



****CANCELLED****

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

**Tuesday, February 21, 2023 @ 6:00 PM
Vintage Hall Board Room - Second Floor**

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.

The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofsthelelena.org. All public comments must be emailed and received no later than three (3) hours prior to the start of 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.

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://sthelelena.civicweb.net/portal/>.

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofsthelelena.org.

Servicios de interpretación en español durante la reunión pueden ser solicitados por el público. Para asegurar que los intérpretes estén disponibles, los servicios tienen que ser solicitados al menos 72 horas antes de la reunión llamando a la oficina de la Secretaria de la Ciudad al (707) 968-2640 o por correo electrónico a cityclerk@cityofsthelelena.org.

El horario de las reuniones publicadas y próximas puede ser localizado en el sitio de web de la Ciudad en <https://sthelelena.civicweb.net/portal/>.

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1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL
Chair: John Ponte
Commissioners: Autumn Anderson, Rosaura Segura, Marika Rothfeld and Chris Warner.

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: February 7, 2023

5 - 7

[Special Planning Commission Minutes 02.07.23](#)

5. PUBLIC HEARINGS

5.1. Request by Josephine Arader for adoption of a resolution approving a use permit in order to permanently establish a gallery and retail store featuring historical maps, art and books in an existing tenant space in the Menegon Building located at 1380 Main Street #103 in the Central Business zoning district.

9 - 28

CEQA Determination: Exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

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

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and
2. Accept the required findings and adopt the attached resolution granting use permit approval to establish a gallery and retail store featuring historical maps, art and books in the existing tenant space located at 1380 Main Street #103.

[Staff Report- 1380 Main St. #103](#)

6. SCHEDULED MATTERS

6.1. Nomination and election of a new Planning Commission Vice Chair.

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Prepared By: Xinia Gamero, Permit Technician III

Recommendation:

It is recommended that the Commission nominate and vote to elect a new Vice-Chairperson as identified in Rule 1 of the Planning Commission By-Laws.

[Staff Report- Nomination of Vice Chair](#)

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 March 7, 2023 at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was posted at City Hall, 1572 Railroad Ave., and at Vintage Hall, 465 Main Street, St. Helena, California on February 13, 2023.



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

MINUTES
City of St. Helena
Special Planning Commission Meeting
Tuesday, February 7, 2023 @ 5:00 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) 968-2742. The City Council video is the official record of the Council meeting.

Present: Chair John Ponte, Vice-Chair Autumn Anderson, Commissioner Rosaura Segura, and Commissioner Christopher Warner

Absent: Commissioner Marika Rothfeld

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. PUBLIC FORUM:

Public comment during special meetings is limited to subjects on the agenda only.

4. CONSENT ITEMS

4.1 Approval of Minutes: December 20, 2022

Commissioner Christopher Warner moved to approve the minutes on Consent Calendar. The motion was seconded by Commissioner Rosaura Segura and on roll call carried by the following vote:

AYES: Autumn Anderson, John Ponte, Rosaura Segura, and Christopher Warner

NOES: None

ABSENT: Marika Rothfeld

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

- 5.1** Request by Ben and Kelly Vanzutphen to subdivide a 16.9-acre parcel to establish 51 single-family residential lots, 11 of which are proposed with accessory dwelling units on approximately 13.4 acres. A 3.13-acre parcel will be established to accommodate a 25-unit multi-family housing development. Two additional remnant parcels (Parcel A; 0.06 acres) and (Parcel B; 0.04 acres) will remain with no plans for future development. A total of 87 units are intended to be built. The currently vacant project site is located north of Hunt

Avenue and east of the future extension of Adams Street within the Medium Density Residential (MR) Zoning and (MDR) General Plan districts.

Prepared By: Eric Norris, Planning Consultant

Chair Ponte opened the public hearing.

No ex-parte communication was disclosed by the Planning Commission.

Community Development Director Maya DeRosa addressed the Planning Commission and introduced Contract Planner Eric Norris.

Eric Norris reported on the item and showed a presentation.

City Attorney Todd Leishman addressed the Planning Commission.

Sherri Kelly, Inger Laidley, Pat Dell, John Milliken, Sandra McCorkle, Maria Villegas, Arlene Corsetti, Kelly Wheaton, Josh Devore, and Barbara Ringenberg addressed the Planning Commission.

Chair Ponte closed the public comment.

Commissioner Christopher Warner moved to recommend that the City Council adopt the attached Resolution recommending certification of the Final EIR, approval of the Mitigation Monitoring Program, Findings of Fact and Statement of Overriding Considerations. The motion was seconded by Vice-Chair Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, John Ponte, Rosaura Segura, and Christopher Warner

NOES: None

ABSENT: Marika Rothfeld

ABSTAIN: None

RECUSE: None

Commissioner Christopher Warner moved to recommend that the City Council adopt the attached Resolution recommending approval the requested Tentative Map No. 2022-001, File #PL10-040 for the Hunter Subdivision project. The motion was seconded by Vice-Chair Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, John Ponte, Rosaura Segura, and Christopher Warner

NOES: None

ABSENT: Marika Rothfeld

ABSTAIN: None

RECUSE: None

6. NEW BUSINESS

None.

7. SCHEDULED MATTERS

None.

8. DEPARTMENT REPORTS

None.

9. AGENDA FORCAST

10. ADJOURNMENT

Chair Ponte adjourned the meeting at **7:25 p.m.**

The February 7, 2023 minutes were approved at the _____
Planning Commission meeting.

APPROVED:

ATTEST:

John Ponte, Planning Commission Chair

Maya DeRosa, AICP
Community Development Director



PLANNING COMMISSION REPORT

Planning Commission Meeting of February 21, 2023

FILE NUMBER: PL22-049

SUBJECT: Request by Josephine Arader for adoption of a resolution approving a use permit in order to permanently establish a gallery and retail store featuring historical maps, art and books in an existing tenant space in the Menegon Building located at 1380 Main Street #103 in the Central Business zoning district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Maya DeRosa, Community Development Director

APPROVED BY: Maya DeRosa, Community Development Director

APPLICATION FILED:09/27/22

ACCEPTED AS COMPLETE:10/26/22

LOCATION OF PROPERTY: 1380 Main Street #103

APN: 009-212-001

GENERAL PLAN/ZONING: Central Business District (CBD)

APPLICANT: Josephine Arader

PHONE: (707) 225-4571

BACKGROUND

The existing building at 1380 Main Street, known as the Menegon Building, is a two-story commercial building at the southeast corner of Main Street and Adams Street. The building was approved in 2014 (Resolution No. 2014-01) with 3 retail tenant spaces and 11 parking spaces on the ground floor. The subject tenant space was home to a woman's clothing store for several years before becoming vacant. In September 2021, the applicant submitted a temporary use permit (TUP) application in order to open a natural history gallery and retail store at this location. Pursuant to St. Helena Municipal Code (SHMC) Section 17.136.050 (Temporary uses), the approved TUP was valid for one year from the date of issuance. Continuing the use beyond the one year required that the

applicant file an application for a permanent use permit, rather than a TUP, in compliance with Chapter 17.168.

PROJECT DESCRIPTION

Consistent with the requirement noted above, the applicant is now seeking use permit approval in order to permanently establish the gallery and retail store featuring historical maps, art and books in the existing tenant space at 1380 Main Street #103. The existing tenant space is approximately 750 square feet (sf) in total which includes a front gallery and a back gallery. Proposed hours of operation are Monday-Sunday (7 days/week) from 11am-5pm. No exterior modifications to the structure are proposed and a sign permit application will be submitted for any new or modified signage.

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan Land Use designation of Central Business (CB). The CB land use designation provides for 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. Residential uses can be considered for upper floor areas but are subject to discretionary use permit review and approval. The maximum allowable FAR in CB-designated areas is 2.0. The CB district extends from Sulphur Creek along Main Street to midway between Adams Street and Pine Street, west to Oak Avenue and along the north side of Adams Street east of Main Street. The 2040 St. Helena General Plan Update includes the following policies that are relevant to the proposed project:

- 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 a scale and type that complements the historic character.
- 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.

- ES1.2 - Identify and expand economic sectors in which the City has competitive advantages, and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area.
- ES1.6 - Support local arts, cultural activities, and entertainment that can contribute to the local economy.
- ES2.1 - Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development.
- ES2.2 - Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.
- ES2.3 - Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms and restaurant seats but continue to limit vacation rentals.

***Staff Response:** In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities. The project would also be oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.*

ZONING

Consistent with the General Plan land use designation, the site has a zoning designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. St. Helena Municipal Code (SHMC) Section 17.48.030 requires use permit approval for the establishment of antique stores and art galleries (the proposed use is somewhat of a hybrid of the two) in the CB district. No changes are being proposed to the existing building which was approved in 2014 and constructed in 2016.

***Staff Response:** As noted above, the existing building was approved in 2014 and constructed in 2016 in compliance with existing City codes and regulations. No changes are being proposed to the existing building as part of this use permit application. A discussion of the proposed project's consistency with the required use permit findings can be found below.*

Wastewater Generation

SHMC Section 17.48.090(E) restricts each and every use in the CB district such that any lot of record does not generate wastewater in excess of 600 gallons per day (gpd), without a use permit which regulates wastewater generation.

Staff Response: The uses in the Menegon Building are limited to 600 gpd of wastewater generation per the code section referenced above. While a gallery and retail store is not a heavy water user, and there are no water using fixtures or appliances in the tenant space, a condition of approval has been added requiring that the 600 gpd wastewater generation maximum be maintained.

WATER

Chapter 13.12 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: No changes are being proposed to the existing building and no new square footage is being added; the proposed use changes do not constitute new development as defined above, therefore, the project is not subject to St. Helena Water neutrality requirements.

PARKING

The existing building is within the City's parking impact overlay district which is governed by SHMC Chapter 17.104. The purpose of the parking impact overlay district is to establish parking standards for portions of the City generally located within the central business district. This area of the City is impacted by a lack of off-street parking because the buildings are of historic and unique character and were constructed in the early history of the City when automobiles were not as common.

Staff Response: As discussed, the applicant's tenant space is within the recently approved and constructed Menegon Building at 1380 Main Street. This building was approved for retail uses on the ground floor and provides 11 on-site parking spaces. As the proposed retail store would be located within this approved retail area of the building, the project does not require additional off-street parking.

HISTORIC RESOURCES

The Menegon Building was constructed in 2016 and is located within the City's nationally recognized historic downtown commercial district.

Staff Response: No exterior modifications are being proposed to the existing building and the uses proposed will not negatively impact the structure's status within the historic downtown commercial district nor will they detract from or be incompatible with the historic nature of the surrounding area.

USE PERMIT

As noted above, SHMC Section 17.48.030 requires use permit approval for the establishment of antique stores and art galleries in the CB 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 finds that the project meets and/or complies with the required findings to approve a use permit for the proposed gallery and retail store. The findings included in the attached resolution identify this compliance. Furthermore, the applicant has operated the gallery at this location for over a year without any known negative impacts on the City or the immediately surrounding area.

ISSUES

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

CORRESPONDENCE

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

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 CEQA Guidelines Section 15301; and
2. Accept the required findings and adopt a resolution granting use permit approval to establish a gallery and retail store featuring historical maps, art and books in the existing tenant space located at 1380 Main Street #103.

ATTACHMENTS

[Resolution](#)

[Aerial Image](#)

[Floor Plan & Parking](#)

[Photos](#)

[Applicant Statement](#)

[TUP Approval \(PL21-036\)](#)

**CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING USE PERMIT APPROVAL TO
1380 Main Street #103 (File No. PL22-049)**

PROPERTY OWNER: Antonio Castellucci

APN: 009-212-001

Recitals

1. The applicant has requested adoption of a resolution approving a use permit in order to permanently establish a gallery and retail store featuring historical maps, art and books in an existing tenant space in the Menegon Building located at 1380 Main Street #103 in the Central Business zoning district; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on February 21, 2023; and
4. Now, therefore let it be found that the Planning Commission approves the use permit thereby authorizing the use contained in said application 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 CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures.
- C. In accordance with SHMC Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit amendment:
 1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building.*
 2. *That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building subject to City noise regulations and is not expected to produce noise audible beyond the property line.*

1380 Main Street #103
Resolution / Conditions of Approval
February 21, 2023

3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as the proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building with existing vehicular access via Adams Street.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building.*
5. *That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would remain via Main Street and Adams Street.*
6. *That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.*
7. *That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building within the Central Business District.*
8. *That the proposed uses would not be in conflict with the City's General Plan in that the proposed project consists of the establishment of a gallery featuring historical maps and art in an existing commercial building within the Central Business District and is consistent with applicable General Plan policies.*
9. *That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed project consists of the establishment of a gallery featuring historical maps and art an existing commercial building within the Central Business District*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit only applies to this property and to these specific uses.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available in that the proposed project is located within a recently constructed building with required off-street parking.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed uses in that the project site can adequately be served by existing streets (Main Street and Adams Street).*

Planning Department Conditions of Approval

- 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.
1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance.
 2. The use permit shall be vested within one (1) year from the date of final action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
 3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
 4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
 5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit should one be required. Fees shall be those in effect at the time of the issuance of the building permit.
 6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
 7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
 8. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
 9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
 10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with

the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.

11. Operations shall be in compliance with plans submitted and reviewed by the Planning Commission on February 21, 2023, except as modified herein.
12. Hours of operation are limited to the hours of 10am to 8pm.
13. Music shall be allowed when accessory to the approved use and shall not be audible beyond the property boundary. No amplified or acoustic music is permitted outdoors.
14. Frontage areas, off-street parking areas, and all other open areas shall be permanently maintained by the property owner.
15. The uses in the existing building are limited to 600 gallons per day of wastewater.
16. A Sign Permit must be applied for and obtained for any new and/or replacement signage.
17. Exterior lighting shall be directed or shielded to prevent glare onto public roadways or adjacent properties.
18. 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 Public Works Director 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

19. If any work occurs within the public right-of-way, an Encroachment Permit is required. Encroachment Permits will not be issued prior to the approval of the Improvement Plans.
 - a. For work within the sidewalk area along the project frontage, a pedestrian protection plan showing closures, barricades, etc. shall be submitted as part of the Encroachment Permit process.
20. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the Public Works Director.

21. All streets, curbs, gutters, sidewalks, or other public facilities damage in the course of construction associated with this Project shall be the responsibility of the Applicant and shall be repaired to the satisfaction of the City at the Applicant's expense.

Building Department Conditions of Approval

22. The applicant will be required to comply with the codes adopted at the time if the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
23. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
24. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
25. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

Fire Department Conditions of Approval

26. Any 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.

I HEREBY CERTIFY that the foregoing 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 February 21, 2023 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

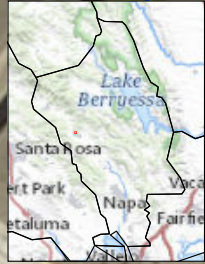
APPROVED:

ATTEST:

John Ponte
Chair, Planning Commission

Maya DeRosa, AICP
Community Development Director

*1380 Main Street #103
Resolution / Conditions of Approval
February 21, 2023*



Legend

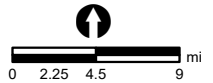
Esri Community Maps Contributors, County of Napa, Sonoma County, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Swire, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Sources: Esri, Airbus DS, USGS, NOAA, NASA, CGIAR, N Robinson, NCEAS



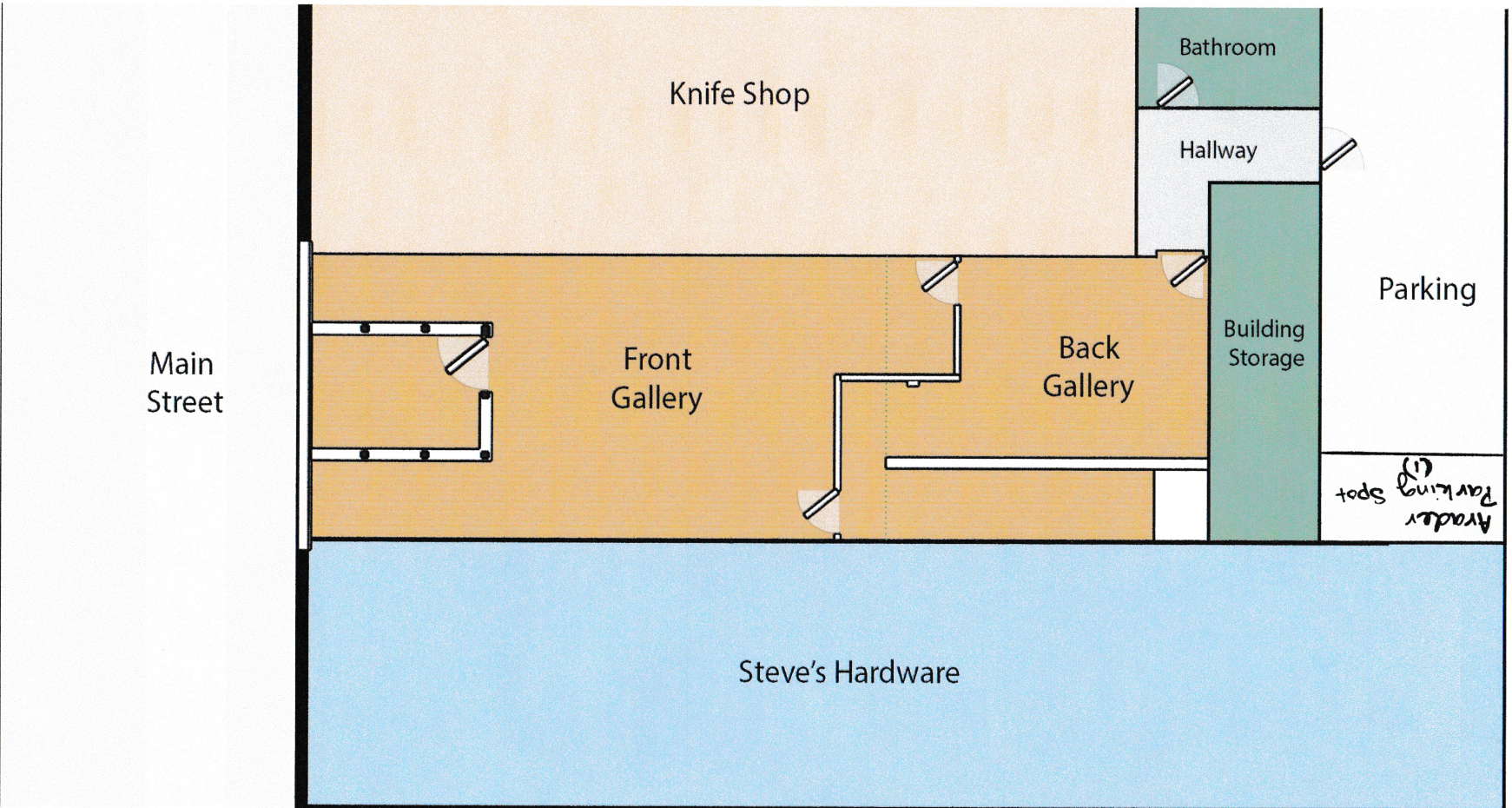
Produced by Napa County GIS

1380 Main Street

Printed On: 11/1/2022



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated hereon.



RECEIVED

By xgamero at 1:34 pm, Sep 27, 2022









RECEIVED
By xgamero at 1:32 pm, Sep 27, 2022

Arader Galleries has loved being part of the retail community on Main Street in Saint Helena for the last year. Thank you for granting us the Temporary Use Permit. We would now like to apply for a permanent use permit. Our business, named Arader Galleries, features historical maps from the 16th-19th century, specializing in maps of California, Westward Expansion of North America, and the World along with Natural History works from the same time period. This would be complimented with coffee table and reference books about rare maps and color plate books. We may also from time to time furnish the retail concept with a small selection of fine home furnishings, porcelain and textiles.

Hours of Operation: Everyday from 11am -5pm

We have one full time employee + myself.

We have not altered and do not plan to alter the interior or exterior of the location, except for paint and carpet.

We cater to the walk-in traffic in Saint Helena. We have one dedicated parking spot for our space.

This retail concept has served the local residents of Saint Helena as they have required items to decorate their homes and find gifts for friends, family and acquaintances. While we will have collectible rare maps and natural history artwork, we will also have accessible reference books on the history of westward expansion and natural history works in the range of \$40 - \$120. We really will have something for everyone.

Joseph Arader
9/23/22

TEMPORARY USE PERMIT APPROVAL



DATE: September 17, 2021

TO: Josephine Arader, Applicant

FROM: Maya DeRosa, AICP, Planning and Building Director

RE: Administrative approval (#PL21-036) of temporary use permit per St. Helena Municipal Code Section 17.136.050(D) allowing a retail gallery for art and maps in the building located at 1380 Main Street (APN 009-212-001).

PROJECT DESCRIPTION

The owner, Josephine Arader, is proposing to open a 800 SF retail space in an existing building that would sell historical maps from the 16th-19th century. There are no exterior changes or expansions planned with the proposed permit.

The applicant is required to apply for a permanent use permit amendment should they wish to operate beyond the 1-year granted with this approval.

Pursuant to St. Helena Municipal Code (SHMC) Section 17.136.050 (Temporary uses), the Planning Department hereby finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.

CONDITIONS OF APPROVAL

1. This permit authorizes the activities described above and as part of the written description submitted with this application. This permit expires one year from the date of this approval.
2. All required licenses and permits must be obtained (as applicable) prior to opening for business including but not limited to the following:
 - a) Business License
3. All business-related activities must occur on private property unless otherwise approved.
4. Occupancy must comply with current fire codes and is subject to review and approval by the Fire Marshal.
5. An Administrative Sign Permit must be applied for and obtained for any new signage.
6. This approval is valid until September 17, 2022.
7. If the applicant wishes to make these uses permanent, a Use Permit Amendment application shall be filed with the Planning Department 30 days prior to the expiration of this approval.
8. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises.

*Temporary Use Permit Approval
1414 Main Street
May 6, 2021*

9. Until the end of the Phase II water emergency, there shall be no onsite landscaping installed.

APPEALS

This approval is subject to a 14-day appeal period per SHMC Section 17.08 (Administrative Procedures). 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.

Sincerely,



Maya DeRosa, AICP
Planning and Building Director
City of St Helena

*Temporary Use Permit Approval
1414 Main Street
May 6, 2021*



PLANNING COMMISSION REPORT

Planning Commission Meeting of February 21, 2023

FILE NUMBER: N/A

SUBJECT: Nomination and election of a new Planning Commission Vice Chair.

PREPARED BY: Xinia Gamero, Permit Technician III

REVIEWED BY: Maya DeRosa, Community Development Director

APPROVED BY: Maya DeRosa, Community Development Director

APPLICATION FILED:

BACKGROUND

Rule 1 of the Commission By-Laws identifies that the Planning Commission, by majority vote, may choose to elect a Chairperson or Vice-Chairperson at a different meeting to address a resignation.

PROJECT DESCRIPTION

Nomination and election of the Vice-Chairperson for the Commission.

STAFF RECOMMENDATION

It is recommended that the Commission nominate and vote to elect a new Vice-Chairperson as identified in Rule 1 of the Planning Commission By-Laws.

ATTACHMENTS

[PC BY-LAWS 2018-Final\(Votes\)](#)



ST. HELENA PLANNING COMMISSION BY-LAWS

The following rules shall be applicable to the organization of the St. Helena Planning Commission, to the convening or calling of meetings, and to the transaction of business when the Commission has convened and acts or serves in an official capacity, pursuant to law.

ORGANIZATION AND ELECTION AND DUTES OF OFFICERS

RULE 1. The Commission shall elect a Chairperson and Vice Chairperson and designate a Secretary at the first regular meeting of the Planning Commission in July to serve for a period of one year from the date of their election. However, the Planning Commission, by majority vote, may choose to elect a Chairperson or Vice-Chairperson at a different meeting to address a resignation. In the case of a resignation of the Chair, the Vice-Chair shall become the interim Chair until formal election of a new Chairperson occurs.

RULE 2. The Chairperson of the Planning Commission shall preserve order and decorum and shall decide questions of order. The Vice Chairperson shall preside in the absence of the Chairperson.

RULE 3. The Chairperson of the Planning Commission may second any motion and present and discuss any matter as a member of the Commission without having to step down from the Chair and shall be entitled to vote on all matters before the Planning Commission.

RULE 4. The Secretary shall be a City Employee, normally the Planning Director.

RULE 5. The Secretary shall be responsible for the preparation of the Planning Commission minutes and shall assure that all official actions or decisions by the Commission shall be recorded within the minutes. Consistent with Municipal Code section 2.60.030, the Commission shall keep a public record of its resolutions, transactions, findings and determinations. Those records are kept as minutes that summarize Commission action, in the same manner as City Council minutes.

RULE 6. The City Attorney of the City of St. Helena shall be the legal counsel to the Planning Commission.

RULE 7. The video recordings of each meeting are designated as the official record of the Planning Commission agenda and action and are to be made available on the City of St Helena website.

SCHEDULE OF MEETINGS

RULE 8. The Planning Commission shall hold at least two Regular Meetings per month, which shall be held on the first and third Tuesdays of the month. In the event the first or third Tuesday is a holiday, an alternate meeting may be held. An additional Adjourned Meeting may be held, if

necessary. Such regular meetings may be canceled by a vote of the majority of Commission members present at a regular or special meeting or when a quorum is not available. Meetings shall be held in the same locale used by the City Council or at City Hall or the Fire Department starting at 6:00 P.M. Adjourned Meetings, Special Meetings, meeting relocation, or revised starting time shall be by a three-fifths vote of the Planning Commission. Notice of such meeting shall be given in accordance with State law.

RULE 9. Emergency or special meetings may be called as provided in Section 54956 of the Government Code of the State of California.

RULE 10. In the absence of a quorum all items on the agenda shall be continued to the next scheduled meeting.

AGENDA

RULE 11. An agenda shall be prepared by the Secretary of the Planning Commission for each meeting of the Planning Commission.

RULE 12. All matters to be considered by the Commission shall be properly filed with the City in compliance with the provisions, standards, and procedures established by adopted City Ordinances. The Secretary shall not accept for presentation to the Commission any matter unless it is properly made on the prescribed forms properly filled out with all data attached.

RULE 13. Any matter that comes before the Commission orally under Public Forum shall not be discussed or acted upon by the Commission unless and until it is heard as a scheduled agenda item at a Regular, Adjourned, or Special meeting of the Commission.

RULE 14. Request for informal or advance decisions concerning potential future developments or plans will not be considered by the Planning Commission.

RULE 15. The regular order of business of the Commission shall be:

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE & ROLL CALL
3. MINUTES APPROVAL
4. PUBLIC FORUM
5. COMMUNICATIONS & PETITIONS
6. RECOMMENDED CONSENT CALENDAR
7. CONTINUED ITEMS
8. SIGN PERMIT/ADMINISTRATIVE DETERMINATION
9. PUBLIC HEARINGS - PLANNING COMMISSION ACTION IS FINAL
(DR/UP/VAR/LLA/TPM)
10. PUBLIC HEARINGS – PUBLIC HEARINGS/RECOMMENDATIONS TO CITY
COUNCIL (TSM/ZOTA/GPA/REZONE)
11. NAPA COUNTY REFERRALS
12. SCHEDULED MATTERS
13. REPORTS BY STAFF AND PLANNING COMMISSION
14. AGENDA FORECAST
15. ADJOURNMENT

RULE 16. The Chairperson may revise the order of the agenda for a particular meeting in order to expedite business for the convenience of the public or for improved continuity.

RULE 17. Commission meetings may remain in session up to, but no later than 10:00 P.M. However, the Commission may, by a unanimous vote, extend the meeting if the Commission deems such extension necessary. Otherwise, the meeting shall be adjourned to another day acceptable to the Commission, or unfinished business may be continued to the next Regular Meeting.

CONDUCT OF PUBLIC HEARINGS

RULE 18. Letters, petitions, or other written material pertaining to any item on the agenda may be filed with the secretary of the Commission prior to the time of the public hearing or may be presented to the Commission at the time of the public hearing. The Commission shall consider such material in deciding any issue before it. All written material shall become part of the Commission's file on the agenda item.

RULE 19. Items submitted after packet distribution: Materials related to any item on the Agenda submitted to the Planning Commission after distribution of the agenda packet are available for inspection in the Secretary of the Commission's office at 1480 Main Street, St. Helena, CA during normal business hours. All such materials will be brought to the meeting and will be available for public inspection at the meeting site. Either City Staff or the Chairperson at the hearing shall give public notice of any such materials. If copies are not available in sufficient quantity for interested parties or members of the public at the hearing, the Chairperson shall take reasonable steps to afford all such persons the opportunity to inspect the materials before the start of the hearing on a scheduled matter. The purpose of the foregoing is to avoid the interruption of testimony with requests for inspection of materials.

RULE 20. Any person desiring to address the Planning Commission may, when recognized by the Chairperson, give his or her name and address. A person appearing in a representative capacity shall provide the name and address of each represented party.

RULE 21. Testimony and argument relative to any item scheduled on the agenda as a Public Hearing shall, unless otherwise ordered by the Chairperson, be presented in the following order and within the time limits specified.

- a. The Chairperson shall declare the Public Hearing to be open.
- b. Disclosure of Ex Parte Communication*
- c. Staff Report, including acknowledgement and/or reading of written testimony.
- d. Presentation of the project by applicants, and/or agents/consultants directly associated with the project. (10 minutes)
- e. Commission questions to staff and the applicant for purposes of clarification of staff report and proposed project.
- f. Public Testimony in support or opposition of the project. (4 minutes per person)
- g. Applicant and/or staff response to new information or questions raised by public testimony.
- h. Chairperson declares public hearing to be closed.
- i. Planning Commission debate, and motion.
- j. Roll Call Vote.

Note: At the option of the Chairperson the public or applicant may give further testimony on the question, provided it is directly related to the motion.

* Ex Parte Communication is hereby defined as any additional factual information obtained by commissioners that pertains to an individual decision, including visiting a project site, meeting with a project applicant and/or meeting with interested citizens.

*Planning Commission By-Laws
July 17, 2018
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RULE 22. The Chairperson may, in the interest of facilitating the business of the Planning Commission, limit the amount of time that a person may use in addressing the Planning Commission. Opponents and proponents shall be given equal opportunity for presentation. A project applicant should always be given the right, reasonable opportunity and time, to respond fully to evidence and arguments presented after the applicant has made his/her opening presentation.

RULE 23. The applicant or his or her appointed representative may, with the permission of the Planning Commission, withdraw, or request a continuance on any matter pending before the Commission at any time prior to the Commission acting on such matter.

VOTING

RULE 24. A majority of the members of the Commission shall constitute a quorum. Unless otherwise required by federal, state or local regulation, the affirmative vote of a majority of the quorum is necessary to take action. If a majority is unable to be assembled on any motion (including a motion to continue a matter to a specific time) relating to a specific project for which the Commission must make a recommendation to the City Council, the project shall be referred to Council with a divided recommendation which reflects the individual votes of the Commissioners. If a majority is unable to be assembled on any motion (including a motion to continue a matter to a specific time) relating to a specific project for which the Commission has final authority, the matter before the Commission shall be deemed denied and the applicant may appeal such decision in accordance with the applicable rules. A tie vote, or deadlock, constitutes a denial unless the applicant requests a continuance of the item to a subsequent meeting at which a quorum is present, prior to a vote to deny the item.

RULE 25. On matters of procedure or order of business the Chairperson may make a motion and without a second and after calling for objection and hearing none, so order. In the event of objection, the Chairperson shall call for a second and a roll call vote.

MISCELLANEOUS

RULE 26. The Commission shall conduct their duties in keeping with the governing standards as provided by the Planning Commission Standards of Conduct document, maintaining the highest level of professionalism during their tenure serving the residents of the City of St. Helena.

RULE 27. Unless otherwise provided by these Rules, all proceedings before the Commission shall be conducted in accordance with and pursuant to the parliamentary rules of procedure as prescribed in "Rosenbergs's Rules of Order."

RULE 28. Testimony and argument relative to any other item on the agenda shall generally follow the procedure for a Public Hearing as may be modified at the discretion of the Chairperson.

RULE 29. Any rule of these By-Laws may be altered, amended, or repealed by majority vote of the Commission (subject to approval by the City Council), except that such alteration, amendment, or repeal shall not affect any pending matter.

RULE 30. Any rule of these By-Laws may be temporarily suspended by unanimous consent of the Commission.

RULE 31. A Resolution of the Planning Commission may be adopted conditionally and referred to the Secretary of the Commission for drafting in proper form.

*Planning Commission By-Laws
July 17, 2018
4 of 5*

RULE 32. Commission members shall decide for themselves whether they have a conflict of interest on any matter before the Commission. Such determination shall be made in accordance with State law and the City of St Helena Protocol for Committee, Commissions and Boards or any amendment thereto. When a member has disqualified himself/herself, he/she shall remove himself/herself from the dais stating their reasons for conflict of interest. The member shall also remove himself/herself from the meeting room, unless they are permitted to remain for a qualified interest as set forth in State law.

RULE 33. Failure to adhere to any of these rules does not result in the invalidation of any decision or action of the Planning Commission.

RULE 34. Any violation of these rules does not result in a cause of action against the City of St. Helena.

RULE 35. Subject to compliance with all established laws and regulations, any violation of these rules shall not impact the outcome of a vote or action on a specific project.

Amended, Approved and Adopted at a Regular Meeting of the Planning Commission on July 17, 2018, by the following roll call vote:

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Commissioners Ponte, Monnette and Hardy

NOES: None

ABSENT: Commissioner Knudsen

ABSTAIN: None

CITY OF ST. HELENA

RESOLUTION No. 2018-116

Resolution of the Council of the City of St Helena adopting revisions to the City of St Helena Planning Commission By-Laws

RECITALS

The City Council of the City of St. Helena hereby resolves as follows:

- A. Whereas, the City of St. Helena Planning Commission voted unanimously to amend its By-Laws at its Regular Meeting on July 17, 2018; and
- B. Whereas, the City of St Helena Protocol for Committees, Commissions and Boards requires City Council approval of any modifications to the By-Laws of a Committee, Commission or Board.

RESOLUTION

Therefore, the City Council of the City of St. Helena hereby resolves as follows:

- 1. This action is not a project under the California Environmental Quality Act; and
- 2. The City Council authorizes amendments to the City of St Helena Planning Commission By-Laws and are hereby approved, as amended by the Planning Commission on July 17, 2018 (attached).

Approved at a Regular Meeting of the St. Helena City Council on August 28, 2018, by the following vote:

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

APPROVED:

ATTEST:


Alan Galbraith, Mayor




Cindy Tzafopoulos, City Clerk