



****Amended 11/25/2020****
City of St. Helena
Planning Commission
Regular Meeting
Tuesday, December 1, 2020 @ 6:00 PM

In accordance with Executive Order N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways: Members of the public may not physically attend meetings. The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofstheleena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Planning Commission agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions.

Spanish translation for this meeting will be offered. To access Spanish translation, you will need to join the meeting using the Zoom app from a computer, iPad or iPhone. You will see an icon on the screen that will allow you to choose Spanish translation. To learn how to use Zoom, please see the instructions below.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/83523102681>

Or iPhone one-tap :

US: +16699006833,,83523102681# or +13462487799,,83523102681#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or
+1 312 626 6799 or +1 929 205 6099

Meeting ID: 835 2310 2681

International numbers available: <https://us02web.zoom.us/j/83523102681>

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.

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**Ciudad de Santa Helena**  
**Reunión del Comisión de Planificación**  
**1 de diciembre del 2020 @ 6:00 PM**

**De acuerdo con las órdenes ejecutivas N-25-20, N-29-20, y la orientación del Departamento de**

Salud Pública de California sobre reuniones, se permite la participación pública virtual. Seguiremos la Orden de la siguiente manera: Los miembros del público no pueden asistir físicamente a las reuniones. La reunión del Comisión de Planificación de la Ciudad se transmitirá en vivo por el Canal 28 de Comcast y en el sitio web de la Ciudad, salvo dificultades técnicas. Aquellos miembros del público que deseen participar deben hacerlo de forma virtual a través de las reuniones electrónicas de Zoom de las siguientes maneras; iniciando sesión en el enlace Zoom ubicado en la agenda de la reunión (descargue la aplicación en su computadora o dispositivo móvil) e ingrese el ID de la reunión o llamando al número ubicado en la agenda e ingrese el ID de la reunión. Se aceptarán comentarios públicos para la reunión del Comisión de Planificación por correo electrónico a [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Todos los comentarios públicos se harán públicos y se adjuntarán a la agenda, pero no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda al día siguiente.

**Consulte el final de la agenda para obtener instrucciones detalladas de PARTICIPACIÓN PÚBLICA.**

Se ofrecerá traducción al español para esta reunión. Para acceder a la traducción al español, deberá unirse a la reunión utilizando la aplicación Zoom desde una computadora, iPad o iPhone. Verá un icono en la pantalla que le permitirá elegir la traducción al español. Para aprender como utilizar Zoom, consulte las instrucciones a continuación.

Haga clic en el enlace a continuación para participar en la reunión:

<https://us02web.zoom.us/j/83523102681>

O por iPhone one-tap: US: +16699006833,,83523102681# or  
+13462487799,,83523102681#

O por Teléfono: Marque(para mejor calidad, marque número basado en su ubicación actual):  
US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626  
6799 or +1 929 205 6099

ID de la Reunión: 835 2310 2681

Números Internacionales Disponibles:

<https://us02web.zoom.us/j/83523102681>

**TENGA EN CUENTA: Cualquier persona que desee hablar sobre un tema en la agenda o hacer un comentario en la sección de "comentario público" de la agenda puede hacerlo, pero por favor observe el límite de tiempo de cuarto minutos.**

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1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL  
Chairperson: Lester Hardy  
Vice Chair: John Ponte  
Commissioners: Autumn Anderson, Daniel Hale  
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, 2020

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[\\*\\*Special Planning Commission Minutes 11.19.2020](#)

5. PUBLIC HEARINGS

5.1. Request by Anthony Micheli for approval of a lot line adjustment and a use permit between parcels APN #009-401-041 (1125 Crinella Dr.) & APN #009-401-042 in the Medium Density Residential zoning district.

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CEQA Determination: Staff has conducted analysis and concluded that the project 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 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.

Prepared By: Xinia Gamero, Permit Technician II

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 Planning Director's approval to grant the Lot Line Adjustment between two legal parcels located at APN #009-401-041 (1125 Crinella Dr.) and APN #009-401-042 in the Medium Density zoning district; and

3. Accept the required findings and approve a resolution granting the use permit approval for the creation of a 4,112 square foot small lot on the property located at APN #009-401-042.

[1125 Crinella Dr. - Staff Report](#)

[\\*\\*Proposed Pool Aerial View](#)

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:

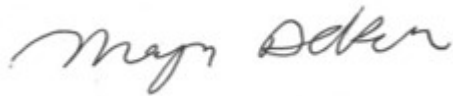
[http://www.cityofsthelena.org/projects?term\\_node\\_tid\\_depth=21](http://www.cityofsthelena.org/projects?term_node_tid_depth=21)

Please contact the assigned project Planner for additional questions.

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for December 15, at 6:00 p.m.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on November 19, 2020.



Maya DeRosa, 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://cityofsthenelena.org> and will be available for public review at the respective meeting.

#### **THE CITY OF ST. HELENA ENCOURAGES ONLINE PUBLIC PARTICIPATION IN VIRTUAL PLANNING COMMISSION MEETINGS**

St. Helena, CA— The City of St. Helena is committed to public participation in City government in a manner that is consistent with guidance provided by the Napa County Public Health Official and Governor Newsom's Executive Order N-25-20. These guidelines relate to social distancing, and are intended to protect everyone by limiting the spread of COVID-19 in our community. In adherence to these guidelines, the St. Helena Planning Commission will host a Virtual Planning Commission Meeting on Zoom; a free teleconferencing tool that enables users to watch and/or call into the meeting from their computers or phones. This meeting will be open to public and allows for live public comment. The meeting will also be recorded, livestreamed, and posted on the City's website after the adjournment of the meeting if technical difficulties occur: <https://sthenelena.civicweb.net/Portal/>

**The ZOOM web link, meeting ID, and phone number will be listed at the top of the Planning Commission Meeting Agenda. You will be required to enter the meeting ID, but there will be no password or participant ID.**

**How to Watch or Listen to Planning Commission Meetings:**

1. Watch on Comcast Channel 28
2. Watch the livestreaming video on the City's website
3. Watch and Listen on Zoom.us by clicking on the link in the Planning Commission Agenda
4. Listen only by calling the Zoom number listed on the Planning Commission Agenda

**Watch Planning Commission Meetings by Joining the Zoom Meeting:**

**1. By Computer, Tablet, or Smart Phone:**

- a. Before joining the virtual Planning Commission Meeting, it is highly encouraged that you download the Zoom App. To sign up for your own free account, visit [zoom.us/signup](https://zoom.us/signup) and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click Activate Account.
- b. If you are logged into your account, Enter the **Meeting ID** listed on the Planning Commission Agenda. If you have not created an account go to: <https://zoom.us/join> and enter the **Meeting ID**
- c. Select if you would like to connect audio and/or video and tap **Join Meeting**.
- d. For specific instructions for your device, go to: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

**1. Listen Only by Telephone:**

- a. **Dial** the number listed on the Planning Commission Agenda.
- b. At the prompt, enter the **Meeting ID** provided on the top of the Planning Commission Meeting Agenda and **Press #. A participate ID is not required.**
- c. To disconnect from the meeting, hang up the phone.

**Ways to Provide Public Comment:**

While attending the virtual Planning Commission Meeting, the public will have the opportunity to provide live public comment during Public Forum and after each agenda item. When it is the appropriate time for public comment the Chair will verbally open public comment. At this time each individual is permitted 4 minutes to speak.

**1. Send a Public Comment in by 4:00 PM Prior to the Meeting to: [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org)**

The easiest way to provide public comment is to email your public comment. Public comments may be emailed to [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Please include in the subject line "COMMENT TO PLANNING COMMISSION and the AGENDA ITEM". Any public comment is required to be submitted no later than 2 hours before the scheduled meeting and will be included as an

attachment to the agenda. All public comments will be made publicly available and attached to the agenda item and will not be read out loud. All public comments that are received after 4:00 PM will be attached to the agenda the following day.

## **2. Provide Comment through Zoom meeting from a computer, tablet, or smart phone**

This option allows the public to virtually attend the meeting as a muted 'attendee' with no video or screen sharing capabilities. You will be able to see and hear those participating in the meeting, but they will not be able to hear you until the host unmutes you.

If you wish to provide public comment during a specific agenda item or during public forum, you can use the **"raise hand"** feature located in the control panel at the bottom of your screen. The icon is a small blue hand. In Windows you can also use the Alt+Y keyboard shortcut to raise or lower your hand. In Mac you can also use the Option+Y keyboard shortcut to raise or lower your hand.

The host will be notified that you've raised your hand and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. To be removed from the queue, just click the **'raise hand'** button again.

## **3. Call in to the ZOOM meeting from a cell phone or landline phone only**

This option allows the member of the public with the opportunity to verbally participate in public comment.

If you wish to speak during public comment time dial **\*9** on your telephone.

The host will be notified that you would like to speak and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. You may press **\*9** again if you wish to be removed from the queue.

You will be notified at the end of your statement that you have been muted.



**MINUTES**  
**City of St. Helena**  
**Special Planning Commission Meeting**  
**Thursday, November 19, 2020 @ 6:00 PM**  
**Virtual Meeting**

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways: Members of the public may not physically attend meetings. The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Planning Commission meetings will be accepted via email to [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org).

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) 968-2742. The City Council video is the official record of the Council meeting.

**Present:** Chair Lester Hardy, Vice Chair John Ponte, Commissioner Autumn Anderson, and Commissioner Daniel Hale

**Absent:** None

**Staff Present:** Maya DeRosa, Planning & Building Director, Erica Ahmann Smithies, Public Works Director and City Engineer, Aaron Hecock, Senior Planner, Ethan Walsh, City Attorney, and Xinia Gamero, Permit Technician II

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

No public comment was received as public comment during special meetings are limited to subjects on the agenda only. Therefore, public comment took place during consideration of the item below.

**4. CONSENT ITEMS**

- 4.1 Approval of Minutes: July 21, 2020; August 24, 2020; September 14, 2020; and September 17, 2020

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: Autumn Anderson, Lester Hardy, John Ponte, and Daniel Hale

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

**\*\*Note for the public record- the Regular Planning Commission meeting of August 18, 2020 was cancelled due to a power outage. \*\***

## **5. PUBLIC HEARINGS**

- 5.1 Request by Our Town St. Helena for approval of a lot merger, use permit and design review in order to construct four (4) new affordable units in a multi-family housing development on the property located at 963 Pope Street in the Medium Density Residential zoning district.

CEQA Determination: Exempt from the requirements of CEQA pursuant to Sections 15194, 15301 and 15303

Prepared By: Aaron Hecock, Senior Planner

**Recommendation:**

For the reasons described in the foregoing report, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Sections 15194, 15301 and 15303; and
2. Accept the Planning Director's approval of the lot merger; and
3. Grant density bonus concessions under existing state law for reduced setbacks and an increase in allowed floor area ratio; and
4. Waive required development standards related to on-site parking to allow for 7 uncovered on-site parking spaces; and
5. Accept the required findings and approve a resolution granting use permit and design review approval for the proposed project on the property located at 963 Pope Street.

Aaron Hecock, Senior Planner reported on the item.

Ethan Walsh, City Attorney addressed the Planning Commission.

Chair Hardy opened public comment.

Karina O'Briain, Randy Figurido, Joel Dickerson and Lori Cagwin addressed the Planning Commission.

Chair Hardy closed the public comment.

Chair Hardy re-opened public comment.

Joel Dickerson, Marisol Vargas and Michael addressed the Planning

Commission.

Chair Hardy closed the public comment.

Vice-Chair John Ponte 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: Autumn Anderson, Lester Hardy, John Ponte, and Daniel Hale

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

**6. NEW BUSINESS**

None.

**7. SCHEDULED MATTERS**

None.

**8. DEPARTMENT REPORTS**

Maya DeRosa, Planning and Building Director reported on the following:

- Congratulating OTSH on their approved affordable housing project.
- Upcoming regular Planning Commission meetings scheduled for December 1st and December 15th. Cancellation of January 5, 2021 meeting.
- Housing Element Update RFP deadline Monday, November 23rd. Consultant to be selected in December and contract scheduled to be brought before City Council January 2021.
- Future Zoning Code Update Joint Meeting February 2021.

**9. AGENDA FORCAST**

Please refer to the City website for updates.

**10. ADJOURNMENT**

Chair Hardy adjourned the meeting at **7:02 P.M.**

The November 19, 2020 minutes were approved at the \_\_\_\_\_  
Planning Commission meeting.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Lester Hardy, Planning Commission Chair

\_\_\_\_\_  
Maya DeRosa, Planning and Building Director





**PLANNING COMMISSION REPORT**  
Planning Commission Meeting of December 1, 2020

**FILE NUMBER:** PL20-038

**SUBJECT:** Request by Anthony Micheli for approval of a lot line adjustment and a use permit between parcels APN #009-401-041 (1125 Crinella Dr.) & APN #009-401-042 in the Medium Density Residential zoning district.

**PREPARED BY:** Xinia Gamero, Permit Technician II

**REVIEWED BY:** Maya DeRosa, Planning & Building Director

**APPROVED BY:** Maya DeRosa, Planning & Building Director

**APPLICATION FILED:** 08/11/20

**ACCEPTED AS COMPLETE:** 10/28/20

**LOCATION OF PROPERTY:** 1125 Crinella Dr.

**APN:** 009-401-041 & 009-401-042

**GENERAL PLAN/ZONING:** Medium Density Residential (MR)

**APPLICANT:** Anthony Micheli

**PHONE:** 707-486-3832

**BACKGROUND**

The project site consists of two contiguous parcels located at 1125 Crinella Dr. (APN #009-401-041) and vacant parcel APN #009-401-042. The smaller of the two parcels (APN 009-401-042) is 7,122-sf and currently undeveloped but contains two sheds on-site; 100-sf and 44-sf. The larger parcel is 9,971-sf and is currently developed with a 1,558-sf single family residence and a 740-sf attached garage.

**PROJECT DESCRIPTION**

The applicant is seeking a lot line adjustment to transfer approximately 3,010-sf from the vacant parcel APN 009-401-042 to parcel APN 009-401-041 (1125 Crinella Dr.) in order to build a 10' x 50' pool. No development is being proposed on the vacant parcel.

The lot line adjustment will increase the size of the developed 9,971-sf parcel to 12,981-sf, with a corresponding reduction in size of the undeveloped parcel from 7,122-sf to 4,112-sf. As the vacant parcel will be reduced to less than the 7,000-sf minimum lot size for parcels in the Medium Density zoning district, the applicant has concurrently submitted a use permit application for Planning Commission approval for the creation of the small lot.

No land is being rezoned or otherwise changed and the total number of parcels (in this case two) will not change as a result of this proposed lot line adjustment. The configuration of the existing and proposed parcels can be seen on the attached exhibit.

## **ANALYSIS**

### **CEQA**

Staff has conducted analysis and concluded that the project 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 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**

As previously discussed, both parcels are designated Medium Density Residential (MDR). The MDR land use designation provides for single-family detached and attached homes, secondary residential units, and similar compatible uses. The MDR designation is the predominant residential designation occurring throughout large areas of the City and is intended to maintain a development pattern in higher density areas of the City that is consistent with historic development patterns exhibited by St. Helena's established neighborhoods. The following General Plan policies applicable to the proposed project:

- LU2.2 Encourage new residential development that is consistent in design, size, color, and floor area ratio (FAR) with the older residences in the neighborhood.
- CD3.1 - Limit building envelope sizes and require adequate side and rear set-backs to preserve the character of existing residential areas and to avoid over-built lots. Require future development to conform to the pattern and density of the neighboring areas. In order to complement existing town character and protect against incursion into vineyard agricultural areas.

*Staff Response: Staff finds no General Plan consistency issues related to the proposed lot line adjustment and use permit. General Plan land use designations would not change and the proposed project would not otherwise be in conflict with the goals and objectives of the St. Helena General Plan.*

**ZONING**

Consistent with the General Plan land use designation described above, the subject parcels are designated Medium Density Residential (MR). This designation provides for single-family detached homes, accessory dwelling units, limited agricultural uses and compatible uses.

Pursuant to Municipal Code Section 17.40.030, Conditional uses in the MR zoning district, "Small lot development meeting the standards of Chapter 17.112 require approval of a use permit. Therefore, the applicant is required to obtain approval of a use permit to allow for the creation of a small lot.

As detailed below, the developed parcel (APN #009-401-041) would exhibit a Floor Area Ratio (F.A.R) less than the maximum allowed and would meet all other applicable criteria (including setbacks, lot coverage, etc.) prescribed under the MR development standards. The vacant parcel (APN #009-401-042) is proposed to be 4,112 sf and remains subject to the small lot standards (SHMC Section 17.112.090).

**MEDIUM DENSITY RESIDENTIAL DEVELOPMENT STANDARDS****PROPOSED PARCEL APN #009-401-041 (1125 Crinella Dr.)**

| <b>SETBACKS</b>   | <b>MINIMUM</b>           | <b>EXISTING/ PROPOSED</b> |
|-------------------|--------------------------|---------------------------|
| Front Setback     | 20 feet                  | 17.69/ 17.69 feet         |
| Side Setback      | 20 feet                  | 18.77/ 18.77 feet         |
| Side yard Setback | 10 feet                  | 18.05/ 18.05 feet         |
| Rear yard Setback | 20 feet                  | 18.59/ 18.59 feet         |
| <b>STANDAR</b>    | <b>MAXIMUM / MINIMUM</b> | <b>PROPOSED</b>           |
| Lot Size          | 7,000-sf ( <i>Min.</i> ) | 12,981-sf                 |
| Lot Coverage      | 45% ( <i>Max.</i> )      | 16% (2,098/ 12,981sf)     |

As far as the Floor Area Ratio (F.A.R.) is concerned, a 12,981-sf parcel has a maximum F.A.R. of .28. This would allow up to approximately 3,635-sf of floor area (excluding any applicable F.A.R. exemptions). As detailed below, the existing home has a F.A.R. of .161 which is well below the maximum allowed on the proposed site.

**PROPOSED FLOOR AREA:**

|                           |                 |
|---------------------------|-----------------|
| EXISTING MAIN HOUSE       | 1,558 SF        |
| EXISTING GARAGE           | 740 SF          |
| EXISTING SHED #1          | 100 SF (<120)   |
| EXISTING SHED #2          | 40 SF (<120)    |
| COVERED PARKING EXEMPTION | -200 SF         |
| <b>TOTAL</b>              | <b>2,098 SF</b> |

**FLOOR AREA RATIO:** 2,098 / 12,981 = .161 (*Max. allowed 0.28*)

*Staff Response:* The existing main residence and garage on the developed parcel (APN #009-401-041) are existing non-conforming as the front, rear and side setbacks do not meet the minimum standards of the Medium Density district. This LLA would not reduce or increase the degree of non-conformity. The resulting parcel would meet the minimum lot area size and exhibit a floor area ratio and lot coverage below what is allowed in the MR district.

**SMALL LOT DEVELOPMENT STANDARDS**  
**PROPOSED PARCEL APN #009-401-042 (Undeveloped)**

| STANDARDS                 | MINIMUM   | PROPOSED    |
|---------------------------|-----------|-------------|
| Lot Size                  | 4,000 -sf | 4,112 -sf   |
| Lot Width                 | 42 feet   | 77.59 feet  |
| Front/ Rear/ Side Setback | 15 feet   | Undeveloped |
| Side Yards                | 5 feet    | Undeveloped |

*Staff Response:* The vacant parcel resulting from the lot line adjustment would be 4,112-sf in size and while less than the minimum 7,000 square foot lot size in the MR zone, it would meet small lot development standards. No development is being proposed with this application and staff finds no issues related with the creation of a small lot with the proposed LLA.

**USE PERMIT**

As discussed above, SHMC §17.40.060 requires that the development of a small lot require a use permit approval in the Medium Density zoning district. 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 in the opinion that the project meets and/or complies with the required findings to approve a Use Permit as identified above. The findings included in the attached resolution identify this compliance.*

#### **LOT LINE ADJUSTMENT**

Review procedures for a Lot Line Adjustment (LLA) are regulated by the St. Helena Municipal Code Section 16.08.070. A lot line adjustment map may be submitted and approved for a boundary adjustment between four or fewer existing adjoining parcels, which does not create a greater number of lots than originally existed if each of the proposed lots meets all the requirements of the local building and zoning ordinances, this code, and the general plan.

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. 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

**Staff Response:**

*This report serves as the Planning Director's approval of the lot line adjustment application. The lot line adjustment was noticed along with the use permit should the Commission wish to discuss its merits and/or modify the conditions of approval.*

**ISSUES**

As identified above, the developed parcel APN #009-401-041 located at 1125 Crinella Dr. does not meet the minimum front, rear and/or side setbacks making it an existing non-conforming lot. The lot line adjustment would not rectify the non-conforming setbacks but it would also not increase the degree of non-conformity.

Although the vacant parcel resulting from the lot line adjustment would be 4,112-sf in size, and while less than the minimum 7,000-sf lot size in the MR zone, it would meet small lot development standards. Staff finds no further issues related with the proposed project.

**CORRESPONDENCE**

As of the completion of this staff report, no correspondence has been received by staff regarding the proposed lot line adjustment and use permit.

**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 Planning Director's approval to grant the Lot Line Adjustment between two legal parcels located at APN #009-401-041 (1125 Crinella Dr.) and APN #009-401-042 in the Medium Density zoning district; and
3. Accept the required findings and approve a resolution granting the use permit approval for the creation of a 4,112 square foot small lot on the property located at APN #009-401-042.

**ATTACHMENTS**

[Resolution](#)

[Written Statement- LLA](#)

[Written Statement- Use Permit](#)

[Site Plan](#)

[Site Photos](#)

**CITY OF ST. HELENA PLANNING COMMISSION**

**RESOLUTION NO.**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA  
GRANTING APPROVAL OF A USE PERMIT FOR THE CREATION OF A SMALL LOT  
AT APN #009-401-042  
(File No. PL20-038)**

**PROPERTY OWNER:** Anthony Micheli

**APNs:** 009-401-041 &  
009-401-042

**Recitals**

1. The applicant requests adoption of a resolution by the Planning Commission approving a use permit for the creation of a small lot for parcel #009-401-042 in the Medium Density Residential zoning district;
2. The applicant submitted an application for a lot line adjustment between parcels 009-401-041 & 009-401-042 that would reduce parcel #009-401-042 to less than the 7,000-sf minimum lot size for parcels in the Medium Density zoning district;
3. 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;
4. 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 1, 2020; and
5. At the Planning Commission meeting on December 1, 2020 the Planning Commission accepted the Planning Director's approval of a lot line adjustment between parcels 009-401-041 & 009-401-042; and
6. Now, therefore let it be found that, the Planning Commission approves a use permit thereby authorizing the modifications contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

**Resolution**

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that the project is exempt from 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.

*APN #009-401-041 & #009-401-042.  
Conditions of Approval  
December 1, 2020*

- C. In accordance with the use permit criteria identified in SHMC Section 17.168.050, the Planning Commission finds that the project demonstrates the following:
1. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community;  
*As the proposed use is the creation of a small lot, it would not produce anything that would be injurious to surrounding uses.*
  2. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses;  
*The proposed use would continue residential uses in an established neighborhood. Therefore, it would not generate levels of noise that would 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;  
*The proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan because no development is proposed as part of the use.*
  4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection;  
*The proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection because no development is proposed as part of the use.*
  5. That the proposed use would provide adequate ingress and egress to and from the proposed location;  
*No changes in ingress or egress are proposed.*
  6. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy;  
*It is not expected that the proposed use would conflict with the city's goal of maintaining the economic viability of a local-serving economy because the proposed project is within an established neighborhood.*
  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;  
*The proposed use would be consistent with other typical uses found in the MR District because it would continue residential uses in the established neighborhood.*

8. That the proposed use would not be in conflict with the city's general plan;  
*The creation of a small lot would not conflict with any General Plan goals because a small lot would still allow for residential use within the established neighborhood.*
  9. That the proposed use would not be injurious to public health, safety or welfare;  
*No aspect of this use would be injurious to health, safety, or welfare because no development is proposed as part of this use.*
  10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan;  
*As use permits are issued on a discretionary basis, any similar uses would be considered based on their particular merits and as such, granting of this use permit would not set a precedent.*
  11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available;  
*No parking spaces will be created or lost as a result of this use.*
  12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use. (Prior code § 27.439)  
*The creation of the small lot will not generate any traffic affecting the capacity of surrounding streets.*
- D. The Planning Commission approves a use permit for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

**Planning Department Conditions of Approval**

1. The use permit 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 Use Permit 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.

APN #009-401-041 & #009-401-042.  
Conditions of Approval  
December 1, 2020

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.
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.
7. Not less than eighteen (18) feet of continuous full height curb shall be provided along the public street in front of each lot, with the length established by an extension of the side lot lines to the curb. This provision is intended to provide additional parking between driveways. A curb length greater than the minimum may be required when the lot fronts on an arterial or collector as designated in the circulation element of the general plan.

**Public Works Department Conditions of Approval**

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. 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. 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.
3. The applicant, or his/her representative, shall submit two (2) copies of the lot line adjustment draft deed documents' legal descriptions.

APN #009-401-041 & #009-401-042.  
Conditions of Approval  
December 1, 2020

4. The legal descriptions shall describe the entire boundary of each resulting parcel.
5. The legal descriptions shall be prepared, signed and stamped by a registered Land Surveyor or a licensed Civil Engineer.
6. The following statements shall be included on each draft deed document:
  - a. 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.
  - b. 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.
7. 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.
8. 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.
9. 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.
10. The applicant, or his/her representative, shall submit proof of prepayment of property taxes.
11. 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.

**Fire Department Conditions of Approval**

1. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
2. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.
3. 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.

APN #009-401-041 & #009-401-042.  
Conditions of Approval  
December 1, 2020

**I HEREBY CERTIFY** that the foregoing lot line adjustment and use permit application 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 1, 2020 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

APPROVED:

ATTEST:

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Lester Hardy  
Chair, Planning Commission

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Maya DeRosa, AICP  
Planning and Building Director

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

**Phone: (707) 963-7565**

***terrafirmasurveys.com***

July 24, 2020

City of St. Helena Planning Department  
1572 Railroad Avenue  
St. Helena CA 94574

**RECEIVED**  
**8/11/2020**  
**City of St. Helena**  
**Planning**

Re: Written Statement for a Lot Line Adjustment  
Lands of Anthony Micheli  
1125 Crinella Drive and Vacant Adjoining Parcel  
APNs 009-401-041(residence) and 009-401-042 (vacant)

The purpose of this Lot Line Adjustment is to adjust approximately 3,010 square feet from vacant parcel APN 009-401-042 to the residence parcel 009-401-041.

City ordinance requires that a pool can only be built on a parcel with an existing residence. This lot line adjustment will create room for a 10' wide lap pool on the residence parcel.

The vacant parcel will be reduced in size to 4,112 square feet. This will require a Use Permit Application for a Small Lot Development. The reduced vacant parcel conforms to the Small Lot Development standards. There will be no construction on the vacant parcel.

Please contact me if you have any questions.

Sincerely,

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

[ccole@terrafirmasurveys.com](mailto:ccole@terrafirmasurveys.com)

cc Anthony Micheli

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

**Phone: (707) 963-7565**

***terrafirmasurveys.com***

July 24, 2020

City of St. Helena Planning Department  
1572 Railroad Avenue  
St. Helena CA 94574

**RECEIVED**  
**8/11/2020**  
**City of St. Helena**  
**Planning**

Re: Written Statement for a Use Permit Application  
Lands of Anthony Micheli: Small Lot Development  
Crinella Drive (no situs address: vacant parcel)  
APN 009-401-042

The purpose of this Use Permit Application is to create a Small Lot Development parcel per 17.112.090. This will be done by Lot Line Adjustment with adjoining parcel APN 009-401-041, which is the Micheli residence parcel.

APN 009-401-042 will be reduced in size by 3,010 square feet:

- Existing Parcel Size: 7,122 sq. ft.
- Proposed Parcel Size: 4,112 sq. ft.

The subject parcel is vacant and there will be no construction on the Small Lot Development parcel. The proposed parcel conforms to the Small Lot Development standards.

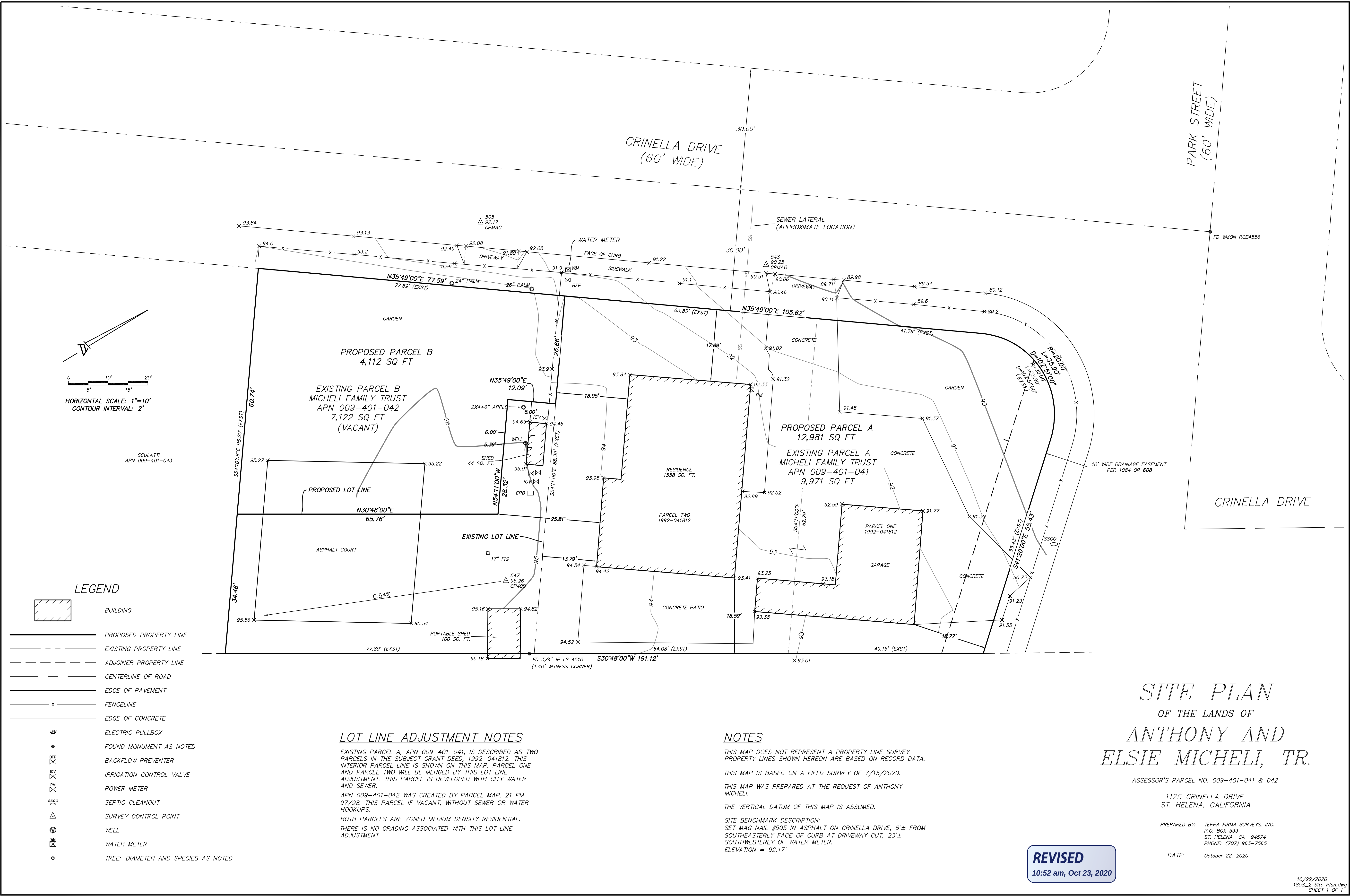
Please contact me if you have any questions.

Sincerely,

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

***ccole@terrafirmasurveys.com***

cc Anthony Micheli



Micheli Small Lot Development, Crinella Ave. Vacant Parcel. APN 009-401-042



RECEIVED  
8/11/2020  
City of St. Helena  
Planning

Micheli Small Lot Development, Crinella Ave. Street View. APN 009-401-042



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8/11/2020  
City of St. Helena  
Planning



