# City of St. Helena
# Planning Commission
# Regular Meeting
# Tuesday, October 2, 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 four minutes.**

Page

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL
Chairperson: Lester Hardy
Vice Chair: David Knudsen
Commissioners: 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 t he 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 four 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: September 18, 2018 — 7 - 11
Commission Minutes 9-18-18

4.2. Request for Design Review Exemption to allow the construction of a 500 square foot carport trellis and two appurtenant 110 square foot storage areas (with a maximum height of approximately 10-feet) at 890 Fulton Lane in the A-20 zoning district. — 13 - 29
Recommendation:
It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Find that the proposed project is exempt from the requirements of CEQA as a Class 3 Categorical Exemption under CEQA Section 15303; and
2. Adopt a resolution to approve a Design Review Exemption to allow the proposed construction of a 500 square foot carport trellis and two appurtenant 110 square foot storage areas (with a maximum height of approximately 10-feet) at 890 Fulton Lane in the A-20 zoning district.

Staff Report

5. PUBLIC HEARINGS

5.1. Request by Tomoko Simons for a Use Permit to establish an aesthetician business in an existing tenant spaces located at 1119 Hunt Avenue, Ste. B, in the CB: Central Business district. 31 - 65

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.
Prepared By: Lilly Bianco, Contract Planner
Recommendation:
Staff recommends that the Planning Commission:
1.Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities; and
2.Accept the required findings and approve a Use Permit for a new aesthetician business at 1119 Hunt Avenue, Suite B.

Staff Report
Public Comment (1)
Public Comment (2)
Public Comment (3)
Public Comment (4)

5.2. Review (and recommendation to the City Council) of an Ordinance amending and restating St. Helena Municipal Code (SHMC) Chapter 17.136.050 Temporary Uses, to create a Temporary Use Permit and an administrative review process for such permits, citywide. 67 - 121

CEQA Determination: The proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of “Small Structures” as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA.
Prepared By: Noah Housh, Planning & Community Improvement Director
Recommendation:
It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Find that the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to

Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA; and

2. Review, comment on and make a recommendation to the City Council on the proposed Ordinance making changes to Chapter 17.136.050 of the St. Helena Municipal Code.

Staff Report
Temporary Use Permit Presentation

6. SCHEDULED MATTERS

6.1. None

7. DEPARTMENT REPORTS

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

8. AGENDA FORCAST

Below is a a link to a list of pending and upcoming projects which may be of interest to the community.

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.

A list of all current planning projects is available on our city website in the link below:
http://www.cityofsthelena.org/projects?term_node_tid_depth=21

Please contact the assigned project Planner for additional questions.

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for October 16, 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 September 21, 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://cityofsthelena.org and will be available for public review at the respective meeting.

**MINUTES**
**City of St. Helena**
**Planning Commission Meeting**
**Tuesday, September 18, 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 Lester Hardy, Vice Chair David Knudsen, Commissioner Bobbi Monnette, and Commissioner John Ponte |
| **Absent:** | None |
| **Staff Present:** | Noah Housh, Planning & Community Improvement Director, Erica Ahmann Smithies, Public Works Director and City Engineer, Aaron Hecock, Senior Planner, Lilly Bianco, Contract Planner, and Xinia Gamero, Administrative Assistant |

## 1. PLEDGE OF ALLEGIANCE

## 2. CALL TO ORDER AND ROLL CALL

## 3. PUBLIC FORUM:

No public comment received.

## 4. CONSENT ITEMS

Chair Hardy pulled item 4.2 on the Consent Calendar and recused himself from the item due to a conflict of interest.

4.2 Adoption of a Resolution of Denial for a request by Eric Sklar for a Short-Term Rental Permit to rent the single-family home located at 1610 Kearney Street in the Medium Density Residential District in accordance with the requirements of the Short-Term Rental Ordinance.

CEQA Determination: Exempt pursuant to Section 15061(B)4 and 15270.
Prepared By: Aaron Hecock, Senior Planner

Commissioner Bobbi Monnette moved to approve item 4.2 on the Consent Calendar. The motion was seconded by Commissioner John Ponte and on roll call carried by the following vote:

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

4.1 Approval of Minutes: September 4, 2018.

~~4.2 Adoption of a Resolution of Denial for a request by Eric Sklar for a Short-Term Rental Permit to rent the single-family home located at 1610 Kearney Street in the Medium Density Residential District in accordance with the requirements of the Short-Term Rental Ordinance.~~

4.3 Request for a Design Review Exemption to perform minor exterior modifications to the existing residence located at 1513 Madrona in the Medium Density Residential Zoning District.

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.
Prepared By: Lilly Bianco, Contract Planner

**Recommendation:**
Pursuant to St. Helena Zoning Code, Section Sec. 17.164.060 and given that the project poses no substantial design problems and meets the criteria for an exemption pursuant to Municipal Code Section 17.164.030 and as described herein, 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 a minor alteration and addition to an existing structure, and

2.Accept the required findings and approves the design review exemption for the modifications to 1513 Madrona Avenue.

Commissioner John Ponte moved to approve item 4.1 and 4.3 on the Consent Calendar. The motion was seconded by Commissioner Bobbi Monnette and on roll call carried by the following vote:

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

**5. PUBLIC HEARINGS**

5.1 *This item is continued from the September 4, 2018 Planning Commission meeting and will be again continued to a date uncertain. *Request by Brian Moore on behalf of Verizon Wireless for adoption of a resolution granting design review approval in order to place a 12 foot high addition on an existing PG&E tower to accommodate 6 new panel antennas and associated equipment on the property located near the 1600 block of Grayson Avenue in the A-20 zoning district.

CEQA Determination: The project is exempt from the requirements of CEQA pursuant to Section 15301 and 15303.
Prepared By: Aaron Hecock, Senior Planner

Staff noted this item would be re-noticed for a future public hearing. No action taken by the Commission.

5.2 * This Item was continued from the August 21, 2018 Hearing: Request by Gary Head for Design Review Approval to construct a new single family residence with detached accessory dwelling, landscaping, pool (under separate permit), and other appurtenant improvements at 1760 Dean York Lane in St. Helena.

CEQA Determination: The project is exempt from the requirements of CEQA pursuant to Section 15303, which exempts the construction of single-family residences, amongst other things.
Prepared By: Lilly Bianco, Contract Planner
**Recommendation:**
Staff finds that the proposed configuration of the site, the overall design elements and proposed materials/finishes are appropriate for the subject property and recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA, pursuant to Section 15303, which exempts the construction single-family residences.

2. Accept the required findings and grant design review approval for the Cypress House at 1760 Dean York Lane.

Contract Planner Lilly Bianco reported on the item.

Owner, Shay Zak addressed the Commission.

No public comment received.

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

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

5.3 Request by Lydia Stehling for adoption of a resolution granting design review approval for an addition and remodel to an existing single-family residence on the property located at 917 Charter Oak Avenue in the Medium Density Residential zoning district.

CEQA Determination: Exempt pursuant to Section 15301, 15303 and 15331 of the CEQA Guidelines.
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 Sections 15331, 15301 and 15303; and
2. Accept the required findings and approve a resolution granting design review approval for the remodeling and additions to the home located at 917 Charter Oak Avenue.

Senior Planner Aaron Hecock reported on the item.

Lydia Stehling, Josh Stehling, Mark Hulbert, preservation architect, Charles Covell, architect, addressed the Planning Commission.

No public comment received.

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

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

**6. SCHEDULED MATTERS**

6.1 None

**7. DEPARTMENT REPORTS**

Planning and Community Improvement Director Noah Housh reported on the following:

- Design Guidelines Community Workshop
- Design Guidelines Online Survey closing 9.19.18
- Future Design Guidelines Workshop with the Planning Commission
- General Plan and General Plan EIR

**8. AGENDA FORCAST**

**9. ADJOURNMENT**

Chair Hardy adjourned the meeting at **7:39 P.M.**

The September 18, 2018 minutes were amended and approved at the _____ Planning Commission meeting.

| **APPROVED:** | **ATTEST:** |
|---|---|
| _____ | _____ |
| Lester Hardy, Planning Commission Chair | Noah Housh, Planning and Community Improvement Director |

# PLANNING COMMISSION REPORT

Planning Commission Meeting of October 2, 2018

**AGENDA SECTION:** Consent

**FILE NUMBER:** PL18-060

**SUBJECT:** Request for Design Review Exemption to allow the construction of a 500 square foot carport trellis and two appurtenant 110 square foot storage areas (with a maximum height of approximately 10-feet) at 890 Fulton Lane in the A-20 zoning district.

**APPLICATION FILED:**08/07/18 **ACCEPTED AS COMPLETE:**09/19/18

**LOCATION OF PROPERTY:** 890 Fulton Lane

**APN:** 009-194-002

**GENERAL PLAN/ZONING:** Agriculture/A-20

**APPLICANT:** Rees Purcell **PHONE:** 707-294-0661

## BACKGROUND

890 Fulton Lane is an 1.02 acre parcel currently developed with a single family home, a guest house and multiple residential accessory buildings located outside the Urban Limit Line in the A-20 Zoning District.

## PROJECT DESCRIPTION

Request for Design Review Exemption to allow the construction of a 500 square foot carport trellis and two appurtenant 110 square foot storage areas (with a maximum height of approximately 10-feet) at 890 Fulton Lane in the A-20 zoning district.

## ANALYSIS

CEQA

Staff finds that the project qualifies for a Class 3 Categorical Exemption under Section 15303 of CEQA as it proposes the construction of "small structures" accessory to the existing on-site residential use.

GENERAL PLAN

The subject property is designated Agriculture by the 1993 General Plan. This land use designation provides for agricultural uses, wineries, single-family residences, and public and quasi-public uses. The Agricultural (AG) land use designation serves as the predominant land use designation in St. Helena and is intended to perpetuate the City's agricultural base and surround the urban core. As such, all properties outside of the ULL (with the exception of hillside areas designated as Woodlands and Watershed) are designated AG, regardless of their actual size or use.

Staff finds the subject project consistent with all applicable General Plan policies, particularly, 4.3.4, which calls for the City to, " Strengthen community identity by appropriate building design, size, and site landscaping.

ZONING

The project site is zoned A-20, the purpose of which is to implement the AG General Plan designation through the preservation of agricultural land uses and by maintaining orderly development as the ULL is adjusted. Accessory buildings such as carports, garages and other accessory buildings (without plumbing) are permitted uses, however Design Review is required for such structures. The A-20 development standards identify that for lots less than two-acres in size the development regulations and floor area ratio shall be the same as those for the Low Density Residential One Acre Minimum (LR:1A) zoning district.

Given that the project proposes to construct accessory storage areas which are either less than 120 square feet, or have the longest dimension unenclosed, many of the development criteria of this district do not apply (including F.A.R.); rather the standards in Chapter 17.116 Accessory Buildings, Structures, Dwellings and Uses apply.

Below is a summary of the zoning standards applicable to the proposed Design Review Exemption.

| | |
|---|---|
| Maximum Lot Coverage: 30% | Proposed Lot Coverage: 26% |
| Required Front Setback: 30-feet | Proposed Front Setback: 30-feet |
| Required Side Setback: 3-feet | Proposed Side Setback: 30-feet+ |

The most applicable code element for the proposed construction of the trellis and sheds is Section 17.11.010 B. which states:

"No...more than one accessory building or structure shall be located in front of the most forward portion of the front elevation of the main house. The intent of this provision is to discourage the construction of walls and accessory buildings or structures that obscure the visibility of the main house from the street."

The design proposes to locate the structure (which is free standing) directly in front of an existing detached garage located on the property. The design of the proposed

structure however is completely within the dimensions of the existing garage building and therefore staff finds that it is in keeping with the stated intent of the policy, as it will in no way further obscure the visibility of the main house from the street.

**ISSUES**

As identified above, the project proposes to construct a detached residential structure in front of the primary building on the parcel, where one accessory structure already exists. While staff finds that this proposal is in keeping with the stated intent of the code provision as it will no further obstruct the view of the primary structure, the Commission may not support this finding. If this is the case, the design could be conditioned to be attached to the existing garage in order to more directly comply with this code provision.

**CORRESPONDENCE**

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

**STAFF RECOMMENDATION**

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

1. Find that the proposed project is exempt from the requirements of CEQA as a Class 3 Categorical Exemption under CEQA Section 15303; and
2. Adopt a resolution to approve a Design Review Exemption to allow the proposed construction of a 500 square foot carport trellis and two appurtenant 110 square foot storage areas (with a maximum height of approximately 10-feet) at 890 Fulton Lane in the A-20 zoning district.

**ATTACHMENTS**

Written Statement carport
Site Plan
East elevation
north elevatio
plan
South elevation finish
west elevation
PC DRE Reso 890 Fulton Ln

Written Statement
Touw Residence
890 Fulton Ln.
St. Helena CA

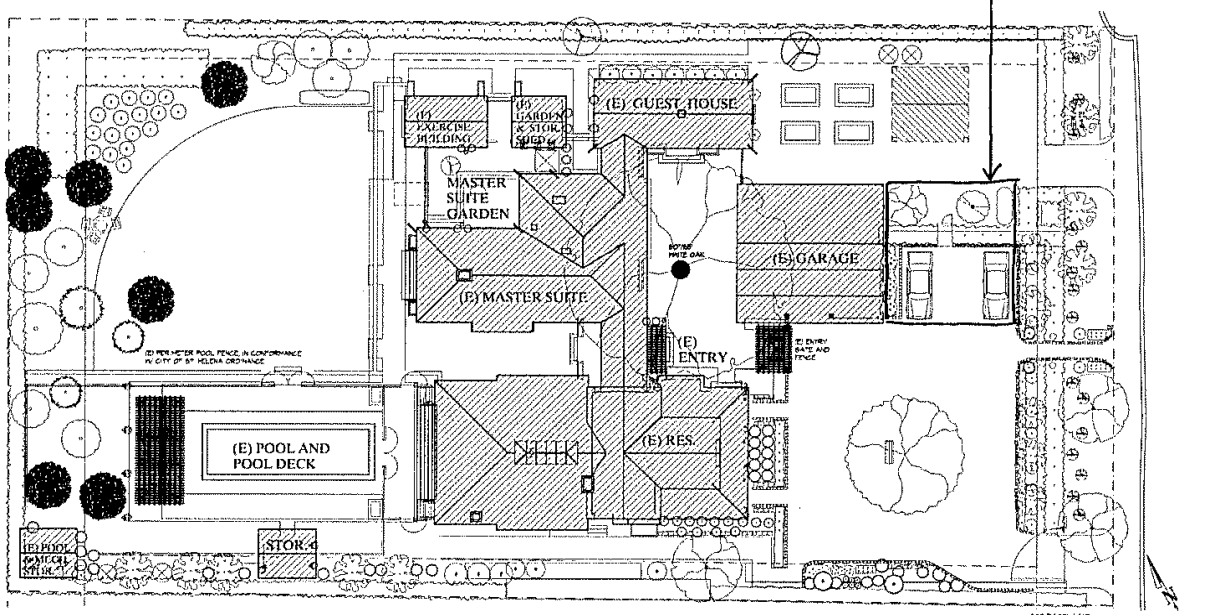
Solar mounting structure/Carport and storage shed

The Main purpose of this structure is to create a mounting location for 50 solar panels. The space below will be used as storage for items currently stored out in the elements. The structure will be a total of 972 square feet. The structure will consist of an open car storage of 500 square feet, two storage sheds totaling 110 square feet each, and they will be connected by a 64 square foot breeze way. The remaining square footage of 188 will be eves and over hangs. The structure will be 10ft high.

The carport will house two cars and the storage sheds will house tools, toys, bikes, strollers, etc. Items that are currently exposed to the elements.

The storage shed will be constructed with standard Doug fir framing and finished with painted cedar lap siding and trim to match existing structures on the property. The carport will be constructed of Painted cedar 8x8 post and painted cedar 3x8 joist. The connected roof structure will be sheated with ¾ cdx plywood.

PROJECT LOCATION

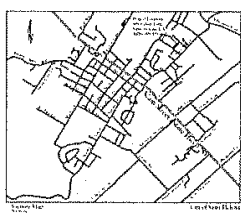


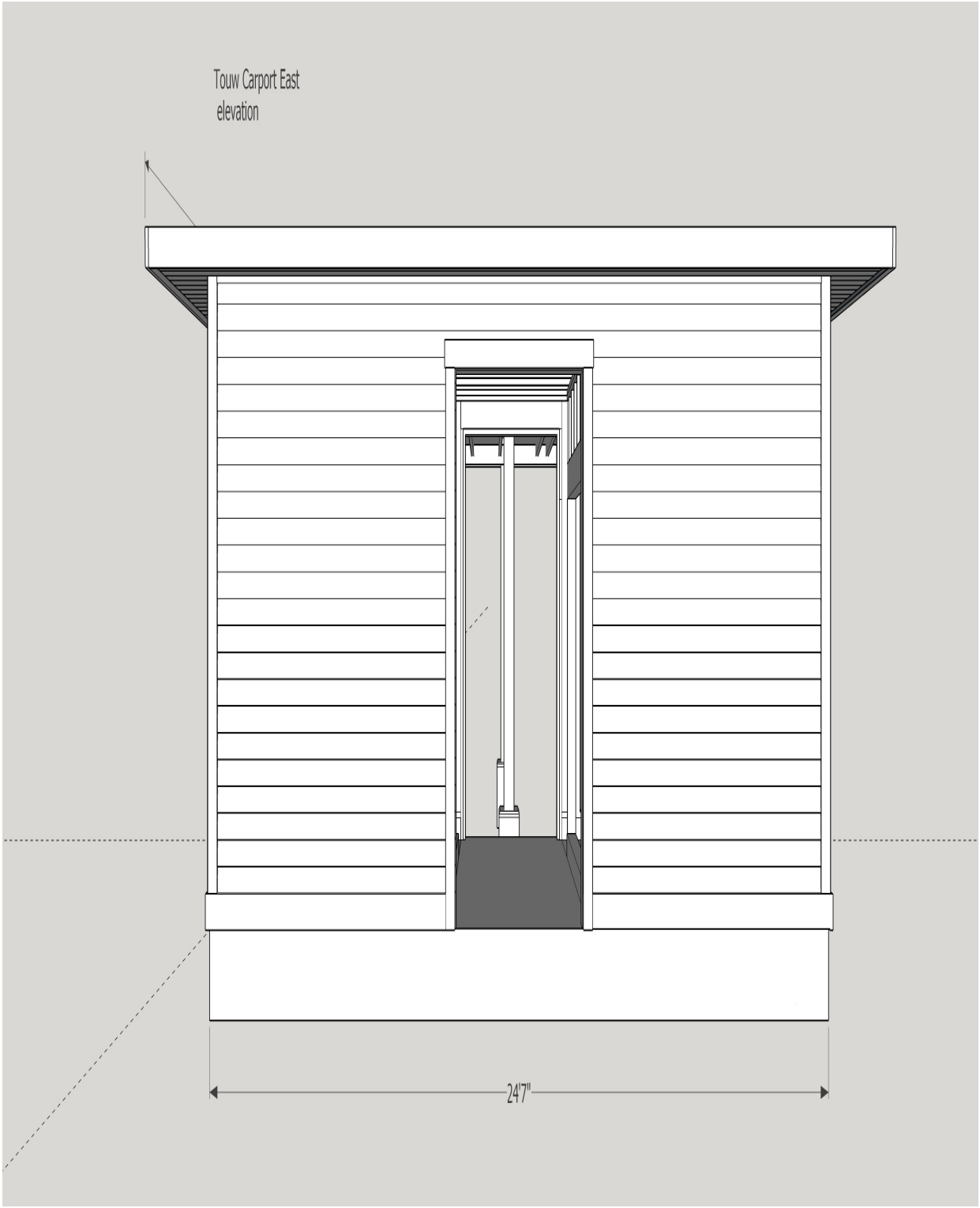

Overall Site Plan

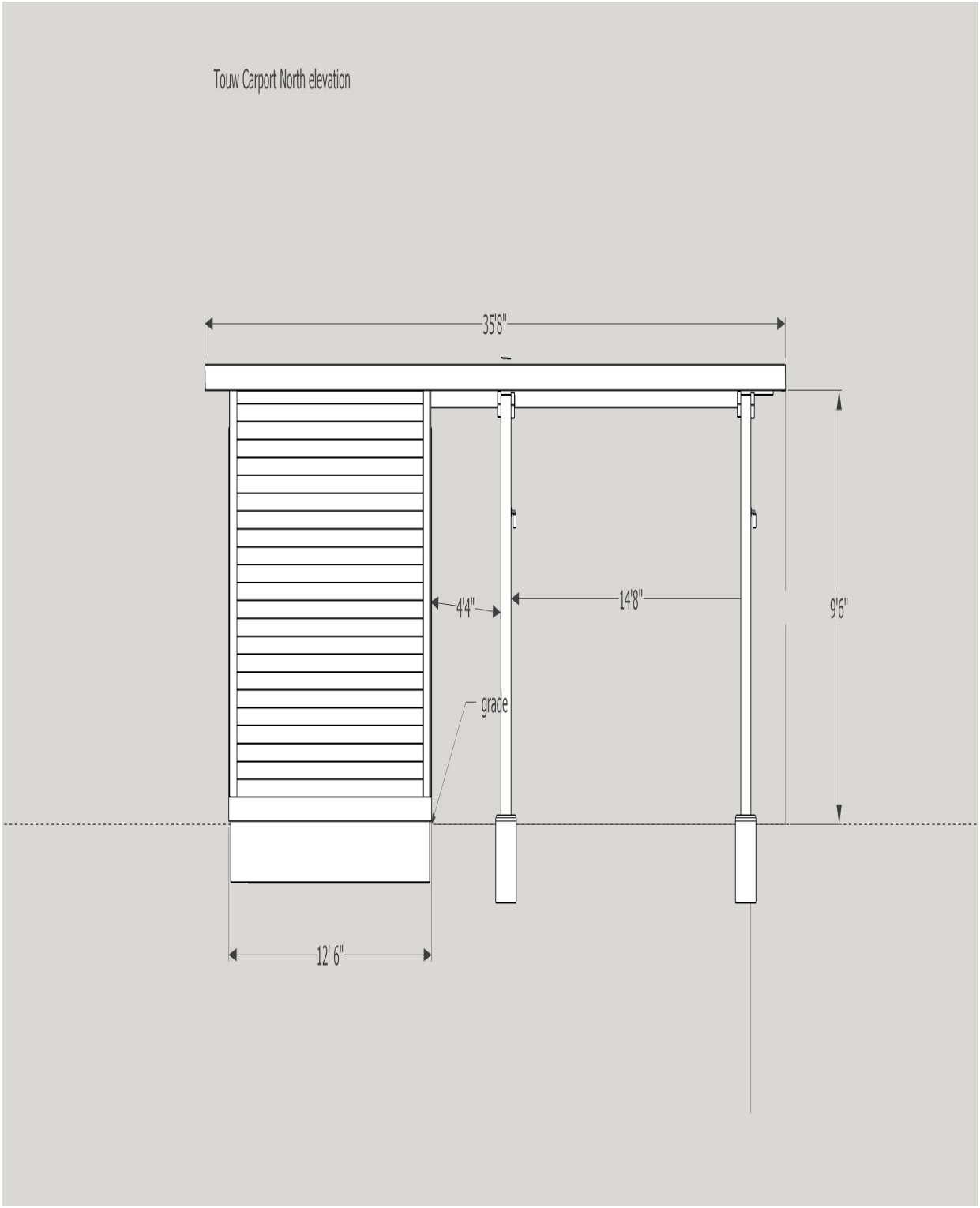
## Project Areas

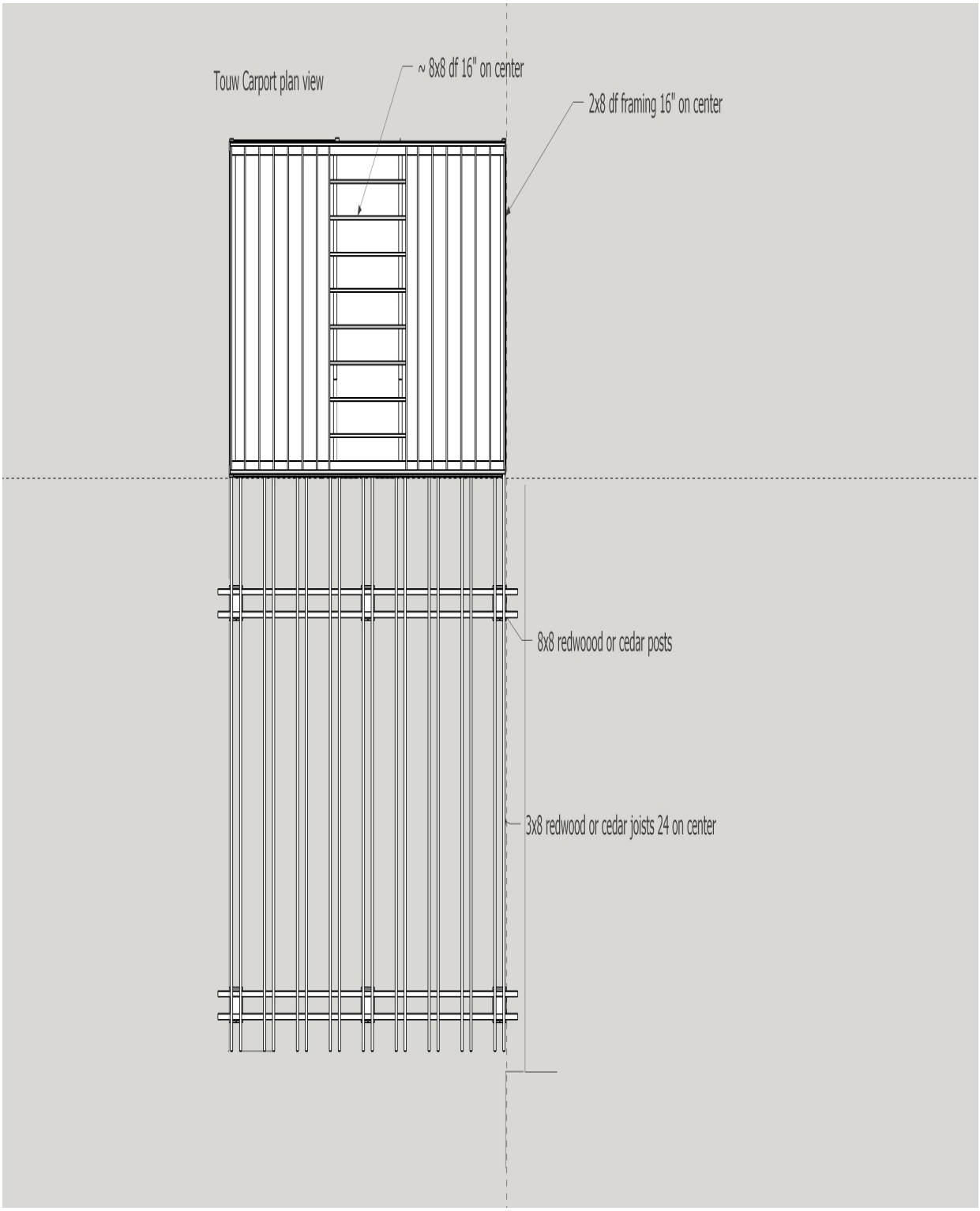
| | |
|---|---|
| Total Lot Area | [illegible] |
| Allowable Coverage (35% of Lot Area) | [illegible] |
| Maximum Gross Floor Area | [illegible] |
| Breakdown of Additional Spaces | |
| (E) Exercise Building Floor Area | [illegible] |
| (E) Bonus Exercise Floor Area | [illegible] |
| (N) Living Room Addition | [illegible] |
| (N) Living Room Gallery | [illegible] |
| (N) Wine Storage | [illegible] |
| (N) Master Suite Addition | [illegible] |
| Breakdown Non-conforming Spaces | |
| (E) Building Footprint Outside of Setbacks | [illegible] |
| (E) Building Footprint Outside of Setbacks | [illegible] |
| Gross Building Area | [illegible] |
| Site Facilities | |
| (E) Attached Garage | [illegible] |
| (N) Garage Suite | [illegible] |
| (N) Exercise Building | [illegible] |
| (N) Guest House | [illegible] |
| Total Site Building | [illegible] |
| Gross Floor Area | |
| (E) Main Residence Floor Area | [illegible] |
| (N) Main Residence Floor Area Add'n | [illegible] |
| Main Residence Total Area | [illegible] |
| (E) Guest House Total Gross Floor | [illegible] |
| (E) Exercise Building | [illegible] |
| (N) Living Room Addition | [illegible] |
| (N) Wine Storage Addition | [illegible] |
| (N) Guest House | [illegible] |
| (N) Exercise Building | [illegible] |
| Future Gross Home | [illegible] |
| Total Gross Floor Area | [illegible] |

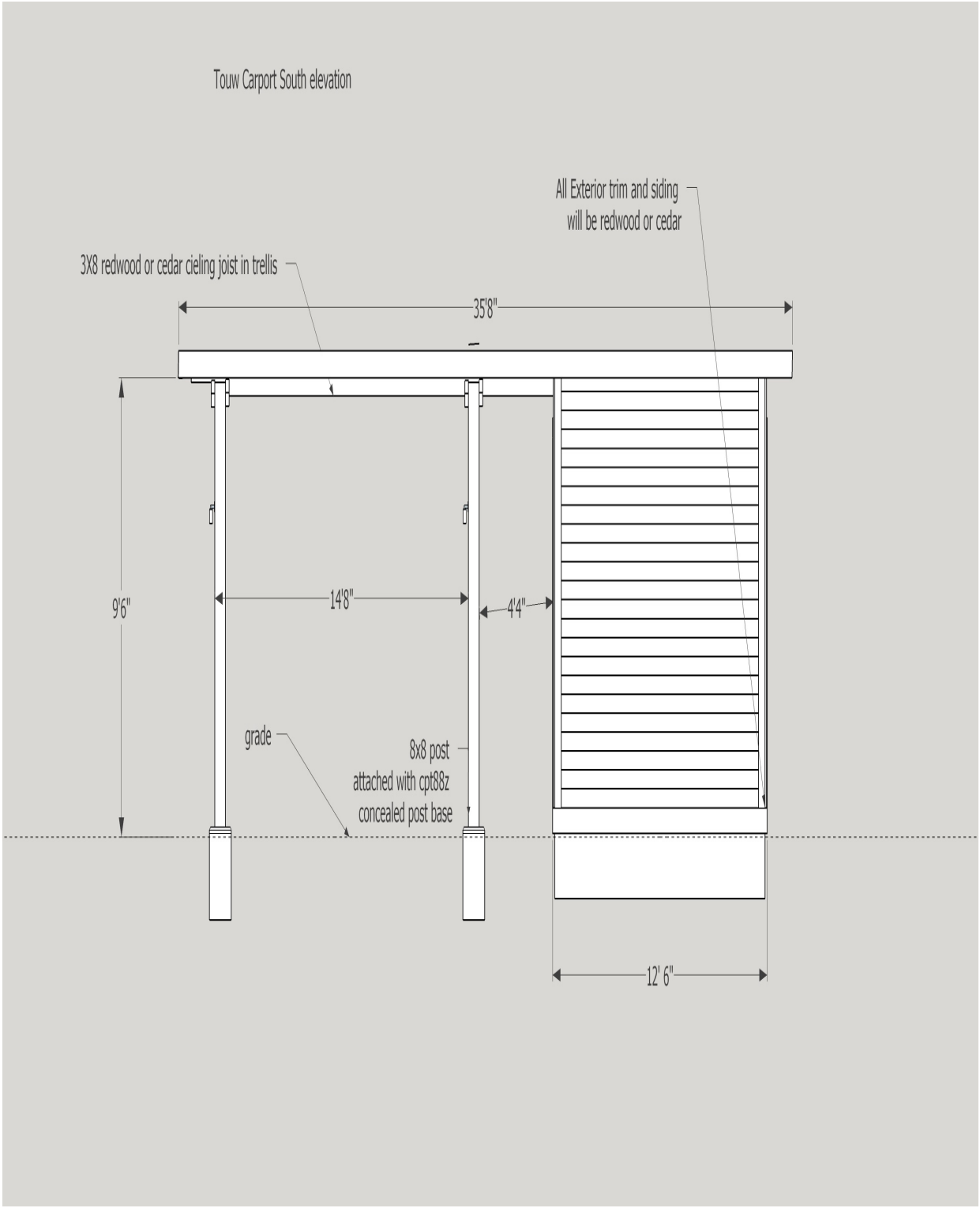
## Site Location Map

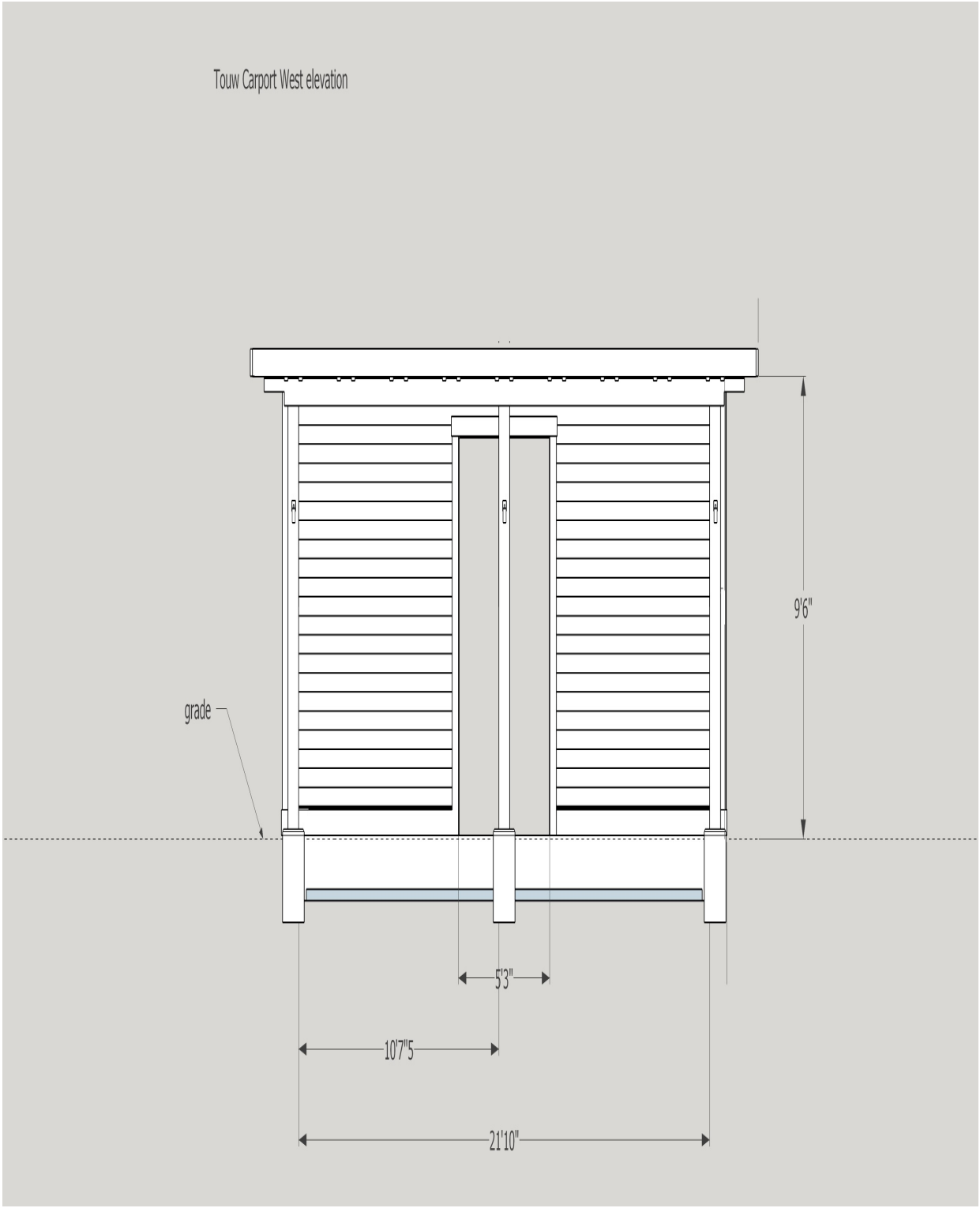



Touw Carport East
elevation
24'7"


Touw Carport North elevation
35'8"
4'4"
14'8"
9'6"
grade
12' 6"


Touw Carport plan view
~ 8x8 df 16" on center
2x8 df framing 16" on center
8x8 redwoood or cedar posts
3x8 redwood or cedar joists 24 on center


Touw Carport South elevation
All Exterior trim and siding
will be redwood or cedar
3X8 redwood or cedar cieling joist in trellis
35'8"
9'6"
14'8"
4'4"
grade
8x8 post
attached with cpt88z
concealed post base
12' 6"


Touw Carport West elevation
9'6"
grade
5'3"
10'7"5
21'10"

**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 TO ALLOW THE CONSTRUCTION OF A 500 SQUARE FOOT CARPORT TRELLIS AND STORAGE AREAS AT 890 FULTON LANE (File No. PL18-060)**

**PROPERTY OWNER:** Rees Purcell **APN:** 009-194-002

**Recitals**

**1.** On August 7, 2018 Rees Purcell submitted an application for a Design Review Exemption to construct an approximately 500 sq-ft trellis and appurtenant storage areas at 890 Fulton Lane in the A-20 Zoning District; and

**2.** A staff report dated October 2, 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 October 2, 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 15303, which exempts the construction of small accessory 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 compatible with the current exterior treatment of the residence and would also not further impact visibility of the primary dwelling. 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 compatible 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 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 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 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 permitee 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 annl 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. Where the property 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.

14. The existing propane tank is required to be relocated to an onsite location in keeping with the requirements of the City of St Helena Fire and Building Codes and this relocation shall be included within the scope of the building permit for the proposed project.

**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 may be required 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. 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. New utility infrastructure or connections may require that applicant install an approved backflow device behind the existing water meter prior to Certificate of Occupancy.
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.

**Building Department Conditions of Approval**

22. A building permit is required for all onsite demolition, construction and/or change of occupancy.

23. 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.

24. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.

25. The applicant shall provide a construction waste management plan with the building permit application.

26. 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.

27. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

28. 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.

29. 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.

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.

**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 October 2, 2018, by the following roll call vote:

**AYES:**
**NOES:**
**ABSENT:**
**ABSTAIN:**

APPROVED:

_____
Lester Hardy
Chair, Planning Commission

ATTEST:

_____
Noah Housh,
Planning and Community Improvement Director

# PLANNING COMMISSION REPORT

Planning Commission Meeting of October 2, 2018

**AGENDA SECTION:** Public Hearing

**FILE NUMBER:** PL18-057

**SUBJECT:** Request by Tomoko Simons for a Use Permit to establish an aesthetician business in an existing tenant spaces located at 1119 Hunt Avenue, Ste. B, in the CB: Central Business 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:**07/26/18 **ACCEPTED AS COMPLETE:**09/12/18

**LOCATION OF PROPERTY:** 1119 Hunt Avenue Suite B

**APN:** 009-083-019

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

**APPLICANT:** Tomoko Simons **PHONE:** 925-683-0213

## BACKGROUND

The subject tenant space consists of a 273 sq-ft space that formerly served as storage for the clothing store "Cricket." The space is located within Suite B of 1119 Hunt Avenue and is accessed from Hunt Avenue.

## PROJECT DESCRIPTION

The applicant is seeking use permit approval in order to open an aesthetician business at 1119 Hunt Avenue, Ste. B. According to the applicant, the esthetic business would offer anti-aging facials to clients by referral and invitation only. Services offered would

include all types of facials and body treatments as well as sales of facial products, devices, and beauty products. Body treatments would only be offered as an "add-on" to facials or LED light treatments. Hours of operation are proposed as Monday to Friday, 9 a.m.to 6 p.m. No interior or exterior tenant improvements are proposed. The business is a sole proprietorship and the business owner would be the sole employee.

**ANALYSIS**

CEQA

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

GENERAL PLAN

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

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

ZONING

Consistent with the Central Business land use designation in the General Plan, the site exhibits a zoning designation of CB: Central Business. This designation provides for retail, personal service uses, offices, restaurants, hotels/motels and other similar and compatible uses. The intent is for the CB district to remain primarily locally serving in character. New uses which serve both local residents and tourists are allowed; however; uses which are primarily tourist-serving are not permitted. Local serving businesses are considered to be those that derive a significant portion of their revenue from St. Helena residents, and which provide services and products which satisfy local resident's day to day needs. It is presumed that the "local" customer base is defined by regular repeat customers from the community.

Pursuant to Municipal Code Section 17.48.030, Beauty shops (including facials, waxing, etc.,) require approval of a Use Permit in the Central Business district. Therefore, the applicant is required to obtain a Use Permit in order to allow for the establishment of an esthetic business in the proposed tenant space, as detailed below under “Entitlement”

Parking

The applicant’s tenant space is within the boundaries of the Parking Impact Overlay (PIA) and will be supported by one designated parking space at property rear.

The PIA specifies that the basic parking requirement for buildings existing as of February 1, 1980, shall be at least one space for each one thousand two hundred (1,200) square feet of ground floor area and one space for each two thousand four hundred (2,400) square feet floor area of basement or upper floors (floor area to include exterior measurements). Section 17.104.020 C. States that, Notwithstanding any other provision to the contrary in the code section, parking requirements for change in category of uses in the parking impact area shall equal the difference between what would require for the new use, minus what Chapter 17.124 would require for the previous use.

The previous and proposed use fall under the same parking category of “commercial and office uses” however, because the tenant space formerly served as storage, the introduction of the ethetic business is understood to constitute an increase in tenant spaces and therefore to meet parking requirements would need one (1) space for each 300 sq-ft. The tenant space is 273 sq-ft and as such, the one (1) existing designated space is sufficient and will be required to remain as a designated space per condition of approval.

Signage

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

ENTITLEMENT

Use Permit

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

1.That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

2.That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

3.That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

4.That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5.That the proposed use would provide adequate ingress and egress to and from the proposed location.
6.That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7.That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8.That the proposed use would not be in conflict with the City's General Plan.
9.That the proposed use would not be injurious to public health, safety, or welfare.
10.That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11.That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12.That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

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

**ISSUES**

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

**CORRESPONDENCE**

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

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission:
1.Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities; and
2.Accept the required findings and approve a Use Permit for a new aesthetician business at 1119 Hunt Avenue, Suite B.

**ATTACHMENTS**

1119 Hunt Ste. B- Attch 1. Resolution
1119 Hunt Ste. B- Attch 2. APN Map
1119 Hunt Ste. B- Attch 3. Aerial View

1119 Hunt Ste. B- Attch 4. Floor Plan
1119 Hunt Ste. B- Attch 5. Project Narrative
1119 Hunt Ste. B- Attch 6. Site Plan
1119 Hunt Ste. B- Attch 7. Site Photos

**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 TOMOKO ESTHETICS LOCATED AT 1119 HUNT AVENUE, STE. B (FILE NO.PL18-057)**

**PROPERY OWNER:** High Lob LLC **APN:** 009-083-019

## RECITALS

1. On July 26, 2018, Tomoko Simons submitted an application requesting a use permit to establish an esthetics business in a tenant space located at 1119 Hunt Avenue in the CB: Central Business district.

2. On September 21, 2018 a public notice of hearing before the Planning Commission was published in the Napa Valley Register and mailed to all property owners and occupants within 300 feet of the subject property; and

3. A staff report dated October 2,2018 and incorporated herein by reference analyzed the projects consistency with the Use Permit Criteria enumerated in Section 17.168.050 of the Municipal Code, and

4. The Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing on October 2, 2018.

## RESOLUTION

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

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

B. The Planning Commission hereby finds that this project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.

C. In accordance with Municipal Code Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit:

   1. *That the proposed use would not generate odors, fumes, dust, light, glare, and radiation or refuse that would be injurious to surrounding uses or to the community in that the use is retail/personal service in nature and would occur within an existing building designed for such uses.*

2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses in that the use is retail/personal service in nature and would occur within an existing building designed for such uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as project generated traffic will not increase the level of traffic noise on Highway 29 (Main Street).*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that the use is retail/personal service in nature and will therefore not make excessive demands on these services.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location as ingress and egress would not change for the existing building.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed use will serve the local community.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed use is consistent with the Central Business zoning district.*
8. *That the proposed use would not be in conflict with the City's General Plan in that it can be both local and tourist serving.*
9. *That the proposed use would not be injurious to public health, safety, or welfare in that it is retail/personal service in nature and within an existing building.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit only applies to this property and to the specific uses allowed therein.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the tenant space maintains one designated parking space and which is required to be maintained as such per condition of approval and as discussed in the staff report.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the proposed uses will occur in an existing building, will generate very little traffic and can adequately be served by existing streets.*

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

**Planning Department Conditions of Approval**

1. The Use Permit shall be vested within one (1) year from the date of approval. The permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request

for an extension must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

2. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. The permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed to the City Council within that 14 day period.
4. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. At least one designated parking space shall be maintained to serve the approved use for as long as the use continues in the subject tenant space.
8. Provided they are in general compliance with the permit, minor modifications may be approved by the Planning Director.
9. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
11. Fire equipment shall be inspected annually by the Fire Department.
12. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3)

other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

**Public Works Department Conditions of Approval**

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

**Building Department Conditions of Approval**

18. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
19. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
20. The applicant shall provide a construction waste management plan with the building permit application.
21. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
22. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

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

**I HEREBY CERTIFY** that the foregoing Use Permit 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 October 2, 2018 by the following roll call vote:

**AYES:**
**NOES:**
**ABSENT:**
**ABSTAIN:**

| APPROVED: | ATTEST: |
|---|---|
| Grace Kistner<br>Chair, Planning Commission | Noah Housh<br>Planning Director |

THIS MAP MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED HEREON. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED, FIRST AMERICAN TITLE COMPANY OF NAPA EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.

# POR. RANCHO CARNE HUMANA

R. M. Bk. D of Patents, Pg. 127

Tax Area Code 3002

9–08

SEP 0 5 2006

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

| REVISION | DATE |
|---|---|
| | 9-28-78 |
| | 10-26-89 |
| 082-20 RS | 4-17-02 |
| 081-08 & 09 RS | 2-1-06 |

CITY OF ST. HELENA
Assessor's Map Bk. 9 Pg. 08
County of Napa, Calif.
1954-60-61

JUL 06 2016

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# PTN. RANCHO CARNE HUMANA

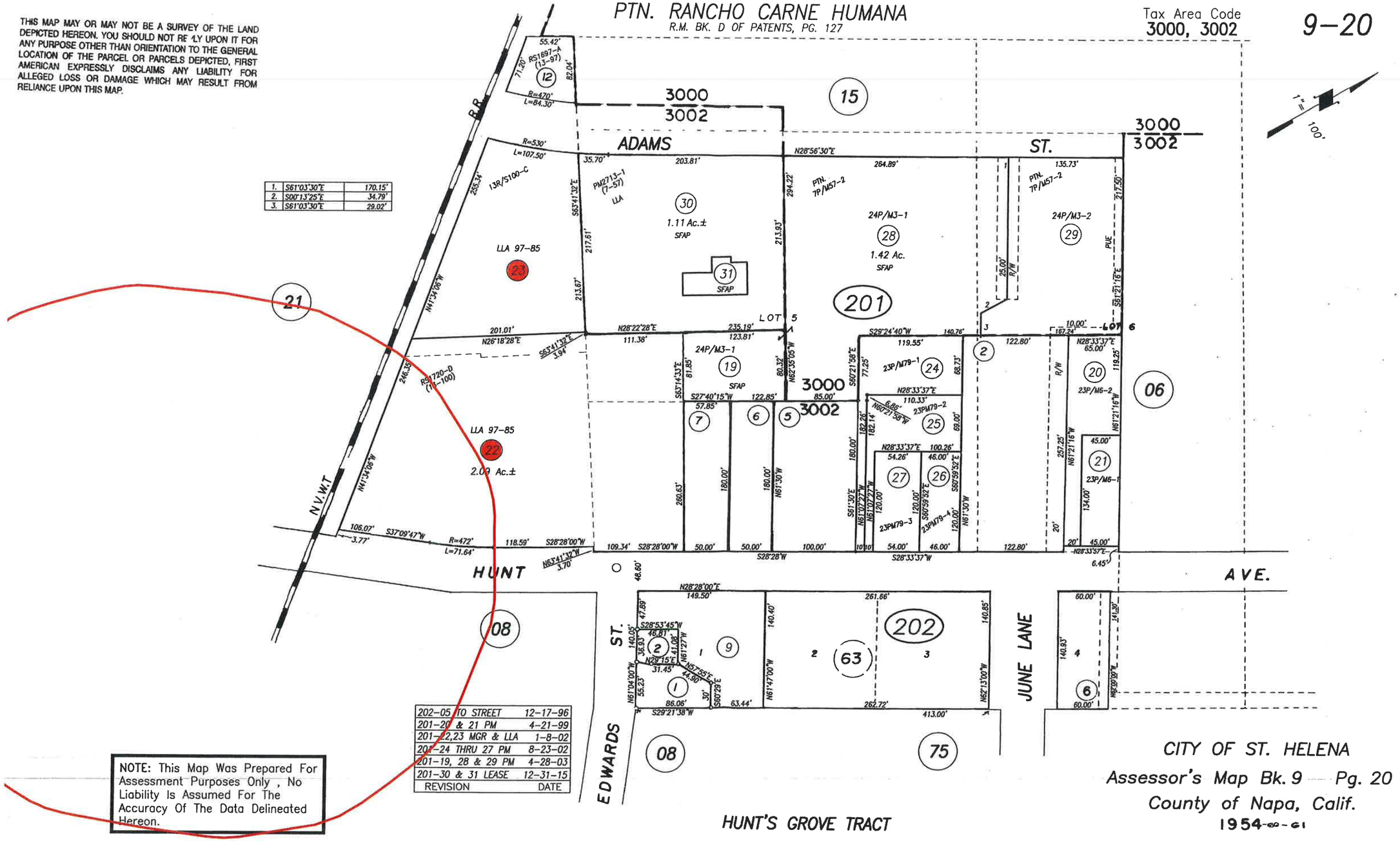
R.M. BK. D OF PATENTS, PG. 127

Tax Area Code
3000, 3002

9–20

1" = 100'

| | | |
|---|---|---|
| 1. | S61°03'30"E | 170.15' |
| 2. | S00°13'25"E | 34.79' |
| 3. | S61°03'30"E | 29.02' |




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

| REVISION | DATE |
|---|---|
| 202–05 TO STREET | 12–17–96 |
| 201–20 & 21 PM | 4–21–99 |
| 201–22,23 MGR & LLA | 1–8–02 |
| 201–24 THRU 27 PM | 8–23–02 |
| 201–19, 28 & 29 PM | 4–28–03 |
| 201–30 & 31 LEASE | 12–31–15 |

CITY OF ST. HELENA
Assessor's Map Bk. 9 — Pg. 20
County of Napa, Calif.
1954-60-61

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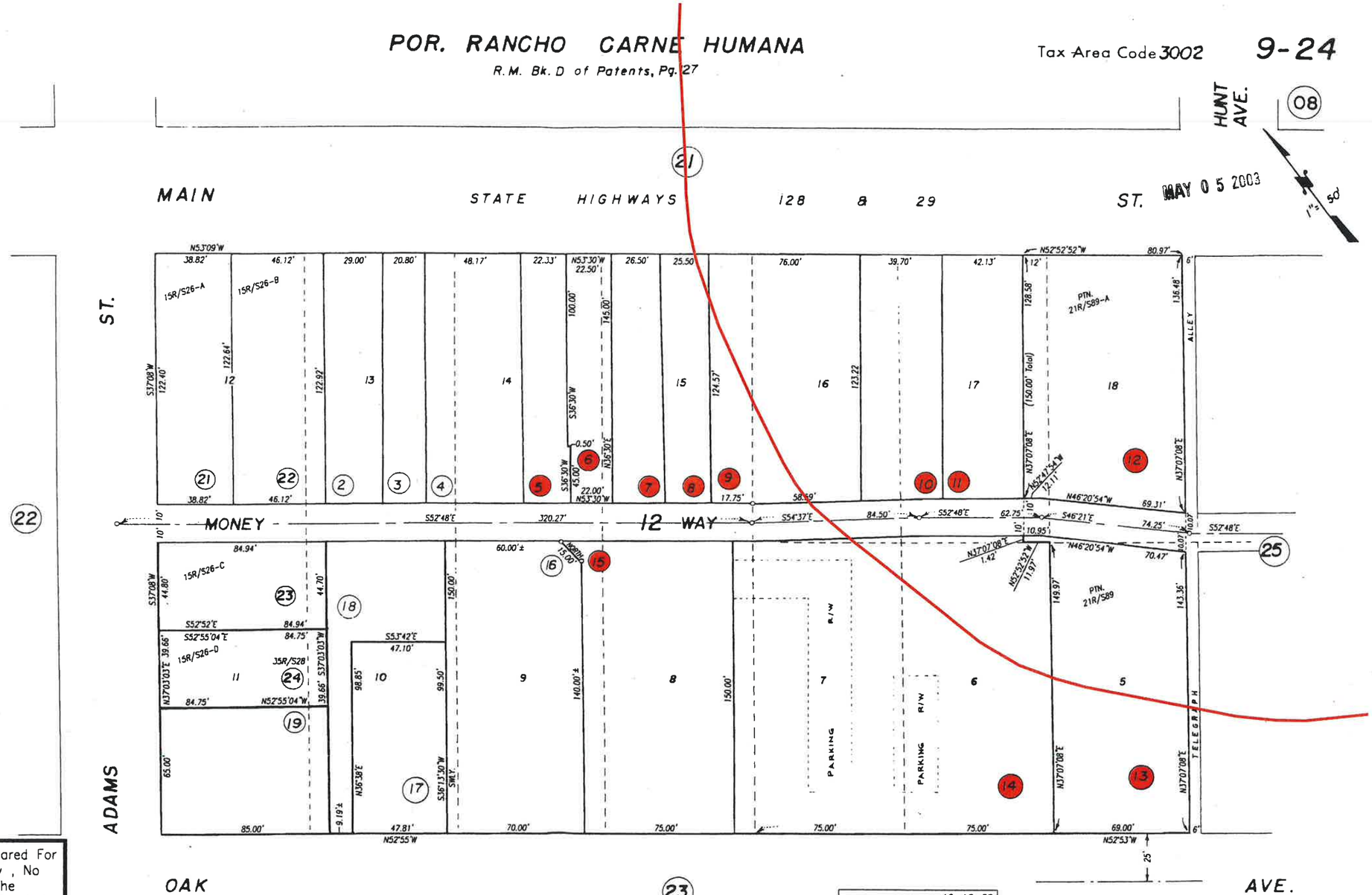


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| REVISION | DATE |
|---|---|
| | 12-12-80 |
| | 8-9-91 |
| 240-24 RS | 12-23-02 |

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

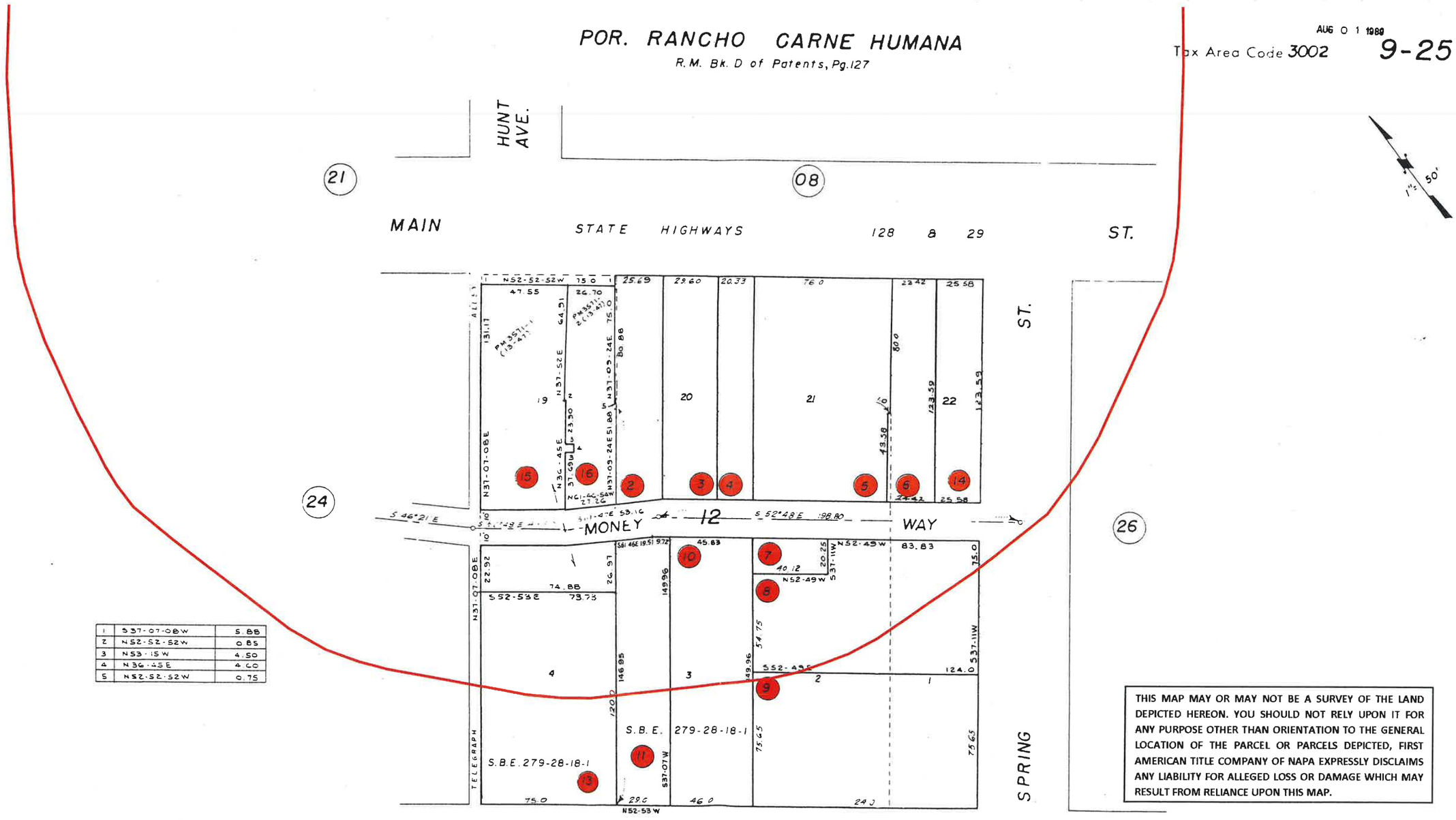
AUG 0 1 1988

Tax Area Code 3002

# 9-25

## POR. RANCHO CARNE HUMANA

R.M. Bk. D of Patents, Pg.127




| | | |
|---|---|---|
| 1 | S37-07-08W | 5.88 |
| 2 | N52-52-52W | 0.85 |
| 3 | N53-15W | 4.50 |
| 4 | N36-45E | 4.00 |
| 5 | N52-52-52W | 0.75 |

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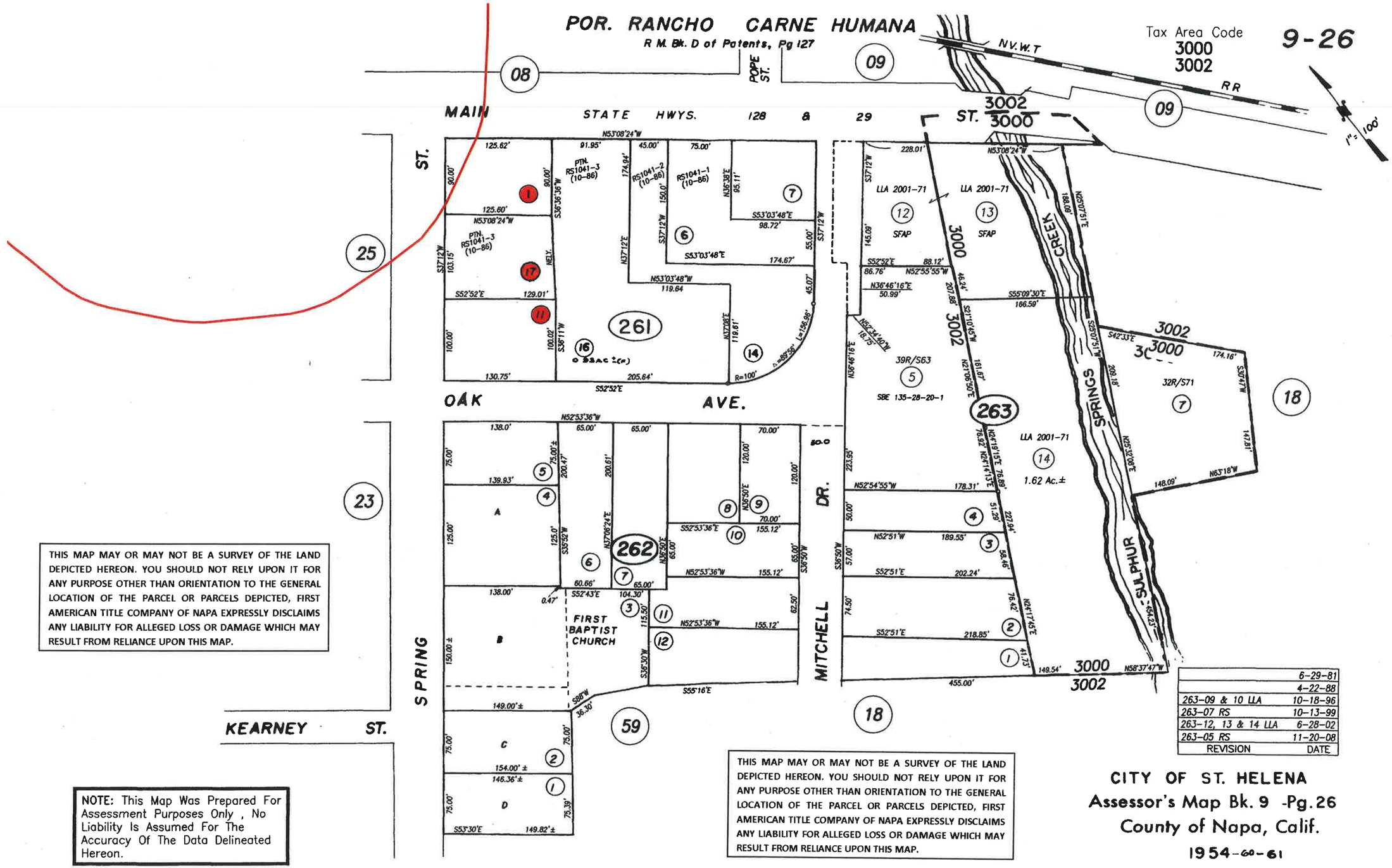
CITY OF ST. HELENA
Assessor's Map Bk. 9 -Pg. 25
County of Napa, Calif.

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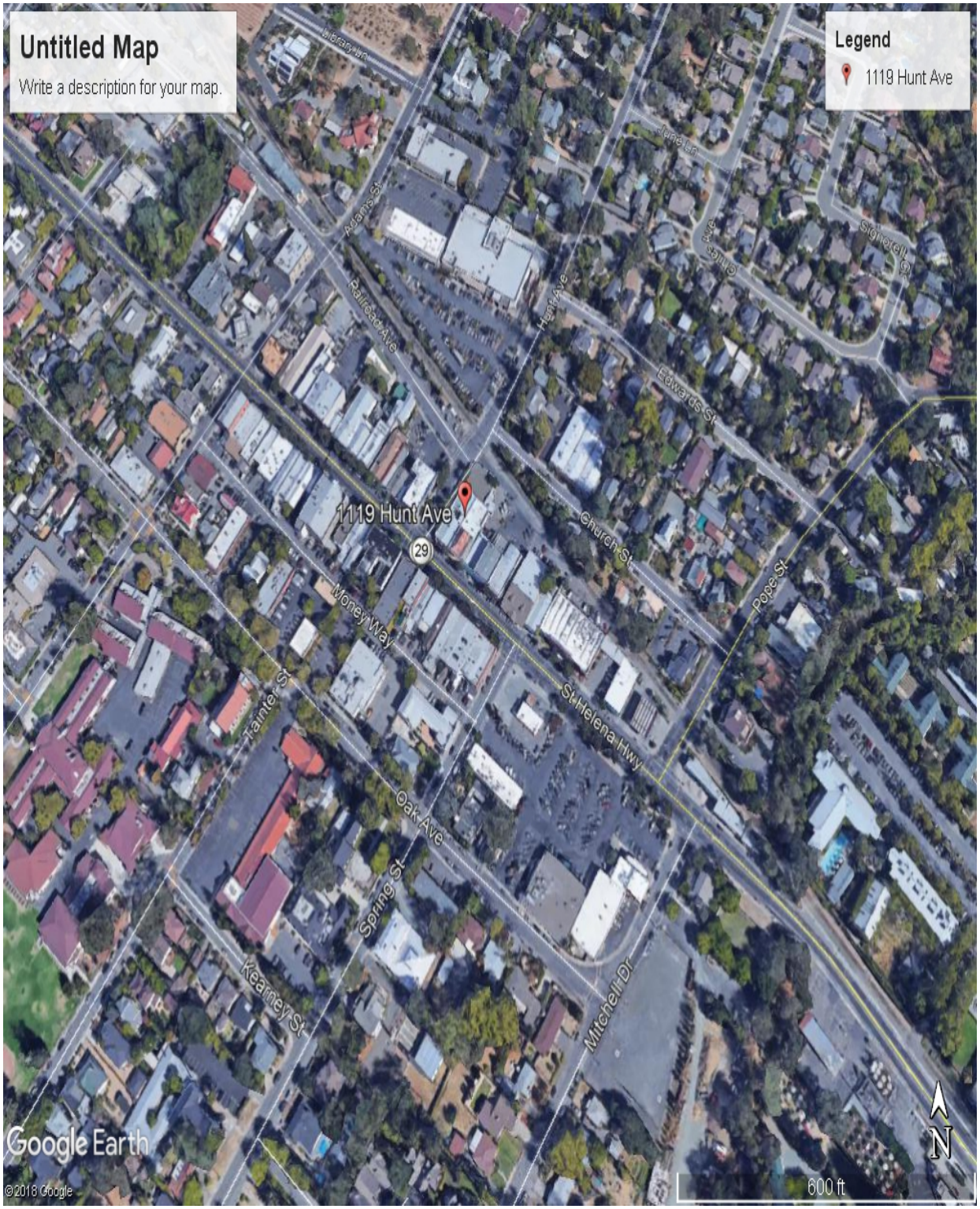
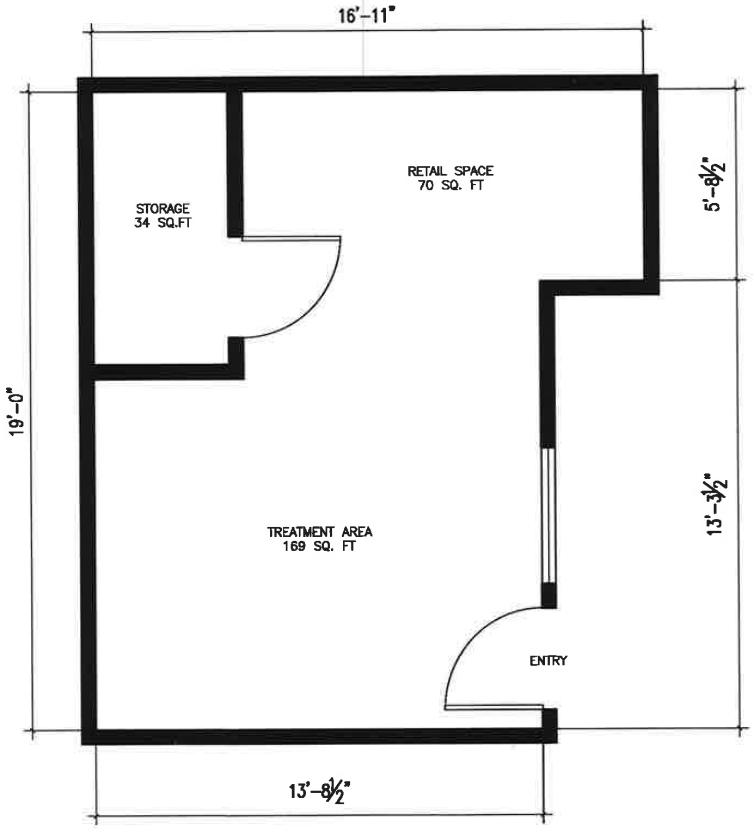
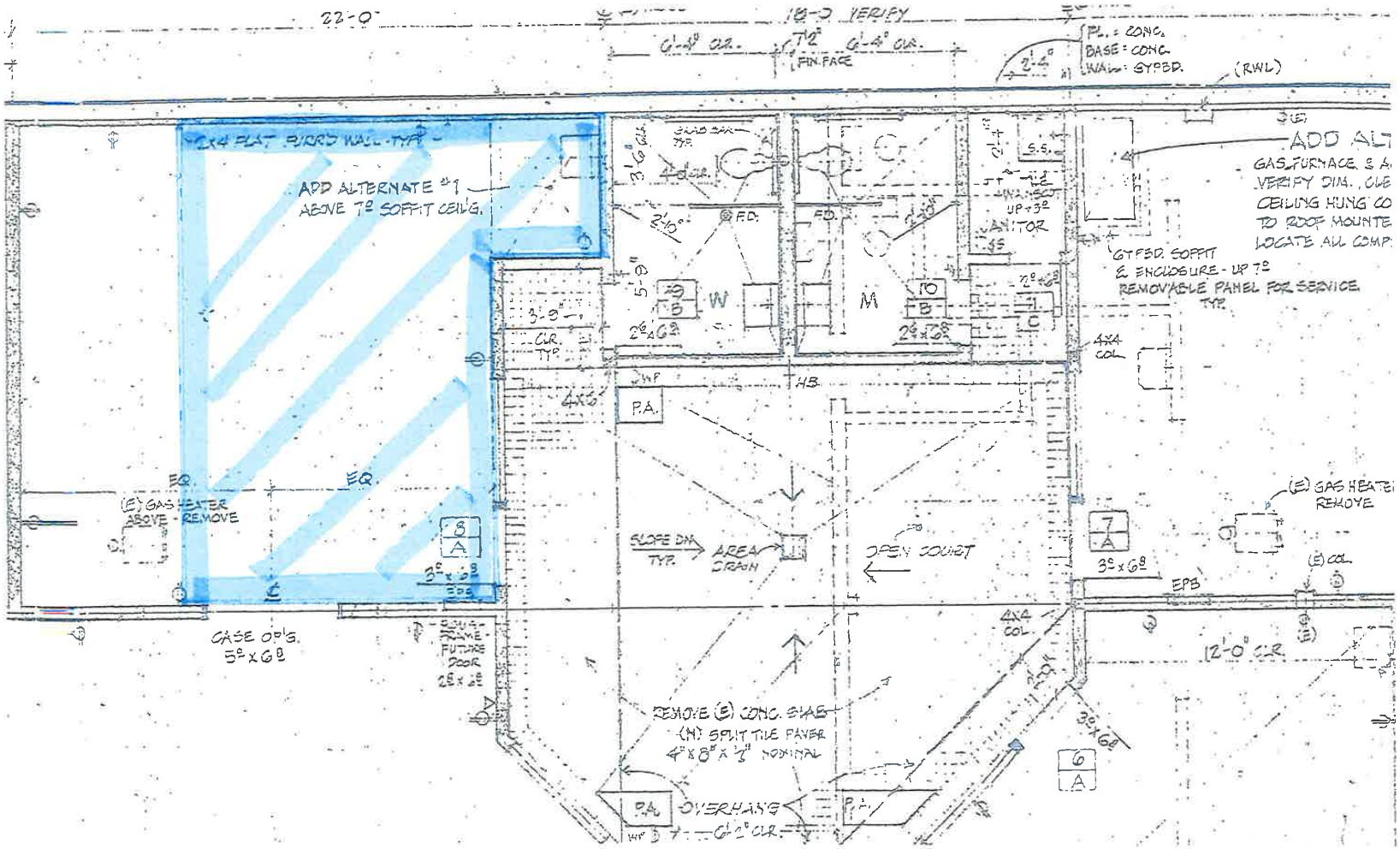

Untitled Map
Write a description for your map.
Legend
1119 Hunt Ave
1119 Hunt Ave
Adams St
Railroad Ave
Hunt Ave
Edwards St
Church St
Pope St
Money Way
St Helena Hwy
Trainer St
Oak Ave
Spring St
Kearney St
Mitchell Dr
Stonecell Dr
29
Google Earth
©2018 Google
600 ft
N


16'-11"
RETAIL SPACE
70 SQ. FT
STORAGE
34 SQ.FT
5'-8½"
19'-0"
13'-3½"
TREATMENT AREA
169 SQ. FT
ENTRY
13'-8½"

# EXHIBIT A


22'-0"
18'-0" VERIFY
6'-4" CLR.
7½"
FIN. FACE
6'-4" CLR.
PL. = CONC.
BASE = CONC.
WALL = GYPBD.
(RWL)
2'-6"
2x4 FLAT BOARD WALL TYP.
ADD ALTERNATE #1
ABOVE 7º SOFFIT CEIL'G.
3'-6" CLR.
2'-10"
F.D.
F.D.
S.S.
UP + 3º
JANITOR
GYPBD. SOFFIT
& ENCLOSURE - UP 7º
REMOVABLE PANEL FOR SERVICE
TYP.
4x4
COL.
W
M
3'-9"
CLR.
TYP.
4x6
P.A.
HB
EQ
EQ
(E) GAS HEATER
ABOVE - REMOVE
SLOPE DN.
TYP.
AREA
DRAIN
OPEN COURT
3º x 6º
EPB
(E) GAS HEATER
REMOVE
(E) COL.
4x4
COL.
12'-0" CLR.
CASE OP'G.
5º x 6º
FUTURE
DOOR
2º x 2º
REMOVE (E) CONC. SLAB
(N) SPLIT TILE PAVER
4" x 8" x ½" NOMINAL
P.A.
OVERHANG
6'-2" CLR.
3º x 6º

July 18, 2018

This is a written statement for for the Use Permit request for 1119 B Hunt Avenue, St Helena, CA 94574

I am a Sole Proprietorship for an Esthetic business offering exclusive anti-aging focused facials to my existing customers and new clients by referrals and invitations only.

The Esthetic related services will include all types of facial and body treatments as well as sales of facial products and devices and other beauty products. The body treatments will be offered only with a part of facials during mask or LED light treatments or add-on to facials.

Per Mr. Papale's request, there will be no modification to be made to the room.

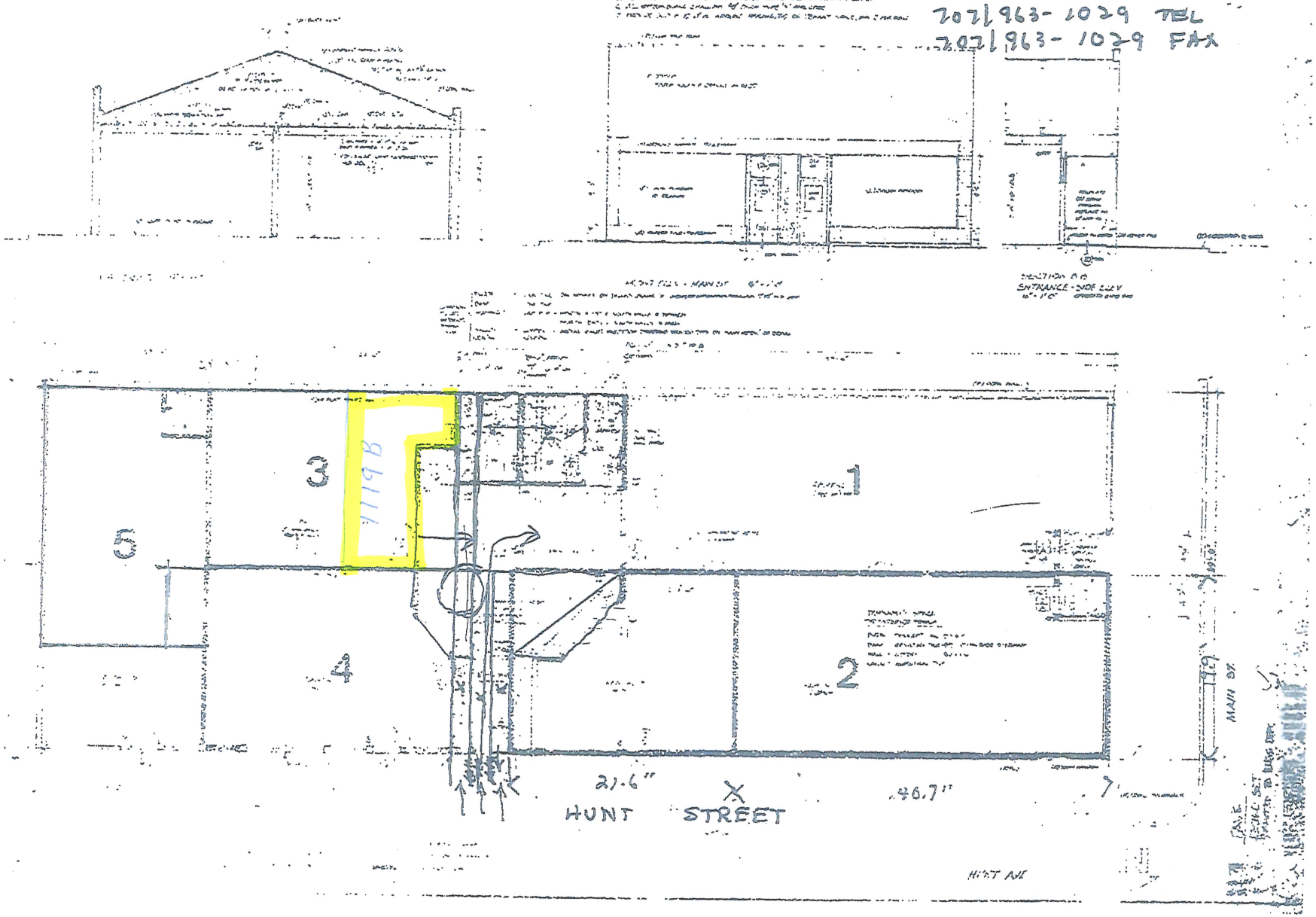
Hours of regular operation will be Monday through Friday, 9-6.

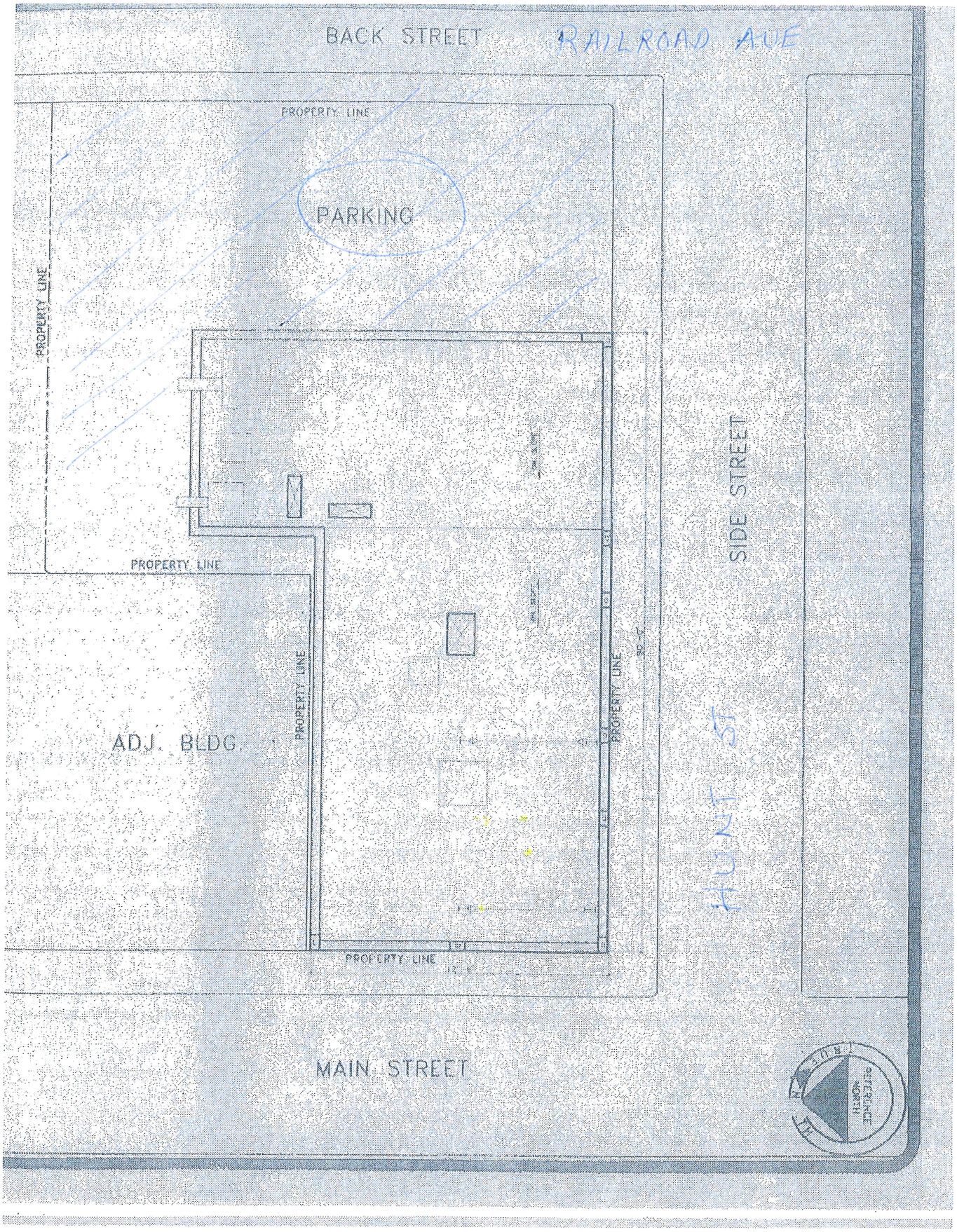
Tomoko Simons

EXHIBIT A

1234 MAIN ST.
ST. HELENA, CA. 94574

R. PAPALE
707|963-1029 TEL
707|963-1029 FAX




BACK STREET
RAILROAD AVE
PROPERTY LINE
PARKING
PROPERTY LINE
PROPERTY LINE
SIDE STREET
HUNT ST
ADJ. BLDG.
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
MAIN STREET
REFERENCE NORTH

The Main Courtyard
MASSAGE

& Wellness

**From:** Lawrence Papale <lgpapale@papaleproperties.com>
**Date:** September 21, 2018 at 10:39:20 PM PDT
**To:** "ctzafopoulos@cityofsthelena.org" <ctzafopoulos@cityofsthelena.org>
**Cc:** Tomoko Simons <tomokosimons@gmail.com>
**Subject: Application of Tomoko Simons / October 2, 2018 Planning Commission Hearing**

Dear Cindy,

Would you kindly distribute the following email to the Planning Commission before their next meeting?

Thank you,

Lawrence Papale

Dear Members of the Planning Commission:

I am writing this email in support of Ms. Tomoko Simons' application for a use permit to operate an aesthetician studio in the courtyard of our building Hunt Street. I will not be able to attend the planning commission meeting on October 2d and so I am taking this opportunity to urge you to accept her application and to issue a conditional use permit.

My family has owned property in Saint Helena since the late 80's. I feel that Ms. Simon's proposed use is well suited to our building since it will complement our tenant Michele Scott's beauty salon and because it will be a business that is beneficial to Saint Helena's economic vitality.

Thank you for considering her application.

Lawrence Papale

Papale Properties
The Cornerstone Building
1308 Main Street, Suite 117
St. Helena, CA 94574
Tel: 707-963-1704
Fax: 707-963-0706
lgpapale@papaleproperties.com

**From:** Jennifer Sullivan [mailto:jennifer@sullivanparis.com]
**Sent:** Tuesday, September 25, 2018 9:02 AM
**To:** Noah Housh
**Subject:** Tomoko Simmons

To whom it may concern,

I have known Tomoko for 5 years now. She is an exemplary person in many ways. She is positive and productive in a friendly and responsible way. I wouldn't hesitate in doing business with her when considering her honesty and good will.

St Helena can definitely use a venue which provides her incredible skills to the community. It's been needed for a long time and I for one am happy she's chosen St Helena.

Thanks,
Jennifer Sullivan

-----Original Message-----

From: Karen Dantzler [mailto:kdantzler@gmail.com]
Sent: Wednesday, September 26, 2018 1:25 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Subject: Tomoko Simmons Parcel 19

Dear Mr. Hecock, I have been a resident of St. Helena of the last eleven years and I would like to highly recommend Tomoko Simmons as a perfect addition to our business community. I have been a client for the last eight years and she is professional, personable, and very responsible. She has always been in high demand and has an impeccable reputation in the most exclusive spas in the Napa Valley. Currently, she is at full capacity for her services, and I feel fortunate to be on her client list. I'm confident her business will only grow expediently and be a highly successful contribution to downtown St. Helena.

Thank You,

Karen

-----Original Message-----
From: Yoon H. Jennie Lee [mailto:yoonhaes@yahoo.com]
Sent: Saturday, September 29, 2018 9:23 AM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Subject: Note support for Tomoko Simons (Parcel 19)

Drear Mr. Hecock,

It has been my pleasure to be a client of Tomoko Simons, Esthetician, for the past five years at Auberge du Soleil Resort. Ms. Simons is a respected specialist in her field and has a great passion for her work and is always very polite and humble. Tomoko Simons will be a welcome addition to the St. Helena community. I look forward to her continued success as a skin care specialist and will continue to offer my support as a satisfied client.

Mrs. Yoon Hae Lee

Sent from my iPad

# PLANNING COMMISSION REPORT

Planning Commission Meeting of October 2, 2018

**AGENDA SECTION:** Public Hearing

**FILE NUMBER:** n/a

**SUBJECT:** Review (and recommendation to the City Council) of an Ordinance amending and restating St. Helena Municipal Code (SHMC) Chapter 17.136.050 Temporary Uses, to create a Temporary Use Permit and an administrative review process for such permits, citywide.

**PREPARED BY:** Noah Housh, Planning & Community Improvement Director

**REVIEWED BY:** Noah Housh, Planning & Community Improvement Director

**APPROVED BY:** Noah Housh, Planning & Community Improvement Director

**APPLICATION FILED:**

## BACKGROUND

In late 2017, the City Council held a strategic planning workshop to discuss three-year organizational goals and 12-month strategic objectives. “Ensure the Long-Term Economic Sustainability while Safeguarding St. Helena’s Unique Culture and Quality of Life” emerged as a key goal, along with a desire to revitalize downtown to improve its resilience.

The City Council also commissioned the preparation of an Economic and Demographic Profile, and a Downtown Retail Market Analysis to evaluate the downtown’s retail vitality. This analysis was prepared by Kosmont Companies and presented to the City Council on July 24, 2018, including several recommendations to address concerns with the downtown. Direction was subsequently provided to the City Manager to prepare a plan and recommended next steps.

On September 11, 2018, the City Council reviewed a draft Downtown Economic Strategy and provided recommendations on the prioritization of initiatives, one of which

was the creation of a Temporary Use Permit, and administrative review process for such permits.

**PROJECT DESCRIPTION**

Review (and recommendation to the City Council) of an Ordinance amending and restating St. Helena Municipal Code (SHMC) Chapter 17.136.050 Temporary Uses, to create a Temporary Use Permit and an administrative review process for such permits, citywide.

**ANALYSIS**

In response to the direction provided by the City Council, staff has prepared a draft Ordinance to create a Temporary Use Permit and review process by which temporary uses may be permitted to operate and occur in limited number throughout the City, through an administrative review process. Staff is seeking Planning Commission input on the draft proposal prior to taking the Ordinance before the City Council for review and action in late October. Below is a summary of the general elements of the ordinance.

- The ordinance memorializes certain temporary activities as permitted including construction yards, emergency facilities, filming, provide garage sales, activities on public property authorized by the City Council and non-profit special events.

- The ordinance seeks to identify temporarily permitted special events including arts and crafts events, concerts, fairs and festivals, indoor "pop-up" events including retail uses, museums, restaurants and cafes, seasonal sales events (pumpkin patches and Christmas tree lots) and temporary structures. Events are proposed to be limited to seven consecutive days, or six two-day weekends, within a 12-month period; "Pop-Up" uses are proposed to be permitted for up to 90 consecutive days; and seasonal sales lots are proposed to be restricted to a maximum of 30 consecutive days, fours times within a 12-month period.

- The ordinance sets review criteria and identifies that the approval of a Temporary Use Permit may be restricted by any condition deemed necessary to govern access, hours of operation, parking and circulation, fencing and other temporary structures, drainage, dust control, trash/litter control, public safety and other items as necessary to assure compatibility with surrounding uses and in order to minimize potential adverse effects. Similarly, there are requirements intended to ensure properties proposed to accommodate a temporary use are returned to their original state after the temporary use is concluded.

Staff is seeking Planning Commission input on the scope and content of the Ordinance itself, as well as any recommendations the Commission would like forwarded to the Council. To further inform the Commission on temporary uses, their individual

characteristics and overall potential benefits or impacts to a community, staff has attached some information regarding their operation.

**CEQA**

Staff finds that the action to adopt the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of “Small Structures” as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA.

**General Plan**

The changes to the Temporary Use section (S.H.M.C. Chapter 17.136.050) are generally proposed to create a process for temporary uses and would apply to all commercial areas of the City, with some other areas also allowing limited temporary uses as discussed above. They would in no way affect permanent zoning requirements governing such permanent uses.

The proposed changes to the zoning code are intended to allow administrative review of Temporary Uses primarily on commercial property where none currently exist, or where the code currently identifies a limited list of temporary uses are permitted, but provides no prescriptive standards and requirements for their operation.

Specific General Plan policies which relate to the proposed code amendments include:

*7.5.1 Preserve the City's Historic and cultural resources as they contribute to the special character and quality of the City and help support its economic base.*

*2.6.1 New development should be required to occur in a logical and orderly manner within well-defined boundaries, and be consistent with the ability to provide urban services.*

*2.6.28 Maintain the pedestrian-oriented character of the Central Business District and provide for convenient pedestrian connections to encourage walking and reduce vehicle trips within the commercial core area.*

*2.6.29 Minimize the strip commercial appearance of the area south of the bridge by encouraging the redevelopment of underutilized parcels and poorly designed*

*developments, and by maintaining open space corridors extending from the highway to the east and west as shown on the Land Use Map.*

*2.6.30 Protect historic resources in the commercial areas, and encourage their rehabilitation and re-use.*

*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.*

*2.6.35 Maintain the Central Business District as the City's social cultural core, and the primary center of retail business.*

City staff have determined the recommended amendments to the Design Review process and requirements are in keeping with the City of St. Helena General Plan in that these changes preserve and maintain the development standards for permanent uses established to ensure new development occurs in a logical manner; continue to protect historic commercial buildings due to their temporary nature; allow temporary retail and service options available to citizens of the community, create an opportunity for temporary events to request approval from the City, would help to reinvigorate under-utilized parcels, allow temporary uses to expand opportunities for the re-use of structures, provide for new opportunities for pedestrian connections and would to help maintain the St. Helena downtown as the City's core and primary center of retail business by reducing the regulatory burden for outdoor amenities and maintenance of ancillary building features.

**Ordinance Process**

In keeping with the requirements of S.H.M.C. Chapter 17.12.100, after review and comment by the Planning Commission, the draft Ordinance and proposed changes will be taken before the City Council for further review and action. In considering the proposed changes, both the Commission and the Council shall look for consistency of the proposed amendments with the goals, programs and policies of the General Plan, as well as other existing City policies. Staff intends to move these changes to the City Council at their next available meeting in an effort to allow them to take effect in support of the holiday shopping season.

## ISSUES

In drafting the Ordinance, staff identified the following issues and is requesting Commission input on their resolution.

1. Should the targeted or potential number of patrons affect the review process for a Temporary Use Permit? For a example, a concert or festival although temporary, may create a large draw of individuals to a specific parcel within the community. Staff is requesting input on how a potentially large number of patrons to a temporary use should effect and/or elevate the review and decision process for such a temporary use.

2. Should the Temporary Use Permit apply to a formula business proposing to operate a "pop-up" business within the Community? Currently, a formula business requires Use Permit approval from the Planning Commission, however such a distinction was not written into the Temporary Use Permit Ordinance and staff is requesting Commission input on this issue. It should be noted that the 90-day limitation on "pop-up" uses could be seen as an opportunity for the community to experience having such a formula business operate within the Community, without a significant commitment being made to allowing their permanent establishment.

**CORRESPONDENCE**

As of the drafting of this report, no written comments on this item have been received.

**STAFF RECOMMENDATION**

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

1. Find that the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of “Small Structures” as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA; and

2. Review, comment on and make a recommendation to the City Council on the proposed Ordinance making changes to Chapter 17.136.050 of the St. Helena Municipal Code.

**ATTACHMENTS**

PC Reso-Temp Use Permit
Temp Use Permit Draft Ordinance
PC Temp Use Permit Code Language-Draft Exhibit A
Pop-Up Stores Become More Than Just A Trend - Retail TouchPoints
PopUp_Brochure-Fairfax Co VA
Draft Econ Plan - Final

**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 ST. HELENA MUNICIPAL CODE (S.H.M.C.) TITLE 17, SECTION 17.136.050 'TEMPORARY USES' TO MEMORIALIZE A LIST OF PERMITTED TEMPORARY ACTIVITIES, CRREATE A TEMPORARY USE PERMIT GOVERNING OTHER TEMPORARY USES AND TO CREATE REVIEW CRITERIA AND PROCEDURES BY WHICH SUCH TEMPORARY USES ARE GOVERNED, CITYWIDE.**

## Recitals

**A.** City of St. Helena Municipal Code (S.H.M.C.) Section 17.136.050 identifies and describes a limited number of Temporary Uses stating said uses "shall be permitted" but provides little to no review criteria or regulations of such uses within the City; and

**B.** S.H.M.C. Chapter 17.08 "Administrative Procedures" identifies procedural requirements for the review and appeal procedures governing administrative decisions (on both public and private property); and

**C.** The City Council has identified a concern and interest in facilitating retail and other business activities in the Central Business District and other commercial parts of the City to support the business community and expand the retail and service options available to citizens of the community, and to help maintain the St. Helena downtown as the City's core and primary center of retail business. In response the City prepared draft text amendments to modify and expand the existing provisions governing Temporary Uses and to create a Temporary Use Permit process.

**D.** The proposed text amendments are found to be consistent with the goals and objectives of the General Plan, as identified in the staff report; and

**E.** The proposed text amendments are consistent with public necessity, convenience, general welfare, and good zoning practice; and

**F.** The Planning Commission of the City of St. Helena held a duly noticed Public Hearing to review the proposed text amendments on October 2, 2018, at which time all interested parties had the opportunity to be heard.

## Resolution

**G. 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 Section 17.136.050 is exempt from the requirements of CEQA (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15303, and 15304 in

that these modifications create an administrative process for the use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of “Small Structures” as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA.

**H. Now, therefore be it further resolved** that the Planning Commission recommends that the City Council adopt the Ordinance attached hereto as **Exhibit A** modifying existing zoning code regulations identified in St. Helena municipal code (S.H.M.C.) Title 17, Chapter 17.136.050 ‘Temporary Uses’ to memorialize a list of permitted temporary activities, create a Temporary Use Permit governing other temporary uses and to create review criteria and procedures by which such temporary uses are governed, citywide.

**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 October 2, 2018, by the following roll call vote:

**AYES:**
**NOES:**
**ABSENT:**
**ABSTAIN:**

APPROVED:

Lester Hardy
Chair, Planning Commission

ATTEST:

Noah Housh
Planning and Community Improvement Director

**CITY OF ST. HELENA**

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING ST. HELENA MUNICIPAL CODE CHAPTER 17.136.050 (TEMPORARY USES).**

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 17.136.050 of the St Helena Municipal Code (SHMC) establishes the City's regulations regarding Temporary Uses primarily located on private property describes a limited number of Temporary Uses stating said uses "shall be permitted" but provides little to no review criteria or regulations of such uses within the City.

B. The City Council has identified a concern and interest in facilitating retail and other business activities in the Central Business District and other commercial parts of the City to support the business community and expand the retail and service options available to citizens of the community, and to help maintain the St. Helena downtown as the City's core and primary center of retail business. In response the City prepared draft text amendments to modify and expand the existing provisions governing Temporary Uses and to create a Temporary Use Permit process.

C. These regulations further the City's interest in facilitating retail and other business activities in the Central Business District and other commercial parts of the City to support the business community and expand the retail and service options available to citizens of the community, and to help maintain the St. Helena downtown as the City's core and primary center of retail business. In response the City prepared draft text amendments to modify and expand the existing provisions governing Temporary Uses and to create a Temporary Use Permit process. .

D. The City desires by this Ordinance to make minor amendments to its Temporary Use regulations with respect to (1) allowable temporary uses located in each zoning district within the community, (2) the applicable procedures for processing Temporary Use Permit applications, and (3) the use designated as exempt from any permit requirement.

E. The creation of a new Temporary Use Permit requires adoption of a fee which accurately reflects the staff time required to process and evaluate such an administrative Temporary Use Permit.

F. City staff has calculated the overall staff time and effort required to process analyze and issue an administrative Temporary Use Permit. Based on that calculation, staff has determined that a minimum of 3.5-hours are required to capture the cost of the staff time and efforts required to process such an application.

G. Staff has recommended that an Administrative Temporary Use Permit fee of $500.00 be created and implemented, in an effort to capture and reimburse the City for the staff time required to process, analyze, and issue such an administrative permit. This fee is a conservative estimate of the time required to process such an application and is based on the overall staff blended rate of $150/hour identified in the City's fee schedule.

H. The City's Planning Commission reviewed the amendments proposed by this Ordinance at a duly noticed public hearing on October 2, 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 17.136.050 proposed by this Ordinance.

I. On October 23, 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 would further the public necessity, convenience, general welfare and good zoning practice by creating a more efficient and effective regulatory process 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 St. Helena Municipal Code Title 17 Section 17.136.050 is exempt from the requirements of CEQA (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15303, and 15304 in that these modifications create an administrative process for the use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that 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 therefore, the activity is not subject to CEQA.

**SECTION 3.** Amendment of SHMC Chapter 17.136.050. SHMC Chapter 17.136.050 "TEMPORARY USES" is hereby amended to read 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.** General Plan Consistency. The proposed amendments are consistent with the General Plan in that they would preserve and maintain the development standards for permanent uses established to ensure new development occurs in a logical manner; continue to protect historic commercial buildings due to their temporary nature, allow temporary retail and service options available to citizens of the community, create an opportunity for temporary events to request approval from the City, would help to reinvigorate under-utilized parcels, allow temporary uses to expand opportunities for the re-use of structures, provide for new opportunities for pedestrian connections and would to help maintain the St. Helena downtown as the City's core and primary center of retail business (General Plan Policies 7.5.1, 2.6.1, 2.6.28, 2.6.29, 2.6.30, 206.31 and 2.6.35, 2.6.50).

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 23rd day of October, 2018 and was adopted at a regular meeting of the St. Helena City Council on the 13th day of November, 2018 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 Tzafopoulos, City Clerk

I, CINDY TZAFOPOULOS, 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 25th day of September, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 9th day of October, 2018 by the following vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Koberstein: _____

Councilmember Dohring: _____

Councilmember Ellsworth: _____

**Exhibit A**

**17.136.050 Temporary uses.**

A. Purpose. This Section establishes procedures for the granting of ministerial Temporary Use Permits for short-term activities on privately or publicly owned property with appropriate regulations so that such activities will be compatible with surrounding areas.

B. Applicability. A Temporary Use Permit allows the short-term activities listed in Subsection D (Allowed temporary activities), below that may not comply with the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature. Temporary Use Permits are not subject to Design Review, standard parking requirements or the limitations on the placement or location of merchandise otherwise restricted by this code.

C. Exempt temporary activities. The following allowed temporary activities are exempt from the requirement for a Temporary Use Permit. Activities that do not fall within the categories defined below shall comply with Subsection D (Allowed temporary activities).

1. Construction yards—On-site. On-site contractors' storage yards of less than one acre, including a work trailer, in conjunction with an approved construction project located on the same site. The contractor's storage yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever first occurs.

2. Emergency facilities. Emergency public health and safety needs/activities, as determined by the Council.

3. Location filming. The temporary use of a specific site for the location filming of commercials, movies, videos, etc., as regulated and approved by the City Clerk pursuant to SHMC Chapter 5.24.

4. Garage sales. The sale of personal goods which are owned by the household residing on a residentially zoned property for up to three consecutive days and three times within a 12-month period.

5. Public property. Activities conducted on public properties that are approved by the Council.

6. Nonprofit Special Events. Special events (such as but not limited to carwashes, bake sales, rummage sales or flea markets) conducted by or for a recognized nonprofit or charitable community group may be conducted on the grounds of a religious institution, commercial property, school or other permanent place of public assembly up to three days during any six-month period provided they meet the following standard or provisions:

a. Event activities do not block a building exit, present a hazard to pedestrians or vehicles, reduce the width of a pedestrian walkway to less than five feet, significantly reduce onsite parking or occupy a fire lane.

b. If the merchandise or activity is proposed for location on any street, sidewalk or public right-of-way, an encroachment permit shall be secured from the Public Works Department.

c. If any commercial vendors are involved in the event, they shall secure a business license from the Finance Department pursuant to SHMC Title 5.

d. Nonprofit special events occurring more frequently than three days during any six-month period shall require a Use Permit or Temporary Use Permit.

D. Allowed temporary activities. The following temporary activities may be allowed within the specified time limits, but in no case for more than 12 months, subject to the issuance of a Temporary Use Permit by the Planning Director. Other temporary or short-term activities that do not fall within the categories defined below shall instead comply with the land use permit requirements and development standards that otherwise apply to the property.

1. Events. Arts and crafts exhibits, carnivals, concerts, fairs, farmers' markets, festivals, flea markets, food events, outdoor entertainment/sporting events , and swap meets for up to seven consecutive days, or six two-day weekends, within a 12-month period, when conducted on non-residential properties.

2. Indoor Pop-Up Uses. Retail sales, museums, art exhibits, restaurants or cafes for up to ninety (90) consecutive days when conducted on non-residential properties.

3. Seasonal sales lots. Seasonal sales activities (e.g., Halloween, Thanksgiving, Christmas, etc.) including temporary residence/security trailers, on non-residential properties, for up to 30 days and four times within a 12-month period.

4. Temporary structures. A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved for a maximum of 12 months from the date of approval, as an accessory use or as the first phase of a development project.

5. Similar temporary activities. Similar temporary activities that the Director determines are compatible with the zoning district and surrounding land uses.

E. In reviewing the Temporary Use Permit, the review authority may attach any conditions governing access, hours of operation, parking and circulation, fencing and other temporary structures, drainage, dust control, trash/litter control, public safety and other items as necessary to assure compatibility with surrounding uses and minimize potential adverse effects.

F. Application requirements. An application for a Temporary Use Permit shall be filed in compliance with Chapter 17.08 (Administrative Procedures). The application shall be accompanied by the information identified in the Department handout for Temporary Use Permit applications. It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection G (Findings and decision), below.

G. Development criteria. The Director shall consider the following criteria based on the type and duration of the proposed temporary activity, using input from other departments (police, fire public works, etc.), the requirements of the applicable zoning district and standards as well as Chapter 17.112 (General Site Design and Development Standards) for guidance:

1. Floor areas, heights, hours of operation, nuisance controls, off-street parking, setbacks, signs, and other structure and property development features;

2. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code; and

3. Limitation on the duration of approved "temporary structures," to a maximum of 12 months, so that they shall not become permanent or long-term structures.

H. Findings and decision. A Temporary Use Permit may be approved by the Director only after the Director first finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.

I. Post approval procedures. The procedures relating to appeals, performance guarantees, and revocation in Chapter 17.08 (Administrative Procedures) shall apply following the approval of a Temporary Use Permit application.

1. Condition of the site following temporary activity. Each site occupied by a temporary activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Zoning Code. A performance security in a form and amount acceptable to the Director may be required before initiation of the activity to ensure cleanup after the activity is finished.

2. Performance security for temporary structures. Before issuance of a Temporary Use Permit the applicant shall provide performance security in a form and amount acceptable to the Director to guarantee removal of all temporary structures within 30 days following the expiration of the Temporary Use Permit.

3. Extensions of Temporary Use Permits prohibited. The term of a Temporary Use Permit may not be extended. Applicants for activities that would exceed the allowed terms identified in Subsection D (Allowed temporary activities) shall file for a Use Permit, rather than a Temporary Use Permit, in compliance with Chapter 17.168

4. Required lapse of time for Temporary Use Permits. Except for seasonal sales lots, a minimum of 30 days shall pass between the expiration of a Temporary Use Permit and the issuance of a new and similar Temporary Use Permit the for the same property, or the actual removal of the materials and structures associated with the former activity, whichever last occurs.

~~The following temporary uses shall be permitted as specified by these regulations:~~

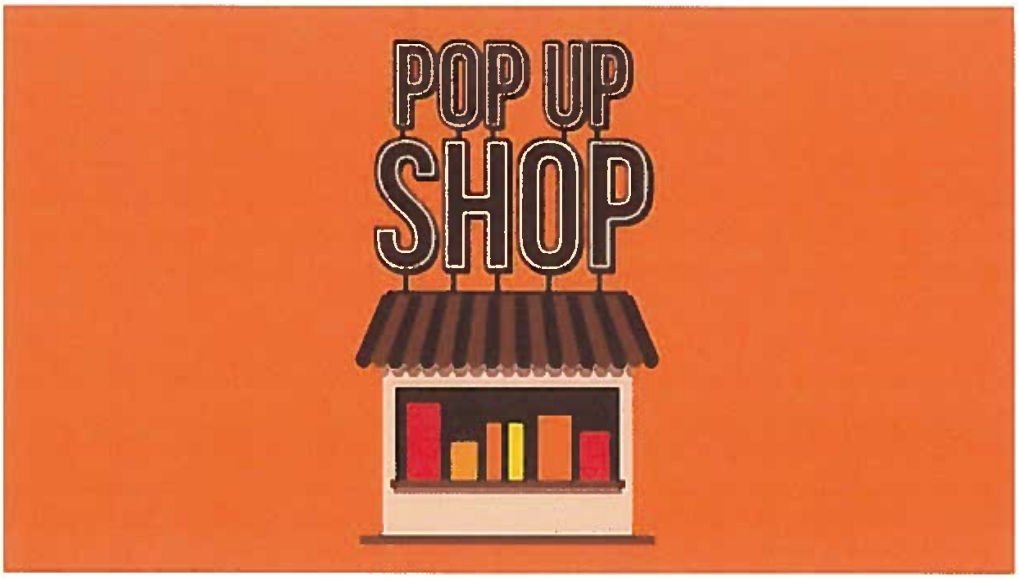
~~A. Christmas tree sales;~~

~~B. Fireworks sales;~~

~~C. Garage sales;~~

~~D. Rummage sales conducted by nonprofit organizations. (Prior code § 27.274).~~

# Pop-Up Stores Become More Than Just A Trend

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The pop-up store has become a go-to marketing strategy for retailers looking to extend the brand and introduce new products. The pop-up industry has grown to approximately $10 billion in sales, according to PopUp Republic.

Pop-up shops are being developed in a variety of shapes and sizes, as well as locations. They can be found in a traditional brick-and-mortar store — as a store-within-a-store — as a

**standalone kiosk or even via a motorized vehicle, taking the lead from the food truck craze.**

ADVERTISEMENT

Consumers expect that the pop-up shopping experience will be unique — different from the average brick-and-mortar visit. They also look to pop-ups for more specialized shopping. For **example, 61% of shoppers list seasonal products as the main reason to shop at a pop-up store, according to a PopUp Republic poll. Pop-up shoppers also are looking for:**

Unique services/products (39%);

Localized assortments (36%);

Optimal pricing (34%);

Convenience (33%); and

A fun experience (30%).

"The great thing about pop-ups that we find all across the board — whether it's a pop-up store, pop-up restaurant or event — is that they have this 'fear of missing out' quality to them," said Jeremy Baras, the CEO of PopUp Republic. "Customers are attracted to exclusivity. They're attracted to a 'here today, gone tomorrow' type of concept."

In this feature article, Baras and other industry experts share tips and tactics to help retailers build brand exclusivity and decide if a pop-up store fits into the overall marketing strategy. Topics include:

Selecting the right pop-up model;

Planning a standalone pop-up store;

Attracting the right target shoppers to the pop-up experience; and

Measuring the success of a pop-up launch.

**Retailers including Best Buy, J.Crew and Nordstrom have ventured into the world of pop-ups. Examples from these and other retailers highlight different strategies and scenarios worth exploring.**

## Choosing A Pop-Up Model That Works

**Starting a pop-up shop can serve as a hybrid for businesses looking to ease their way into a new niche while minimizing potential losses. In fact, launching one is approximately 80% less expensive compared to opening up a traditional brick-and-mortar location, according to StoreFront.**

**For retailers unsure about setting up a standalone pop-up location, the store-within-a-store concept can be a viable alternative. Several brands have partnered with major retailers, such as Best Buy, Nordstrom and Sears, to showcase and sell related relevant items via in-store pop-ups. These partnerships enable brands to introduce their products in an atypical store offering, with the goal of broadening their appeal among new consumers.**

Best Buy has allowed partner companies to use store floor space to set up store-within-a-store models, such as the Samsung Open Houses recently opened in two Minnesota stores and one Chicago location. The electronics retailer expects to open 200 more Open House pop-ups in different Best Buy locations by the end of 2015.

**Nordstrom hosts its own "Pop-In@Nordstrom" specialty shops, which are a recurring series of in-store sales on products not typically found in a Nordstrom location. From July 3 to Aug. 2, 2015, the upscale fashion and apparel retailer featured luxury and designer goods from London-based department store Liberty in five U.S. Nordstrom locations. This partnership was Liberty's official entrance into the U.S. market via a brick-and-mortar store.**

Nordstrom initially launched the "pop-in" concept in late 2013, spearheaded by Olivia Kim, Director of Creative Projects. The concept features unique brands on a near-monthly basis, and Kim curates the brands herself, giving massive exposure to retailers that may not sell often to consumers that purchase at Nordstrom.

Sears also is testing out the store-within-a-store concept, presently working with four independent partner retailers. As part of the deal, Sears will showcase appliances and lawn and garden equipment in the partners' stores. These partners include:

Tri-Fecta Home Center, in Sidney, Mo.;

The Grand Emporium Furniture and Bedding, in Waveland, Miss.;

Paco and Son's Furniture, in Nogales, Ariz.; and

Fremin's Furniture, in New Iberia, La.

The partnership is designed to allow independent furniture and related home category store owners to expand their product lines to better cater to consumer demand without the need to purchase any inventory. Additionally, Sears can expand reach into smaller markets without having to operate a full department store.

Depending on the level of these types of store-within-a-store partnerships, brands have a varying amount of input regarding merchandising and the overall presentation in the host's store. Either way, decreased costs for both inventory and appearance management and fewer labor expenses make the model an intriguing concept for both large and small businesses.

"It comes down to how much the control matters to you as a brand," said Erik Eliason, Co-Founder and CEO of Storefront. "If you have the mindset that 'this is my experience, my store and my customers,' then sure, rent your own space and really control that. We've seen a lot of retailers driven by the collaborative economy that end up partnering with companies with similar customers so they can set up a two-week pop-up inside another store. It's equally as prevalent, just not as well covered, in a lot of mom-and-pop shops. These businesses will have an up-and-coming designer or e-Commerce brand that will come in and use their space. For the brand that's renting, typically that would be at least half the cost than it would to set up a shop, if not less."

## Strategizing For Standalone Pop-Ups

Traditional standalone pop-up stores suit retailers that are interested in controlling all aspects of the store and are willing to take the financial chance to rent or purchase real estate. To create the exclusivity and sense of urgency necessary to build a standalone store, these retailers must plan to cover all facets of merchandise buying, location, design and marketing. Since the pop-up concept offers a different retail experience compared to the typical brick-and-mortar location, retailers must start the planning process at least three months before opening a pop-up location.

"The ideation for big companies usually starts very early," said Melissa **Gonzalez, CEO of The Lion'Esque Group**, a pop-up store architect. "They tend to get projects approved before everything comes together months later. If you were to isolate it, preparation should start a solid three months at minimum, including ideation, approval, finding the location, then rendering 3D mockups of the store. Then we need time for buildout, and decide if we are renting or buying the real estate. We would definitely like to have no less than three months to plan it out, and we've had times that were longer that makes the process much better. We've worked in less time and it's a rush game, but even if it works out, it's not ideal."

To promote the brand exclusivity of the store, these shops generally remain open for just a few months — making every minute count when it **comes to creating brand awareness. For example, J.Crew launched a pop-up shop inside its Prince Street store in New York City on June 12 that only lasted 24 hours**. At the shop, J.Crew sold merchandise from three brands (Public School, Juan Carlos Obando and Marc Alary) — finalists of The Council of Fashion Designers of America/Vogue Fashion Fund. To promote the event, the retailer launched an online presale of the brands for a few weeks prior to the opening, with some of the pieces nearly selling out.

## Attracting The Right Consumers To Your Pop-Up Experience

Location is arguably the most significant factor to consider when building a pop-up shop. With very little time in the spotlight, pop-ups must be located in an area that will attract the right attention from targeted shoppers. By collecting and analyzing shopper data from online purchases, retailers can pinpoint the best location to open a pop-up.

"It's all about your target market," Baras said in an interview with ***Retail TouchPoints***. "Who do you want to be your ideal customer? If you want your customer to be Millennials, most likely you would set up shop downtown, or set up in a location surrounded by other stores where Millennials shop, or in a shopping mall. Tailor your location not necessarily to heavily populated areas of towns or cities, but rather go into places where your target market exists and build a following that way."

Marketing also is a crucial element in pop-up store success. As more pop-up shops enter the market, competition is heating up and retailers must push the envelope when it comes to creative campaigns. Some brands have found success tapping social media or events marketing.

When it comes to social media strategy, retailers and brands should focus on their powerful influencers who are advocates of the company's message and products. Influencers can be bloggers or unofficial spokespersons who interact with the brands' social media pages often and generate buzz in the lead up to the store's opening. Gonzalez also recommended retailers to hold cross-promotions with non-competing brands to add value to the experience and introduce the product to a newer audience.

"If you already have a following, have them engaging with you," Gonzalez stated. "You can even invite a major influencer to host a night in your shop, where they can invite their own following. Open up the doors for them for free."

Additionally, Gonzalez noted, look to engage "guerilla marketing street teams. As long as street teams hand out something intriguing and thought-provoking, and will make people want to check out the store."

**M&M'S World**, a pop-up store in New York City's SoHo district that opened July 17 and is set to run through Sept. 2015, will deploy street teams to distribute coupons that will drive awareness and visits to the store. Also, guests who follow M&M'S World on Instagram will receive a special discount at check-out.

Retailers also can use special events to spread the word about their pop-up. This tactic is called "programming the store," according to Eliason, of Storefront. "It's moving from a pure warehouse retail store to a platform for events," Eliason said. "Every night, what events do you have within the store that can attract your customers?"

**For example, in July, Sprite opened up a corner store in New York City** that only sells Sprite soda. Throughout August, the bodega-styled "Sprite Corner" will hold events including a cooking class taught by celebrity chef Eddie Huang and numerous performances from local hip-hop artists.

## How Can Brands Measure Pop-Up Success?

The best metric that truly gauges the success of a pop-up shop is the number of people that visit the store, according to Baras of PopUp Republic.

Store visits outweigh overall revenue and sales, Baras asserts. "Yes, retailers want to make as much money as possible and there's a certain amount of success that's measured through revenues and PNL statements. But the amount of customers walking through your store shows that they are interested in and aware of your brand, which arguably is just as valuable as making that sale, because that means that you have the potential for them to be loyal followers of your specific brand."

Additionally, retailers can measure success via sales lift in both their in-store environment and their e-Commerce site, particularly if they offer deals in the shop that consumers can redeem online, according to Eliason. Not only are retailers looking into how many people enter the store; they also look at how many people sign up for email lists and engage through social media.

"In a digital setting, these pop-ups are ideal for social media," Eliason said. "The brands are looking for compelling content to share and the consumers are looking for compelling content to engage with. They might get 30,000 people to come into the store to come into the event, but there might be another 300,000 impressions online."

## Deliver On The Promise Of Unique Pop-Up Experiences

The best way for retailers to approach the launch of successful pop-up shops is to focus on building a combination of a 'can't miss' attitude and making connections beyond the products being sold. As more retailers enter the pop-up space, they must reach for innovative ideas and take more risks to make their pop-up stores relevant and unique.

"The consumer has different expectations from a pop-up then they do from a regular store," Gonzalez stressed. "They go to a pop-up to be surprised and delighted and be able to discover new things. I'd rather retailers go a little bit deeper into their inventory than have a store full of 100 SKUs and a confusing story told in the space, because the pop-up is your opportunity to tell that story to the customer what you offer that's unique and different."

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# Pop-Up Uses

## *Fairfax County, VA*

Smart Markets: Springfield

Greensboro Park

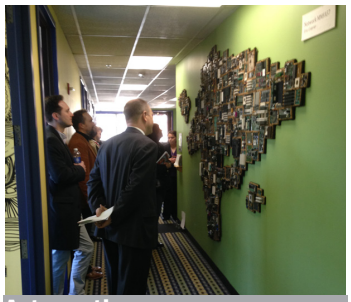
Reston Station

**This brochure highlights five types of pop-ups and provides contact information for establishing a pop-up in Fairfax County.**

**Pop-up:**
**1. a temporary use of a space that can be used to activate an area.**
**2. a use that appears or occurs suddenly and unexpectedly.**
**3. a store or other business that opens quickly in a temporary location and operates for only a short period of time.**

**Pop-ups can last for an hour, a day or for an indefinite period of time. They are a great way to create energy and enthusiasm without a significant expenditure or resources.**

January 2017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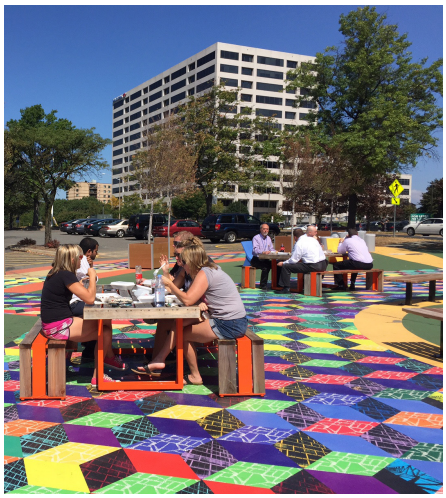
**This brochure is for general informational purposes only and is not intended to provide a complete step by step guide to establishing a pop-up. The exact process will be determined by the location of the site and type of pop-up uses desired including conformance with any proffers as applicable.**

**Additional contact information for the various departments and permitting agencies can be found on the back of this brochure.**

## Pop-Up Type: Parks

The primary purpose of these parks is to provide outdoor space for people to enjoy and generate excitement about a particular project. Pop-up parks can be located on private or public land. Elements in pop-up parks can include movable outdoor seating, shaded areas, planted areas, food trucks, movable planters, and colored pavement. Pop-up parks can also provide space for temporary art installations or gathering space for performances. The permitting requirements for pop-up parks will vary depending on the uses proposed for the space. Examples of pop-up parks include Greensboro Park at The Boro development in Tysons.



## Pop-Up Type: Farmers Markets

Farmers markets are located across Fairfax County on a variety of sites, including Park Authority property, parking lots, schools, places of worship, and at metro stations. Farmer's markets are typically held on a weekly basis at each location. Typically they include stands with tents and food trucks and vendors that provide fresh, local produce and goods. A few locations of Farmers Markets are Springfield Town Center, Huntington, McLean, and Annandale. The requirements for permitting a Farmers Market depend on the location and the type of vendors/items provided. They may require a temporary special permit through the Zoning Permit Review Branch.

## Pop-up Type: In Existing Buildings

This type of pop-up utilizes the inside of an existing vacant structure. It does not involve a long-term retail lease, nor is it envisioned as a permanent site condition; is however envisioned to breathe new life into an existing building until the space is ready for redevelopment or a new permanent tenant. Current examples of pop-ups in existing buildings include the Biergarten at Tysons or an event such as Artomatic. Permitting requirements will vary based on the proposed use.

## Pop-up Type: Street Festivals/Fairs

Street Festivals are short term pop-up events that may close parts of road right-of-way to vehicles so that the space can be utilized by people. The operator of the street festival is typically a non-profit community group or organization. Street Festivals vary in type but usually include food vendors and may have a cultural or neighborhood theme. Examples of festivals include the Taste of Annandale on Tom Davis Drive or the Taste of Reston at Reston Town Center. The permitting requirements for a road closure will vary depending on who controls that particular right of way. They may require a temporary special permit through the Zoning Permit Review Branch. The requirements for permitting a Street Festival/Fair depend on the location, proffers or specifics of the event. If loud speakers/ampilied sound are to be used, this may need a noise waiver.

## Pop-up Type: Interim Buildings

This type of pop-up is located on public or private land that is not yet ready for redevelopment and is typically an interim condition that exists as part of a phased redevelopment. This pop-up primarily includes retail kiosks (interim structures), supportive features such as food trucks, outdoor seating, and programmed events. The uses within the interim structures vary, and permitting requirements will vary depending on the use. Although these are considered interim uses, they can remain in place for an extended period of time but are not considered permanent site structures or uses. These uses typically require non-residential use permit (for occupancy). Examples of this type of pop-up include the plaza at the Reston Metro Station.

The following county and state agencies play a role in the pop-up permitting process. Most, if not all, pop-ups will need a County permit. Contact information for the various agencies to help with the process:

**Temporary Special Permits/Use Permits:**
Zoning Permit Review Branch - (703) 222-1082
*www.fairfaxcounty.gov/dpz/dpzdivisions/zad.htm*

**Food/Drink:**
Health Department - (703) 653-2444
*www.fairfaxcounty.gov/hd/food/permits/*
Food Trucks - (703) 324-1314
*www.fairfaxcounty.gov/dpz/zoning/foodtrucks.htm*

**Structures/Mechanical/Plumbing:**
Building Plan Review, DPWES - (703) 631-5101
*www.fairfaxcounty.gov/buildingpermits*

**Alcohol:**
VA ABC - (703) 313-4432
*www.abc.virginia.gov/licenses/get-a-license*

**Use Determination:**
Zoning Administration Division - (703) 324-1314
*www.fairfaxcounty.gov/dpz/dpzdivisions/zad.htm*

**Proffered Conditions:**
Zoning Evaluation - (703) 324-1290
*www.fairfaxcounty.gov/dpz/dpzdivisions/zed.htm*

**Life Safety:**
Fire Marshal - (703) 246-4803
*www.fairfaxcounty.gov/fr/prevention/fmpermits.htm*

**Noise Waivers:**
Zoning Inspection Branch - (703) 324-4300
*www.fairfaxcounty.gov/dpz/dpzdivisions/zad.htm*

**If you are interested in doing a pop-up in your community, OCR is here to help navigate the process.**

Please contact us:
**Fairfax County Office of Community Revitalization**

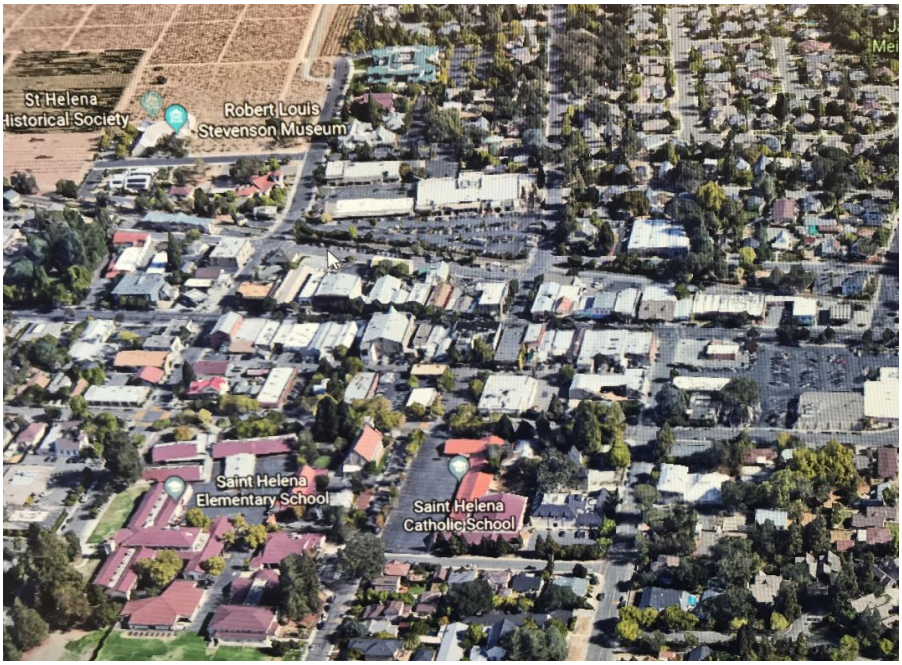
12055 Government Center Parkway
Suite 1048
Fairfax, VA 22035

703.324.9300
www.fcrevit.org

Office · Commercial · Residential

Fairfax County is committed to a policy of nondiscrimination in all County programs, services, and activities and will provide reasonable accommodations upon request. To request this information in an alternate format, call 703-324-9300 or TTY 711.

# DRAFT
# Downtown Economic Strategy




September 2018

City of St. Helena
www.cityofsthelena.org

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# Acknowledgements & Credits

## City Council

Alan Galbraith, Mayor
Peter White, Vice Mayor
Paul Dohring, Council Member
Geoff Ellsworth, Council Member
Mary Koberstein, Council Member

## City Administration

Mark Prestwich, City Manager
Noah Housh, Planning & Community Improvement Director
Erica Ahmann Smithies, PE, Public Works Director/City Engineer
April Mitts, Finance Director

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# EXECUTIVE SUMMARY

In late 2017, the City Council held a strategic planning workshop to discuss three-year goals and 12-month strategic objectives for the City. "Ensure the Long-Term Economic Sustainability while Safeguarding St. Helena's Unique Culture and Quality of Life" emerged as a key goal, along with a desire to revitalize downtown to improve its resilience.

The City Council also commissioned the preparation of an Economic and Demographic Profile, and a Downtown Retail Market Analysis to evaluate the downtown's retail viability. This analysis was prepared by Kosmont Companies and presented to the City Council on July 24, 2018, including several recommendations to address concerns with its downtown. Key findings of the study included:

- Downtown's 8% vacancy rate is significantly higher than adjacent markets (2.6%);
- Retail lease rates are at an all time high historically and higher than those for the Napa County submarket, and all of the neighboring submarkets;
- Most local serving merchants cannot achieve the needed sales volume exclusively from resident households to remain profitable;
- The City has an unpredictable decision-making process and does not have a business-friendly reputation (e.g. difficult entitlement and permitting rules);
- Very few retail uses are allowed by right and permits run with the land, meaning tenants cannot relocate without high cost/risk; and
- The City is a net job importer, with approximately 3,000 workers employed in the City but living outside City limits.

Direction was subsequently provided to the City Manager to prepare a plan and recommended next steps.

The resulting plan organizes and prioritizes strategies to enhance the competitiveness of downtown businesses and help support the City's economic base. The plan is intentionally crafted with an appreciation for the historic and cultural resources that contribute to St. Helena's special character and quality of life, while maintaining a local serving perspective.

Implementation of the plan will result in public infrastructure improvements to enhance the pedestrian experience, create a responsive and predictable development review process, and cultivate and reinforce the historic downtown's reputation as a distinctive destination. A summary of the strategy is highlighted on the next page.

# STRATEGY AT A GLANCE

## PLACE

### INVEST IN PUBLIC INFRASTRUCTURE IMPROVEMENTS TO ENHANCE THE PEDESTRIAN EXPERIENCE

- ✓ Complete Downtown Sidewalk and Streetscape Improvement Project
- ✓ Pursue Pedestrian Alley Beautification
- ✓ Launch Downtown Facade and Tenant Improvement Program
- ✓ Complete Downtown Restroom Project
- ✓ Develop Wayfinding Signage Program with Local History
- ✓ Complete Parking Study to Identify Possible Improvements
- ✓ Evaluate Potential Streetscape Improvements to Money Way, Railroad Avenue, and Oak Avenue
- ✓ Rebuild on City Hall Parcel

## PROCESS

### CREATE A RESPONSIVE AND PREDICTABLE DEVELOPMENT REVIEW PROCESS FOR BUSINESS INVESTMENT

- ✓ Improve Business Certainty by Identifying Community Supported Uses Permitted by Right in the Central Business and Service Commercial Zoning Districts
- ✓ Streamline the Permit Process by Discontinuing Discretionary Review for Certain Permit Types
- ✓ Allow for Temporary Pop-Up Retail Uses

## PEOPLE

### CULTIVATE AND REINFORCE HISTORIC DOWNTOWN'S REPUTATION AS A DISTINCTIVE DESTINATION

- ✓ Re-Imagine Under-Utilized Properties/Promote In-Fill Housing
- ✓ Enhance Community Event Programming in Partnership with the Chamber of Commerce
- ✓ Refresh Branding and Reputation of Downtown
- ✓ Fund Online Marketing Portal for Vacant Commercial Space & Priority Investment Opportunities
- ✓ Provide Technical Assistance to Businesses/Landlords on Experiential, Destination, and Omnichannel Retail Strategies
- ✓ Explore Possible Wine Train Pilot Project
- ✓ Hotel Considerations
- ✓ Develop a City Parklets Program Policy and Permit Process
- ✓ Maintain a Safe, Clean and Comfortable Downtown Environment

# COMMUNITY PROFILE

The City of St. Helena is located in the center of the world-famous wine growing Napa Valley, 65 miles north of San Francisco. The St. Helena area was once home to the Wappo people, a Yukian-speaking group who were the area's earliest inhabitants. Their village was located where Sulphur Creek meets the Napa River. General Vallejo's 1834 land grant led to the community's modern-era development. The City of St. Helena was incorporated as a City on March 24, 1876 and reincorporated on May 14, 1889.

The City from its inception has served as a rural agricultural center. Over the years, with the growth and development of the wine industry, the City became an important business and banking center. The City also receives many visitors as a result of the wine industry and the area's scenic qualities. In 1998, three blocks of St. Helena's downtown commercial district were placed on the National Register of Historic Places and designated a Historic Commercial District. The main goal of the City is to maintain a small-town atmosphere and to provide quality services to its citizens.

Today, the population of the City of St. Helena is 6,118. St. Helena is a full-service City and encompasses an area of four square miles. The City's General Fund Fiscal Year (FY) 2018-19 budget is $14.3 million with a total operating budget of $30.5 million. The assessed valuation of the City for FY 2018-19 is $2.5 billion.

The City of St. Helena is a General Law City and operates under the Council-City Manager form of government. The City Council is the governing body and has the power to make and enforce all laws and set policy related to municipal affairs. The City Manager is responsible for carrying out the policies of the City Council and for the proper and efficient management of municipal activities. The City Manager directs and manages the various departments and municipal services through appointed Department Directors who directly supervise and administer the various City programs, services, and activities.

# St. Helena Economic Profile

The economic profile of the City of St. Helena has changed greatly in the past few years. The City experienced significant financial challenges with the deep national recession a decade ago, and continued to experience revenue challenges through 2016. Challenges persist for the City's downtown commercial core.

While St. Helena enjoys the highest per capita sales tax revenue of all cities in Napa and Sonoma counties, sales tax revenues in its downtown have declined 15% in the past three years and are well below 2006 levels. The City's recent downtown retail analysis study determined the downtown retail vacancy rate is approximately 8%, which is significantly higher than the vacancy rate of the Napa County submarket (2.6%), and many neighboring submarkets. Asking lease rates in St. Helena are at an all time high historically and higher than those for the Napa County submarket, and all neighboring submarkets.

Contributing to this challenge is the fact that St. Helena has more local jobs than people in the labor force, which requires large numbers of commuters to fill local jobs. Interviews with local employers identified challenges with attracting employees. This is not a surprise given the City experiences a net inflow of approximately 3,000 workers for its estimated 5,700 available jobs.

However, several recent factors have contributed to a more positive financial outlook looking forward. The passage of Measure T, a 25-year ½ cent countywide sales tax, which took effect July 1, 2018, will provide an estimated $1.2 million annually in additional resources for street maintenance and repair work. Additionally, the passage of Measure D in November 2016, a ½ cent sales tax, has provided an important boost to the City's General Fund and will facilitate the City's ability to improve service levels, reinvest in deteriorating infrastructure, and improve emergency reserve levels.

According to a May 2018 report by the California Employment Development Department, the Napa County unemployment rate has dropped to 2.5%, the lowest figure in 19 years. The statewide unemployment rate is 3.7%, down from a high of 12.2% during the peak of the recession in 2010.

# PLACE

## INVEST IN PUBLIC INFRASTRUCTURE IMPROVEMENTS TO ENHANCE THE PEDESTRIAN EXPERIENCE

Downtown St. Helena is firmly established as a distinctive and attractive shopping district. However, this nationally recognized treasure is experiencing a need for public investment in sidewalks and associated streetscape improvements. The following investments/strategies are intended to fundamentally enhance public infrastructure, the pedestrian experience, and foster economic vitality through improved placemaking.

### A. COMPLETE DOWNTOWN SIDEWALK & STREETSCAPE IMPROVEMENT PROJECT

In 2017, the City of St. Helena was awarded $1.2 million in federal funds to upgrade its downtown sidewalks. The grant requires a City match of $400,000, for a total project cost of $1.6 million. In addition to funding improved sidewalks, the grant will fund wheelchair accessible curb ramps, sidewalk bulb-outs to reduce the distance for pedestrians crossing Main Street, and other streetscape improvements. Design and public engagement is expected to begin in early 2019, and should include consultation with downtown businesses to identify construction strategies and City assistance to mitigate business impacts. Construction is planned for Spring 2021.

### B. PURSUE PEDESTRIAN ALLEY BEAUTIFICATION

The City of St. Helena is home to several pedestrian alleys such as Telegraph Alley (currently under-utilized). Enhancing the surface and built environment of these historic corridors present opportunities to improve the pedestrian "experience" of navigating St. Helena's National Historic Commercial District. It is recommended the City expand the scope of work of the City's sidewalk project/streetscape project to include options related to beautifying the City's historic pedestrian alleys/corridors.

### C. LAUNCH DOWNTOWN FAÇADE AND TENANT IMPROVEMENT PROGRAM

The appearance of the City's downtown has a significant influence on its economic success. By improving its physical appearance, the downtown will have a much greater potential for attracting and retaining businesses. To encourage private investment in high-quality improvements that enhance the appearance of retail, commercial and professional buildings and properties (including side and rear facades, and interior tenant improvements), it is recommended the City develop and launch a Downtown Façade and Tenant Improvement Program with dedicated annual funding.

The proposed program will provide a one-time matching reimbursement for eligible façade and tenant improvements up to an established cap. Eligible expenses would include building improvements, signage, lighting, landscaping, exterior painting or surface treatment, decorative awnings, window and/or door replacements or modifications, storefront/interior enhancements, streetscape, outdoor patios and decks, ADA or seismic upgrading, and architectural features. In an effort to accelerate occupancy of existing vacant buildings in the downtown, it is recommended the City fund architectural design services for any downtown space that has been vacant for at least 90 days up to an established cap (excluding formula retail). It is also critical the City ensures general maintenance work (e.g. encroachment permit processing for a painting job) is able to be accomplished expeditiously.

## D. Complete Downtown Restroom Project

On April 24, 2018, the City of St. Helena City Council approved the Downtown Restroom Project, authorizing staff to seek construction bids. The project will result in the construction of two unisex restrooms with an adjacent combined water fountain and water filling station. The building will be constructed between the Telegraph Alley sidewalk and public parking lot at 1301 Money Way. Construction is anticipated to begin in fall 2018 and be completed by spring 2019. This facility will serve City residents, downtown businesses, and visitors that have long expressed a need for a public restroom facility in the central business district.

## E. Develop Wayfinding Signage Program with Local History

Wayfinding or directional signage assists residents and visitors with locating various community destinations. A wayfinding system also projects a consistent image for the City, reduces visual clutter and promotes walking, bicycling, and use of mass transit. Some cities have also used wayfinding signage to share and document their history. Integrating a wayfinding system with the City's sidewalk and streetscape improvement program will enhance the pedestrian experience.

## F. Complete Parking Study to Identify Possible Improvements

The City Council has authorized funding and allocated resources to complete a Parking Study in conjunction with the General Plan. This parking study will evaluate parking availability, and options to improve parking for locals and visitors. This will include an evaluation of parking zones, possible parking expansion opportunities, and alternatives such as shuttles/valet service.

## G. Evaluate Potential Streetscape Improvements to Money Way, Railroad Avenue and Oak Avenue

As planning efforts begin with the downtown sidewalk project, it is recommended a landscape architect also evaluate Money Way, Railroad Avenue and Oak Avenue to identify potential streetscape improvements that can enhance the downtown experience.

## H. Rebuild on City Hall Parcel

The St. Helena Assets Planning Engagement (SHAPE) Committee Final Report recommends rebuilding on the City Hall parcel rather than rehabilitation of the deteriorating existing asset. The prospect of near-term rebuilding on the parcel creates the opportunity to enhance the new structure's integration with Lyman Park and its ability to serve as an engaging mixed-use community asset anchoring the northern end of the downtown. Discussions of what type of structure is rebuilt on site will begin in September 2018 when the City Council begins to further analyze options presented by the SHAPE Committee.

# PROCESS

## CREATE A RESPONSIVE AND PREDICTABLE DEVELOPMENT REVIEW PROCESS FOR BUSINESS INVESTMENT

Today's retailers are facing new competition including bulk discount centers and online retail. These macro changes in the retail industry, along with regional competition, costly lease options, expensive and limited housing options, and challenges in attracting employees, are all contributing factors to the significant number of downtown vacancies.

As companies plan their investments, the cost, predictability, and timing of tenant improvement projects and permits become key factors in their decision making. The City's unpredictable development review and permitting process increases project risk, which impacts business willingness to invest in or upgrade commercial space.

By creating a responsive and predictable development review process, and allowing retailers to quickly and creatively respond to market dynamics, the City of St. Helena will increase the probability of business investment, reduce vacancy rates, and contribute to downtown's economic vitality.

### A. IMPROVE BUSINESS CERTAINTY BY IDENTIFYING COMMUNITY SUPPORTED USES THAT ARE PERMITTED BY RIGHT IN THE CENTRAL BUSINESS & SERVICE COMMERCIAL ZONING DISTRICTS

Project applicants regularly find challenges with the existing Zoning Code, including conflicting requirements, antiquated policies and a general lack of consistent regulations. Several of these issues and concerns relate to uses that are permitted by right versus those that require a use permit in the Central Business (CB) and Service Commercial (SC) zoning districts.

For example, numerous retail uses are individually listed when they could be combined under a "General Retail" category, including formula retail businesses. Similarly, multiple office uses are listed when they could be easily classified under a broader "Office Use" category, both of which could be by-right in certain districts.

While there is a necessary balance to strike, improving City standards and business certainty by a well-managed identification of acceptable prescriptive rights will address concerns expressed by business interests. It is recommended the Kosmont Companies assist the City with this effort, including identifying the successful mix of local and visitor serving retail strategies used by other vibrant downtowns to aid in developing additional opportunities.

### B. STREAMLINE THE PERMIT PROCESS BY DISCONTINUING DISCRETIONARY REVIEW FOR CERTAIN PERMIT TYPES

Currently, several permit activities require applicants to secure Planning Commission approval. In contrast, other communities identify community supported standards and streamline approval

via staff level review. This process expedites the applicant's permit process and reduces staff time associated with preparation of staff reports. Discontinuing discretionary review for signs, awnings and other uses is recommended as a streamlining opportunity. It is also critical to identify process improvements to City procedures to ensure minor activities such as repainting a building may be done quickly.

## C. Allow for Temporary Pop-Up Retail Uses

Pop-up stores are temporary retail spaces selling many kinds of merchandise. These stores and other use types, which come in a variety of shapes, sizes and locations, are attractive marketing strategies for retailers interested in introducing new products, building brand awareness and creating enthusiasm without a significant expenditure of resources. Pop-ups can last for an hour, day or for a set period of time. Establishing an efficient permit process for pop-up uses will encourage additional retail investment in downtown, capitalize on the emerging retail trends, and provide a means of mitigating the impacts of vacant buildings.

# PEOPLE

## Cultivate and Reinforce Historic Downtown's Reputation as a Distinctive Destination

While downtown St. Helena is a distinctive destination offering historical assets, culture, and participation in civic activities, businesses report a steady erosion of pedestrian traffic is impacting their success. The planned public infrastructure improvements, in concert with a strategy to create a responsive and predictable development approval process for business investment, positions the City to leverage these changes and refresh the branding and reputation of downtown. Additionally, there are numerous opportunities to creatively cultivate customers to enhance the probability of success for the City's merchants.

### A. Re-Imagine Under-Utilized Properties / Promote In-Fill Housing

As noted in the City's June 2018 "White Paper" informational study, housing production has not kept pace with demand and is no longer aligned with the income levels of local employees. Identifying opportunities and increasing housing production in the immediate downtown via use of incentives (e.g. density bonuses, expedited review, relaxed parking requirements, etc.) was identified as a key housing strategy in the White Paper. In addition to helping to provide needed workforce housing, this strategy would have dual benefit of contributing new local customers to help sustain downtown businesses. It is therefore recommended the City accelerate efforts to develop an In-Fill Housing/Mixed-Use Incentive Program to attract housing and mixed-use investment in the downtown.

### B. Enhance Community Event Programming in Partnership with Chamber of Commerce

Consistent with the Kosmont Retail Market Analysis, it is recommended the City work in partnership with the St. Helena Chamber of Commerce to develop and produce additional recurring community event programming. In addition to their impact on local business, events and festivals present a platform for community energy and cultural development by offering opportunities to connect, support and participate. Research suggests that participant-based events may yield greater expenditure per person than spectactor-based events.

### C. Refresh Branding and Reputation of Downtown

The St. Helena Chamber of Commerce currently utilizes the brand "St. Helena's Main Street". Given the infrastructure and regulatory process changes that will be coming soon to downtown St. Helena, it is recommended the City and Chamber of Commerce work together to expeditiously identify branding strategies to reacquaint the business community, prospective retailers, and visitors with improvements to our distinctive downtown and permitting process.

## D. Fund Online Marketing Portal for Vacant Commercial Space & Priority Investment Opportunities

There are emerging online portals available to promote the availability of vacant commercial space to prospective businesses. Scores of California cities are connecting with real estate professionals and investors interested in commercial space. These tools allow agencies to reach beyond their regional footprint to attract business. Establishing and maintaining an active online presence will allow the City to affordably promote local investment opportunities to a wide audience. An online platform also creates efficiencies by use of filtering tools to narrow the focus to preferred opportunities and will provide the City with analytics to improve our focus. It is anticipated the Kosmont Companies will serve as the City's representative for real estate inquiries.

## E. Provide Technical Business Assistance to Businesses/Landlords on Experiential, Destination, & Omnichannel Retail Strategies

Online retail competition is contributing to transformational changes and pressure in the retail sector. Retailers that embrace integrated retail strategies are experiencing improved customer retention. An "omnichannel" retail strategy is one that integrates the different methods of customer shopping (e.g. in a physical store, online, by phone, etc.). A 2013 study by the Aberdeen Group, Inc. determined that companies with strong omnichannel engagement strategies retain an average of 89% of their customers, compared with 33% for companies with weak omnichannel strategies. To support local retailers, it is recommended the City utilize Kosmont Companies to provide up to three business workshops and technical assistance on experiential, destination, and integrated retail strategies to improve the competitiveness of St. Helena's retailers.

## F. Explore Possible Wine Train Pilot Project

One of the recommendations in the Downtown Retail Analysis included consideration of allowing the Napa Valley Wine Train to drop off customers to expand downtown commerce, while reducing vehicle traffic and the need for parking. This strategy presents an opportunity to confront the dual challenge of dealing with increasing vehicle traffic but declining numbers of Main Street shoppers. In order to test the impact on Main Street business and the community, it is recommended the City explore a 24-month pilot project with the Wine Train to evaluate the impacts of such a policy, with an analysis of impacts report provided to the City Council after the initial 18 months of the pilot.

## G. Hotel Considerations

The Downtown Retail Market Analysis suggested the City consider allowing a high-end hotel development near Main Street to help downtown merchants. The City owns two parcels within

reasonable walking distance of the downtown business district (on Railroad Avenue and Adams Street). If desired by the City Council, either parcel may be suitable as a future hotel site. The SHAPE Committee discussed how a hotel could be placed in discreet areas of these parcels (particularly the Adams Street parcel), while still reserving space for the community. As with in-fill housing opportunities, a walkable hotel site presents the opportunity to help sustain downtown businesses that today already rely on a mix of local and visitor shoppers.

Additionally, it is recommended the City initiate a discussion with its existing downtown hotels to explore opportunities to grow or improve their business.

## H. Develop a City Parklets Program Policy and Permit Process

Parklets provide an economical solution to the desire and/or need to provide space and amenities for public recreation or seating for businesses. They are generally extensions from the sidewalk, occupying the width of a parking space. In most cities, parklets are entirely funded by private individuals and/or private businesses. It is recommended the City develop a City Parklets Program Policy and permit process to facilitate consideration of desired parklets.

## I. Maintain a Safe, Clean & Comfortable Downtown Environment

Maintaining a safe, clean and comfortable environment contributes to a positive pedestrian experience. With the planned addition of new downtown amenities, it is critical the City's Public Works Department develop a staffing and maintenance strategy to ensure the City's infrastructure is optimally maintained. The City is currently evaluating the organizational structure of the Public Works Department to consider modifications that will ensure a dedicated staff focus on street cleanliness to improve the shopping experience in our downtown.

# Review and recommendation to the City Council of an Ordinance Amending Chapter 17.136.050 to Create a Temporary Use Permit

Planning and Community Improvement

October 2, 2018

# Description

Review and Recommendation on an Ordinance creating a Temporary Use Permit to:

- Memorialize the allowance for certain limited uses
- Create a mechanism for temporary events
- Create a mechanism for temporary uses

Includes time lines and requirements for each

# Background

October 4, 2017-City Council adopted three year goals including "Ensure the Long-Term Economic Sustainability while Safeguarding St. Helena's Unique Culture and Quality of Life"
-Desire to revitalize downtown to improve its resilience.

September 11, 2018-City Council reviewed a draft Downtown Economic Strategy and provided recommendations on the prioritization of initiatives, one of which was the creation of a Temporary Use Permit

# Proposed Changes

Memorializes certain temporary activities as permitted

-Includes construction yards, emergency facilities, filming, garage sales, activities on public property authorized by the City Council and non-profit special events.

Creates a Temporary Use Permit Process for other Temporary Activities

-Events, Uses, Seasonal Sales Lots and Temporary Structures

-Subject to Various Time Lines and Limitations

# Temporary Use Regulations

Sets Review Criteria and Allows Limitations

-Hours of Use, Parking & Circulation, Fencing, Trash/Litter, Etc.

Creates Mechanisms to ensure properties are returned to original state

# Analysis

CEQA

General Plan

Ordinance Process
-PC Recommendation and CC Approval

# Issues

Number of Patrons-Affecting Decision Process?

Formula Business Allowed with Temporary UP?

# Recommendation

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

1. Find that the proposed changes are exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303 and 15304; GP Zoning EIR, & Section 15061 (b) (3) General Rule; and
2. Review, comment and recommend the proposed changes to the City Council.

# Questions?