~One nonprojecting identification sign attached to the primary frontage of the building or painted on a door or window, limited to ten (10) square feet in size;~~
- iii. ~~One projecting identification sign attached to the primary frontage of the building limited to three (3) square feet per side; and~~

~~The business name on a directory sign for which a sign permit has previously been authorized;~~

iv. The business name, address, and hours of operation painted on a door or window and limited to four (4) square feet in size.

b. ~~Planning Commission Sign Permit. All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit. Limitations. The additional following limitations shall apply to signs approved by administrative permit under this subpart (3) by approved signs.~~

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

Commented [AH5]: Added to list of exclusions above.

- i. Maximum number of identification signs on the primary frontage per business: two.
- ii. Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: forty (40) square feet.
- iii. Secondary frontage signs per business: one sign for each secondary frontage.
- iv. Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.

4. PQP Public and Quasi-Public Districts.

a. Administrative Sign Permit. ~~Two (2) of each of the~~ The following types of nonilluminated signs shall be permitted upon issuance of an administrative permit provided each sign is in compliance with the specified regulations.

- i. One identification sign not to exceed ten (10) square feet on one side of an awning fascia over the primary frontage of the business;
- ii. One nonprojecting identification sign attached to the primary frontage of the building or painted on a door or window, limited to ten (10) square feet in size;
- iii. One projecting identification sign attached to the primary frontage of the building limited to three (3) square feet per side; and
- iv. The business name, address, and hours of operation painted on a door or window and limited to four square feet in size.

b. ~~Planning Commission Sign Permit. All other signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a sign permit by the planning commission. Limitations. The additional following limitations shall apply to signs approved by administrative permit under this subpart (4)ly approved signs.~~

- i. Maximum number of identification signs on the primary frontage per business: two.
- ii. Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: twenty (20) square feet.
- iii. Secondary frontage signs per business: one sign for each secondary frontage.
- iv. Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.

5. Residential Districts. Signs within residential districts are permitted for identification of multifamily residential developments and bed and breakfast inns upon review and approval of a planning commission sign permit. Subdivision identification signs or home occupation signs are not permitted.

- a. For multifamily residential developments: one sign with a maximum sign area of twenty (20) square feet.
- b. For bed and breakfast inns: one sign attached to the main house with a maximum sign area of eight square feet.

6. Winery and Agricultural Districts. Signs within winery or agricultural districts are permitted only upon review and approval of a planning commission sign permit. When reviewing signs for wineries or other agricultural businesses the commission shall consider the cumulative visual impact of all signs on the property. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.323)

17.148.050 Illumination.

All illuminated signs, unless specifically prohibited in Section 17.148.030, shall be subject to review and approval of a planning commission sign permit, who shall review the sign for hours of operation, size, color, intensity of light, and creativity of design. Signs shall not be illuminated when the business is closed. (Ord. 08-2 § 2 (part): Ord. 06-5 § 2 (part): prior code § 27.324)

17.148.060 Neon signs.

- A. All neon signs are regulated by planning commission sign permit.
- B. Each business is limited to one neon sign.
- C. No more than twenty-five percent (25%) of the sign area allowed for the primary frontage of a business shall be neon.
- D. Neon may be used for business identification only and shall not be used for incidental signs pertaining to and advertising goods, products, services, brand names or facilities which are available on the premises. Neon "Open" signs are prohibited. (Ord. 08-2 § 2 (part): Ord. 06-5 § 2 (part): prior code § 27.325)

17.148.070 Monument signs.

- A. All monument signs shall be located on the property served by the sign; off-premises signs are not permitted.
- B. The maximum height of a monument sign shall be eight feet, as measured from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the grade after construction exclusive of any filling, berming, mounding, or excavating for landscaping or for the purpose of locating the sign.
- C. Monument signs shall be located no closer to the right-of-way than one-half the distance of a required front or side setback. ~~Planning Commission Use permit~~ approval shall be required for any request to locate a monument sign closer to the right-of-way than is permitted above. (Ord. 08-2 § 2 (part): Ord. 06-5 § 2 (part): prior code § 27.326)

17.148.080 Real estate signs.*

- A. Real estate signs and open house signs that are less than four square feet in size are permitted when located on the property that is listed for sale. These signs are allowed without securing a permit from the city, provided they comply with the requirements of Section 17.148.020, Exclusions.
- B. Real estate open house signs, as defined in Section 17.148.010, may be located off-premises as follows:
 1. The use of off-premises open house signs is allowed only on Saturdays and Sundays, between the hours of noon to four p.m.
 2. Open house signs that are placed on Main Street include the words "Open House" and may have a directional arrow, but shall not include the address of the property where the open house is located nor any other riders. The signs shall not advertise any particular real estate company or agent.
 3. Open house signs that are placed on streets other than Main Street may include the words "Open House," may have a directional arrow, may include the address of the property where the open house is located and may include the name of the real estate company or agent. Only one sign per directional change is allowed.
 4. Only one sign is allowed at a street intersection.
 5. Signs shall not block sidewalks or pedestrian pathways; a four-foot-wide clear path of travel shall remain open.
 6. Signs shall not be placed in a manner that impedes the sight distance and visibility for motorists.
 7. No signs shall be placed on private property without the written permission of the property owner.
 8. No signs shall be posted on street signs or utility poles.

C. Open house signs in violation of this section may be subject to summary abatement under Section 1.12.130 of this code, Summary abatement of immediate dangers, and a one hundred dollar (\$100.00) penalty to be imposed according to the provisions of Chapter 1.12, Enforcement Procedures. (Ord. 09-1 § 3; Ord. 08-2 § 2 (part))

* Code reviser's note: Section 2(B) of Ordinance 08-2, adding Section 17.148.080 and renumbering existing Sections 17.148.080 through 17.148.120 to be 17.148.090 through 17.48.130, provides, "This amendment is enacted for a period of one year and shall terminate on May 26, 2009, unless extended or made permanent by action of the City Council."

17.148.090 Temporary Noncommercial Signs.

A. General Regulations.

Temporary noncommercial signs in residential districts are permitted at all times without a sign permit subject to the following regulations:

(1) Number. Each parcel is permitted two (2) freestanding or building mounted temporary noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.

(2) Area. A temporary noncommercial sign may not exceed six (6) square feet in area per side.

(3) Height. A temporary 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. A temporary non-commercial sign mounted onto a structure may not exceed eight (8) feet in height.

(4) Location. Temporary 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. Temporary noncommercial signs may shall not be located in the visibility triangle on corner lots. Temporary Noncommercial signs mounted to a structure must meet the public right-of-way and vision triangle limitation above and may not impact any character defining element of a historic building or district.

(5) Lighting. Temporary noncommercial signs may not be illuminated.

B. Election Period Regulations.

During any election period the following additional opportunities for temporary noncommercial signs are provided without a sign permit subject to the following regulations:

(1) Number. Each parcel in all zoning districts is permitted two (2) temporary noncommercial election period signs. Such signs are in addition to all other signage allowed in this chapter.

(2) The additional temporary noncommercial election period signs are subject to the area, height, location, and lighting limitations described under §17.148.090(1) above.

(3) Removal. The additional temporary noncommercial signs permitted during an election period must be removed within seven (7) days following the end of the election period.

17.148.090—Campaign signs.

A.—Campaign signs shall not be erected more than sixty (60) days prior to the election day and shall be removed within five days after the election day.

B.—Campaign signs may be placed or erected in any district subject to property owner's permission.

C.—A candidate, sponsor for a ballot measure, or local committee must obtain an administrative permit; one permit shall suffice for all similar signs.

~~D. A cash bond of one hundred dollars (\$100.00) is required upon approval of the administrative permit. The bond is refundable after the removal of the signs.~~

~~E. Campaign signs are limited to six square feet per side or a total of twelve (12) square feet for a two-sided sign. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); Ord. 02-6 § 15; prior code § 27.327. Formerly 17.148.080.)~~

17.148.100 Directional Wayfinding Signs

A. Purpose

The Directional Wayfinding Sign Program is intended to increase visitor awareness of prominent business locations, historic points of interest and the location of public facilities within St Helena.

B. Eligibility Criteria

1. The business or facility identified on a sign plaque is likely to be of interest to citizens and/or visitors to St Helena.

2. The business or facility is representative of the civic, commercial, historic or agricultural identity of St Helena.

3. The City Council shall designate, by resolution, a list of the types of uses that may and may not participate in the wayfinding signage program.

C. Design Criteria

To be added based on input from the Planning Commission and/or City Council.

D. Application Process

To be added based on input from the Planning Commission and/or City Council.

Commented [NH6]: Staff is seeking input from the Planning Commission on the inclusion of a wayfinding sign element to the existing sign regulation.

17.148.110 Public information signs.

A. Any community service club or organization may erect and maintain a public information sign on the property where they meet. The maximum size for such a sign is five square feet.

B. A public information sign may be maintained along Highway 29 at the south entrance to the community. The maximum area of the public information sign shall be two hundred twenty-five (225) square feet per side, whether single- or double-faced. The sign shall be freestanding, with a maximum height and width of fifteen (15) feet. The sign may be composed of any number of badges, plaques or signs which are either affixed or hanging within the total allowed square footage of the overall sign faces. Only one badge, plaque or sign for each group or organization described within Section 17.148.010 may be mounted on the public information sign. Each such component badge, plaque or sign shall not exceed thirty (30) inches in height, width or diameter, and may be single- or double-faced. Each component badge, plaque or sign of a group or organization may bear an additional attached sign stating only the location and/or times of regularly scheduled meetings of the group or organization, which sign shall not exceed nine inches in height or twenty-four (24) inches in width and may be single- or double-faced.

C. The public information sign must be maintained by the organizations utilizing the sign. The applicable sign permit may be revoked or the sign may be abated by the city council upon the failure to properly maintain such sign.

D. The public information signs shall be considered additional permitted signs which do not reduce nor restrict the signs otherwise permitted on the premises where the organization meets. ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.328. Formerly 17.148.090.)~~

17.148.120 Miscellaneous regulations.

A. Continued Maintenance. All signs must be maintained by the property owner, tenant, or permittee. In the event a sign becomes derelict for reasons of lack of maintenance the approval may be revoked and the sign subject to abatement.

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

B. Abandonment or Termination of Use. A sign shall be removed by the property owner within thirty (30) days of abandonment or termination of the use.

C. Obstruction of Pedestrian Ways. No sign shall be permitted that will impede, obstruct or create hazards with respect to pedestrian traffic. The lowest portion of a projecting sign over a pedestrian sidewalk shall be at seven feet six inches above the ground surface.

D. Overhanging Signs. No sign shall be permitted over a highway, street, or driveway, except for a festival or benefit banner as approved by the city council.

E. Conflicting Regulations. Exceptions to this chapter may be made for signs for gasoline service stations and other businesses if signs are subject to federal or state government regulations that may be in conflict with this chapter. ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.329. Formerly 17.148.100.)~~

17.148.120 Administration.

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.

B. An applicant for any permit shall file with his or her application a site plan and/or building elevations showing the location of the sign, a sketch or photograph showing the size, coloring, illumination, and manner of construction of the proposed sign and any other matter necessary to a determination of whether or not to issue a permit. When unusual signs are proposed the applicant shall submit a photo montage and/or model which clearly demonstrates the size, shape and location of the sign. ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.330. Formerly 17.148.110.)~~

17.148.130 Nonconforming signs.

Nonconforming signs shall be regulated as set forth in Chapter 17.140. ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.331. Formerly 17.148.120.)~~

CITY OF ST. HELENA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING AND RESTATING ST. HELENA MUNICIPAL CODE CHAPTER 17.148 (SIGNS).

The City Council of the City of the City of St. Helena ordains as follows:

SECTION 1. Findings. the City Council finds as follows:

A. Chapter 17.148 of the St Helena Municipal Code (SHMC) establishes the City's regulations regarding signs primarily located on private property.

B. The City has for many years provided opportunities for temporary noncommercial signs on private property, including residential properties, in the form of freestanding signs (i.e., yard signs) consistent with the United States Supreme Court's decision in *City of LaDue v. Gilleo* (1994) 114 S.Ct. 2038.

C. In the recent case of *Reed v. Town of Gilbert* (2015) 135 S.Ct. 2218, the United States Supreme Court held that absent a compelling reason, a city may not provide preferential treatment in providing opportunities for posting noncommercial messages on signs based on the sign's content.

D. The proposed amendments to Chapter 17.148 with respect to temporary noncommercial signs are intended to further the City's longstanding policy of regulating such signs in a constitutional, content-neutral manner.

E. As such, it is the City's intent to regulate temporary noncommercial signs based on their size, height, number, location and duration, and to allow more opportunities for noncommercial signs during election periods in order to encourage public debate.

F. These regulations further the City's interest in both aesthetics and traffic safety by establishing appropriate limitations on the size, height, number, location and duration of such noncommercial signs so that they are appropriate and in keeping with the zoning district in which the signs are placed and to ensure that the signs do not overly distract, obstruct or otherwise impede traffic circulation.

G. The City also desires to make a number of minor amendments to its sign regulations with respect to (1) certain permanent commercial signs located in commercial zoning districts, (2) the applicable procedures for processing sign permit applications, and (3) the signs designated as exempt from any permit requirement.

H. The City's Planning Commission reviewed the proposed amendments at a duly noticed public hearing on May 15, 2018. After all interested parties were given full opportunity

to be heard, and to present evidence, the Planning Commission voted to recommend to the City Council that the Council adopt the amendments to Chapter 17.148.

I. On [REDACTED], 2018, the City Council conducted a duly noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

J. The proposed amendments are consistent with the General Plan in that they will encourage signs that are compatible and complementary to the image and character of St. Helena (policies 2.6.31, 2.6.50, and 4.3.21).

K. The proposed amendments would further the public necessity, convenience, general welfare and good zoning practice by creating a more efficient and effective regulatory processes and adopting regulations that are consistent with current state and federal law.

SECTION 2. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Chapter 17.148 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) 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. Further the City Council finds that the proposed modifications to the City of St Helena Sign regulations, Chapter 17.148 of the Municipal Code, are consistent with the environmental impact analysis of the 1993 General Plan EIR.

SECTION 3. Amendment. SHMC Chapter 17.148 “SIGNS” is hereby amended and restated as set forth in the attached **Exhibit A**.

SECTION 4. Severability. The City Council hereby declares every section, paragraph, sentence, cause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5. Effective Date. This ordinance shall take effect and be in force 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the City of St. Helena.

SECTION 6. Amendment Declarative Of Existing Law. The City Council finds that the amendment of Title 17 by this Ordinance with respect to the imposition of civil penalties, and the right of the City to seek and obtain civil penalties by civil action, is intended to be declarative of existing law.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the [REDACTED] and was adopted at a regular meeting of the St. Helena City Council on the [REDACTED] by the following vote:

Mayor Galbraith: _____
Vice Mayor White: _____
Councilmember Koberstein: _____
Councilmember Dohring: _____
Councilmember Ellsworth: _____

APPROVED:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Black, City Clerk

I, CINDY BLACK, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 13th day of June, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 27th day of June, 2018 by the following vote:

Mayor Galbraith: _____
Vice Mayor White: _____
Councilmember Koberstein: _____
Councilmember Dohring: _____
Councilmember Ellsworth: _____

From: Dave Yewell [<mailto:dave@yewellfv.com>]
Sent: Friday, May 11, 2018 5:29 PM
To: Noah Housh
Subject: Vineyard signs.

Regarding the upcoming sign discussion at the May 15th planning commission.

A while ago, I was in touch with either you or your predecessor about vineyard signs. I am encouraging the City to adopt the same rules as the county for vineyard signs. That way our Appellation St. Helena vineyard signs could be the same in the county and in the city.

At that time, I was told this topic would be a part of a larger “rezoning” definition which would occur after the new general plan is finished.

My goal is to keep the concept on the burner so that when the zoning is done, this vineyard sign rule would be clarified and hopefully standardized.

I can't tell for sure if this issue is covered in the upcoming planning commission agenda.

Thanks,

Dave

pg. 68, "Abandoned sign" - Does not appear to define an abandoned temporary non-commercial sign. Consider adding a definition.

pg. 69, "Message" - The phrase, "...affixed to identification, and/or services," is not clear. Please consider rewording for clarity's sake.

pg. 70, "Pennant" - Consider adding "pole" to the list of methods for carrying a pennant.

pg. 70, "Primary Frontage" - Consider having the Planning Director set the primary frontage. This would be more consistent with the remainder of the code and might save some arguments in the future.

pg. 70, "Sign" - Consider adding to the definition to clearly cover the temporary non-commercial signs as they may not be either advertisements or identifications.

pg. 71, "Temporary Sign" - Consider deleting, "...due to the materials used." as it adds unneeded descriptive detail that may lend itself to disagreements.

pg. 71, "Wall Sign" - Consider clearly including a painted sign as "affixed" generally is not understood to include paint.

pg. 71, "Exclusions" - Is H defensible?

pg. 71, "Exclusions" - If somebody has a collection of old advertising signs for their cultural, historic or sociological value or import. It appears they would be prohibited from displaying them- what can/should be done for the collector?

pg. 72, "Signs Prohibited"- Does the prohibition in B conflict with the awing allowances, particularly on Main?

pg. 72, "Signs Prohibited" - Does the prohibition in D conflict with the temporary non-commercial signs as they will be displayed off premises (e.g. Rianda House events).

pg. 72, "Signs Prohibited" - E(7) appears to allow, with a permit, neon open signs while 17.148.060(D) prohibits them.

pg. 73, "Administrative sign permit" - I would rather see a shorter time. Thirty days is longer than I would like.

pg. 73, "Planning Commission Sign Permit" - Consider changing "obscure" in B(2) to something less overarching as anything that is not transparent can be said to obscure.

pg. 74, "Standards" - The size limit for the CBD for the frontage appears to be 26sft (i, ii and iv and 2 incidental signs) under (a) but (b) allows up to 40sft. How do you get to 40?

pg. 74, "Standards" - Same question for the SC – how do you get to 60sft?

pg. 74, "Standards" - Consider altering SC (b)v(c) to include "at or along the business frontage" as the

speed limit on Main is indeed 35mph but maybenotinfrontofth4businessin question.

pg. 74 and 75, “Standards” - Note that the CBD, PQP and BPO both restrict themselves to “primary frontage” in section (a) while the SC does not – why the inconsistency?

pg. 75, “Standards” - Consider adding language to “Residential Districts” (5) to cover the non-commercial signs- something like “... and as allowed under 17480.090...”.

pg. 78, “Temporary Non-commercial Signs” - How long is temporary?

pg. 78, “Temporary Non-commercial Signs” - Does the court ruling apply to residences and not residential zones? If so, consider rewording.

pg. 79, “Directional Wayfinding Signs” - Sure, what does SF or Boston do?

pg. 80, “Miscellaneous Regulations” - D. What about flags, pennants or balloons? A pole on the edge of the pavement will have the flag wave over same.

Tentative Planning Commission Agenda Updated: March 29, 2018

CURRENT AND PENDING MATTERS

March/April Important Dates:
1. March 6, 2018 - April 13, 2018 Hunter EIR Scoping Period
2. April 2, 2018 thru May 1, 2018 2040 General Plan EIR Scoping Period
3. April 13, 2018 End of Hunter EIR Scoping Period
4. April 17, 2018 2040 General Plan Update EIR Scoping Meeting-Planning Commission
5. April 17, 2018, Commercial Land Use Zoning Code Discussion-Planning Commission
6. April 24, 2018 Housing Element Update City Council Presentation
Active/Pending Projects In Process
1. See City of St Helena Planning Projects List
http://www.cityofsthenana.org/projects?term_node_tid_depth=21
Citywide PC/CC Assignments Prioritized by Staff and Planning Commission 9-5-17:
Tier 1 Priorities-2017-2018
1. 2040 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
SHAPE Committee Meeting On-Going
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

*This document is intended as a courtesy and is only updated periodically. Therefore it may not reflect the most current project status. Please contact planning staff with questions about specific projects or properties at 707-967-2792.