



**City of St. Helena
Planning Commission
Regular Meeting
Tuesday, December 17, 2019 @ 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: John Ponte
Commissioners: Autumn Anderson, Daniel Hale and Bobbi Monnette
City staff present at the meeting will be noted in the minutes.
3. PUBLIC FORUM:
This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of 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: November 19, 2019 7 - 10
[Commission Minutes 11-19-19](#)
 - 4.2. Request by Eames Construction on behalf of 1126 Adams St. LLC., for approval of a resolution granting a sign permit for new signage at 1126 Adams Street in the Central Business (CB) zoning district. 11 - 23

CEQA Determination: This project is exempt from the requirements of CEQA pursuant to Section 15311, Class 11(a) of the CEQA Guidelines which exempts on-premise business signs.
Prepared By: Xinia Gamero, Administrative Assistant
Recommendation:
For the reasons stated above, staff recommends that the Planning Commission:
 1. Determine that the sign is exempt from the requirements of CEQA pursuant to Section 15311; and
 2. Approve a resolution granting sign permit approval for new signage on the property located at 1126 Adams St.

[1126 Adams - Staff Report](#)

- 4.3. Presentation of an Administrative Approval granted to PCSH, LLC authorizing a Lot Line Adjustment at 156 Main Street in the Service Commercial zoning district. 25 - 38

CEQA Determination: Exempt pursuant to CEQA Guidelines Section 15305.

Prepared By: Chris Gustin, Contract Planner

Recommendation:

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

1. Consider and concur with the staff finding that the project is exempt from the requirements of CEQA as a Class 5 categorical exemption pursuant to Section 15305, and
2. Accept the staff approval to grant the Lot Line Adjustment to PCSH, LLC and American Ag Credit creating one legal parcel where two currently exist; or request to formally consider this LLA at a Public Hearing and identify the specific concerns the Commission would like to be addressed with such a review.

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

5. PUBLIC HEARINGS

- 5.1. The applicants request adoption of a resolution approving a Short-Term Rental Permit to rent one unit of the duplex located at 1326 Monte Vista Avenue in the Medium Density Residential District in accordance with the requirements of the Short-Term Rental Ordinance. 39 - 63

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

Prepared By: Aaron Hecock, Acting Planning & Building Director

Recommendation:

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

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15061(B)3; and
2. Approve a resolution allowing for a short-term rental permit at 1326 Monte Vista Avenue.

[1326 Monte Vista Ave. - Staff Report](#)

[5.1 Public Comment Bell](#)

[5.1 Public Comment Bradshaw](#)

- 5.2. Request by William Pacific Enterprises LP for a one-year extension on the Use Permit approval received on December 18, 2018 to allow a wine bar with limited food and retail sales and accessory administrative office space located at 1299 Main Street, Suite A, in the CB: Central Business Zoning District. 65 - 116

CEQA Determination: The project is categorically 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: Xinia Gamero, Administrative Assistant

Recommendation:

Staff has no concerns over the proposed extension and 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 the first of two possible one-year use permit approval extensions for the proposed project located at 1299 Main Street, Suite A.

[1299 Main St. Suite A - Staff Report](#)

6. SCHEDULED MATTERS

7. DEPARTMENT REPORTS

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

8. AGENDA FORCAST

Below is 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 January 21, 2020 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 December 6, 2019.

Aaron Hecock, Acting Planning & Building Director

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

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

PUBLIC TESTIMONY PROCEDURES

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

CHALLENGING DECISIONS OF CITY ENTITIES

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

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

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's

Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofsthenana.org> and will be available for public review at the respective meeting.

MINUTES
City of St. Helena
Planning Commission Meeting
Tuesday, November 19, 2019 @ 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 John Ponte, Commissioner Daniel Hale, Commissioner Bobbi Monnette, and Commissioner Autumn Anderson
Absent: None
Staff Present: Aaron Hecock, Acting Planning & Building Director, Xinia Gamero, Administrative Assistant, and Chris Gustin, Contract Planner

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. PUBLIC FORUM:

No public comment was received.

4. CONSENT ITEMS

Commissioner Hale pulled item 4.2 on the Consent Calendar.

4.1 Approval of Minutes: November 5, 2019

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

AYES: Lester Hardy, Daniel Hale, Bobbi Monnette, John Ponte, and Autumn Anderson
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

4.2 Resolution denying a demolition permit and design review for 1443 Stockton Street in the Medium Density Residential District.

CEQA Determination: Not a CEQA project.

Prepared By: Aaron Hecock, Acting Planning & Building Director

Recommendation:

Staff recommends that the Planning Commission review and vote on the attached resolution.

Vice-Chair John Ponte moved to approve the denial resolution on the Consent Calendar as amended. The motion was seconded by Commissioner Bobbi Monnette and on roll call carried by the following vote:

AYES: Lester Hardy, Bobbi Monnette, John Ponte, and Autumn Anderson

NOES: Daniel Hale

ABSENT: None

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

- 5.1 The applicant is requesting adoption of a resolution approving design review in order to demolish a portion of the existing residence and add new one and two-story elements to the main building; add a new open pavilion; and a 914 sq. ft. four-car garage at 943 Charter Oak Avenue in the Medium Density Residential (MR) district.

CEQA Determination: Exempt

Prepared By: Chris Gustin, Contract Planner

Recommendation:

The Planning Department recommends that the Planning Commission adopt a resolution finding that:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15303 (a), and
2. Accepting the required findings and approving the requested Design Review for the single family residence at 943 Charter Oak Avenue.

Chris Gustin, Contract Planner reported on the item.

Chair Hardy opened the public hearing.

Hamilton Nichol森, applicant addressed the Planning Commission.

Chair Hardy closed the public hearing.

Commissioner Bobbi Monnette moved to approve the item as amended. The motion was seconded by Commissioner Daniel Hale and on roll call carried by the following vote:

AYES: Lester Hardy, Daniel Hale, Bobbi Monnette, John Ponte, and Autumn Anderson

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 5.2 Request by Lang & Reed, LLC. for approval of a use permit to allow wine tasting by appointment only at their existing winery office located at 1200 Oak Avenue in the Central Business (CB) district.

CEQA Determination: 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

Prepared By: Xinia Gamero, Administrative Assistant

Recommendation:

For the reasons stated above, 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 winery tasting room at 1200 Oak Avenue.

Xinia Gamero, Administrative Assistant reported on the item.

Chair Hardy opened the public comment.

Tracey and John Skupny, applicants addressed the Planning Commission.

Chair Hardy closed the public comment.

Vice-Chair John Ponte moved to approve the item as presented. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Lester Hardy, Daniel Hale, Bobbi Monnette, John Ponte, and Autumn Anderson

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

6. SCHEDULED MATTERS

None.

7. DEPARTMENT REPORTS

Aaron Hecock, Interim Planning and Building Director reported on the following:

- Cancellation of the December 3, 2019 Planning Commission meeting to be determined.

8. AGENDA FORCAST

9. ADJOURNMENT

Chair Hardy adjourned the meeting at **6:48 P.M.**

The November 19, 2019 Minutes were approved at the _____
Planning Commission meeting.

APPROVED:

ATTEST:

Lester Hardy, Chair Planning Commission

Aaron Hecock, Acting Planning and Building
Director



PLANNING COMMISSION REPORT

Planning Commission Meeting of December 17, 2019

AGENDA SECTION: Consent

FILE NUMBER: PL19-053

SUBJECT: Request by Eames Construction on behalf of 1126 Adams St. LLC., for approval of a resolution granting a sign permit for new signage at 1126 Adams Street in the Central Business (CB) zoning district.

PREPARED BY: Xinia Gamero, Administrative Assistant

REVIEWED BY: Aaron Hecock, Acting Planning & Building Director

APPROVED BY: Aaron Hecock, Acting Planning & Building Director

APPLICATION FILED: 11/01/19

ACCEPTED AS COMPLETE: 11/27/19

LOCATION OF PROPERTY: 1126 Adams St.

APN: 009-211-008

GENERAL PLAN/ZONING: Central Business (CB)

APPLICANT: Eames Construction

PHONE: 707-326-1904

BACKGROUND

The subject property is located at 1126 Adams Street in the Central Business (CB) zoning district and is the future location for Duncan Dermatology medical offices. Building permits for the building remodel were issued in August and September 2019.

PROJECT DESCRIPTION

The applicant proposes one (1) non-projecting identification sign on the west facade (rear) of the building. The sign is approximately 27 sq. ft. and will consist of aluminum body with white background and black vinyl letters. Sign will be mounted to existing sign

mounts where a previous sign was located. No illuminated signs are proposed for this project.

ANALYSIS

CEQA

This project is exempt from the requirements of CEQA pursuant to Section 15311, Class 11(a) of the CEQA Guidelines which exempts on-premise business signs.

GENERAL PLAN

The project site is located in the Central Business (CB) district. The CB land use designation includes retail and commercial uses that serve local residents and the surrounding area. Typical CB uses include offices, restaurants, specialty retail and lodging, with particular emphasis on pedestrian-oriented retail and service uses on the ground floor level and offices located on upper floors. The following General Plan policies are applicable to the proposed sign:

- **LU3.1-** Strengthen the downtown as the City's social and cultural core, and as the primary center of retail services. Facilitate a healthy mix of retail and commercial uses, residential development, entertainment, and lodging.
- **LU3.9-** In Mixed-Use, Service Commercial, and Central Business districts encourage residential and office uses in upper-story locations or locations along the periphery of the retail district. This will facilitate active and pedestrian-oriented commercial areas.
- **LU3.10-** Encourage office development within Mixed-Use, Service Commercial, and Central Business districts to complement the pedestrian orientation of surrounding development.
- **ES1.1-** Maintain central St. Helena as the social, cultural, and economic heart of the City by supporting infill and redevelopment of vacant and underutilized parcels in the central St. Helena area.

ZONING

In the CB district, signs are regulated by Municipal Code Section 17.148.040. Planning Commission review and approval must be obtained for all signs not meeting the restrictions detailed in Municipal Code Section 17.148.040(A)(C).

The purpose of the planning commission sign permit is to allow the consideration of illuminated signs, signs that are larger, of a unique design or location, or signs in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site, the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small town character of St. Helena, and the impact the sign may have on the surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.

Pursuant to Municipal Code Section 17.148.110, all signs must be maintained by the property owner, tenant, or permittee. In the event a sign becomes derelict for reasons of lack of maintenance the approval may be revoked and the sign subject to abatement. In addition, a sign shall be removed by the property owner within thirty (30) days of abandonment or termination of the use.

Staff Response- Staff believes the sign materials and colors do not obscure or detract from the architectural character of the structure and are complimentary with the Central Business (CB) district.

ISSUES

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

CORRESPONDENCE

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

STAFF RECOMMENDATION

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

1. Determine that the sign is exempt from the requirements of CEQA pursuant to Section 15311; and
2. Approve a resolution granting sign permit approval for new signage on the property located at 1126 Adams St.

ATTACHMENTS

[Resolution](#)

[Aerial View](#)

[Sign Plans](#)

[Photos](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2019-0XX

**SIGN PERMIT NO. PL19-053
GRANTED TO 1126 ADAMS STREET**

PROPERTY OWNER: City of St. Helena

APN: 009-211-008

RECITALS

1. The applicant is requesting sign permit approval for new signage at 1126 Adams Street in the Central Business (CB) district PL19-053;
2. The applicant proposes one (1) non-projecting identification sign on the west facade (rear) of the building. The sign is approximately 27 sq. ft. and will consist of aluminum body with white background and black vinyl letters. No illuminated signs are proposed for this project;
3. The Planning Commission of the City of St. Helena, State of California, considered the sign, staff report, and all testimony, written and spoken, at a hearing on December 17, 2019.

RESOLUTION

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

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15311, Class 11(a), which exempts installation of on-premise signs.
- C. The Planning Commission hereby finds that the proposed signs are in compliance with the requirements of Municipal Code Section 17.148 relating to the size and placement of signs in the Central Business district in that the project site is a stand-alone building providing multiple facades for sign placement; the proposed signs are in scale and proportion to each of these façade elevations and are consistent with the overall design theme of the building exterior. Further, this individual application has been judged on its own merits and shall not be seen as precedent setting for any future Planning Commission sign applications.
- D. Further, the Planning Commission hereby finds that the proposed sign does not obscure or detract from the architectural character of the structure or its surroundings.
- E. The Sign Permit for the above described is granted subject to compliance with the following conditions. The conditions noted below are particularly pertinent to this

permit and shall not be construed to permit violation of other laws and policies not so listed:

1. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit should one be required.
2. The 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 of the Sign Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
3. A Building Permit shall be obtained by the applicant prior to installation of the approved signage.
4. The signs authorized by this sign permit shall conform to the details and dimensions shown on the Exhibits which were reviewed and approved by the Planning Commission at the December 17, 2019 meeting.
5. All signs must be maintained by the property owner, tenant, or permittee. In the event a sign becomes derelict for reasons of lack of maintenance the approval may be revoked and the sign subject to abatement.
6. This permit will expire if the use is discontinued pursuant to existing ordinances and regulations. The property owner shall remove the sign within thirty (30) days of abandonment or termination of the use.
7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. This Sign Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
9. Construction documents shall indicate compliance with the final approved plans and project description dated November 1, 2019, or otherwise revised through the sign review process.
10. An Encroachment Permit shall be obtained by the applicant prior to installation of the sign if work involves locating of any person or structure on public property, such as a sidewalk, driveway, or street, if necessary.
11. Provided they are in general compliance with the Sign Ordinance, minor modifications may be approved by the Planning Director.

I HEREBY CERTIFY that the foregoing sign permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 17, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Aaron Hecock,
Acting Planning and Building
Director



PROJECT SCHEDULE

SIGN TYPE/ DESCRIPTION:	QTY.:	PG.
A. SHOE BOX STYLE SIGN W/ VINYL GRAPHICS ON FACE.	ONE (1)	2-3

PROJECT:



SKINCEUTICALS

1126 Adams St
St Helena, California

REVISIONS

#	DATE	DB	NOTES

VICINITY MAP



CLIENT & LOCATION



SKINCEUTICALS

1126 Adams St
St Helena, California

LEAD NO.
186746

DATE
10/21/2019

REVIEWED BY

REVISION

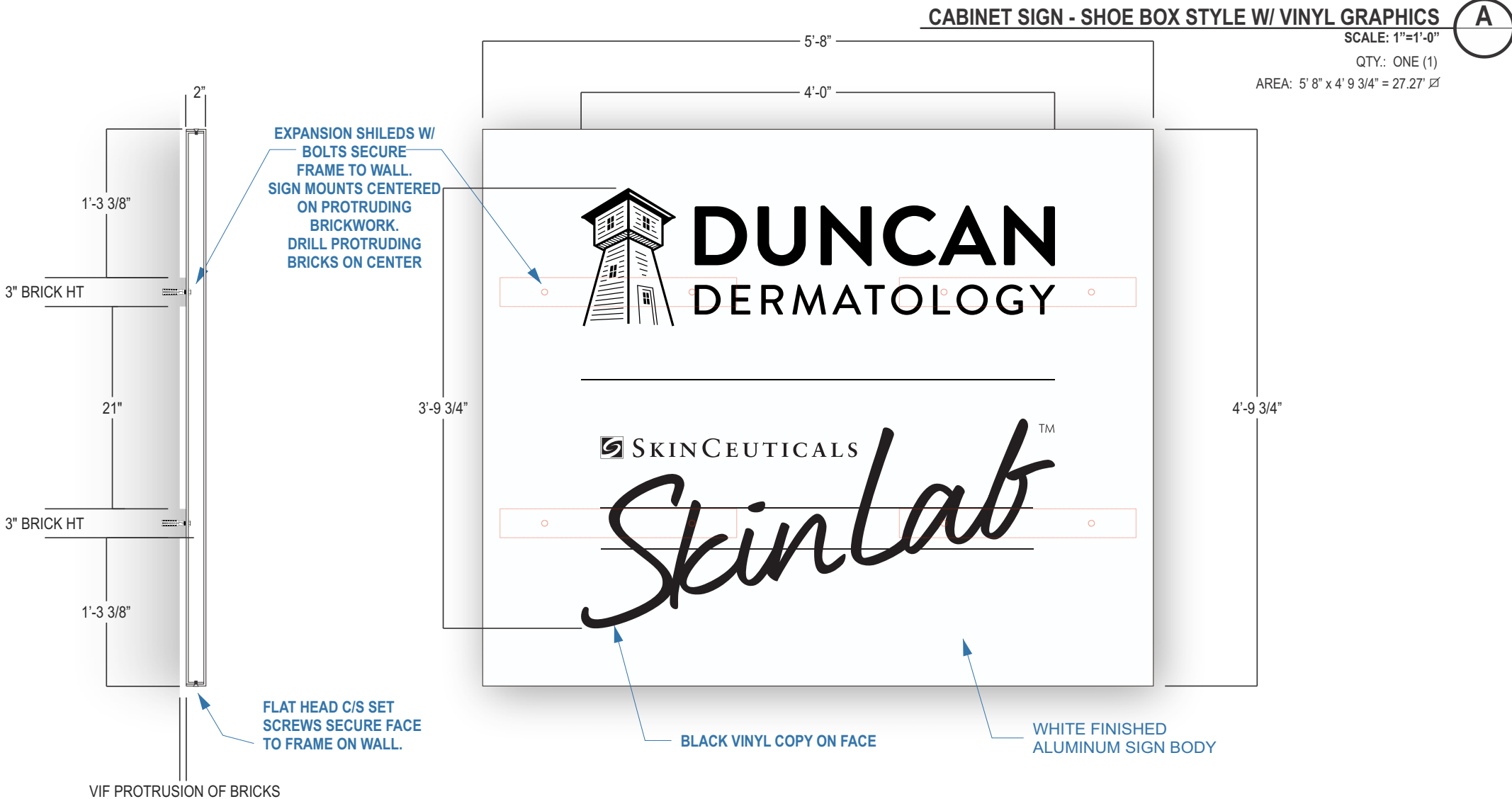
SHEET NO.

SALES / PRMGR
SM

DRAWN BY
MF2 (Mark)

SEG. NO.

1 OF 3



TRIANGLE SIGN SERVICES	CLIENT & LOCATION  SKINCEUTICALS	1126 Adams St St Helena, California	LEAD NO. 186746	DATE 10/21/2019	REVIEWED BY	REVISION	SHEET NO. 2 OF 3
			SALES / PRMGR SM	DRAWN BY MF2 (Mark)	SEG. NO.		
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CABINET SIGN - ELEVATION / PHOTO MOCKUP

1.A

SCALE: 3/16"=1'-0"
QTY.: ONE (1)
AREA: 5' 8" x 4' 9 3/4" = 27.27' ±

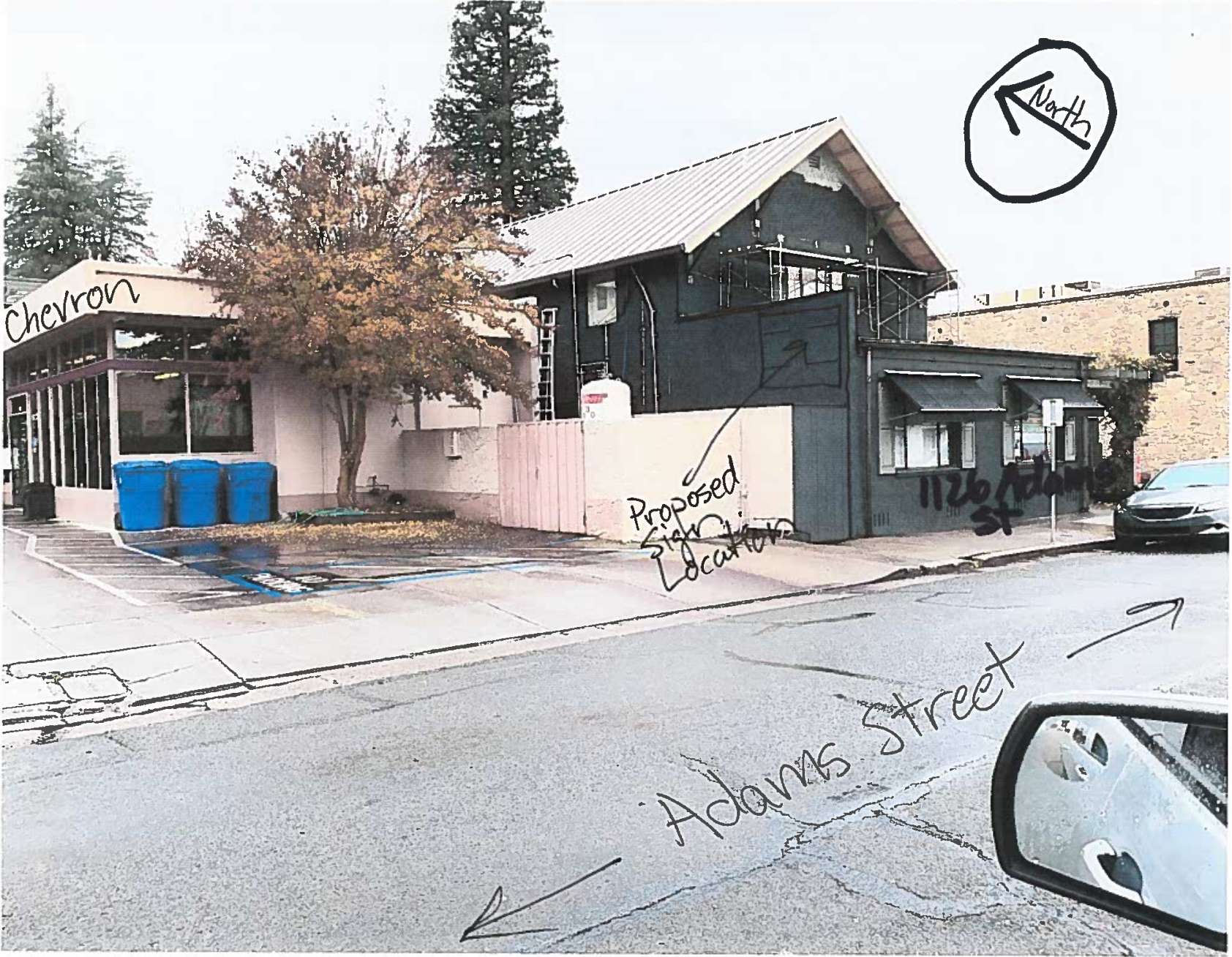
PROPOSED

EXISTING

PROTRUDING BRICKWORK

TRIANGLE SIGN SERVICES	CLIENT & LOCATION  SKINCEUTICALS	1126 Adams St St Helena, California	LEAD NO. 186746	DATE 10/21/2019	REVIEWED BY	REVISION	SHEET NO. 3 OF 3
			SALES / PRMGR SM	DRAWN BY MF2 (Mark)	SEG. NO.		
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PLANNING COMMISSION REPORT

Planning Commission Meeting of December 17, 2019

FILE NUMBER: PL19-048

SUBJECT: Presentation of an Administrative Approval granted to PCSH, LLC authorizing a Lot Line Adjustment at 156 Main Street in the Service Commercial zoning district.

PREPARED BY: Chris Gustin, Contract Planner

REVIEWED BY: Aaron Hecock, Acting Planning & Building Director

APPROVED BY: Aaron Hecock, Acting Planning & Building Director

APPLICATION FILED: 10/17/19

ACCEPTED AS COMPLETE: 10/25/19

LOCATION OF PROPERTY: 156 Main Street

APN: 009-580-016; 009-580-026

GENERAL PLAN/ZONING: Service Commercial/SC-Service Commercial

APPLICANT: PCSH, LLC

PHONE: 707-963-1231

BACKGROUND

The subject properties are located at 156 Main Street (PCSH - APN 009-580-016 and APN 009-580-026) and 1101 Vintage Avenue (American Ag Credit - APN 009-580-027) in the Service Commercial Zoning District and within the Highway 29 Specific Plan Area. The site contains three contiguous legal parcels created by deed prior to the adoption of the Subdivision Map Act. The applicants desire to merge two parcels into one, creating two parcels where three previously existed. This application was originally considered and approved in 1985. However, the City is unable to locate the original files and the applicants are applying for a new Lot Line Adjustment.

At its meeting of August 20, 2019, the Planning Commission approved a Use Permit and Design Review (PL 18-061) to permit a not-for-profit three (3) court tennis club with

a 499 square foot clubhouse, 987 square foot covered viewing deck, and 12 space parking lot on the undeveloped portion of the property located at 156 Main Street in the Service Commercial (SC) zoning district. In conjunction with that approval, the applicant was required to complete the Lot Line Adjustment process.

PROJECT DESCRIPTION

The applicant requests approval of a Lot Line Adjustment to eliminate one property line, creating one parcel where two currently exist. The requested LLA would not affect land use or zoning designations and the total number of parcels would be reduced from three to two. The configuration of the existing and proposed parcels can be seen on the exhibits attached.

No new or additional development is proposed. As noted, this Lot Line Adjustment application was originally approved in 1985 but not implemented, and is now required in conjunction with recent development approvals on the property.

ANALYSIS

CEQA

The requested LLA is exempt from the requirements of CEQA pursuant to Section 15305, as a Class 5 categorical exemption, Minor Alterations in Land Use Limitations, which exempts minor lot line adjustments not resulting in the creation of any new parcel. The project site is not located in 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 impact.

GENERAL PLAN

The subject property has a General Plan land use designation of Service Commercial (SC). The SC land use designation includes service and retail uses that have larger space needs than are available in the Central Business District. Potential SC uses include offices, restaurants, service stations, and lodging, with a maximum allowable FAR of 0.50. The SC designation includes areas fronting State Route 29/Main Street south of Sulphur Creek. General Plan Update 2040 policies applicable to the proposed project include:

- **LU1.1** - Require new development to occur within well-defined boundaries and be consistent with the ability to provide urban services. New development should mitigate infrastructure impacts by using sustainable, best management practices in green building and stormwater management and paying its share of development impact fees, while minimizing impacts on sewer, water, energy, and natural resources.
- **LU1.2** - Allow urban development to occur only within the Urban Limit Line.

- **LU1.4** - In order to minimize and postpone the need for expansion of the Urban Limit Line, encourage infill development within currently developed areas.
- **LU1.5** - Require new development to provide adequate infrastructure and urban services, including compliance with the policies and implementing actions affecting new development as set forth in the Public Facilities and Services Element.
- **LU3.2** - Enhance the pedestrian-oriented character of commercial areas and provide for convenient pedestrian and bicycle connections to encourage walking and reduce vehicle trips within the commercial area.
- **LU3.3** - Support the redevelopment of auto-oriented commercial areas into pedestrian-friendly commercial uses.
- **LU3.5** - Ensure that new retail and commercial development is compatible with and complementary to St. Helena's small-town image.
- **LU3.7** - Provide sufficient auto and bicycle parking in order to serve local businesses in the commercial districts. Ensure that all parking areas are well-designed and that auto parking spaces are hidden from pedestrian view, whenever possible.
- **LU3.11** - Ensure that new commercial development does not obstruct view corridors to the mountains.
- **ES1.6** - Support local arts, cultural activities, and entertainment that can contribute to the local economy.
- **ES2.5** - Encourage socially and environmentally responsible businesses that make positive contributions to the community and operate in an environmentally-sound manner.

Staff Response: Staff finds that the proposed Lot Line Adjustment is consistent with the General Plan in that the merged parcels will facilitate a recently approved recreational and commercial opportunity in a commercial district within the urban limit line.

ZONING

Consistent with the adopted General Plan, the subject property is designated Service Commercial (SC) by the SHMC. The SC district provides for Zoning Code Section service and retail uses, restaurants, service stations, motels, public and quasi-public uses and similar and compatible uses. The designation is intended primarily for service and retail uses that are automobile-oriented or whose operational characteristics and space needs are not considered appropriate for the central business district. The intent is for the SC district to be primarily local resident-serving in character. Strictly tourist-serving retail uses are prohibited within this designation.

This Lot Line Adjustment will merge two existing parcels into one. No development beyond the recent approvals will occur. Under the St. Helena Municipal Code (SHMC) section 17.52.070 development standards, the minimum lot area in the Service Commercial (SC) district is 10,000 sq.ft. Both parcels will meet the minimum lot area by creating one 98,881.2 sq. ft. parcel (2.27 acres) and one 42,688.8 sq. ft. parcel (0.98 acres).

LOT LINE ADJUSTMENT

Review procedures for Lot Line Adjustments (LLA) are regulated by the St. Helena Municipal Code Section 16.08.070. A LLA map may be submitted and approved for a boundary adjustment between (four or fewer) existing and adjoining parcels, which does not create a greater number of lots than originally existed, if each proposed lots meets all the requirements of the California Subdivision Map Act, St. Helena General Plan, the Zoning Ordinance and building regulations.

As required by St. Helena Municipal Code Section 16.08.070(B), each of the parcels involved in the proposed LLA are legally established parcels owned by the respective applicant(s). In addition to identifying the application requirements, Section 16.08.070 grants the Planning Director and the Public Works Director the discretion to jointly approve a LLA application which meet all development criteria. If jointly approved by the Planning Director and Public Works Director, Section 16.08.070(D) requires that the directors make a written report to the Planning Commission at its next regularly scheduled meeting, which this report is satisfying.

The Planning Commission may choose to formally review the LLA or simply provide concurrence on the Planning and Public Works Director's approval. If the Planning Commission decides by majority vote to formally "review" the LLA, then a Planning Commission hearing date is set, public notice is sent out and the proposal is considered by the Commission.

If the Planning Commission concurs with the staff approval, then the Planning Director must publish the action to approve the LLA in the newspaper and send out a notice to all property owners within 300 feet of the site notifying them of the decision. Upon receipt of such notice property owners may then choose to appeal the action of the Planning Director/ Public Works Director to the Planning Commission.

ISSUES

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

CORRESPONDENCE

As of the completion of this report staff had not received any correspondence related to this application.

STAFF RECOMMENDATION

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

1. Consider and concur with the staff finding that the project is exempt from the requirements of CEQA as a Class 5 categorical exemption pursuant to Section 15305, and
2. Accept the staff approval to grant the Lot Line Adjustment to PCSH, LLC and American Ag Credit creating one legal parcel where two currently exist; or request to

formally consider this LLA at a Public Hearing and identify the specific concerns the Commission would like to be addressed with such a review.

ATTACHMENTS

[Approval Letter](#)

[Written Statement](#)

[755 LLA-Exst \(1\)](#)

[755 LLA-New \(2\)](#)

[755 LLA-Esmts \(3\)](#)

LOT LINE ADJUSTMENT APPROVAL



DATE: December 6, 2019

TO: Applicants, Neighboring Property Owners and Interested Citizens

FROM: Aaron Hecock, Acting Planning and Building Director

RE: Approval of a Lot Line Adjustment between three properties located at 156 Main Street & 1101 Vintage Ave., St. Helena, to create one parcel where two currently exist in the Service Commercial (SC) District.

BACKGROUND

The subject properties are located at 156 Main Street (PCSH - APN 009-580-016 and APN 009-580-026) and 1101 Vintage Avenue (American Ag Credit - APN 009-580-027) in the Service Commercial Zoning District and within the Highway 29 Specific Plan Area. The site contains three contiguous legal parcels created by deed prior to the adoption of the Subdivision Map Act. The applicants desire to merge two parcels into one creating two parcels where three previously existed. This application was originally considered and approved in 1985. However, the City is unable to locate the original files and the applicants are applying for a new Lot Line Adjustment.

At its meeting of August 20, 2019, the Planning Commission approved a Use Permit and Design Review (PL 18-061) to permit a not-for-profit three (3) court tennis club and supporting 499 square foot (sf) clubhouse, 987 sf covered viewing deck and 12 space parking lot on the undeveloped portion of the property located at 156 Main Street in the Service Commercial (SC) zoning district. In conjunction with that approval, the applicant was required to complete the Lot Line Adjustment process.

PROJECT DESCRIPTION

The applicant requests approval of a Lot Line Adjustment to eliminate one property line, creating one parcel where two currently exist. The requested LLA would not affect land use or zoning designations and the total number of parcels would be reduced from three to two. The configuration of the existing and proposed parcels can be seen on the exhibits attached. No new or additional development is proposed. As noted, this Lot Line Adjustment application was originally approved in 1985 but not implemented; and is now required in conjunction with recent development approvals on the property.

There are currently three Assessor's Parcel Numbers, two of which have been separated for assessment purposes:

APN 009-580-016 PCSH, LLC, 1.28 acres
 APN 000-580-026 (SFAP*) PCSH, LLC, .099 acres
 APN 009-580-027 (SFAP*) Ac Credit, 0.98 acres

* Separated for Assessment Purposes

Upon approval of the Lot Line Adjustment and recordation of the new deeds and maps, there will be two legal parcels, with the potential for the two merged parcels to have a new Assessor's Parcel Number assigned:

APN 009-580-016 & -026 merged PCSH, LLC 2.27 acres

*Lot Line Adjustment Approval
 December 17, 2019*

APN 009-580-027 (no change) Ag Credit 0.98 acres
There will be no change in ownership.

PROCESS

St. Helena Municipal Code (S.H.M.C.) Section 16.08 establishes review procedures for Lot Line Adjustments. The Code specifies that a LLA map may be submitted to adjust the boundary between four or fewer existing and adjoining parcels, which does not create a greater number of lots than originally existed. Per Municipal Code Section 16.08.070, the Planning Director and the Public Works Director, may at their discretion jointly approve a lot line adjustment if the proposal is found to meet all required review criteria.

This letter serves as the approval of the requested Lot Line Adjustment. Per Zoning Code Section 16.08.070(D), this letter and a written report were presented to the Planning Commission on December 17, 2019 to establish concurrence with the Director's findings.

CONDITIONS OF APPROVAL

The lot line adjustment is granted subject to compliance with the following conditions. The Lot Line Adjustment 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

1. The lot line adjustment shall be valid for one year from the date of approval and if the revised lots are not a matter of record within that one-year period, the approval shall expire. 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 of the Lot Line Adjustment 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 approval only. New permits must be applied for upon any other change in the parcel boundaries.
3. The permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed to the Planning Commission within that 14-day period.
4. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to recordation of the approved map, 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.
5. 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.

*Lot Line Adjustment Approval
December 17, 2019*

6. 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.

PUBLIC WORKS DEPARTMENT

7. The applicant, or his/her representative, is required to request separate parcel numbers for each parcel at time of recordation with the County of Napa.
8. The applicant, or his/her representative, shall submit two (2) copies of the lot line adjustment draft deed documents' legal descriptions with the following information:
 - a. The legal descriptions shall describe the entire boundary of each resulting parcel.
 - b. The legal descriptions shall be prepared, signed and stamped by a registered Land Surveyor or a licensed Civil Engineer.
 - c. The following statements shall be included on each draft deed document:
 1. The purpose of this conveyance and the conveyances being recorded concurrently herewith is to create a lot line adjustment pursuant to California Government Code Section 66412(d) and all local subdivision ordinances.
 2. The consolidation of underlying lots, parcels or portions thereof, as set forth in the above metes and bounds description, constitutes an expressed written statement of the Grantor, merging said underlying lots, parcels, or portions thereof pursuant to Section 1093 of the California Civil Code.
 - d. The applicant, or his/her representative, shall submit two (2) copies of the title reports issued within 30 days of the date of the legal descriptions and deed form submittals.
 - e. The applicant, or his/her representative, shall submit two (2) copies of the record maps, deed documents, etc. referred to in the lot line adjustment legal descriptions.
 - f. The applicant, or his/her representative, shall submit proof of payment of the mapping services fee, as required by the Napa County Board of Supervisors Resolution 92-119.
 - g. The applicant, or his/her representative, shall submit proof of prepayment of property taxes.
9. Lenders should be contacted and any deeds of trust on the involved properties should be modified, to conform to the new boundary configurations, prior to recording the deed documents.

*Lot Line Adjustment Approval
December 17, 2019*

APPEALS

This determination is subject to a 14-day appeal period. Anyone interested in appealing this Determination shall file an appeal with the Planning Director within 14-days of the date of this letter. The letter of appeal must state: (1) the specific action objected to; (2) the action appellant requests the city council to take; (3) the reason for the appeal; and (4) the name, address, and telephone number of the appellant or contact person if there are multiple appellants and be accompanied by the appropriate fee.

Notice of this Lot Line Adjustment approval was provided to the Planning Commission on December 17, 2019.

Thank you for your attention to this matter.



Aaron Hecock, AICP
Acting Planning and Building Director
City of St Helena



Erica Smithies
Public Works Director / City Engineer
City of St. Helena

Phone: (707) 963-7565

Terra Firma Surveys, Inc.
P.O. Box 533
St. Helena California 94574

RECEIVED
 PLANNING DEPARTMENT

OCT 17 2019

CITY OF ST HELENA
 terrafirmasurveys.com

October 4, 2019

PROJECT DESCRIPTION
PCSH, LLC and American Ag Credit Lot Line Adjustment

The purpose of this Lot Line Adjustment is to “officially” complete the LLA that was proposed in 1985. Attached is the “Tentative Lot Line Adjustment” map from 1985, which is identical to the current application. In 1986, the subject property was conveyed per 1429 OR 871, which includes the standard “not for the creation of a new parcel” language. The City is unable to find the approval for this 1985 application.

The completion of this Lot Line Adjustment will result in new Grant Deeds for each parcel, each with a perimeter legal description and the City’s template language indicating their respective legal creation by Lot Line Adjustment.

There are currently three APNs, two of which are separated for assessment purposes. After the LLA, the resultant configuration will be two legal parcels.

The existing parcels and owners are:

- APN 009-580-016 PCSH, LLC 1.28 Ac.
- APN 009-580-026 (SFAP) PCSH, LLC 0.99 Ac.
- APN 009-580-027 (SFAP) Ag Credit 0.98 Ac.

This new SFAP designation between -026 and -027 came from discussions that the City had with the Napa County Assessor. The Lot Line Adjustment will eliminate this SFAP designation.

The proposed parcels and owners are:

- APN 009-580-016 & -026 – merged PCSH, LLC 2.27 Ac.
- APN 009-580-027 – no change Ag Credit 0.98 Ac.

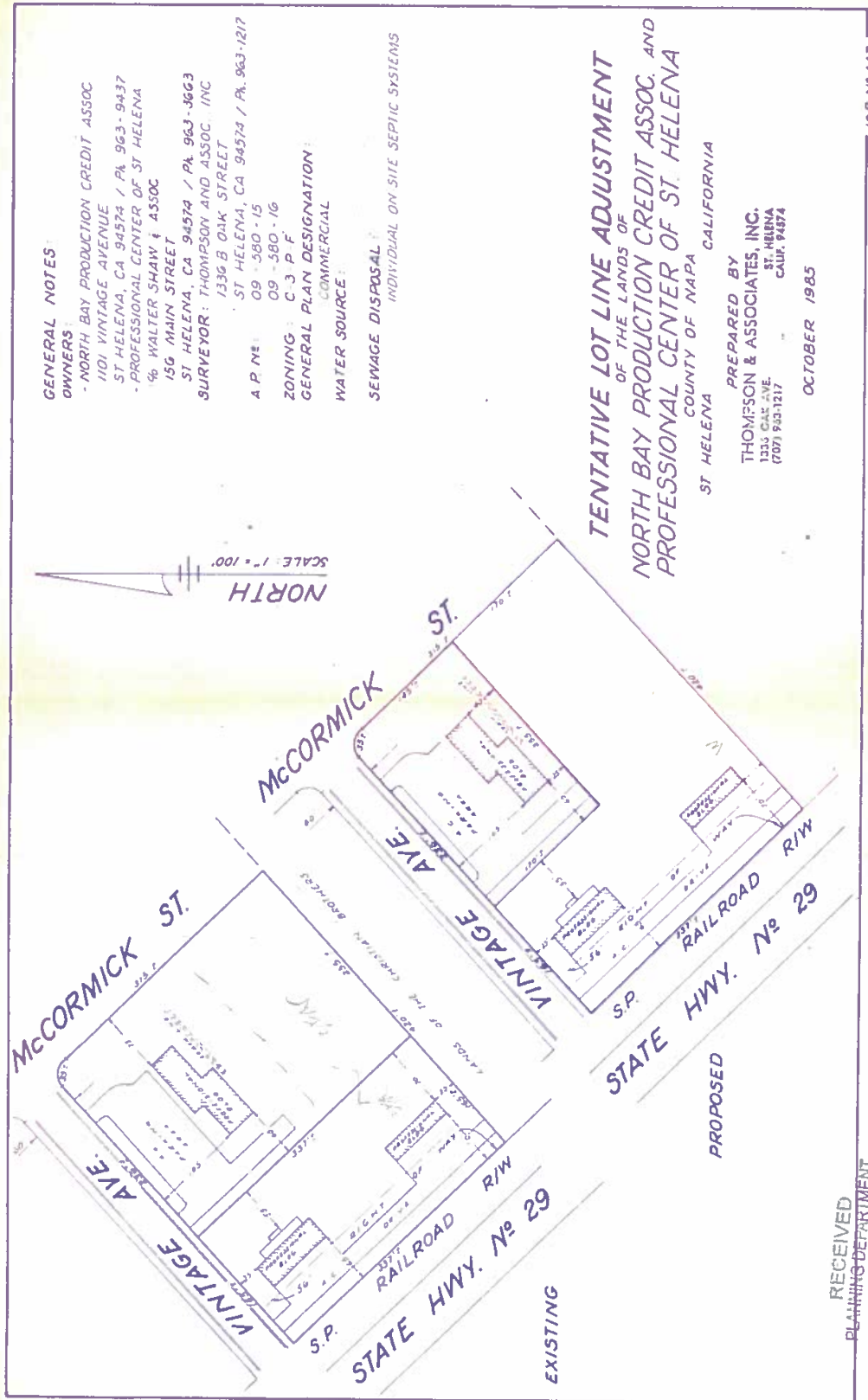
There is no change in ownership for any of the land involved in this Lot Line Adjustment. This application is a merger of parcels -016 and -026 by Lot Line Adjustment.

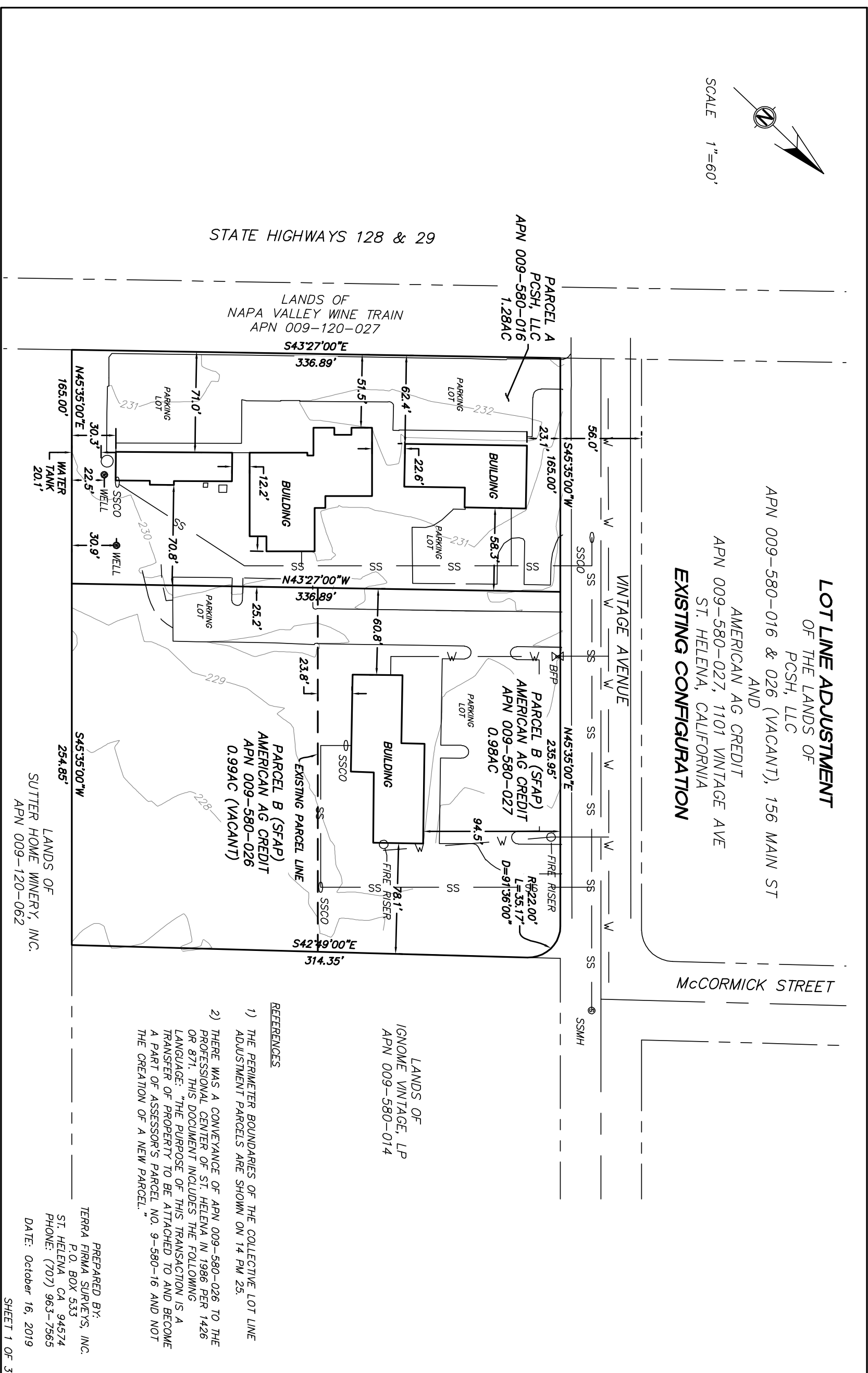
Prepared by: 

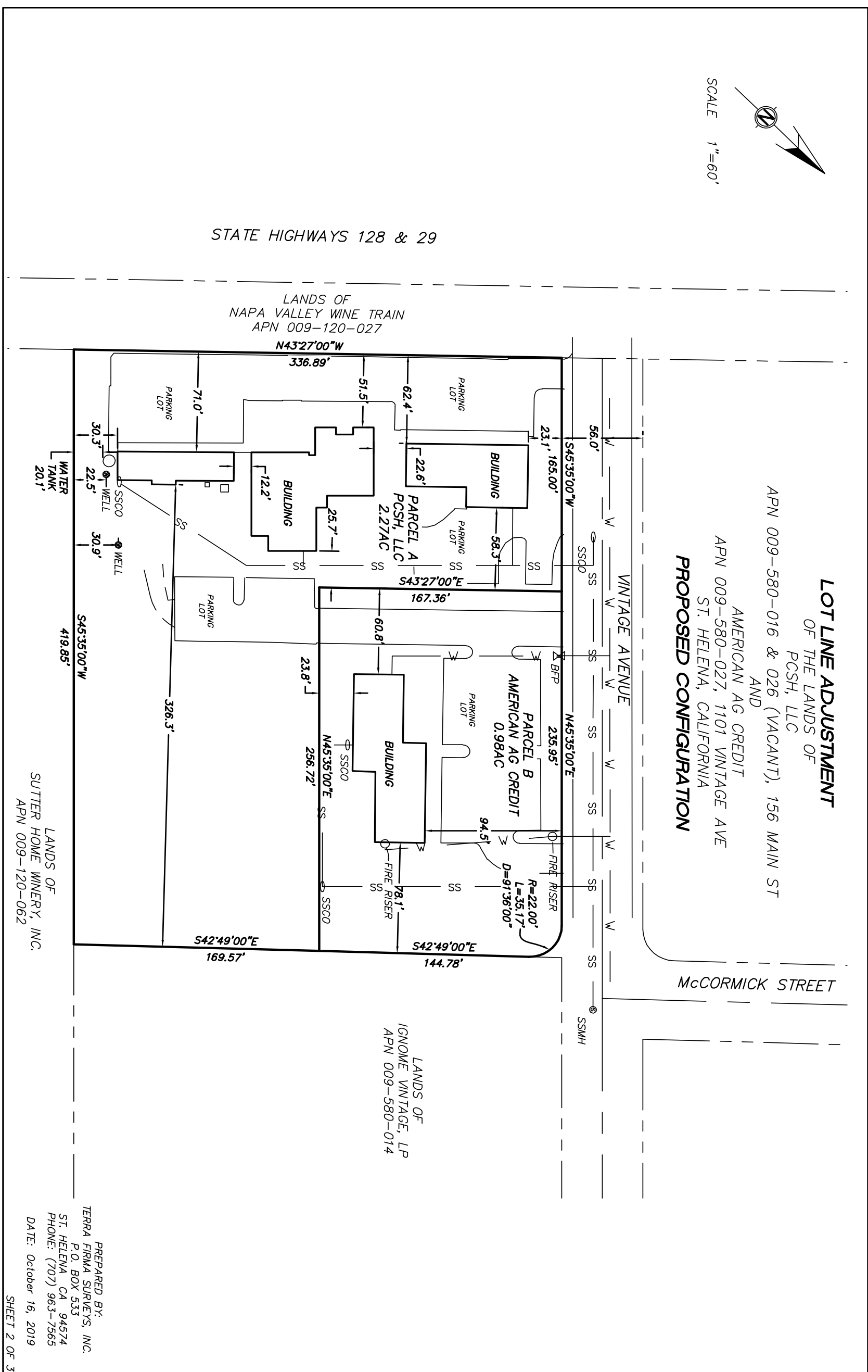
Christopher K. Cole, PLS 5769
 Terra Firma Surveys, Inc.

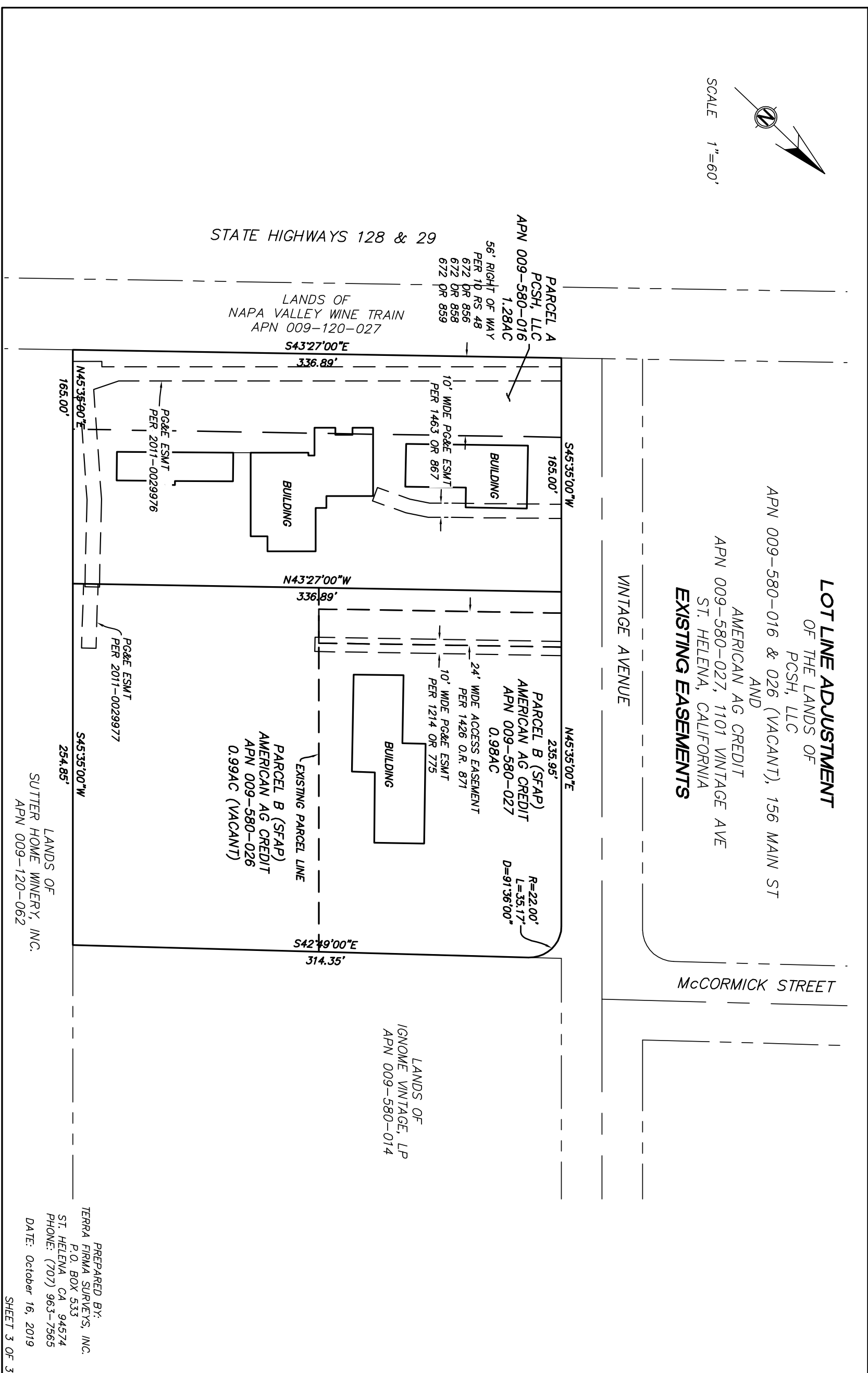
ccole@terrafirmasurveys.com

enclosure: 1985 Tentative Lot Line Adjustment Map











PLANNING COMMISSION REPORT

Planning Commission Meeting of December 17, 2019

FILE NUMBER: PL19-042

SUBJECT: The applicants request adoption of a resolution approving a Short-Term Rental Permit to rent one unit of the duplex located at 1326 Monte Vista Avenue in the Medium Density Residential District in accordance with the requirements of the Short-Term Rental Ordinance.

PREPARED BY: Aaron Hecock, Acting Planning & Building Director

REVIEWED BY: Aaron Hecock, Acting Planning & Building Director

APPROVED BY: Aaron Hecock, Acting Planning & Building Director

APPLICATION FILED: 09/09/19

ACCEPTED AS COMPLETE: 09/25/19

LOCATION OF PROPERTY: 1326 Monte Vista Avenue

APN: 009-061-024

GENERAL PLAN/ZONING: Medium Density Residential (MR)

APPLICANT: Nicole & Scott Dale

PHONE: (317) 201-9871

BACKGROUND

Several of the City's 25 short-term rental (STR) permits have become available due to a variety of circumstances including the denial of a renewal, expiring permits, and homes being sold (the permits are non-transferable). In 2016, the STR ordinance was updated and amended including the addition of a local preference policy. This addition states *"Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits."*

The applicant submitted an application, including evidence of local residency, for a STR permit on September 9, 2019. In accordance with the STR ordinance, a notice of application was sent to all residents and property owners within 300 feet of the subject parcel on September 26, 2019 informing them of the STR application and notifying them that they may submit written comments on the application. At the conclusion of the 30-day public comment period, the application was scheduled on a publicly noticed Planning Commission agenda and all residents and property owners within 300 feet were notified of the meeting.

ANALYSIS

GENERAL PLAN/ZONING

The property has a General Plan and Zoning designation of Medium Density Residential (MR). This district provides for single-family detached homes, accessory dwelling units, limited agricultural uses and other compatible uses. Short-term rentals which are defined as a use in which overnight accommodations are provided to guests for compensation for periods of less than thirty (30) days in a single-family dwelling require permit approval in the MR district.

SHORT-TERM RENTAL PERMIT

Municipal Code Section 17.134 regulates short-term rentals within the City. The purpose of the STR ordinance is to establish a permitting process and appropriate restrictions and standards for the short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city; to ensure the collection and payment of transient occupancy taxes (TOT); to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.

In accordance with Municipal Code Section 17.134.060(A), the Planning Commission shall review and either approve or deny the application after considering the effects the proposed use would have on surrounding uses and the cumulative impacts within the community. In approving a STR application, the planning commission must make the following findings:

1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.
3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.
4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.

Per Section 17.134.090 of the Short-term Rental Ordinance, a STR may be revoked by the Planning Director if any of the following occur:

1. The owner-applicant gave false or misleading information during the application process;
2. There has been a violation of any of the terms, conditions and restrictions on the use of the dwelling unit for short-term rental use;
3. The owner-applicant has violated any provision of the ordinance; or
4. The owner-applicant has failed to timely pay the transient occupancy tax as required by this code.

***Staff Response:** The City has an adopted short-term rental ordinance that allows for a maximum of 25 short-term rental permits in the City; 4 of the 25 permits are currently available. Furthermore, short-term rentals are a permitted use (with an approved permit) within the MR district. The City would also benefit from Transient Occupancy Tax (TOT) revenue collected from an active short-term rental permit holder.*

The applicant has stated they are a full-time city resident and provided evidence as such (i.e., water bill, driver's license, tax records, etc.), with the subject property being their primary residence. They have also owned the home for more than 3 years (purchased in 2015). Additionally, the proposed STR location has two (2) required off-street parking spaces and is five (5) bedrooms or less (it is a 2 unit duplex with 2 bedrooms in each unit). The application meets all the criteria established by the City Council for a preferred permit holder.

CEQA

The project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

ISSUES

Staff has not identified any outstanding issues that require further discussion.

CORRESPONDENCE

Staff received seven (7) letters of support and one (1) letter of opposition regarding this application. These letters are attached to this report for review.

STAFF RECOMMENDATION

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

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15061(B)3; and
2. Approve a resolution allowing for a short-term rental permit at 1326 Monte Vista Avenue.

ATTACHMENTS

[Resolution](#)
[Written Statement](#)
[Site Plan](#)
[FloorPlan](#)
[STR location map 2019](#)
[cmnt B. Anderson](#)
[cmnt Dobberstein](#)
[cmnt Hague](#)
[cmnt Iacobacci](#)
[cmnt M. Anderson](#)
[cmnt Sherry](#)
[cmnt Stephenson](#)
[cmnt Tate](#)

**CITY OF ST. HELENA, STATE OF CALIFORNIA
RESOLUTION NO.
GRANTING A SHORT-TERM RENTAL PERMIT TO
1326 Monte Vista Avenue (#PL19-042)**

PROPERTY OWNER: Nicole & Scott Dale

APN: 009-061-024

RECITALS

- A. On September 9, 2019, the applicant submitted an application for a short-term rental permit at 1326 Monte Vista Avenue in the Medium Density Residential (MR) district;
- B. Subsequently, staff confirmed the applicant's eligibility to apply for a short-term rental permit under the short-term rental ordinance's Restrictions and Standards (Municipal Code Section 17.134.040);
- C. In accordance with the short-term rental ordinance, a Notice of Application was sent to all residents and property owners within 300 feet of the subject parcel on September 26, 2019 informing them of the short-term rental application and notifying them that they may submit written comments on the application;
- D. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law;
- E. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on December 17, 2019; and
- F. Now, therefore let it be found that, the Planning Commission approves the Short-term Rental Permit based on the findings below and subject to the conditions of approval enumerated herein.

RESOLUTION

- A. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
- B. The Planning Commission hereby finds that the Short-Term Rental Permit application complies with the following required findings pursuant to Section 17.134.060 of the St. Helena Municipal Code:
 - 1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock in that the City Council has adopted a short-term rental ordinance limiting the number of permitted short-term rental in the City to twenty-five (25).
 - 2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural,

1326 Monte Vista Avenue
Short-term Rental Approval
December 17, 2019

architectural or engineering interest or value of a historical nature in that no modifications to a structure will occur as a result of a short-term rental permit being issued.

3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses in that the short-term rental would operate occasionally when the property owner is away for work, but would otherwise be occupied by a long term resident.
4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes in that an additional rental space will become available.

C. The Short-Term Rental Permit for the above described property is granted subject to compliance with the following conditions.

CONDITIONS OF APPROVAL

1. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. Pursuant to the St. Helena Municipal Code, Section 17.134.040. Short-Term Rentals shall be subject to the following restrictions and standards:
 - a. The short-term rental use shall be permitted in no more than one dwelling per lot.
 - b. The short-term rental permit shall be in the name of the owner-applicant, who shall be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit shall not be transferable.
 - c. Short-term rental uses shall be limited to dwellings existing and constructed as of the date of application for the short-term rental permit.
 - d. The total number of permits for short-term rental dwellings shall not exceed twenty-five (25) at any time.
 - e. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than two (2). The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms plus two persons, up to a maximum of six (6) persons.
 - f. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental activity can occur.
 - g. A minimum of two (2) on-site parking spaces shall be provided for use by the short-term rental occupants.
 - h. The owner-applicant shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns

1326 Monte Vista Avenue
Short-term Rental Approval
December 17, 2019

regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.

3. The owner-applicant shall post "house policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum shall include the following provisions:
 - a. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.
 - b. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.
 - c. Except as permitted by the planning director, vehicles shall be parked in the designated on-site parking area and shall not be parked on the street overnight.
 - d. Parties or group gatherings which exceed the maximum number of allowed guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
4. Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
5. The owner-applicant shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
6. The owner-applicant, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
7. All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.

8. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter 3.28 as required.
9. Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits.
10. Applicants for short-term rental permits are required to have owned their homes for a minimum of three years prior to applying for and being issued a short-term rental permit.
11. Short-term rental permit holders are required to rent their properties on a short-term basis a minimum (average) of sixty (60) days per year. Individual permit holders who do not meet this minimum rental activity may (at the determination of the director) have their renewal denied and/or reviewed by the planning commission at a noticed public hearing. Short-term rental permit holders who utilize their primary residence for short-term rental activities are exempted from this requirement.
12. This permit is valid for 2 years and the owner must reapply for subsequent short-term rental permits to extend the use beyond this period. It is the applicant's responsibility to apply for renewal, no notice will be provided from the City.
13. 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.

I HEREBY CERTIFY that the foregoing short-term rental 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 December 17, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Aaron Hecock, AICP
Acting Planning and Building
Director

*1326 Monte Vista Avenue
Short-term Rental Approval
December 17, 2019*

Scott and Nicole Dale
1326 Monte Vista Avenue
St. Helena, CA 94574

September 9th, 2019

Planning Department
1480 Main Street
St. Helena, CA 94574

To Whom It May Concern,

Thank you for accepting our application for a Short Term Rental permit for our property at 1326 Monte Vista Avenue. This is a duplex in which we live in Unit B full time and are applying for a permit to rent unit A.

We are perfect candidates for a STR permit. Scott grew up here in St. Helena and has been a member of the Volunteer Fire Department for six years. For five and seven years respectively, we have worked full time for small family owned wineries in St. Helena. In our hospitality positions, we act as great ambassadors to our city encouraging guests to explore our town- stay, eat, and shop here.

Income generated from renting our unit would go back to supporting local businesses in town. As we share a wall with the proposed unit, we are extremely confident in our ability to enforce the house policies set by the city.

Earlier this year we gave birth to our first child and while we absolutely love living in this amazing place, the cost of child care on top of the high cost of living makes it a challenge to remain living here. We simply want this permit so that we can support our growing family and stay as active members of this wonderful community.

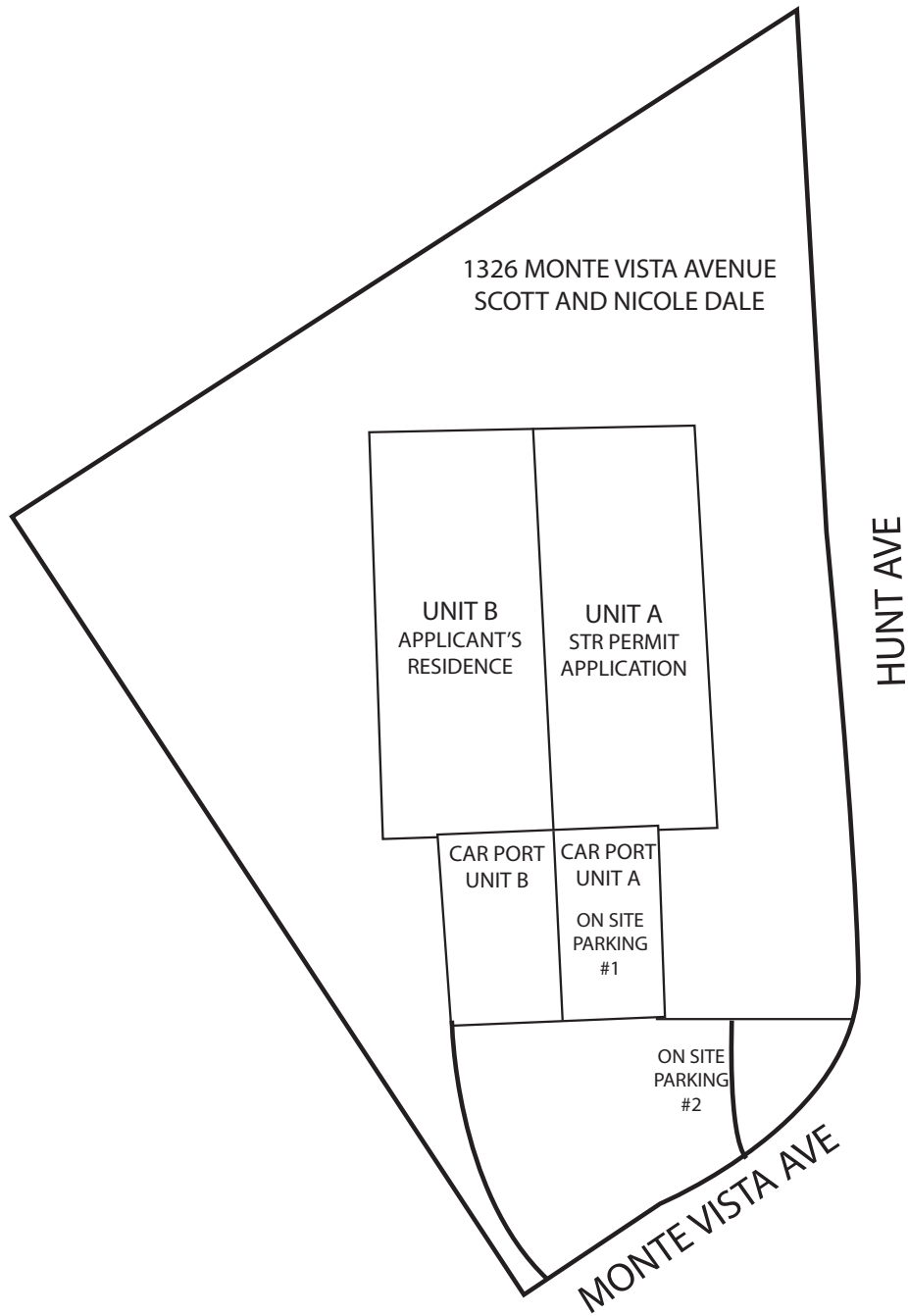
Best Regards,



Scott Dale

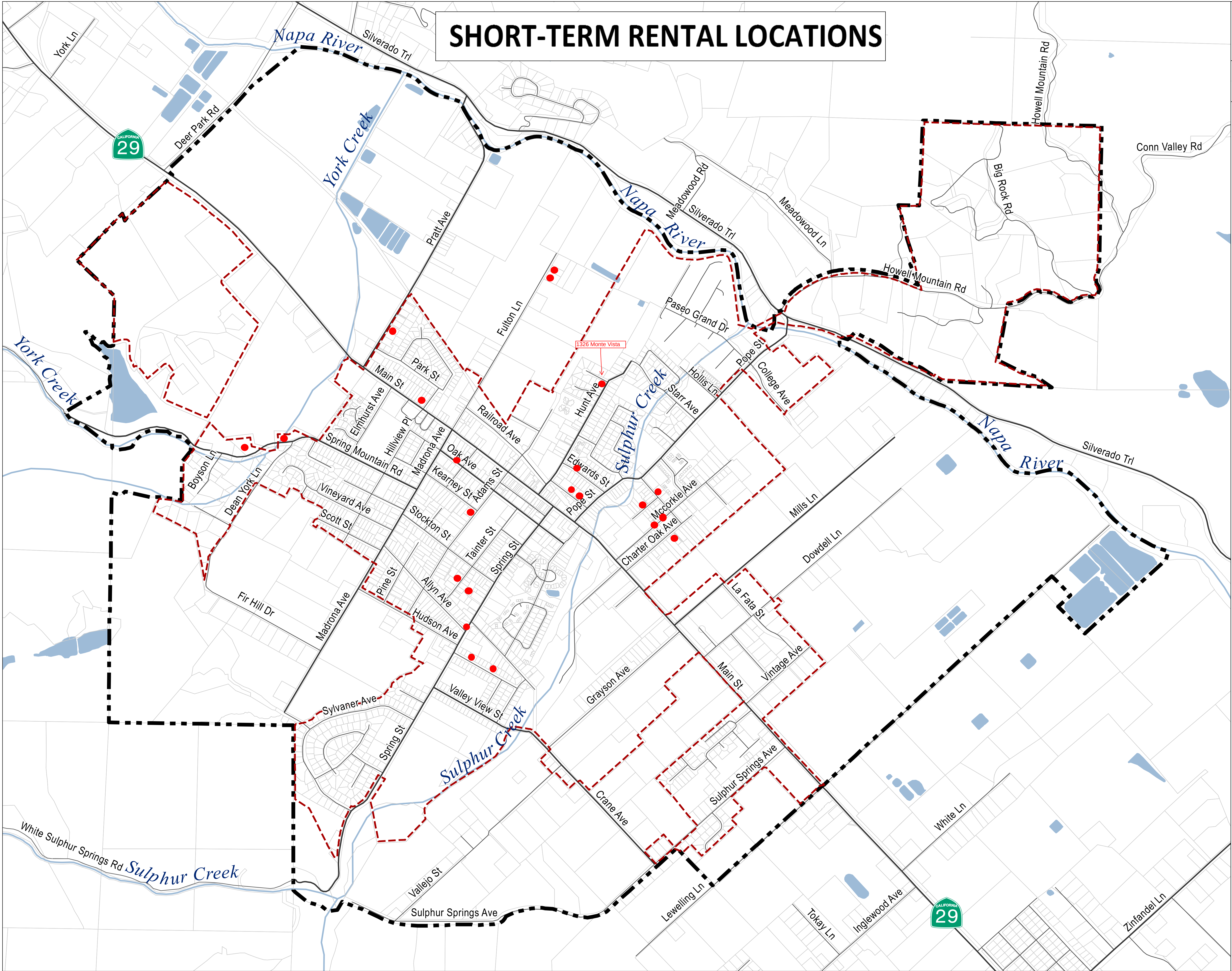


Nicole Dale





Agenda
Item
#5.1.



CITY OF ST. HELENA

Base Map

LEGEND

- Major Roads
- Local Roads
- River/Stream/Creek
- Water Bodies
- Parcels
- St. Helena City Boundary
- Urban Limit Line
- Short-term Rental Locations (approximate)

0 250 500 1,000
FEET

NORTH

SAINT HELENA

Aaron Hecock

From: Brittany Anderson <britt@mtgawines.com>
Sent: Tuesday, October 08, 2019 12:28 PM
To: Aaron Hecock
Subject: Letter in Support of Dale STR

Hi Aaron!

I hope this email finds you well. I have heard about the short term rental issue in St Helena through a couple of dear friends of mine who looking to have their application approved for a short term rental unit.

I know there is a strong community push to avoid companies like AirBnB, VRBO or other sites. To be honest I haven't chatted with any of these folks, but I am not sure why they would be against them and why we would limit guests from visiting and staying in our great town. St. Helena still has the least amount of rooms available when compared to other cities in the valley. People are mostly now just driving through St. Helena instead of staying and putting money back into our town! It's been quite disheartening over the past 14 years of my living here in our amazing town to see it dwindle down in businesses and tourism.

My husband (and local winemaker & business owner!) Mike and I frequently utilize Airbnb's when we travel. It is an amazing way to travel and provided us with the ability to see new parts of the country, world and spend our money on experiences rather than just on a room. Based on my experience in utilizing short term rentals they have only provided a boon to communities and businesses so it hard for me to even consider the alternative opinion, especially if someone hasn't personally utilized one of the short term rental services.

I have proudly been a resident of St. Helena since July of 2005 and I have no plans of living elsewhere - ever. And seeing two great people and dear friends like Nicole and Scott Dale who want to live in and support this town like my family did is amazing. They live, work and support this awesome place and I know they would be amazing hosts to any guests that stay in their unit. Not to mention Scott Dale has been a part of the SHFD for many years and they actually live next door to the unit in question so they would be able to keep an eye on its guests. We are hopeful that you all make the right decision for them!

Thank you for taking the time to read!

Best,
 Brittany

--
 Brittany Anderson | HBIC
 MTGA Wines
 Cell: 775.544.5376
www.mtgawines.com

Aaron Hecock

From: James R. Dobberstein <jim@SLDCPA.com>
Sent: Friday, October 04, 2019 8:18 AM
To: Aaron Hecock
Subject: Dale application for short term rental permit

Aaron,

As the owner of 1327 Monte Vista Ave I wanted to communicate to you our full support of Scott and Nicole Dale's application for one of the short term rental permits of the City.

Besides their "story" of a young family trying to afford to live in the beautiful city of St Helena and wanting to raise a family there (which is a great story) the area and the street would be a perfect venue for a short term rental under the circumstances that they outline.

I would advocate doing what needs to be done to ensure they are awarded a s/t rental permit.

My best,

Jim Dobberstein



James R. Dobberstein, CPA | Managing Principal
 Shea Labagh Dobberstein - Certified Public Accountants & Advisors
 44 Montgomery Street, Suite 3200 | San Francisco, CA 94104
Direct & eFax 415.869.5555 | **Main** 415.397.4444 | **Fax** 415.981.0898

[Click to access my downloadable contact information](#)



Local Knowledge, Global Presence



Note from Jim Dobberstein, Managing Principal: "Excellent client service from our accountants and advisors is our primary objective. Please call or write me directly if you have any comments: jim@sldcpa.com | 415.397.4444. Thank you."

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Aaron Hecock

From: Kevin Hague <khague@barnettvineyards.com>
Sent: Tuesday, October 22, 2019 4:40 PM
To: Aaron Hecock
Subject: Support for Dale Family STR Application

Aaron Hecock
City of Saint Helena

Dear Aaron,

I am writing to express my ardent support of Nicole and Scott Dale in receiving a STR permit for their property on Hunt Avenue.

Nicole and Scott are ideal recipients of this permit as this potential rental property is both private and discreet, directly attached to their main residence so they will additionally have keen supervision over its use. It is simply perfect for at most two couples looking for a comfortable and personalized experience while enjoying our vibrant community. As they have both been particularly hospitable to many of us in the permanent community of St. Helena, we know they would delight in offering a part of their home to occasional guests, and likely members of the trade as well. In addition, writing as someone who has enjoyed short term rentals in other destinations, I would like to mention that the rareness of the experience truly enhances the perception of any travel destination through providing a down-to-earth insider's perspective. They as budding members of our active community having just started a family, and with Scott as an active member of our local Fire Department, surely they will lend just such a perspective!

While permits to be able to provide this should necessarily be special and reserved for ideal recipients, Nicole and Scott are such a couple -- they are exceedingly warm and generous, will inevitably share lasting impressions with guests, and are sure to respect our neighborhood in the process.

I thank you very much for your consideration on their behalf.

Sincerely,

Kevin Hague
1154 Hudson Ave

Kevin Hague
Barnett Vineyards
o/ (707) 963-7075
m/ (707) 363-5717

Aaron Hecock

From: stephanie iacobacci <stephanie.iacobacci@gmail.com>
Sent: Friday, October 18, 2019 8:25 AM
To: Aaron Hecock
Subject: Letter in support of Dale STR

Good Morning Aaron,

I wanted to reach out to express my support over Scott and Nicole Dale's request for a STR in St Helena. The Dale's have been long time friends of ours, as Scott Dale has served on the local Fire Department for many years and grew up in St Helena. Both Scott and Nicole are active in their community and support local events/programs which make St Helena what it is! (Bocce, music in the park, Harvest Festival, volunteering, etc) We've watched Scott and Nicole rent half of the current duplex they now own, and then move on to buy the duplex from the previous owners when it went on the market. They are two young locals, who just started a family and intend to live in St Helena long term and raise their kids here.

The unit they are looking to turn into a STR is small, i know this because they used to live in the small space and now live on the other side of the duplex. You can hear the opposing side of the duplex, so there is no doubt that the Dales will be cognizant of STR's noise. I spend a lot of time at the Dale's home, and the location in combination with Scott and Nicole's full time residency at the STR makes the request a perfect fit.

I could not think of a more fitting couple to have an STR, for the following reasons:

1. There is thin wall between the STR and the Dale's family home, therefore they will be very cognizant of noise from the STR.
2. They are raising a family next door FULL TIME to the STR and will be in control of the activity of the STR as they wouldn't want any disruptive behavior to occur either.
3. The unit is small and can not accommodate many people or cars.
4. Requestors care about their community and would ensure the property stay taken care of.
5. Approving the STR provides the city tax revenue and keeps another local family LIVING in St Helena Full time by allowing them to collect extra income to support the high cost of living.

--

Be Well and Do Well,

Stephanie Iacobacci
 1417 Tainter Street
 St Helena, CA 94574

Aaron Hecock

From: Mike Anderson <mike@mtgawines.com>
Sent: Monday, October 07, 2019 7:40 AM
To: Aaron Hecock
Subject: Letter in Support of Dale STR

Hi Aaron!

I hope this email finds you well. I have heard about the short term rental issue in St Helena through a couple of dear friends of mine who looking to have their application approved for a short term rental unite

I know there is a strong community push to avoid companies like AirBnB, VRBO or other sites. To be honest I haven't chatted with any of these folks, but I am not sure why they would be against them and why we would limit guests from visiting and staying in our great town. St. Helena still has the least amount of rooms available when compared to other cities in the valley. People are driving down Main St. to get to Calistoga or maybe just making their way into Napa or Yountville and staying. It isn't quite a revolving door of business on Main St. but there have been more than a few business that have struggled or rolled up shop over the last couple years, most recently Cook Tavern which is shutting down.

When my wife and I travel we constantly rely on AirBnB for reasonable lodging in cities where the hotel prices are steep. It is an amazing way to travel and provided us with the ability to see new parts of the country, world and spend our money on experiences rather than just on a room. Based on my experience in utilizing short term rentals they have only provided a boon to communities and businesses so it hard for me to even consider the alternative opinion, especially if someone hasn't personally utilized one of the short term rental services.

I grew up in St. Helena on Colombard Ct and currently live off of McCorkle Ave. Seeing two great people like Nicole and Scott who want to live in and support this town like my family did is amazing. They live, work and support this awesome place and I know they would be amazing hosts to any guests that stay in their unit.

Thank you for your time!
Mike

--
Mike Anderson
Owner/Winemaker
MTGA Wines
707.337.9168
mike@mtgawines.com

Aaron Hecock

From: Laurel Sherry <mynameislaurel@gmail.com>
Sent: Saturday, October 26, 2019 2:34 PM
To: Aaron Hecock
Subject: Letter in support of Dale STR

Good afternoon,

I'm writing today in support of Nicole and Scott Dale's application for a short term rental permit. As a local, I fully support them because I know that they are full time members of this community. I also know that they live adjacent to the perspective short term rental (two bedroom) and it isn't a matter of a house just sitting empty then being filled with random people.

Scott and Nicole are engaged members of St Helena. Scott is on the fire department, they both work at local wineries and have their families nearby. Beyond that, they have a beautiful 6 month old baby girl.

I know that they care about our community and I know that they are keen to help others see what a special place this is.

Please feel free to get in touch if I can give further information.

Kind Regards,

Laurel Sherry
1000 Brown St. #1
St Helena, CA 94574

Sent from my iPhone

October 10, 2019

Mr. Aaron Hecock
Interim Planning & Building Director
Planning & Community Improvement Dept.
1480 Main Street
St Helena, CA 94574

Dear Aaron,

I would like to comment, as a private citizen, on the short-term rental application submitted by Scott and Nicole Dale for their property located at 1326 Monte Vista in St Helena. I know the Dale family personally so it is hard for me to come out against this application but I feel it is important for the City to reject this request.

St Helena is experiencing a significant housing shortage, particular in the rental arena. The average rent for a 2-bedroom apartment is \$1809 and 36% of the local residents do not make enough money to pay this rent. (Source: 2019 City White Paper on Housing). Also, there are currently 22 FEWER apartments in St Helena than there were in 2010. (Source: US Census & OTSH compiled data). In addition, our town is losing moderate-priced housing at an alarming rate as more homeownership properties become second homes. Given these conditions, taking even one rental unit out of circulation for a short-term guest rental does not seem like a good idea.

My husband and I own 12 rental units on Monte Vista. 1326 Monte Vista is a duplex located on this one-block long street that has 11 buildings containing over 50 rental units. These units provide a significant amount of apartments at reasonable rents for working families in St. Helena. There is a high demand for these units and finding qualified applicants is not difficult, so I do not think the applicants will suffer from a high vacancy rate if they continue to rent their unit which, in my opinion, can garner a higher than the \$1809 quoted above.

I certainly understand why Scott and Nicole are considering this option as an additional source of revenue and I feel bad that I feel the need to oppose their application. There are properties in St Helena that are more appropriate for a short-term rental license. I hope you will not take an existing rental unit out of circulation.

Sincerely,

Mary Stephenson
2683 Chablis Court
St Helena, Ca 94574
707 849 2583

cc: Scott and Nicole Dale

Aaron Hecock

From: Suzanne Tate <suzanne@tatewine.com>
Sent: Monday, October 21, 2019 10:46 AM
To: Aaron Hecock
Cc: David Tate
Subject: In Support of STR for Nicole and Scott Dale

Hello Aaron,

Our friends and colleagues (David Tate works with Nicole Dale at Barnett Vineyards) are applying for a short term rental for their property in town and we would like to express our support for this venture. As short term rental owners ourselves, we understand the how tricky these approvals can be and what concerns will most likely be brought up from the community. We are of the opinion that Nicole and Scott are the ideal candidates for a permit and hope that our commission and community support their application when it is presented.

They are both committed to St. Helena with both Scott and Nicole working for local wineries and they make it their mission to promote our town and all that it has to offer. I cannot tell you the number of times that I have encountered a visitor that has had the pleasure of being hosted by either Scott or Nicole at their respected wineries having dinner at Market or happy hour at Farmstead or an English muffin at Model Bakery all because the Dales made the recommendation. It is clear that they both want to see our town and our community thrive and we feel that their short term rental would be an incredible extension of their hospitality and commitment to the respectful growth of St. Helena.

Scott is also a member of the St. Helena volunteer fire department and their daughter Charlotte was born this year and they plan to raise her here in the community and school system. If you walk downtown most weekends, you are bound to run into this fantastic couple walking their golden retriever and, quite honestly, saying hello to everyone. With so much of our real estate turning in to second and third home properties, allowing the Dales to run their second unit while living on property will allow this working family to grow and stay local while so many young families are having to look elsewhere to gain access to real estate.

We hope that our Planning Commission sees that this application meets all of the strict requirements laid out by our City for a Short Term Rental and approves Scott and Nicole Dale's Short Term Rental.

Best Regards,

David & Suzanne Tate
 1764 Spring Street
 St. Helena, CA 94574
 (operators of a STR for over two years at the same location)

Suzanne Tate



1309 Main Street, Suite C
 St. Helena, Napa Valley
 713.560.3031 Mobile

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

From: Elliot Bell <elliotgbell@gmail.com>

Sent: Friday, December 13, 2019 12:32 PM

To: Aaron Hecock <ahecock@cityofsthelena.org>

Subject: Letter in Support of Dale STR

Hello Mr. Hecock,

My name is Elliot Bell, my wife Katy Bell and myself will soon be close neighbors of the Dales, we are moving from Sulphur springs over to Edwards st. We wanted to reach out in support of their short term rental, I think they would do an excellent job of hosting guests to St Helena. We believe it is important to attract tourism to St Helena's main St. And locals like the Dales are excellent stewards of our community.

Thank you for your time and consideration, The Bells

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

From: Vickie Bradshaw <vbradshaw@calstrat.com>

Sent: Thursday, December 12, 2019 9:34 AM

To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>

Subject: Short Term Rental Permit — 1326 Monte Vista

To the Members of the Planning Commission:

My name is Victoria Bradshaw and I am a resident of St Helena and probably the closest neighbor to Nicole and Scott Dale. I strongly support their application for a short-term rental permit. Nicole and Scott are not only great neighbors, but just the kind of family this city both wants and needs. I have no doubt they will appropriately monitor such rentals and will responsibly listen to any concerns that may arise.

I again ask you to grant their application for a short-term rental permit.

Thank you,

Victoria Bradshaw.



PLANNING COMMISSION REPORT

Planning Commission Meeting of December 17, 2019

FILE NUMBER: PL19-050

SUBJECT: Request by William Pacific Enterprises LP for a one-year extension on the Use Permit approval received on December 18, 2018 to allow a wine bar with limited food and retail sales and accessory administrative office space located at 1299 Main Street, Suite A, in the CB: Central Business Zoning District.

PREPARED BY: Xinia Gamero, Administrative Assistant

REVIEWED BY: Aaron Hecock, Acting Planning & Building Director

APPROVED BY: Aaron Hecock, Acting Planning & Building Director

APPLICATION FILED: 10/31/19

ACCEPTED AS COMPLETE: 11/18/19

LOCATION OF PROPERTY: 1299 Main Street, Suite A

APN: 009-250-015

GENERAL PLAN/ZONING: Central Business (CB)

APPLICANT: William Pacific Enterprises
LP

PHONE: 415-794-3599

BACKGROUND

On December 18, 2018 the applicant received use permit approval (PC2018-044 attached) to operate a 30 seat wine bar with limited food and retail sales and accessory administrative office space, located at 1299 Main St, Suite A (please see attached staff report for additional details). Per St. Helena Municipal Code Section 17.08.120, a permit (i.e. use permit, variance, etc.) or other discretionary approval is valid for a period of one year from the date such approval becomes effective. As such, the applicant has applied for a one-year extension of their use permit approval.

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 outlines in CEQA Section 15300.2. The project 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/ ZONING

St. Helena Municipal Code Section 17.08.130 relates to the extension of permits and approvals and states that:

"Provided that an application is filed at least thirty (30) days prior to its expiration date, a permit (i.e., use permit, variance, etc.) or other discretionary approval, excluding planned development permit, may be extended for not more than two one-year periods, or for as long as any subdivision concurrently approved is extended, whichever is longer. The procedure and findings for the approval of an extension shall be that required by this title for the original permit or approval. Such extensions may be granted subject to additional conditions or amendments; however, if the permit or other discretionary approval is no longer in conformance with this title, general plan, or other city regulations, no extension shall be granted. A permit or other discretionary approval shall remain valid during the time an application for an extension is processed and considered by the appropriate decision-making body."

As the Use Permit was approved by the Planning Commission at a public hearing, per the code section above, any extension must be approved by the same process. Therefore, this extension request is before the Planning Commission for consideration at a noticed public hearing. *Note: although use permit was approved December 18, 2018, a permit or other discretionary approval doesn't become effective until the day following the expiration of the appeal period (14 days later), so the term of the original permit began on January 2, 2019.

The subject property conforms with a land use designation of Central Business (CB) per the 2040 General Plan Update. General Plan policies applicable to the proposed wine bar are:

- **LU3.1-** Strengthen the downtown as the City's social and cultural core, and as the primary center of retail services. Facilitate a healthy mix of retail and commercial uses, residential development, entertainment, and lodging.
- **LU3.5-** Ensure that new retail and commercial development is compatible with and complementary to St. Helena's small-town image. In addition, within the City's Central Business District, new retail and commercial development should be of scale and type that complements the historic character.

- **ES1. 5-** Encourage commercial uses that provide basic, everyday shopping and services for residents.
- **ES2.1-** Support the development of a responsible visitor-serving component to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development.
- **ES2.2-** Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.

Staff Response: *Staff is of the opinion that the proposed project is consistent with the 2040 General Plan Update policies listed above.*

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 is of the opinion that the proposed project is consistent with the required use permit criteria listed above.*

ISSUES

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

CORRESPONDENCE

As of the completion of this report, no correspondence has been received by staff regarding the proposed application.

STAFF RECOMMENDATION

Staff has no concerns over the proposed extension and 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 the first of two possible one-year use permit approval extensions for the proposed project located at 1299 Main Street, Suite A.

ATTACHMENTS

[Resolution](#)

[Resolution PC2018-044](#)

[Site Plan](#)

[2018 Staff Report -1299 Main Street, Suite A](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2019-0XX

**GRANTING APPROVAL OF A USE PERMIT EXTENSION
TO ALLOW A WINE BAR LOCATED AT 1299 MAIN STREET, SUITE A (File No. PL19-050)**

PROPERTY OWNER: WILLIAM PACIFIC ENTERPRISES LP

APN: 009-250-015

Recitals

1. On September 19, 2018, W&W Four Seas Partnership submitted an application for a Use Permit to allow the operation of a wine bar at 1299 Main Street, Suite A in the Central Business Zoning District; and
2. On December 18, 2018, the Planning Commission of the City of St. Helena, State of California, considered and approved the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing; and
3. On October 31, 2019, William Pacific Enterprises LP submitted an application for a one-year Use Permit Approval Extension; and
4. On December 5, 2019, 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
5. A staff report dated December 17, 2019, and incorporated herein by reference analyzed the projects consistency with the Use Permit Extension criteria, and all other applicable City regulations, as enumerated in multiple sections of the City of St. Helena Municipal Code, and
6. This is the first of two possible extensions and this extension will expire January 2, 2021.
7. Now, therefore let it be found that, the Planning Commission approves the requested Use Permit Extension on the following basis:

Resolution

- A. The project is categorically exempt from the requirements of CEQA pursuant to Section 15301, which exempts the leasing, use and operation of activities from existing uses under a Class 1 Categorical Exemption. 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. Let it be further resolved that the Planning Commission has considered the findings identified in Municipal Code Section 17.168.050 to support the motion to approve the Use Permit Extension given that the project has been found to demonstrate:

1. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community given that the proposed operation of a wine bar is not identified as a source of any of these impacts;
2. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses, given the proposed methods and hours of operations and the limitations of the zoning code, the noise ordinance and the proposed hours of operation;
3. That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan in that the proposed use is located within an existing space in downtown, the City's social and economic core which is surrounded by adequate circulation and parking facilities;
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 given the proposed hours and scale of the approved operation, the conditions placed on the use, and the capacity of the City's service providers;
5. That the proposed use would provide adequate ingress and egress to and from the proposed location given the existing automotive, bicycle and pedestrian amenities and circulation infrastructure serving the project site and surrounding downtown;
6. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy is specifically found given that the use is intended to bolster the local economy by occupying an existing vacant storefront with a use to serve both visitors and locals alike, providing additional options for evening entertainment in the St. Helena downtown;
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 given that the Central Business District is the economic and social center of the City, and this use is identified as bolstering and supporting this area through the occupation of an empty storefront in an existing multi-tenant building;
8. That the proposed use would not be in conflict with the city's general plan given the intent of the use to support the downtown, offering services to both locals and tourists alike;

9. That the proposed use would not be injurious to public health, safety or welfare is fully supported given the limitations on the operation, the ability of the City to serve to provide services and the overall context surrounding the business location which puts people and service providers in near proximity;
 10. That granting the use permit extension 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 is found given that each food and beverage use is specifically reviewed by both the Planning Commission and City Council, their approvals are based on the individual characteristics of each use and location and they are given full discretion in their actions on each;
 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 given that the site is served by eleven dedicated parking spaces; surrounded by multiple public parking locations and is located in the City's Parking Impact Area where special attention to the parking needs of each use is given;
 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use is specifically found given the location's proximity to the City's circulation network, the operational characteristics of a wine bar and the limitations placed on the approved use. (Prior code § 27.439)
- C. Now therefore be it further resolved that a Use Permit Extension 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. 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. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for any improvements necessary to implement the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit decision or these approvals shall expire; provided however that the approved Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
3. This permit is valid for this use only. New permits must be applied for any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.

4. The Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
6. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
7. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

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

8. 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.
9. 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.
10. Provided they are in general compliance with the approved Use Permit, minor modifications found to be in substantial conformance with the approved use may be approved by the Planning Director.
11. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
12. 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.

13. Construction documents shall be in compliance with approved plans and exhibits.
14. A business license is required for any new business or relocation of an existing business.
15. Where the Central Business District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
16. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
17. This action approves the operation of a 30-seat wine bar, as defined and regulated under the City of St. Helena Eating and Drinking Establishment land use definition. Service of wine and beer is permitted however sprits (liquor beverages) are prohibited from being offered. This action is contingent upon City Council approval of an expansion of the "restaurant seat cap".
18. Light food service is required to be provided in conjunction with the approved use. Said food may be prepared on- or off-site, however all requirements of the Napa County Environmental Health Department shall be met.
19. Accessory retail sales of wine and beer for off-site consumption are permitted to occur from the project location.
20. Separate from the day-to-day operations of the wine bar, this action permits one event per month to be held on site and said events are subject to all limitations and requirements of the St. Helena Municipal Code. Any amplified music associated with these events is required to obtain an amplified music permit from the St. Helena Police Department and shall meet the requirements of the Noise Ordinance.
21. Allowable hours of operation are 11:00 am to 11:00 pm, seven days per week.
22. Outdoor seating which does not increase the overall number of seats beyond 30 is available subject to the issuance of an Outdoor Dining Permit from the City of St. Helena.
23. 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

24. Approval of this project shall be subject to the requirements of, and any public serving 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.
25. 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.
26. 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.
27. Any existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
28. An encroachment permit shall be required for any work performed in the public right-of-way.
29. Per SHMC Section 17.48.090 E. 1., overall wastewater generation from the project site is limited to 600 gallons per day. If future uses located on the subject property wish to exceed this limitation, this must be specifically required through a subsequent Use Permit or Use Permit Amendment application and approval.

Fire Department Conditions of Approval

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

Building Department Conditions of Approval

32. A building permit is required for all onsite demolition, construction and/or change of occupancy.
33. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.
34. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
35. The applicant shall provide a construction waste management plan with the building permit application.
36. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
37. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
38. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
39. 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.
40. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing Use Permit and Design Review was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 17, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Aaron Hecock,
Interim Planning and Building
Director

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2018-044

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A USE PERMIT
TO ALLOW A WINE BAR LOCATED AT 1299 MAIN STREET, SUITE A (File No. PL18-069)**

PROPERTY OWNER: W&W FOUR SEAS PARTNERSHIP APN: 009-250-015

Recitals

1. On September 19, 2018, W&W Four Seas Partnership submitted an application for a Use Permit to allow the operation of a wine bar at 1299 Main Street, Suite A in the Central Business Zoning District; and
2. On December 8, 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 December 18, 2018, and incorporated herein by reference analyzed the projects consistency with the Use Permit criteria, and all other applicable City regulations, as enumerated in multiple sections of the City of St. Helena Municipal Code, and
4. On December 18, 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.
5. Now, therefore let it be found that, the Planning Commission approves the requested Use Permit on the following basis:

Resolution

- A. The project is categorically exempt from the requirements of CEQA pursuant to Section 15301, which exempts the leasing, use and operation of activities from existing uses under a Class 1 Categorical Exemption. 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. Let it be further resolved that the Planning Commission has considered the findings identified in Municipal Code Section 17.168.050 to support the motion to approve the Use Permit given that the project has been found to demonstrate:

1. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community given that the proposed operation of a wine bar is not identified as a source of any of these impacts;
2. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses, given the proposed methods and hours of operations and the limitations of the zoning code, the noise ordinance and the proposed hours of operation;
3. That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan in that the proposed use is located within an existing space in downtown, the City's social and economic core which is surrounded by adequate circulation and parking facilities;
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 given the proposed hours and scale of the approved operation, the conditions placed on the use, and the capacity of the City's service providers;
5. That the proposed use would provide adequate ingress and egress to and from the proposed location given the existing automotive, bicycle and pedestrian amenities and circulation infrastructure serving the project site and surrounding downtown;
6. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy is specifically found given that the use is intended to bolster the local economy by occupying an existing vacant storefront with a use to serve both visitors and locals alike, providing additional options for evening entertainment in the St. Helena downtown;
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 given that the Central Business District is the economic and social center of the City, and this use is identified as bolstering and supporting this area through the occupation of an empty storefront in an existing multi-tenant building;
8. That the proposed use would not be in conflict with the city's general plan given the intent of the use to support the downtown, offering services to both locals and tourists alike;
9. That the proposed use would not be injurious to public health, safety or welfare is fully supported given the limitations on the operation, the ability of the City to serve to provide services and the overall context surrounding the business location which puts people and service providers in near proximity;

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 is found given that each food and beverage use is specifically reviewed by both the Planning Commission and City Council, their approvals are based on the individual characteristics of each use and location and they are given full discretion in their actions on each;
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 given that the site is served by eleven dedicated parking spaces; surrounded by multiple public parking locations and is located in the City's Parking Impact Area where special attention to the parking needs of each use is given;
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use is specifically found given the location's proximity to the City's circulation network, the operational characteristics of a wine bar and the limitations placed on the approved use. (Prior code § 27.439)

C. Now therefore be it further resolved that a Use Permit for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code subject to each of the following conditions. 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. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for any improvements necessary to implement the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit decision or these approvals shall expire; provided however that the approved Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
3. This permit is valid for this use only. New permits must be applied for any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.
4. The Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

6. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
7. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

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

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9. 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.
10. Provided they are in general compliance with the approved Use Permit, minor modifications found to be in substantial conformance with the approved use may be approved by the Planning Director.
11. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
12. 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.
13. Construction documents shall be in compliance with approved plans and exhibits.
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20. Separate from the day-to-day operations of the wine bar, this action permits one event per month to be held on site and said events are subject to all limitations and requirements of the St. Helena Municipal Code. Any amplified music associated with these events is required to obtain an amplified music permit from the St. Helena Police Department and shall meet the requirements of the Noise Ordinance.
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Public Works Department Conditions of Approval

24. Approval of this project shall be subject to the requirements of, and any public serving 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.
25. 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.
26. 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.
27. Any existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
28. An encroachment permit shall be required for any work performed in the public right-of-way.
29. Per SHMC Section 17.48.090 E. 1., overall wastewater generation from the project site is limited to 600 gallons per day. If future uses located on the subject property wish to exceed this limitation, this must be specifically required through a subsequent Use Permit or Use Permit Amendment application and approval.

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

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35. The applicant shall provide a construction waste management plan with the building permit application.
36. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
37. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
38. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
39. 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.
40. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing Use Permit and Design Review was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 18, 2018, by the following roll call vote:

AYES: Commissioner Monnette, Hale, Knudsen, Ponte and Hardy
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:

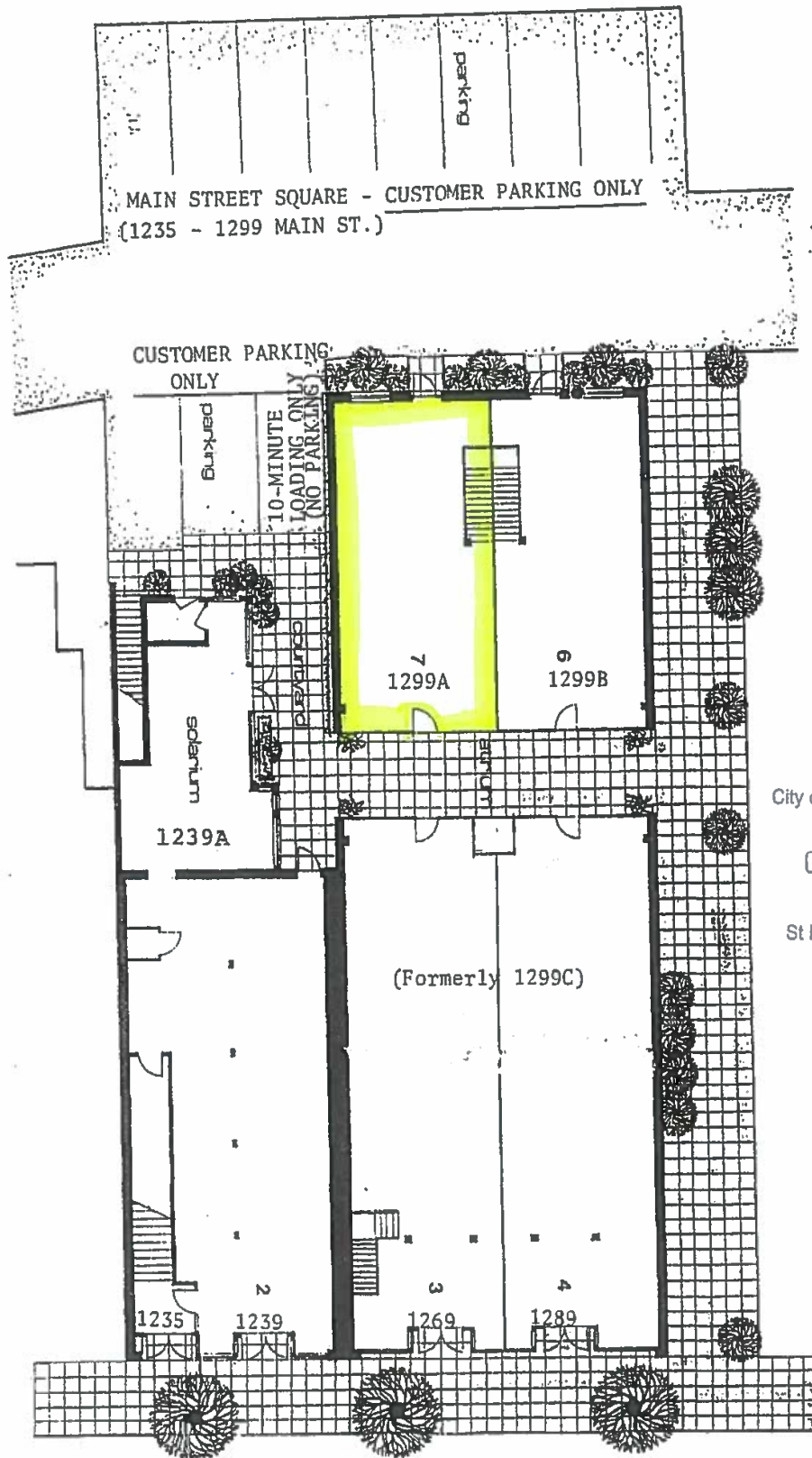


Lester Hardy
Chair, Planning Commission

ATTEST:



Noah Housh,
Planning and Community
Improvement Director



City of St Helena, City Hal
Received

OCT 31 2019

1480 Main St.
St Helena, CA 94574

EXHIBIT A

Main Street , ST. HELENA



PLANNING COMMISSION REPORT

Planning Commission Meeting of December 18, 2018

AGENDA SECTION: Public Hearing

FILE NUMBER: PL18-069

SUBJECT: Consideration of a Use Permit to allow a wine bar at 1299 Main Street, Suite A, in the Central Business zoning district.

PREPARED BY: Noah Housh, Planning & Community Improvement Director

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 09/19/18

ACCEPTED AS COMPLETE: 12/03/18

LOCATION OF PROPERTY: 1299 Main Street, Suite A

APN: 009-250-015

GENERAL PLAN/ZONING: Central Business/Central Business

APPLICANT: W&W Four Seas
Partnership/W&W Four Seas Corporation

PHONE: 415-221-1900

BACKGROUND

The project site is a multi-suite two story commercial structure currently divided into five, commercial suites located in the Central Business zoning district. The building has frontage onto both Main Street and Money Way and is served by 11 dedicated parking spaces. The project is proposing to occupy Suite 1299 A, which is in the rear of the building, abutting Money Way.

In the past, this suite has served as a wine tasting room (Use Permit attached), but was most recently an retail store with an accessory office component.

PROJECT DESCRIPTION

Applicant, W&W Four Seas Partnership, is requesting a use permit to operate a 30 seat wine bar with limited food and retail sales and accessory administrative office space, located within an existing 1,426 square foot, two-story retail space at 1299 Main St, Suite A. There will be 2 full time employees. Hours of operation are proposed to be between 11:00 a.m. to 11:00 p.m. seven days a week with special events limited to one per month. No exterior modifications are proposed as part of the use permit application.

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 site is designated Central Business (CB) by the St. Helena General Plan. The City of St. Helena General Plan (1993) states that the Central Business land use designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. Emphasis is on pedestrian oriented retail and service uses.

In addition, the property is located in the "Parking Impact Area", as identified in Figure 5-3 of the 1993 General Plan. This area is identified as the portion of the City where parking supply and demand are to be closely monitored, and also where an alternative and reduced allocation of parking is available to new businesses operating within previously developed structures.

General Plan policies applicable to the proposed wine bar include:

- 2.6.27** Prohibit commercial uses that are primarily tourist-serving in nature, and that are inconsistent with the community image of St Helena.
- 2.6.35** Maintain the Central Business District as the City's social and cultural core and the primary center for retail business.
- 3.4.2** Support the development of a responsible visitor serving component to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities.

- 3.4.3** Give preference to visitor-serving uses whose orientation is toward a more discriminating upscale market consistent with the Valley's reputation as a producer of world class wines, and discourage the introduction of uses that are dependent upon a mass tourist market, while not increasing the total number of tourists.
- 5.6.3** Any new demand within the Parking Impact Area that would produce more demand for parking than it proposes to supply must either provide the additional parking as a part of the development proposal, or must contribute an in-lieu fee to the City's off-street parking program.

Staff Response: In accordance with the the General Plan and, in particular, those policies listed above, the subject project will operate as both a locally and tourist serving business and would perpetuate the character of the CBD by locating its operations within the City's cultural and retail center, contributing to the liveliness and established character of the down town area. The Four Seas wine bar is intended to appeal to an discerning winetasting market, and therefore, is expected to further promote the Valley's reputation as a producer of world class wines. Similarly, the introduction of a new wine bar to 1299 Main Street, Suite A will further the City's goal of establishing a responsible visitor serving component and add new employment, tax revenue and cultural amenities in the downtown.

ZONING

Consistent with the Central Business Land Use Designation, the site is located in the CB: Central Business zoning district, which is intended to provide for retail, personal service uses, offices, restaurants, hotels/motels, and 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.

Under the CB zoning designation, "drinking establishments" are conditionally allowed and subject to code provisions which prohibit "formula" restaurants; service to customers in their vehicles; selling products primarily intended for off-site product consumption; establishments providing non-accessory music or entertainment; and those businesses providing drive in/walk up windows. As proposed and conditioned, the proposed use does not violate and of the prohibitions described above.

As identified, the site is also located within the St. Helena Parking Impact Overlay District, within which parking is regulated per Section 17.104.010, of the zoning code.

Parking

Chapter 17.124, Parking & Loading Requirements, Section 17.124.030 (D) (2) identifies, *“Establishments with seating for service of food and/or drinks”* require one parking space for each four seats (30 proposed) for a total of 7.5 required spaces.

However, as discussed the project site is located within the "Parking Impact Area", identified in the 1993 General Plan. Businesses located within this area are subject to a reduced parking formula in recognition of the historic context under which the area was developed.

Specifically, *“the parking requirements for a change in category of uses in the parking impact area shall equal the difference between what would (be) require(d) for the new use, minus what Chapter 17.124 would require for the previous use.”*

The parking requirement for general commercial/office uses is one (1) space for each 300-sf of floor area. With 1,426-sf of floor area, the previous retail use would require 5 spaces ($1,426/300 = 4.75$) parking spaces. As identified, the 30-seat wine bar would require 8 parking spaces and therefore, as required by the Parking Impact Overlay District, the applicant would be required to provide three (3) on-site parking spaces ($8 - 5 = 3$). As identified on the project site plan, the property is served by 11 dedicated off-street parking spaces and the applicant/owner has agreed to restrict a minimum of three of these spaces to the proposed use.

Signage

The permitted maximum cumulative sign area for the primary frontage of any business in St. Helena is 40 square feet. No signage is proposed at this time, and any signage will be subject to Chapter 17.148 of the Municipal Code and will require review and approval by the Planning and Community Improvement Department. If signage is proposed that exceeds that explicitly allowed under the Zoning Code, the sign permit application would be subject to review and approval by the Planning Commission.

Staff Response:

Consistent with applicable zoning requirements, the applicant is proposing a 30-seat wine bar totaling 1,426 square feet in keeping with the requirements of the zoning code in that they have requested Use Permit approval to convert a previous retail space to a "drinking establishment" as defined by the zoning code. The proposed wine bar is intended to serve both local and visiting patrons and no changes to the structure or overall site are proposed. The provided site plan demonstrates that the use can provide the required parking.

Per SHMC Section 17.48.090, ultimate approval of the Use Permit has been conditioned upon City Council expansion of the limitations placed on the number of allowable food and beverage establishments.

USE PERMIT

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

Findings to approve a Use Permit

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

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

Staff Analysis

The Four Seas wine bar will operate in an existing building located within St. Helena's commercial core. The proposed use would be compatible with surrounding uses which consist of boutique retail shops, artisanal food purveyors, restaurants, and upscale wine tasting rooms, further there is no expectation that it would be in conflict with the goals and objectives established for the CBD district. Given its location, the wine bar is within walkable distance of many other land uses and public parking and therefore its impacts to traffic would be limited.

There is no expectation the wine bar would be detrimental to the health, safety, peace, comfort and general welfare of persons in the neighborhood. As a local and visitor serving use, the proposed drinking establishment supports the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues and cultural amenities.

WATER

Chapter 13.12.050 of the Municipal Code requires mandatory water efficiency measures and water demand offset requirements for new construction. Among these provisions is the requirement that any "new development" (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures, or any residential additions or remodeling that increases the number of independent living units) offset new water demand by an amount equal to the new demand placed on the city water system (i.e., it must be water neutral). The offset must be clearly demonstrated to the satisfaction of the Public Works Department.

Staff Response: The proposed change in use does not result in any new development, as defined above, and therefore is not subject to the St. Helena Water neutrality provisions.

ISSUES

No unresolved issues have been identified through the review of this proposal.

CORRESPONDENCE

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

STAFF RECOMMENDATION

It is recommended that the Planning Commission:

1. Find that the project is exempt from the requirements of CEQA under a Class 1 Categorical Exemption, per Section 15301 of CEQA; and

2. Accept the required findings and approve a Use Permit to allow the operation of a 30-seat wine bar to be located at 1299 Main St, Suite A in the Central Business Zoning District.

ATTACHMENTS

[PC Reso-Use Permit](#)

[1299 Main St-Written Statement](#)

[1299A Ground Floor Plan](#)

[1299A Mezzanine Floor Plan](#)

[Past Approval Use Permit](#)

[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
TO ALLOW A WINE BAR LOCATED AT 1299 MIN STREET, SUITE A (File No. PL18-069)**

PROPERTY OWNER: W&W FOUR SEAS PARTNERSHIP **APN:** 009-250-015

Recitals

1. On September 19, 2018, W&W Four Seas Partnership submitted an application for a Use Permit to allow the operation of a wine bar at 1299 Main Street, Suite A in the Central Business Zoning District; and
2. On December 8, 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 December 18, 2018, and incorporated herein by reference analyzed the projects consistency with the Use Permit criteria, and all other applicable City regulations, as enumerated in multiple sections of the City of St. Helena Municipal Code, and
4. On December 18, 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.
5. Now, therefore let it be found that, the Planning Commission approves the requested Use Permit on the following basis:

Resolution

- A. The project is categorically exempt from the requirements of CEQA pursuant to Section 15301, which exempts the leasing, use and operation of activities from existing uses under a Class 1 Categorical Exemption. 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. Let it be further resolved that the Planning Commission has considered the findings identified in Municipal Code Section 17.168.050 to support the motion to approve the Use Permit given that the project has been found to demonstrate:
1. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community given that the proposed operation of a wine bar is not identified as a source of any of these impacts;
 2. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses, given the proposed methods and hours of operations and the limitations of the zoning code, the noise ordinance and the proposed hours of operation;
 3. That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan in that the proposed use is located within an existing space in downtown, the City's social and economic core which is surrounded by adequate circulation and parking facilities;
 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 given the proposed hours and scale of the approved operation, the conditions placed on the use, and the capacity of the City's service providers;
 5. That the proposed use would provide adequate ingress and egress to and from the proposed location given the existing automotive, bicycle and pedestrian amenities and circulation infrastructure serving the project site and surrounding downtown;
 6. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy is specifically found given that the use is intended to bolster the local economy by occupying an existing vacant storefront with a use to serve both visitors and locals alike, providing additional options for evening entertainment in the St. Helena downtown;
 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 given that the Central Business District is the economic and social center of the City, and this use is identified as bolstering and supporting this area through the occupation of an empty storefront in an existing multi-tenant building;
 8. That the proposed use would not be in conflict with the city's general plan given the intent of the use to support the downtown, offering services to both locals and tourists alike;
 9. That the proposed use would not be injurious to public health, safety or welfare is fully supported given the limitations on the operation, the ability of the City to serve to provide services and the overall context surrounding the business location which puts people and service providers in near proximity;

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 is found given that each food and beverage use is specifically reviewed by both the Planning Commission and City Council, their approvals are based on the individual characteristics of each use and location and they are given full discretion in their actions on each;
 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 given that the site is served by eleven dedicated parking spaces; surrounded by multiple public parking locations and is located in the City's Parking Impact Area where special attention to the parking needs of each use is given;
 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use is specifically found given the location's proximity to the City's circulation network, the operational characteristics of a wine bar and the limitations placed on the approved use. (Prior code § 27.439)
- C. Now therefore be it further resolved that a Use Permit for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code subject to each of the following conditions. 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. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for any improvements necessary to implement the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit decision or these approvals shall expire; provided however that the approved Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
3. This permit is valid for this use only. New permits must be applied for any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.
4. The Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

6. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
7. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

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

8. 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.
9. 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.
10. Provided they are in general compliance with the approved Use Permit, minor modifications found to be in substantial conformance with the approved use may be approved by the Planning Director.
11. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
12. 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.
13. Construction documents shall be in compliance with approved plans and exhibits.
14. A business license is required for any new business or relocation of an existing business.

15. Where the Central Business District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
16. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
17. This action approves the operation of a 30-seat wine bar, as defined and regulated under the City of St. Helena Eating and Drinking Establishment land use definition. Service of wine and beer is permitted however sprits (liquor beverages) are prohibited from being offered.
18. Light food service is required to be provided in conjunction with the approved use. Said food may be prepared on- or off-site, however all requirements of the Napa County Environmental Health Department shall be met.
19. Accessory retail sales of wine and beer for off-site consumption are permitted to occur from the project location.
20. Separate from the day-to-day operations of the wine bar, this action permits one event per month to be held on site and said events are subject to all limitations and requirements of the St. Helena Municipal Code.
21. Allowable hours of operation are 11:00 am to 11:00 pm, seven days per week.
22. Outdoor seating which does not increase the overall number of seats beyond 30 is available subject to the issuance of an Outdoor Dining Permit from the City of St. Helena.
23. 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

24. Approval of this project shall be subject to the requirements of, and any public serving 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.

25. 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.
26. 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.
27. Any existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
28. An encroachment permit shall be required for any work performed in the public right-of-way.
29. Per SHMC Section 17.48.090 E. 1., overall wastewater generation from the project site is limited to 600 gallons per day. If future uses located on the subject property wish to exceed this limitation, this must be specifically required through a subsequent Use Permit or Use Permit Amendment application and approval.

Fire Department Conditions of Approval

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

Building Department Conditions of Approval

32. A building permit is required for all onsite demolition, construction and/or change of occupancy.
33. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.

34. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
35. The applicant shall provide a construction waste management plan with the building permit application.
36. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
37. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
38. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
39. 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.
40. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing Use Permit and Design Review was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 18, 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director

1299 Main St, Suite A. Wine Bar Use Permit Written Statement

The Applicant is requesting a use permit to operate a Wine Bar at 1299A Main Street. The Wine Bar would consist of thirty (30) seats of which twenty (20) seats would be located on the 928 sq.ft. ground floor and ten (10) seats in the 498 sq.ft. mezzanine totaling 1,426 sq.ft. Both local and international wines would be served from one of the two bars located on each floor. The tables would be a high top style with complimentary stools. Additionally, there would be a counter incorporated into the wall for people choosing to stand while enjoying their wines.

The primary focus of the Wine Bar is to offer tasting sized pours from a large variety of wines to educate the consumer and allow them to compare the difference between numerous varietals. It is the Applicant's experience that when wine is tasted sequentially it is easier to objectively compare and determine which wines are most pleasing to the individual's palette leading to a more enjoyable wine tasting experience.

To enhance the wine tasting experience and promote responsible drinking, the Wine Bar would also serve tapas style foods like cheeses, charcuterie meats, fruit, and chocolate, all brought in from offsite local caterers and kitchens.

Under the previous use permit at this location, 4.75 parking spaces were required and under the new use permit 7.5 parking spaces would be required. The Applicant is prepared to meet the required number of parking spaces by designating 3 of it's 11 parking spaces to the new use which is consistent with the City's Parking Overlay guidelines.

In addition to offering customers an opportunity to taste multiple wines that rarely are offered by the glass, the Wine Bar would also offer its customers their favorite wine by the bottle to take with them and share with friends and promote repeat business.

The hours of operation would be from 11:00 am to no later than 11:00 pm. The Wine Bar would have two full time employees and hire additional staff for private events.

In an effort to further stimulate downtown St. Helena, the Wine Bar would like to host and offer a private event on a monthly basis. Smaller, intimate events would be held in the mezzanine and larger events would be held in both the Wine Bar and adjacent court yard with the addition of an outdoor dining permit. These events would primarily cater to local businesses and wineries wanting to offer a different venue to their customers and employee meetings.

The Applicant appreciates the commission's consideration and respectfully requests the approval of its use permit.

Scott Andersen

Founder/President

PREFERRED PROPERTIES

1244 Spring Street

Saint Helena CA 94574

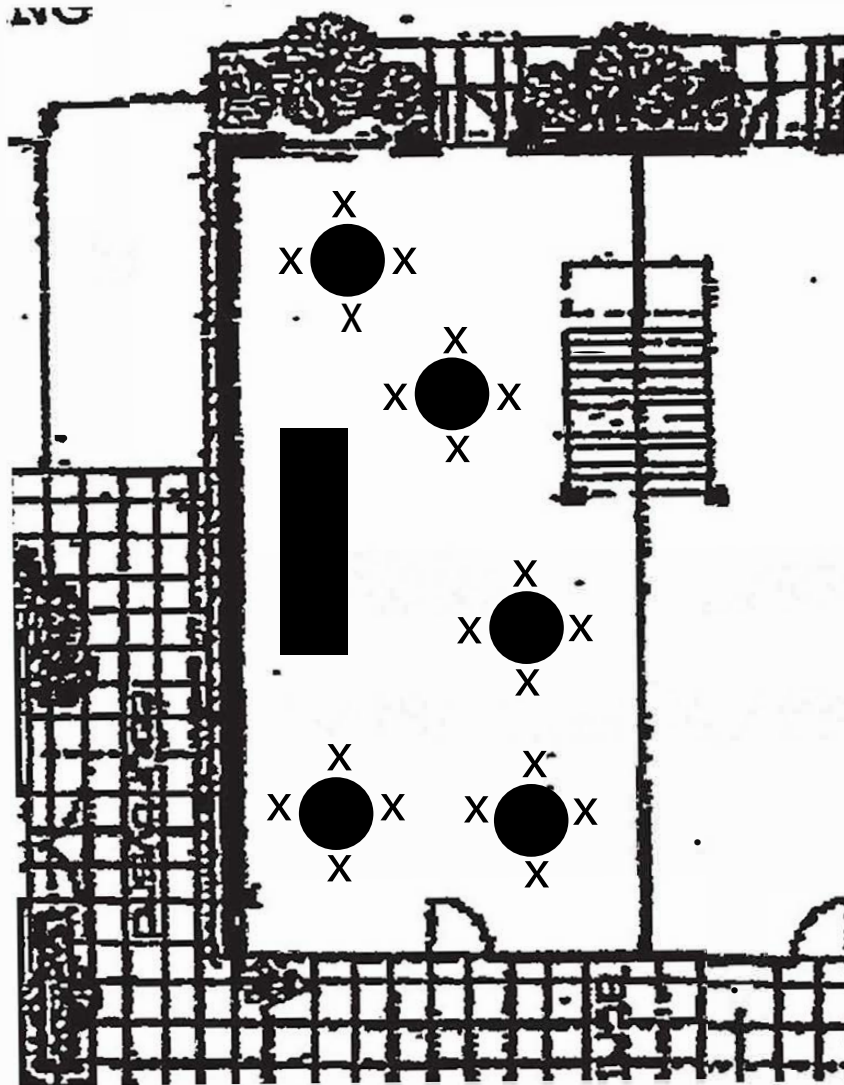
Bus (707) 963-4643
Cel (707) 321-3168
Fax (707) 963-1921
Email Scott@NapaLuxury.com
CalBRE # 01091397

"Celebrating 30 Years of Serving the Napa Valley"



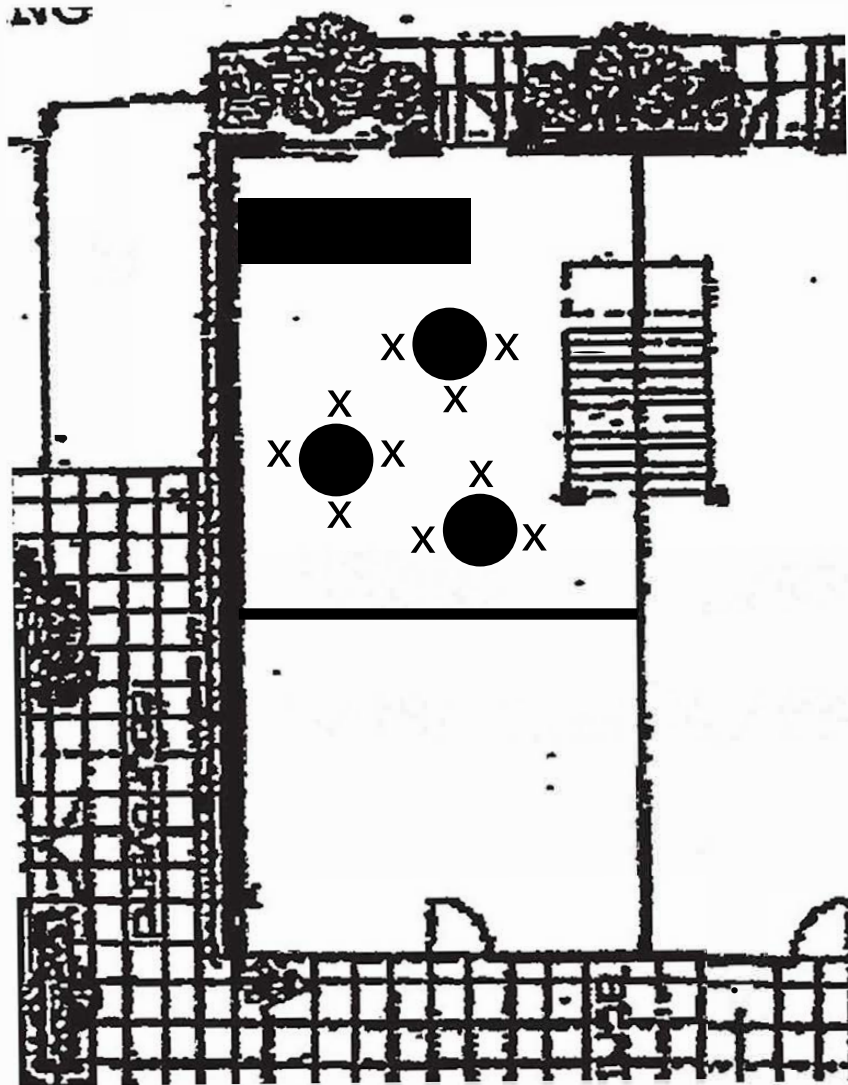
1299A Ground Floor Plan - 928 Sq.Ft.

● - Tables X - Seats (20) ■ - Bar



1299A Mezzanine - 498 Sq.Ft.

● - Tables X - Seats (10) ■ - Bar



USE PERMIT NO. 2011-09
CITY OF ST. HELENA, STATE OF CALIFORNIA
GRANTED TO 1299 MAIN STREET, SUITE A
APN: 009-250-015

PROPERTY OWNER: W&W Four Seas (Ltd.) Partnership

Recitals

1. The applicant submitted a request for a Use Permit to operate a 16-seat wine tasting room with retail sales and office use in an existing commercial space located at 1299 Main Street, Suite A. Eight parking spaces are located on-site for this use and no additional parking is required.
2. Tastings will be limited to the hours of 10:00 a.m. to 6:00 p.m. with special events by appointment only extended to 9:00 p.m. One full time and two part-time employees will operate the tasting room.
3. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on March 15, 2011.

Resolution

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

- A. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15301, Class 1 of the Guidelines which exempts the operation of existing facilities.
- B. The Planning Commission makes the following Use Permit findings, Section 17.168.050, to support the motion to approve the Use Permit:
 1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
 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.

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

1. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for the tenant improvements allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use 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.
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 Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.
4. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with the Use Permit, minor modifications may be approved by the Planning Director.
9. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
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. This permit authorizes a 16-seat wine tasting room with retail sales and office use in an existing commercial space located at 1299 Main Street, Suite A. Tastings will be limited to the hours of 10:00 a.m. to 6:00 p.m. with special events by appointment only extended to 9:00 p.m. This business shall remain distinct from those businesses authorized for operation as a food, beverage or drinking establishment as regulated through the Food & Beverage Establishments Inventory. This permit does not authorize the preparation of food on-site.
12. The project is subject to Ordinance No. 2009-6, Chapter 17.48 Central Business Zoning District pertaining to Wine Shops, Off-Site Winery Tasting Rooms and Winery Offices. A Winery tasting room in the Central Business district is defined as: *"Winery tasting rooms are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management."*
13. Prior to initial occupancy, the winery shall apply for a St. Helena Business License and include a written statement demonstrating compliance with Municipal Code Section 17.48.030 pertaining to Winery Tasting Rooms. The business license shall be reviewed by and approved by the Planning Director prior to issuance.
14. The applicant shall comply with all conditions of the Napa County Department of Environmental Management pertaining to glass washing for wine-tasting.
15. The applicant shall submit signage for review and approval by the Planning Director that meets the Central Business (CB) Zoning district requirements. If the plans do not meet the CB Zoning requirements, the plans shall be reviewed by the Planning Commission.

16. Fire equipment shall be inspected annually by the Fire Department.
17. 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:

1. 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.
2. Where applicable, the improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, those improvements as stated in the mitigations for the Negative Declaration, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.
3. Where applicable, the applicant shall be required to obtain an encroachment permit for improvements on public right-of-ways prior to receiving a grading or building permit authorizing site work or construction activities on the site.
4. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
5. The property owner and applicant recognize that the project is subject to the water conservation and toilet retrofit program as set forth in municipal code Chapter 13.12, Water Efficiency and Use Guidelines. The applicant and property owner recognize and agree, in lieu of the specific requirements of Chapter 13.12, and the City also agrees, that the unisex toilet facility should feature current water savings technology. They specifically agree that the Public Works Director in his/her discretion shall determine and specify fixtures that represent current water savings technology. At minimum, such

fixtures include a dual flush toilet, as determined and specified by the Public Works Director. Faucets that automatically shut-off after a short interval may, in the discretion of the Public Works Director, be specified. The Public Works Director in his/her discretion may specify a heated hand-drying appliance or towels or both, in his/her discretion. The property owner and applicant, upon satisfactory installation of the foregoing, as certified by the Public Works Director or a member of his/her Department, shall not be subject to any in lieu fee. Further, the City shall not accept an in lieu fee in discharge of the specific installation requirements as set forth in this Condition 5.

6. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.
7. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
8. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards. Any new fixture units added to the existing building will require upgrade of the sewer lateral to the building, including a sewer cleanout at the property line.
9. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, they shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
10. Where applicable, deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per City specifications, extent to be determined by the Public Works Department.
11. Existing streets being cut by new services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
12. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

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 March 15, 2011 by the following roll call vote:

AYES: COMMISSIONERS PITTS, HEIL, KISTNER, PARKER, & CHAIRMAN GALBRAITH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

 FRANZEE, KPRE
Anne Cronin Moore, Interim Planning Director

W&W Four Seas (Ltd.) Partnership, *Owner*


Mae C. Woo, Property Owner ~~SECRETARY~~
W&W FOUR SEAS CORP., *GENERAL PARTNER*

**USE PERMIT EXTENSION NO. 2012-10
CITY OF ST. HELENA, STATE OF CALIFORNIA
GRANTED TO 1299 MAIN STREET, SUITE A
APN: 009-250-015**

PROPERTY OWNER: W&W Four Seas (Ltd.) Partnership

Recitals

1. W&W Four Seas (Ltd.) Partnership submitted a Use Permit Extension of Time application for a previously approved Use Permit (2011-09) for a wine tasting room located at 1299 Main Street, Suite A. The owner has not yet obtained a tenant and therefore is requesting a one-year extension of the Use Permit.
2. The Planning Commission of the City of St. Helena, State of California, considered the project at the meeting of March 20, 2012.

Resolution

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

A. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15301, Class 1 of the Guidelines which exempts the operation of existing facilities.

B. The Planning Commission makes the following Use Permit findings, Section 17.168.050, to support the motion to approve the Use Permit Extension of Time:

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.

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

1. This Use Permit Extension extends the approval granted on March 15, 2011 to March 20, 2013, at which time the project shall be vested with issuance of a building permit or shall be deemed expired. Pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals, no additional extensions may be granted.
2. This Use Permit Extension 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 Use Permit Extension shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.
4. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with the Use Permit, minor modifications may be approved by the Planning Director.

9. This Use Permit Extension 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. This permit authorizes a 16-seat wine tasting room with retail sales and office use in an existing commercial space located at 1299 Main Street, Suite A. Tastings will be limited to the hours of 10:00 a.m. to 6:00 p.m. with special events by appointment only extended to 9:00 p.m. This business shall remain distinct from those businesses authorized for operation as a food, beverage or drinking establishment as regulated through the Food & Beverage Establishments Inventory. This permit does not authorize the preparation of food on-site.
12. The project is subject to Ordinance No. 2009-6, Chapter 17.48 Central Business Zoning District pertaining to Wine Shops, Off-Site Winery Tasting Rooms and Winery Offices. A Winery tasting room in the Central Business district is defined as: *"Winery tasting rooms are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management."*
13. Prior to initial occupancy, the winery shall apply for a St. Helena Business License and include a written statement demonstrating compliance with Municipal Code Section 17.48.030 pertaining to Winery Tasting Rooms. The business license shall be reviewed by and approved by the Planning Director prior to issuance.
14. The applicant shall comply with all conditions of the Napa County Department of Environmental Management pertaining to glass washing for wine-tasting.
15. The applicant shall submit signage for review and approval by the Planning Director that meets the Central Business (CB) Zoning district requirements. If the plans do not meet the CB Zoning requirements, the plans shall be reviewed by the Planning Commission.
16. Fire equipment shall be inspected annually by the Fire Department.
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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.

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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 March 20, 2012 by the following roll call vote:

AYES: COMMISSIONER PITTS, HEIL, KISTNER, PARKER, & CHAIRPERSON GALBRAITH
 NOES: NONE
 ABSENT: NONE
 ABSTAIN: NONE



Greg Desmond, Interim Planning Director

W&W Four Seas (Ltd.) Partnership



Mae C. Woo, ~~Property Owner~~ / Secretary
 W&W FOUR SEAS CORP., AS GENERAL PARTNER OF
 W&W FOUR SEAS (Ltd.) PARTNERSHIP - 5 -

