



**City of St. Helena
Planning Commission Regular Meeting
Tuesday, April 21, 2026 @ 6:00 PM
Vintage Hall Board Room
465 Main Street, St. Helena CA**

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Public Forum" 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 via to publiccomment@cityofstheleena.gov. All public comments must be received three hours prior to the meeting. All other public comments received after the deadline will be attached to the item the next business day or soon thereafter. Public comments will not be read out loud but will be publicly available and attached to the online Planning Commission agenda.

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@cityofstheleena.gov.

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at cityofstheleena.gov.

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@cityofstheleena.gov.

El horario de las reuniones publicadas y próximas puede ser localizado en el sitio de web de la Ciudad en cityofstheleena.gov

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chair: Chris Warner

Vice-Chair: Sue Furdek

Commissioners: Autumn Anderson, Hector Lopez and Michelle Covell

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.

3.1. Public Comment

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: April 7, 2026

5. PUBLIC HEARINGS

5.1. Zoning Ordinance Amendment (ZOA 26-002) – On-Site Storage Facilities Regulations, Section 17.33 (Definitions) and Table 17.17.020(A) (Commercial and Mixed-Use Zoning Districts)

CEQA Determination: Categorical Exemption/Common Sense Exemption (§15061(b)(3))

Prepared By: Jackie Oneal , Senior Planner

Recommendation:

1. Find that the proposed amendments to Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and

2. Adopt ordinance ZOA 26-002 amending Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code to clarify the definition and regulation of on-site storage facilities.

5.2. Zoning Ordinance Amendment (ZOA 26-001) to Update Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Regulations (Chapter 17.22.030)

CEQA Determination: Statutory Exemption

Prepared By: Jackie Oneal , Senior Planner

Recommendation: Receive the staff report, take public comment, and provide feedback on the draft Zoning Ordinance Amendment to Section 17.22.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units). No formal action is required at this time. Staff will incorporate Planning Commission and public input and return with a revised ordinance and resolution for formal consideration at a future public hearing.

6. SCHEDULED ITEMS

7. REPORTS BY STAFF/COMMITTEE

Reports by staff and/or committee on items of general interest. Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Planning Commission.

8. AGENDA FORECAST AND COMMISSION REQUESTS

This is 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 current planning projects is available on our city website in the link below: cityofstheleena.gov/230/Planning-Project

8.1. Future Agenda Items (Informational Only):

The following items are tentatively scheduled for upcoming Planning Commission meetings and are subject to change. No action will be taken.

May 5, 2026:

Housing Element Annual Progress Report
Major Sign Review

May 19, 2026:

Development Agreement Amendment — Tentative
Use Permit Amendment

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for May 5, 2026.

This agenda was posted at City Hall, 1088 College Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on April 15, 2026.

Leza Mikhail, Community Development 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 17.12.020, 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 City Clerk's Office located at 1088 College Avenue, St. Helena, California, during normal business hours and by appointment. In addition, such writings or documents will be made available on the City's website at cityofsthenana.gov and will be available for public review at the respective meeting.

From: [Tracy McBride](#)
To: [Public Comment](#)
Subject: Planning Commission 4/21/26
Date: Monday, April 20, 2026 12:22:29 PM

Dear Planning Commissioners,

Thank you for your service to the City and residents.

I ask you to improve communications in two areas.

- On the City website there are two calendars. I believe there should only be one calendar, one place for someone to look up information on a scheduled event. If one only uses the City website occasionally, it is common sense there would only be one place to look up meeting times and preparatory materials. For example, for the Castellucci project hotel NOP meeting, there was a meeting listed in the "events" second but not in the "meetings/agendas" section. Note this was a City prepared meeting with preparatory materials including a slide show. I did not see where this important NOP meeting was advertised. I should not have to rely on social media to learn about city events and a project of this size. I implore you to advance the idea of one central calendar on the City website.
- For notification to nearby property owners for a large project, I implore you to change the policy of a "courtesy notice" which implies an optional notice by the City to a required notice within 500' of property boundaries. With larger projects being proposed, it is quite jarring to learn about the project at the last minute. Other municipalities require the applicant to notify neighbors and to post a sign at the subject property notifying the public of the proposed project. I recommend the City consider this method to get as much input as possible at the beginning to make the project process more streamlined later.

Thank you for your consideration.

Tracy McBride,
Phone: 510-517-6202
email: tracymcbride22@gmail.com

MINUTES
City of St. Helena
Regular Planning Commission Meeting
Tuesday, April 7, 2026 @ 6:00 PM
Vintage Hall Board Room
465 Main Street, St. Helena CA

A complete video recording of this meeting can be found at <https://sthelenaca.portal.civicclerk.com/event/1516/media> or by calling the City Clerk at (707) 967-2792. The Planning Commission video is the official record of the Planning Commission meeting.

1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL

Present: Chair Christopher Warner, Commissioner Michelle Covell, Commissioner Hector Lopez

Absent: Commissioner Autumn Anderson, Commissioner Sue Furdek

3. PUBLIC FORUM

Chair Warner opened the Public Forum.

Elaine de Man addressed the Planning Commission.

Chair Warner closed the Public Forum.

4. CONSENT ITEMS

4.1. Approval of Minutes: March 17, 2026

Commissioner Michelle Covell moved to approve the minutes of March 17, 2026. The motion was seconded by Commissioner Hector Lopez and on roll call carried by the following vote:

AYES: Commissioners Michelle Covell, Hector Lopez and Christopher Warner

NOES: None

ABSENT: Commissioners Autumn Anderson and Sue Furdek

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

- 5.1. Request by Brian Heim for approval of a New Short Term Rental Permit to allow for the use of a single-family residence as a Short-Term Rental at 2525 Madrona Ave (APN 009-450-013) in the Twenty-Acre Agriculture (A-20) zoning district.

Prepared By: Natalie Bresee, Assistant Planner

Assistant Planner Natalie Bresee shared a presentation and reported on the item.

Chair Warner opened public comment.

Brian Heim, applicant, and Elaine de Man addressed the Planning Commission.

Chair Warner closed public comment.

Commissioner Hector Lopez moved to approve a New Short-Term Rental permit (STR26-004) at 2525 Madrona Ave (APN 009-450-013), including action to approve a Categorical Exemption pursuant to Section 15061(B)3 of the State CEQA Guidelines. The motion was seconded by Commissioner Michelle Covell and on roll call carried by the following vote:

AYES: Commissioners Hector Lopez, Michelle Covell, and Christopher Warner

NOES: None

ABSENT: Commissioners Autumn Anderson and Sue Furdek

ABSTAIN: None

RECUSE: None

- 5.2. Request by Mark Larson for approval of a New Short Term Rental Permit to allow for the use of a single-family residence as a Short-Term Rental at 1351 El Bonita Ct (APN 009-31-004) in the Medium Density Residential (MR) zoning district.

Prepared By: Natalie Bresee, Assistant Planner

Assistant Planner Natalie Bresee shared a presentation and reported on the item.

Chair Warner opened public comment.

Mark Larson, applicant, Celeste Kneely and Elaine de Man addressed the Planning Commission.

Chair Warner closed the public comment.

Commissioner Hector Lopez moved to approve the Short-Term Rental permit (STR26-003) at 1351 El Bonita Ln (APN 009-431-004), including action to approve a Categorical Exemption pursuant to Section 15061(B)3 of the State CEQA Guidelines, based on the findings and subject to the conditions of approval. The motion was seconded by Commissioner Michelle Covell and on roll call carried by the following vote:

AYES: Commissioners Hector Lopez, Michelle Covell, and Christopher Warner

NOES: None

ABSENT: Commissioners Autumn Anderson and Sue Furdek

ABSTAIN: None

RECUSE: None

6. SCHEDULED ITEMS

None.

7. REPORTS BY STAFF/COMMITTEE

Assistant Planner Natalie Bresee reported on the following:

- The Zoning Matrix update discussion will be presented to the Planning Commission at a future meeting following the start of the new Community Development Director, tentatively in May.

8. AGENDA FORECAST AND COMMISSION REQUESTS

The following items are tentatively scheduled for upcoming Planning Commission meetings and are subject to change. No action will be taken.

- The next Planning Commission meeting is scheduled for April 21.
- Major Sign Permit, Zoning Code Matrix, and other public hearing items are tentatively scheduled for May.

Commissioner Covell noted that a Public Scoping Meeting for the Castellucci Adams Street Hotel & Residences will take place on April 9 at 6:00 p.m. in the Carnegie Building. In addition, Commissioner Covell requested that the meeting be posted on additional social media platforms, such as Nextdoor, Facebook, and the City website.

9. ADJOURNMENT

Chair Warner adjourned the meeting at **6:42 p.m.**

The April 7, 2026 minutes were approved at the _____ Planning Commission meeting.

APPROVED:

ATTEST:

Christopher Warner, Chair
Planning Commission

James McCann, Interim Community
Development Director



Agendas Report to the Planning Commission

Agenda Section: PUBLIC HEARINGS

Department: Community Development Department - Planning Division

DATE:	April 21, 2026
FILE NUMBER:	ZOA 26-002
SUBJECT:	Zoning Ordinance Amendments to Section 17.33 (Definitions), Table 17.17.020(A) (Commercial and Mixed-Use Zoning Districts), and related provisions to clarify the regulation of on-site storage and distinguish between accessory storage and storage as a primary or dominant use.
LOCATION OF PROPERTY:	Citywide
APN:	Citywide
GENERAL PLAN/ ZONING:	Citywide
APPLICANT:	N/A
PROJECT PLANNER:	Jackie Oneal , Senior Planner
REVIEWED BY:	James McCann, Interim Director of Community Development
CEQA DETERMINATION:	Categorical Exemption/Common Sense Exemption (§15061(b)(3))
RECOMMENDED ACTION:	1. Find that the proposed amendments to Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and 2. Adopt ordinance ZOA 26-002 amending Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code to clarify the definition and regulation of on-site storage facilities.

BACKGROUND:

Section 17.33 (Definitions) currently defines “On-Site Storage Facilities” as:

“The indoor or outdoor storage of any materials, products, or equipment on the premises.”

This definition does not distinguish between storage that is incidental to a permitted business and storage that functions as a primary use.

This issue was identified in response to inquiries from local business owners seeking to establish small accessory storage buildings in the Central Business (CB) and Mixed Use (MU) Zoning Districts. Because “on-site storage facilities” are not currently listed as conditionally permitted uses in those districts under Table 17.17.020(A), the code creates uncertainty for businesses seeking permits for routine storage-related improvements.

Most recently, during the Planning Commission’s pre-application review of the Clif Family Winery project, staff identified this as a broader zoning issue and indicated that a Zoning Ordinance Amendment would be brought forward for consideration.

Additionally, Section 17.24.100 (On-Site Storage) regulates the placement and operation of storage, and Section 17.24.090 (Screening) requires outdoor storage areas to be screened from public view and adjacent properties. While these sections provide operational standards, they do not address when storage should be treated as a distinct land use.

PROJECT DESCRIPTION:

The proposed amendments implement the Planning Commission’s direction while clarifying how storage is classified and regulated.

1. Amend Section 17.33 – Definition of “On-Site Storage Facilities”

The definition is revised to distinguish between accessory storage and storage as a primary or dominant use:

“On-site storage facilities” means the indoor or outdoor storage of materials, products, or equipment as a primary or dominant activity on a site, and does not include the storage of goods or items sold or utilized by a primary commercial use, or used in or produced by a primary industrial use, when the materials stored are appropriate, incidental, and subordinate to a permitted primary use”.

This revision clarifies that routine storage associated with a permitted business is considered an accessory activity, while storage that functions as a primary or dominant use of a site is subject to discretionary review.

2. Amend Table 17.17.020(A) – Use Regulations

Table 17.17.020(A) is amended to require a Conditional Use Permit (CUP) for “On-Site storage Facilities” in the following Zoning Districts:

- Service Commercial (SC)
- Central Business (CB)
- Mixed Use (MU)

A clarifying footnote is added:

14. This classification applies only where storage is a primary or dominant activity on a site.

3. No Changes to Existing Operational Standards

The ordinance does not modify Sections 17.24.100 (On-Site Storage) or 17.24.090 (Screening). Current regulations continue to apply, including:

- Screening requirements (Section 17.24.090)
- Location and setback restrictions (Section 17.24.100)
- Height limitations for stored materials

The proposed amendment relies on these existing standards to regulate accessory storage, while reserving discretionary review for storage that functions as a primary use.

ANALYSIS:

The St. Helena Municipal Code (SHMC) currently conflates two distinct concepts:

- Incidental storage, which is a routine and necessary component of most commercial uses; and
- Storage as a primary or dominant land use, which may have different operational and visual impacts

Because Section 17.33 presently defines “On-Site storage Facilities” broadly, routine business activities such as inventory storage, equipment storage, and small accessory storage structures may be interpreted as regulated uses.

SHMC Section 17.24.100 (On-Site Storage) and Section 17.24.090 (Screening) already regulate how storage occurs on a site, including placement, visibility, and height. The proposed amendment resolves this inconsistency by:

- Clarifying that storage incidental to a permitted use is an allowed accessory activity;

- Applying the Conditional Use Permit requirement only where storage becomes a primary or dominant component of the site; and
- Relying on existing objective standards to regulate typical storage activities.

This approach ensures that:

- Businesses can maintain normal operations without unnecessary permitting requirements;
- The City retains discretionary review authority where storage may affect site function or neighborhood character; and
- The Zoning Code is applied consistently and predictably.

General Plan Consistency

The proposed amendments are consistent with the following General Plan policies:

- **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.”*
- **LU3.2:** *“Enhance the pedestrian-oriented character of commercial areas and provide for convenient pedestrian and bicycle connections to encourage walking and reduce vehicle trips within the commercial area.”*
- **LU3.5:** *“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.”*
- **LU3.9:** *“In Mixed-Use, Service Commercial, and Central Business Districts encourage residential and office uses in upper-story locations or locations along the periphery of the retail district. This will facilitate active and pedestrian-oriented commercial areas.”*
- **LU3.10:** *“Encourage office development within Mixed-Use, Service Commercial, and Central Business Districts to complement the pedestrian orientation of surrounding development.”*

Analysis:

The proposed amendments support these policies by clarifying the regulation of on-site storage, allowing routine business operations to function without unnecessary permitting while ensuring that storage as a primary or dominant use remains subject to discretionary review. This approach supports a functional, pedestrian-oriented commercial environment and maintains the intended character of the City’s commercial and mixed-use districts.

ISSUES:

1. Relationship to Accessory Use Regulations (Section 17.22.020)

Questions may arise regarding how storage relates to the accessory use provisions in Section 17.22.020.

Accessory storage associated with a permitted commercial use is considered an inherent operational component of that use. While Section 17.22.020(B) establishes limitations on commercial accessory uses based on floor area and revenue, those provisions are intended to regulate secondary commercial activities rather than operational support functions.

Accordingly, incidental storage is not subject to the floor area or revenue limitations applicable to accessory commercial uses.

2. Conditional Use Permit Requirement

The Planning Commission discussed the role of storage during the pre-application review of the Clif Family Winery project where it was discussed that storage should remain subordinate to the primary commercial use of a site.

The proposed amendment implements this direction by requiring a Conditional Use Permit for “On-Site Storage Facilities” in the SC, CB, and MU Zoning Districts, while clarifying that this requirement applies only where storage is a primary or dominant use.

This approach ensures that:

- Storage incidental to a permitted primary use does not require discretionary review; and
- Storage that constitutes a primary or dominant activity on a site is subject to appropriate review.

3. Existing Development Standards for Storage

Sections 17.24.090 (Screening) and 17.24.100 (On-Site Storage) already establish objective standards governing the placement and visibility of storage, including requirements related to screening, setbacks, and height.

The proposed amendment does not modify these standards. Instead, it clarifies how storage is classified within the Zoning Code and when a Conditional Use Permit is required.

CORRESPONDENCE:

At the time of preparation of this report, staff has received informal inquiries from local business owners regarding the ability to construct small accessory storage structures in commercial districts. These inquiries informed the development of the proposed amendment.

No formal written correspondence has been received regarding this item.

STAFF RECOMMENDATION:

After reviewing the item and hearing from all interested parties, staff recommends that the Planning Commission adopt the attached resolution recommending that the City Council:

1. Find that the proposed amendments to Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and
2. Adopt Ordinance ZOA 26-002 amending Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code to clarify the definition and regulation of On-Site Storage Facilities.

ATTACHMENTS:

1. Draft Planning Commission Resolution ZOA 26-002
2. Proposed City Council Ordinance ZOA 26-002
3. Redlined Ordinance, Sections 17.33 and 17.17.020 (For Reference Only)
4. 1. Public Comment_Bell

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO. PC2026-010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.33 (DEFINITIONS) AND TABLE 17.17.020(A) (USE REGULATIONS - COMMERCIAL AND MIXED-USE ZONING DISTRICTS) OF TITLE 17 (ZONING) OF THE ST. HELENA MUNICIPAL CODE (ZOA 26-002)

Recitals

WHEREAS, the City of St. Helena, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City desires to amend its Zoning Code (ZOA 26-002), codified as Title 17 of the St. Helena Municipal Code ("SHMC"); and

WHEREAS, staff prepared the proposed ordinance, including any additional information and documents deemed necessary for the Planning Commission to take action; and

WHEREAS, the City gave public notice of the public hearing for the proposed ordinance in accordance with applicable law; and

WHEREAS, on April 21, 2026, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed ordinance.

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

Resolution

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ST. HELENA DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

Recitals. The above recitals are incorporated herein by reference.

Compliance with CEQA. The Planning Commission recommends that the City Council find that the proposed ordinance amendment is exempt from CEQA pursuant to Section 15061(b)(3).

General Plan Consistency. Based on the entire record before the Planning Commission, and all written and oral evidence presented, the Planning Commission hereby finds that

the proposed ordinance is consistent with the City's adopted General Plan. The proposed ordinance does not otherwise conflict with any of the General Plan's goals or policies.

Zoning Ordinance Amendment ZOA 26-002. The Planning Commission hereby recommends that the City Council adopt the attached proposed ordinance (**Exhibit A**) entitled:

An Ordinance of the City Council of the City of St. Helena amending Section 17.33 (Definitions) and Table 17.17.020(A) (Use Regulations—Commercial and Mixed-Use Zoning Districts) of the St. Helena Municipal Code related to on-site storage facilities.

Availability of Documents. The proposed ordinance is on file and available for public review in the Community Development Department at St. Helena City Hall, 1088 College Avenue.

Severability. If any part of this Resolution is held by a court to be invalid, that part is severable from the rest and every other part remains unaffected and in effect.

(Signatures on following page)

I HEREBY CERTIFY that the foregoing recommendation to the City Council was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of the Planning Commission held on April 21, 2026

by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Christopher Warner
Chair, Planning Commission

Leza Mikhail
Community Development
Director

Attachments:

1. "Exhibit A" Proposed Ordinance of the City Council
2. Redlined Ordinance Sections 17.33 and 17.17.020, for reference only

Exhibit “A”

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
AMENDING SECTION 17.33 (DEFINITIONS) AND TABLE 17.17.020(A) (USE
REGULATIONS—COMMERCIAL AND MIXED-USE ZONING DISTRICTS) OF THE
ST. HELENA MUNICIPAL CODE RELATED TO ON-SITE STORAGE FACILITIES
(ZOA 26-002)**

WHEREAS, the City of St. Helena, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City desires to amend Section 17.33 (Definitions) and Table 17.17.020(A) of the St. Helena Municipal Code (“SHMC”); and

WHEREAS, staff prepared the proposed ordinance, including the proposed language, and any additional information and documents deemed necessary for the City Council to take action; and

WHEREAS, on April 21, 2026, the Planning Commission held a duly noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed ordinance and municipal code amendments, and adopted Resolution No. PC2026- XX recommending that the City Council adopt the proposed ordinance and finding that no environmental review is required under CEQA; and

WHEREAS, the City gave public notice of the public hearing before the City Council for the proposed ordinance in accordance with applicable law; and

WHEREAS, on _____, 2026, the City Council held a duly-noticed public hearing and considered the staff report, recommendation by the Planning Commission, recommendation by staff, and public testimony concerning the proposed ordinance; and

WHEREAS, all other legal prerequisites to the adoption of this ordinance have occurred.

NOW, THEREFORE, The City Council of the City of St. Helena does hereby ordain as follows:

Section 1: Recitals

The Recitals set forth above are true and correct and are incorporated into this Ordinance.

Section 2: Amendment to SHMC 17.33 (Definitions)

Section 17.33 of the St. Helena Municipal Code is hereby amended to read as follows (new language is underlined, deletions are in ~~strikeout~~):

17.33 Definitions.

On-site storage facilities. The indoor or outdoor storage of materials, products, or equipment ~~on the premises as a primary or dominant activity on a site, and does not include the storage of goods or items sold or utilized by a primary commercial use, or used in or produced by a primary industrial use, when the materials stored are appropriate, incidental, and subordinate to a permitted primary use.~~

Section 3: Amendment to Table 17.17.020(A)

Table 17.17.020(A) (Use Regulations—Commercial and Mixed-Use Zoning Districts) is hereby amended to require a Conditional Use Permit (CUP) for “on-site storage facilities” in the Service Commercial (SC), Central Business (CB), and Mixed Use (MU) zoning districts.

A new footnote is added to Table 17.17.020(A) as follows:

14. This classification applies only where storage is a primary or dominant activity on a site.

Section 4: Severability.

If any section, subsection, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 6: CEQA.

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines (the “Guidelines”), and the environmental regulations of the City. The City Council hereby finds that this ordinance is exempt from review under CEQA under Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty

that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Section 7: Notice and Effective Date.

This Ordinance was duly noticed to the public. This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the ____ day of _____, 2026, and was adopted at a regular meeting of the St. Helena City Council on the ____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

ATTEST

Paul Jamison Dohring, Mayor

Andrew Bradley, City Clerk

Mining and quarrying of nonmetallic minerals. A facility engaging in the extracting, producing, handling, milling, or other processing of nonmetallic minerals.

Mobile home. As defined in § 18008 of the California Health and Safety Code or manufactured home as defined in § 18007 of the California Health and Safety Code, a movable dwelling constructed on a chassis, designed for use without a permanent foundation, and designed to be connected to utilities. Excludes manufactured modular housing designed to be placed on a permanent foundation and recreational vehicles, recreational vehicles as defined in § 799.24 of the California Civil Code and § 18010 of the California Health and Safety Code, commercial coaches, and or factory-built housing, as defined in § 19971 of the California Health and Safety Code.

Model home sales office. A dwelling temporarily used as a sales office for on-site sales for a residential development under construction.

Multi-family dwelling. Two or more attached dwelling units on a single lot. Types of multi-family dwellings include duplexes, single room occupancy units, townhouses, and apartment buildings.

Office.

Business, professional, and technology. An office of a firm, organization, or agency providing professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, legal, and tax preparation.

Medical and dental. An office providing consultation, diagnosis, therapeutic, preventive, or corrective personal-treatment services by doctors or dentists; medical and dental laboratories that see patients; licensed acupuncturists; and similar practitioners of medical and healing arts for humans licensed by the State of California. Incidental medical and/or dental research within the office is considered part of the office use if it supports the on-site patient services.

Walk-in clientele. An office providing direct services to patrons or clients without prior appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities, which are separately classified and regulated (see Bank or Financial Institution).

Wholesale office. An office of a wholesale firm excluding storage or on-site shipping and receiving of products.

Winery office (off-site). An office performing off-site administrative functions for a winery.

On-site storage facilities. The indoor or outdoor storage of any materials, products, or equipment on the premises, as a primary or dominant activity on a site, and does not include the storage of goods or items sold or utilized by a primary commercial use, or used in or produced by a primary industrial use, when the materials stored are appropriate, incidental, and subordinate to a permitted primary use.

Outdoor dining. An area set up outside the confines of a commercial structure with tables, chairs, and other furnishings for the purpose of offering seating to patrons while selling, offering for sale, and serving food and beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served.

Table 17.17.020.A: Use Regulations – Commercial and Mixed-Use Zoning Districts				
Use Classification	CB	SC	MU	Additional Regulations
“P” = Permitted; “MUP” = Minor Use Permit; “CUP” = Conditional Use Permit; “—” = Use Not Allowed				
Day care facility				
Seven or more persons	—	P	MUP	
Six or fewer persons	—	P	P	
Government office	P	P	P	
Instructional services	CUP	P	P	
Low barrier navigation center	P	—	P	
Parking facilities	CUP ⁴	CUP	CUP	
Senior center	P ⁴	P	—	
Accessory Uses – See also Sec. 17.22.020, Accessory Uses				
Accessory dwelling unit	Sec. 17.22.030, Accessory Dwelling Units			
Catering	P	P	P	
Cottage food operations	P	P	P	Sec. 17.22.110, Cottage Food Operations
Family day care, large	—	—	MUP	
Family day care, small	—	—	P	
Music/entertainment, live or amplified ⁶	P/CUP ¹³	P	P/CUP ¹³	
On-site storage facilities ¹⁴	—CUP	CUP	—CUP	
Outdoor dining ⁶	MUP	MUP	MUP	Sec. 17.22.170, Outdoor Dining and Seating
Outdoor display and sales	Sec. 17.22.180, Outdoor Display and Sales			
Small recycling facility	—	MUP	MUP	Sec. 17.22.220, Small Recycling Facilities

Table 17.17.020.A: Use Regulations – Commercial and Mixed-Use Zoning Districts

Use Classification	CB	SC	MU	Additional Regulations
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End Notes:

- ¹ Permitted on upper floors only.
- ² Permitted on upper floors only for properties fronting onto Main Street.
- ³ Must be part of a mixed-use development.
- ⁴ Not permitted on Main Street.
- ⁵ The following are not permitted:
 - Establishments serving customers within their vehicles on the premises or preparing beverages or food intended for consumption within their vehicles on the premises.
 - Music or entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music or entertainment is being performed.
 - Drive-in for take-out service.
- ⁶ Roof top uses are only allowed in the CB and MU zoning districts.
- ⁷ Formula and drive-through restaurant establishments are not permitted.
- ⁸ Seating is not permitted.
- ⁹ Limited to 10,000 gross square feet.
- ¹⁰ A maximum of four formula retail businesses are permitted in any one zoning district.
- ¹¹ Rental of rooms limited to upper floors only for properties fronting onto Main Street.
- ¹² A CUP is required for non-public wine tasting, offered to wine distributors and wine merchants only.
- ¹³ A CUP is required for live or amplified music/entertainment outdoors.
- ¹⁴ This classification applies only where storage is a primary or dominant component of the site.

17.17.030 Development Standards

Table 17.17.030.B: Development Standards – Commercial and Mixed-Use Zoning Districts, establishes the development standards for the Commercial Business, Service Commercial, and Mixed-Use Zoning Districts. The numbers in each illustration refer to corresponding regulations in the table.

From: [Elliot Bell](#)
To: [Public Comment](#)
Subject: Public comment for meeting on April 21st
Date: Wednesday, April 15, 2026 8:02:39 PM

Dear Members of the St. Helena City Council,

I am writing as a local business owner in St. Helena to express my strong support for the proposed On-Site Storage Zoning Ordinance Amendment.

Allowing businesses to store necessary materials and equipment on-site is a practical and much-needed update. For many of us, limited storage has created inefficiencies, increased operational costs, and added unnecessary logistical challenges. Enabling on-site storage would help streamline day-to-day operations, reduce off-site transportation, and ultimately support more sustainable and efficient business practices.

This amendment would provide local businesses with greater flexibility while helping us remain competitive and better serve our guests. It is a common-sense adjustment that reflects the real needs of small businesses in our community.

Thank you for your consideration and for your continued support of the local business community.

Sincerely,

Elliot Bell owner of Charlies restaurant, Georgia's Ice cream and Elsewhere wine bar and lounge



1327 Railroad Ave
St Helena, CA 94574
www.charliesnv.com



Agendas Report to the Planning Commission

Agenda Section: PUBLIC HEARINGS

Department: Community Development Department - Planning Division

DATE:	April 21, 2026
FILE NUMBER:	ZOA 26-001
SUBJECT:	This item is presented for Planning Commission review of a draft Zoning Ordinance Amendment to Section 17.22.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units). Staff will present the draft ordinance, after which the Planning Commission will receive public comment and deliberate to provide feedback. No formal action is requested at this time. Staff will review Planning Commission and public input and return with a revised ordinance and resolution for formal consideration at a future public hearing.
LOCATION OF PROPERTY:	Citywide
APN:	Citywide
GENERAL PLAN/ ZONING:	Citywide
APPLICANT:	N/A
PROJECT PLANNER:	Jackie Oneal , Senior Planner
REVIEWED BY:	James McCann and Leza Mikhail
CEQA DETERMINATION:	Statutory Exemption
RECOMMENDED ACTION:	Receive the staff report, take public comment, and provide feedback on the draft Zoning Ordinance Amendment to Section 17.22.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units). No formal action is required at this time. Staff will incorporate Planning Commission and public input and return with a revised ordinance and resolution for formal consideration at a future public hearing.

BACKGROUND:

State law significantly limits local regulation of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). Over the past several years, the Legislature has adopted multiple bills expanding ADU allowances and constraining local discretion.

Most recently, legislation including AB 462, AB 1154, and SB 543 introduced additional requirements related to:

- Application completeness determinations
- Processing timelines and resubmittals
- Limitations on denial
- Impact fee restrictions
- Owner-occupancy requirements for JADUs
- Certificate of occupancy timing

Local agencies are required to maintain ADU ordinances that are consistent with State law. Failure to do so may result in the ordinance being deemed null and void and could limit the City's ability to apply local standards.

Separately, the City Council has authorized pursuit of the State's Prohousing Designation, which evaluates whether local policies reduce barriers to housing production and provide clear, objective standards.

At the December 2025 Zoning Ordinance Study Session, the Planning Commission and members of the public expressed concerns that the City's existing ADU standards were overly restrictive, difficult to implement, and not sufficiently objective.

PROJECT DESCRIPTION:

Citywide Zoning Ordinance Amendment to Section 17.22.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units) to ensure consistency with recent State law, incorporate local input, and update development standards, permitting procedures, and definitions, including the establishment of objective design standards and revisions to utility requirements.

ANALYSIS:

The proposed ordinance includes three primary categories of changes: (1) State Law compliance updates; (2) organizational and procedural improvements; and (3) local policy refinements.

1. State Law Compliance Updates. These provisions are required by State Law and limit the City's discretion.

- Ministerial approval without discretionary review (Building Permit review only)
- 15-day completeness review requirements of Building Permit Plan Check

- 60-day decision timelines and deemed approval provisions for Building Permits
- Limitations on denial to objective standards
- A limited appeal process available only to the applicant for determinations of incompleteness or denial of a Building Permit
- Updated impact fee and utility fee provisions
- Clarifications regarding allowable ADU configurations

These provisions are required by State law and are not subject to local discretion.

2. Organizational and Procedural Improvements- The ordinance has been reorganized to improve clarity, consistency, and usability:

- Establishes “Class 1” (State-mandated) and “Class 2” (locally regulated) ADUs
- Consolidates processing requirements into a single section consistent with SB 543
- Removes duplicative or outdated provisions
- Clarifies internal cross-references

These changes improve administration without altering underlying policy intent.

3. Local Policy Refinements. In addition to State-mandated updates, the ordinance includes targeted local refinements where permitted by law to reduce barriers to ADU development while maintaining neighborhood compatibility.

a. Objective Design Standards. The ordinance replaces subjective and restrictive standards with objective, measurable criteria:

- Allows exterior materials to be “matching or substantially similar” rather than identical
- Establishes measurable roof slope consistency
- Limits exterior lighting to downward-directed fixtures

In addition, several prior standards have been removed, including:

- Minimum interior dimension requirements
- Line-of-sight restrictions
- Overly broad window and privacy limitations

These changes respond directly to Planning Commission and public input and ensure compliance with State requirements for objective standards.

b. Maximum ADU Size. The ordinance increases the maximum allowable ADU size

to 1,200 square feet, consistent with State law, and removes bedroom-based limitations.

c. Height Measurement. The ordinance applies the City's standard method of measuring building height rather than a separate ADU-specific method. Additional language ensures that the City's measurement approach does not preclude development consistent with State-required height allowances. Furthermore, consistency in measurement methodology will lead to more efficient reviews by staff and plan preparation by applicants.

d. Utilities and Infrastructure.

The proposed ordinance revises the City's approach to utility connections by removing blanket requirements for separate utility connections for ADUs and instead allowing the use of existing connections where adequate capacity can be demonstrated.

This approach is intended to reduce development costs for ADU applicants while maintaining protection of public health and safety.

In addition, the proposed standards are designed to improve the condition and performance of existing infrastructure. By allowing use of existing sewer laterals subject to verification of adequate capacity and inspection of existing sewer laterals (e.g., via closed-circuit television), the ordinance creates an incentive for property owners to identify and repair deficiencies in older sewer laterals at the time of ADU development. This results in incremental upgrades to the City's sewer system that may not otherwise occur.

This approach is consistent with General Plan Policy PF2.A, which requires connection to the City sewer where feasible, while allowing flexibility in how connections are implemented and ensuring that existing infrastructure is functioning properly

e. Parking and Transit. The ordinance maintains parking requirements only where allowed by State law and expands the definition of "public transit" to include microtransit services, such as the Vine Shuttle. This ensures that parking exemptions function effectively in a small-city context.

f. Removal of Non-Compliant or High-Risk Provisions. The ordinance removes provisions that are not required by State law, difficult to enforce, or potentially inconsistent with State requirements, including:

- Rent reporting requirements
- Certain deed restriction provisions
- Redundant or subjective standards

4. Consistency with Prohousing Designation. The proposed ordinance supports the City's Prohousing Designation application by:

- Reducing regulatory barriers to housing production
- Increasing clarity and predictability of standards
- Ensuring compliance with State law
- Maintaining objective and defensible local regulations

5. General Plan and Housing Element Consistency

The proposed ordinance is consistent with the St. Helena General Plan (2040) and the 2023–2031 Housing Element, which support housing production, a diversity of housing types, removal of governmental constraints, and the provision of adequate infrastructure. Relevant policies include:

General Plan (2040)

Policy LU2.1 *Promote a mix of housing types and price ranges that are consistent with the Housing Element RHNA categories of housing affordability.*

Policy LU2.5 *Encourage the development of higher density housing in areas near the center of the city and close to recreation and services, such as transit, retail, and public facilities*

Policy LU2.8 *Ensure walkable and accessible neighborhoods through mixed-use development*

Policy PF2.A *Require all new units on parcels less than two acres... to connect to the City sewer... whenever feasible.*

Housing Element (2023–2031)

Policy HE 1.4 *Remove governmental constraints to housing.*

Policy HE 1.5 *Address workforce housing needs by supporting in-fill and mixed-use development near downtown.*

Policy HE 1.6 *Encourage innovative housing types and design.*

Policy HE 2.4 *Promote accessory dwelling unit (ADU) production.*

Policy HE 2.7 *Promote a balance of housing types and unit sizes throughout the community.*

ISSUES:

KEY POLICY CONSIDERATIONS

While the proposed ordinance incorporates State-required provisions, several components reflect local policy choices where the Planning Commission may provide direction.

1. Objective Design Standards. The proposed ordinance replaces existing subjective and restrictive design requirements with objective standards intended to comply with State law and reduce barriers to ADU development.

Staff Recommendation:

Accept the proposed objective standards as drafted, which are designed to ensure consistency with State law while maintaining basic neighborhood compatibility.

Planning Commission Consideration:

The Commission may consider whether additional or modified objective standards are desired, provided such standards remain measurable and do not unduly constrain ADU development.

2. Utility Connections and Infrastructure Capacity. The proposed ordinance updates the City's approach to utility connections, fees, and infrastructure requirements for ADUs and JADUs to ensure consistency with State law while addressing local infrastructure conditions.

State law distinguishes between ADUs created within existing structures and those involving new construction. The ordinance reflects this distinction by:

- Prohibiting new or separate utility connections, connection fees, and capacity charges for ADUs and JADUs created within existing space, as required by State law; and
- Allowing connection fees and capacity charges for other ADUs only where permitted by State law, provided such fees are proportionate to the burden created and do not exceed the reasonable cost of providing service.

The ordinance also establishes objective infrastructure standards to ensure that existing utility systems can adequately serve ADUs. These include requirements for inspection and verification of sewer and water infrastructure, minimum sizing standards, and provisions requiring repair or upgrade where infrastructure is inadequate or in poor condition.

For sewer service, the ordinance requires CCTV inspection and establishes minimum performance and construction standards for existing laterals. For water service, the ordinance requires verification of adequate capacity, including fire flow where applicable, and requires separate metering of ADUs.

Staff Recommendation:

Accept the proposed approach, which:

- Aligns with State law limitations on utility connection requirements and fees;
- Maintains the City's ability to recover proportionate costs where permitted; and
- Establishes clear, objective standards to ensure utility infrastructure is safe, functional, and adequate to serve additional units.

Planning Commission Consideration:

While public utilities are not within the Planning Commission's responsibilities for review, staff will be considering public input.

3. Maximum ADU Size. The ordinance increases the maximum allowable ADU size to 1,200 square feet, consistent with State law, which requires that local agencies permit at least 850 square feet for studio or one-bedroom ADUs and at least 1,000 square feet for ADUs with two or more bedrooms.

Staff Recommendation:

Accept the proposed approach, which increases the maximum ADU size to 1,200 square feet consistent with State law and reduces constraints on unit design and livability. Accommodating a uniform ADU size across all residential properties provides for a consistent approach to the construction of new housing citywide.

Planning Commission Consideration:

The Planning Commission may consider whether to:

- Maintain the proposed maximum size of 1,200 square feet; or
- Provide direction to establish a lower maximum size, provided that the ordinance continues to comply with State law minimum size requirements (850 square feet for studio or one-bedroom ADUs and 1,000 square feet for ADUs with two or more bedrooms).

4. Height Measurement Method. The ordinance applies the City's standard building height measurement method, with additional language to ensure compliance with State-required height allowances.

Staff Recommendation:

Accept the proposed measurement approach to maintain consistency across development types.

Planning Commission Consideration:

The Commission may consider whether to:

- Retain the City's standard measurement method; or
- Apply an ADU-specific measurement method

5. Privacy and Window Standards. The proposed ordinance reduces and clarifies window and privacy standards to ensure they are objective and not overly restrictive.

Staff Recommendation:

Accept the proposed standards, which balance privacy considerations with feasibility and compliance with State law.

Planning Commission Consideration:

The Commission may consider whether adjustments to setback distances or privacy treatments are warranted, provided such standards remain objective and feasible to achieve consistency with State ADU law.

6. Historic Resource Protections. The ordinance includes objective siting requirements for ADUs located on or near historic resources.

Staff Recommendation:

Accept the proposed standard, which avoids subjective visibility determinations while maintaining a level of protection for historic resources.

Planning Commission Consideration:

The Commission may consider whether additional or alternative objective standards are appropriate.

CORRESPONDENCE:

Staff coordinated with the City Attorney, and housing/ADU policy advocates during preparation of the ordinance. Feedback received focused on reducing regulatory barriers, clarifying objective standards, and ensuring consistency with State law. The proposed ordinance incorporates revisions responsive to this input where appropriate.

STAFF RECOMMENDATION:

Receive the staff report, take public comment, and provide feedback on the draft Zoning Ordinance Amendment to Section 17.22.030 (Accessory Dwelling Units and Junior Accessory Dwelling Units). No formal action is required at this time. Staff will review Planning Commission and public input and return with a revised ordinance and resolution for formal consideration at a future public hearing.

ATTACHMENTS:

1. Draft Redlined Ordinance for Reference Only
2. Draft Clean Copy Ordinance
3. PPT Presentation_ZOA26-001
4. 1. Public Comment_OConnell
5. 2. Public Comment_Parke
6. 3. Pubic Comment_Hale
7. 4. Pubic Comment_McGrath

17.22.030 Accessory dwelling units.

- A. *Purpose.* The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance, California Government Code Sections ~~65852.2~~ and ~~65852.22~~, and consistent with, California Government Code Sections 66310 et seq. (formerly Sections 65852.2 and 65852.22), as may be amended from time to time. **[State Law Required]**
- B. *Effect of Conforming.* An ADU or JADU that conforms to the standards in this section will not be:
1. Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
 2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 3. Considered in the application of any local ordinance, policy, or program to limit residential growth.
 4. Required to correct a nonconforming zoning condition as defined in subsection (C) of this section. This does not prevent the city from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.
- C. *Definitions.* As used in this section, terms are defined as follows:
1. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - a. 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - b. 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

2. “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.

3. “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

4. “Efficiency kitchen” means a kitchen that includes each of the following:

1. a. A cooking facility with appliances.

2. b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the ADU.

5. “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:

1. a. Is no more than five hundred (500) square feet of interior livable space in size; **[State Law Required]**

2. b. Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be part of and contained within the single-family structure;

3. c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;

4. d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling;

5. e. Includes an efficiency kitchen, as defined in this subsection (C); and

6. “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, cooking, eating, or sanitation.

7. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

8. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

9. “Passageway” means a pathway that is unobstructed, clear to the sky, and extends from a street to one entrance of the ADU or JADU.

10. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

11. “Public transit” means a location, ~~including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.~~ where the public may access shared transportation services available to the general public, including fixed-route services such as buses and trains, as well as demand-responsive or microtransit services, including door-to-door or flexible-route services operated by or on behalf of a public agency, such as the Vine Shuttle. For purposes of this chapter, public transit includes, but is not limited to, major transit stops and high-quality transit corridors as defined in Public Resources Code Section 21155. **[Discretion- Expanded Definition]**

12. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

D. *Approvals.* The following approvals apply to ADUs and JADUs under this section:

[Note: This section implements State-mandated ADU processing requirements, including timelines established by Government Code Section 66317 as amended by SB 543. Selected provisions are labeled for clarity]

~~—1. *Building Permit Only.* If an ADU or JADU complies with each of the general requirements in subsection (e) below, it is allowed with only a building permit in the following scenarios:~~

~~a. *Converted on single-family lot:* one ADU as described in this subsection and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:~~

~~i. *Is either:* within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an~~

~~ADU only) within the existing space of an accessory structure, plus up to one hundred fifty (150) additional square feet. For purposes of this subsection, "within the existing space" includes a structure that is constructed in the same location and to the same dimensions.~~

~~ii.—Has exterior access that is independent of that for the single-family dwelling.~~

~~iii.—Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.~~

~~iv.—The JADU complies with requirements of California Government Code Section 66333–66339.~~

~~b.—Limited Detached on single-family lot: one detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (D)(1)(a) of this section), if the detached ADU satisfies the following limitations:~~

~~i.—The side and rear yard setbacks are at least four feet.~~

~~ii.—The total floor area is eight hundred (800) square feet or smaller.~~

~~iii.—The peak height above grade does not exceed the applicable height limit in subsection (E)(2) of this section.~~

~~c.—Converted on multifamily lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (D)(1)(c), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to twenty-five percent (25%) of the existing multifamily dwelling units.~~

~~d.—Limited Detached on multifamily lot: no more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:~~

- ~~i.—The side and rear yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.~~
- ~~ii.—The peak height above grade does not exceed the applicable height limit in subsection (E)(2) of this section.~~
- ~~iii.—If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.~~

~~2.—Process and Timing.~~

- ~~a.—An ADU permit is considered and approved ministerially, without discretionary review or a hearing.~~
- ~~b.—The city must approve or deny an application to create an ADU or JADU within sixty (60) days from the date that the city receives a completed application. If the city has not approved or denied the completed application within sixty (60) days, the application is deemed approved unless either:
 - ~~i.—The applicant requests a delay, in which case the sixty (60) day time period is tolled for the period of the requested delay; or~~
 - ~~ii.—When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.~~~~
- ~~c.—If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the sixty (60) day time period established by subsection (D)(3)(b) of this section.~~

~~d. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.~~

1. Ministerial Approval. Applications for accessory dwelling units and junior accessory dwelling units shall be considered ministerially, without discretionary review or a public hearing, consistent with Government Code Section 66316. Every ADU and JADU requires a building permit. **[State Law Required]**

2. Completeness Review. Within fifteen (15) days of receiving an application for an accessory dwelling unit or junior accessory dwelling unit, the City shall determine whether the application is complete.

If the application is incomplete, the City shall provide the applicant with a written notice identifying all information necessary to complete the application. The notice shall include a complete list of all deficiencies, as required by Government Code Section 66317.

If the City does not provide written notice of incompleteness within fifteen (15) days, the application shall be deemed complete for purposes of this section.

[State Law Required]

3. Resubmittal of Incomplete Applications. If an application is determined to be incomplete, the applicant may submit the additional information identified in the City's written notice.

Upon resubmittal, the City shall review the application for completeness in accordance with Government Code Section 66317 and this section.

Nothing in this subsection is intended to permit multiple rounds of incompleteness determinations based on items that were not identified in the initial written notice, consistent with State law. **[State Law Required]**

4. Action on Application. The City shall approve or deny an application for an accessory dwelling unit or junior accessory dwelling unit within sixty (60) days from the date the application is deemed complete, consistent with Government Code Section 66317.

If the application to create an accessory dwelling unit or junior accessory dwelling unit is submitted with an application to create a new single-family dwelling, the sixty (60)-day period shall not begin until the application for the single-family dwelling is deemed complete.

To the extent applicable, the time periods set forth herein shall be interpreted in a manner consistent with the Permit Streamlining Act and State ADU law. [State Law Required]

5. *Basis for Denial.* An application for an accessory dwelling unit or junior accessory dwelling unit may be denied only if the proposed unit does not comply with objective standards set forth in this chapter or applicable provisions of State law.

Any denial shall be in writing and shall include a statement of the reasons for denial. [State Law Required]

6. *Appeals.* If an application for an accessory dwelling unit or junior accessory dwelling unit is determined to be incomplete or is denied, the applicant may appeal that determination in writing in accordance with Government Code Section 66317. The appeal shall be considered and decided within the timeframes required by State law. No other appeals shall apply to ministerial decisions under this section. The appeal shall be submitted to the Community Development Director or designee. [State Law Required]

7. *Fees.* The City may charge fees for the processing of applications for accessory dwelling units and junior accessory dwelling units, as established by resolution of the City Council and set forth in the City's adopted fee schedule. Any such fees shall be limited to the reasonable cost of providing the service and shall be imposed in accordance with Government Code Section 66311.5 [State Law Required]

8. *Concurrent review of demolition.* A demolition permit for an existing structure that is to be replaced with an accessory dwelling unit shall be reviewed concurrently with the application for the accessory dwelling unit and shall be issued in conjunction with the permit for the accessory dwelling unit. The City shall not require a demolition permit to be issued separately from the accessory

dwelling unit permit. **[State Law Required]**

E. Classes.

1. Class 1: Statutorily Regulated. Class 1 ADUs and JADUs are approved under Government Code section 66323. If an Adu or JADU complies with each of the general requirements in subsection (F) below, it is allowed in each of the scenarios provided in this subsection (E)(1). An Adu and JADU approved under subsection (E)(1)(a) may be combined with an Adu approved under subsection (E)(1)(b), and ADUs approved under subsection (E)(1)(c) may be combined with ADUs approved under subsection (E)(1)(d). **[State Law Required]**

a. Converted on Lot with Single-Family: One Adu as described in this subsection (E)(1)(a) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the Adu or JADU:

- i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an Adu only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
- ii. Has exterior access that is independent of that for the single-family dwelling; and
- iii. Has side and rear setbacks sufficient for fire and safety, consistent with applicable State standards
- iv. The JADU complies with the requirements of Government Code sections 66333 through 66339 including but not limited to requirements related to size, owner-occupancy, and efficiency kitchen facilities.

b. Limited Detached on Lot with Single-Family: One detached, new-construction Adu on a lot with a proposed or existing single-family dwelling, if the detached Adu satisfies each of the following limitations:

- i. The side- and rear-yard setbacks are at least four feet.

- ii. The total floor area is 800 square feet of livable space or smaller.
- iii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height, provided that this method does not preclude compliance with State-required height allowances. [Discretion – Clarified measurement method]

c. *Converted on Lot with Multifamily:* One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (E)(1)(c), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

d. *Limited Detached on Lot with Multifamily:* No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

- i. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.
- ii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height.
- iii. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

2. *Class 2: Locally Regulated.* Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under

subsection (E)(1) above, all ADUs are subject to the standards set forth in subsections (F) and (G) below. [State Law Required]

F. E. General ADU and JADU Requirements. The following requirements apply to all Class 1 and Class 2 ADUs and JADUs:

1. *Zoning.*

- a. ~~An ADU subject only to a building permit under subsection (D)(1) above. A Class 1 ADU approved under subsection (E)(1)~~ may be created on a lot in a residential or mixed-use zone. **[Clarity]**
- b. ~~An ADU subject to an ADU permit under subsection (D)(2) above. A Class 2 ADU approved under subsection (E)(2)~~ may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use. **[Clarity]**
- c. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

2. *Height.*

- a. Except as otherwise provided by subsection ~~(EF)(2)(b)~~ and ~~(EF)(2)(c)~~ below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- b. A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a ~~major transit stop or high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, Public Transit stop, as defined in subsection (C)(11).~~ and ~~t~~ The ADU maximum height may be increased up to two additional feet in height (for a maximum of 20 feet) ~~if necessary~~ to accommodate a roof pitch ~~on the ADU~~ that is aligned with the roof pitch of the primary dwelling unit. **[State Law Required; modified for clarity and local definition of transit]**
- c. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

d. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (~~F E~~)(2)(d) may not exceed two stories.

e. For purposes of this subsection (~~F E~~)(2), height shall be measured consistent with the City's standard definition of building height. ~~is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure.~~ **[Discretion]**

3. *Fire Sprinklers.*

a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. *Rental Term.* No ADU or JADU may be rented for a term that is shorter than thirty (30) days. This prohibition applies regardless of when the ADU or JADU was created.

5. *No Separate Conveyance.* ~~An ADU or JADU may be rented, but, except as otherwise provided in Government Code section 66341, n~~No ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

6. *Septic System.* If the ADU or JADU will connect to an on-site water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last ten (10) years. Refer to the county of Napa's environmental health department regulations.

7. *Owner Occupancy.*

a. ~~ADUs. An ADU that is created under this section on or after January 1, 2020 are not subject to any owner-occupancy requirement. ADUs are not subject to an owner-occupancy requirement.~~ **[State Law Required]**

b. JADUs.

i. Generally. As required by state law, ~~all~~ JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling, ADU, or JADU, as the person's legal domicile and permanent residence. ~~However, the owner-occupancy requirement of this subsection (E)(7)(b) does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.~~

ii. Exceptions. The owner-occupancy requirement in this subsection (F)(7)(b) does not apply in either of the following situations:

- a. The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).
- b. The property is entirely owned by another governmental agency, land trust, or housing organization. [State Law Required]

7.8. Deed Restriction. Prior to issuance of a certificate of occupancy for a JADU, a deed restriction must be recorded against the title of the property in the county recorder's office and a copy filed with the community development director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:

- a. The JADU may not be sold separately from the primary dwelling.
- b. The JADU is restricted to the approved size and to other attributes allowed by this section.
- c. The deed restriction runs with the land and may be enforced against future property owners.
- d. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the community development director, providing evidence that the JADU has in fact been eliminated. The

community development director may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the community development director's determination consistent with other provisions of this code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this code.

e. The deed restriction is enforceable by the community development director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.

~~9.—*Rent Reporting.* In order to facilitate the city's obligation to identify adequate sites for housing in accordance with Government Code Sections 65583.1 and 66330, the following requirements must be satisfied:~~

~~a.—With the building permit application, the applicant must provide the community development director with an estimate of the projected annualized rent that will be charged for the ADU or JADU.~~

~~b.—Within ninety (90) days after each January 1 following issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the community development director does not receive the report within the ninety (90) day period, the owner is in violation of this Code, and the community development director may send the owner a notice of violation and allow the owner another thirty (30) days to submit the report. If the owner fails to submit the report within the thirty (30) day period, the community development director may enforce this provision in accordance with applicable law. [Deleted. Not required by State law; removed to eliminate ongoing reporting requirements.]~~

8.10. *Building and Safety.*

a. *Building Code Compliance. Must Comply With Building Code.* ADUs and JADUs shall be constructed in compliance with applicable building standards in

effect at the time of permit issuance, consistent with State law. Subject to subsection (E)(10)(b) of this section, all ADUs and JADUs must comply with all local building code requirements. [State Law Required; clarified]

b. *No Change of Occupancy.* Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in California Building Code Section 310, unless the chief building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (~~EF~~)(~~108~~)(b) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

9. Certificate of Occupancy Timing.

a. *Generally.* No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit. **[State Law Required]**

b. *Limited Exception for State-declared Emergencies.* Notwithstanding subsection (F)(9)(a) above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

- i. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.
- ii. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.
- iii. The ADU has been issued construction permits and has passed all required inspections.

~~i-iv.~~ The ADU is not attached to the primary dwelling. **[State Law Required]**

G. *F. Specific ADU Requirements.* The following requirements apply only 7.- Class 2 ADUs approved under subsection (E)(2) above. This subsection (G) does not apply to Class 1 ADUs or JADUs approved under subsection (E)(1) above. ADUs that

~~require an ADU permit under subsection (D)(2) of this section:~~ **[Organizational Clarification]**

1. *Maximum Size.*

a. The maximum size of a detached or attached ADU subject to this subsection ~~G F is eight hundred fifty (850) square feet for a studio or one-bedroom unit and~~ one thousand ~~two hundred~~ (1,200) square feet ~~of interior livable space~~ for a unit ~~with two bedrooms. No more than two bedrooms are allowed.~~ **[Discretion – Increased to State Law maximum]**

b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent (50%) of the floor area of the existing primary dwelling.

c. Application of other development standards in this subsection ~~G F~~, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (~~G F~~)(1)(b) above or of an FAR, ~~maximum gross floor area~~, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than eight hundred (800) square feet ~~of interior livable space.~~ **[State Required]**

2. Gross Floor Area. No ADU may cause the total gross floor area of the underlying zone to be exceeded, with the provision that all lots may have an ADU up to 800 square feet.

3. *Lot Coverage*. No ADU subject to this subsection F may cause the total lot coverage of the lot to exceed the maximum lot coverage for the zoning district in which the ADU is proposed as established in Table 17.16.030(B), Development Standards—Residential Zoning Districts, subject to subsection (~~G F~~)(1)(c), above.

4. *Setbacks.*

a. ADUs that are subject to this subsection (~~G F~~) must conform to 4-foot side and rear setbacks. ADUs that are subject to this subsection (~~G F~~) must conform to the front setback as required by the underlying zoning district, subject to subsection (~~G F~~)(1)(c), above.

b. No setback is required for an ADU that is subject to this subsection (~~G F~~) if the ADU is constructed in the same location and to the same dimensions as an existing, nonconforming, enclosed structure.

5. *Passageway.* No passageway, as defined by subsection (~~C~~) of this section, is required for an ADU.

6. *Parking.*

a. *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (~~C~~)(~~12~~) of this section.

b. *Exceptions.* No parking under subsection (~~G F~~)(6)(a) of this section is required in the following situations:

i. The ADU is located within one-half mile walking distance of public transit, as defined by subsection (~~C~~)(~~11~~) of this section.

ii. The ADU is located within an architecturally and historically significant historic district.

iii. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (~~D E~~)(2)(a) of this section.

iv. When on-street parking permits are required but not offered to the occupant of the ADU.

v. When there is an established car share vehicle stop located within one block of the ADU.

vi. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsection (~~F G~~)(6)(b)(i) through (v), of this section.

c. *No Replacement.* When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

7. *Architectural Requirements.* The following objective standards apply to ADUs:

- a. Exterior materials shall be consistent with those of the primary dwelling (e.g., siding, stucco, or wood). ~~The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.~~ **[Discretion – Objective Standard; updated]**
- b. The roof form shall be consistent with the dominate roof slope of the primary dwelling. Roof slope shall not vary by more than 2:12 from the dominant roof slope of the primary dwelling. ~~The roof slope must match that of the dominant roof slope of the primary dwelling.~~ The dominant roof slope is the slope shared by the largest portion of the roof. **[Discretion – Objective Standard; updated]**
- c. The exterior lighting shall be limited to fully-shielded and downward-directed fixtures. ~~must be limited to down-lights or as otherwise required by the zoning, building, or fire code.~~ **[Discretion – Objective Standard; clarified]**
- d. The ADU shall have a separate exterior entrance. ~~must have an independent exterior entrance, apart from that of the primary dwelling.~~ **[State Law Required; clarified]**
- e. ~~The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.~~ **[Deleted – Not required by State law; regulated by building code]**
- f. ~~No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.~~ **[Deleted – Not objective; may unreasonably constrain ADU design]**
- g. All windows ~~and doors in an ADU less than 30 feet from a~~ located within four (4) feet of a side or rear property line that is not adjacent to a public right-of-way line ~~must either be (for windows)-~~ shall utilize clerestory with the bottom of the glass at least six feet above the finished floor, or ~~(for windows and doors)~~ utilize frosted or obscure glass. **[Discretion – Objective standard; reduced to avoid over constraint]**

8. *Historical Protections.* An ADU that is on ~~real property a lot that is~~ listed in the California Register of Historic Resources ~~must shall~~ be located entirely behind the rear-most exterior wall of the primary dwelling and directly behind the primary dwelling, so as to not be visible from any public right-of-way. **[Discretion – Objective historic standard]**

9. *Allowed Stories.* ~~No ADU subject to this subsection (F) may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under subparagraph (E)(2)(d).~~ The number of stories of an ADU shall be consistent with the applicable height limits of this section. **[Discretion – Clarified consistency with height limits]**

~~**[Discretion – Policy Choice (Pro-Housing)] [Discretion – Health and Safety Standard]**~~

H. **G.** *Fees and Utilities.* The following requirements apply to all Class 1 ADUs and JADUs and Class 2 ADUs that are approved under subsections ~~(DE)~~(1) or ~~(DE)~~(2), above. **[State Law Required; clarified]**

1. Impact Fees.

a. No impact fee is required for an ADU that has less than seven hundred fifty (750) square feet of interior livable space. For purposes of this subsection (H)(1), “impact fee” means a “fee under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service. **[State Law Required; clarified]**

b. A JADU or ADU with less than 500 square feet of interior livable space does not increase accessible space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and therefore is not subject to school fees under Education Code section 17620. **[State Law Required; clarified]**

c. Any impact fee that is required for an ADU that has seven hundred fifty (750) square feet or more in interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling). **[State Law Required; clarified]**

2. Utility Fees.

a. ADUs and JADUs created from existing space within a primary dwelling or accessory structure are not required to install a new or separate utility connection and shall not be subject to connection fees or capacity charges. **[State Law Required; clarified]**

b. For ADUs and JADUs not described in subsection (H)(2)(a), connection fees and capacity charges may be imposed, provided that such fees are proportionate to the burden created by the unit and do not exceed the reasonable cost of providing service. **[State Law Required; clarified]**

c. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

i. Where a new or separate connection is permitted to be required by State law, any connection fee or capacity charge shall be proportionate to the burden created by the ADU, based on either the floor area or the number of drainage-fixtured units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. **[State Law Required; clarified]**

ii. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

3. Utilities. An ADU must be adequately served by water and sewer utilities, a separate or new utility connection may be required. Where existing City-owned or City-regulated utility infrastructure is proposed to be used, inspection and verification of its capacity and condition shall be required. **[Discretion – Policy Choice - Pro-Housing]**

a. Existing utility sewer infrastructure serving the primary dwelling shall be permitted to serve the ADU, provided that the existing infrastructure complies with applicable plumbing, building, and engineering or City standards.

For sewer service, the existing sewer lateral shall:

- i. Be inspected with closed-circuit television (CCTV) and detailed report provided to the City which demonstrate the existing sewer lateral is free of corrosion, holes, cracks, separations, off-sets and roots;
- ii. Have a minimum diameter of four inches, have an accessible clean out, be of acceptable material and maintain a secure, manufactured connection to the sewer mainline and be otherwise demonstrated to meet applicable plumbing and engineering standards; and
- iii. Where the existing sewer lateral does not meet these standards, replacement or upgrade shall be required. **[Objective Health and Safety Standard]**

- b. Existing water service serving the primary dwelling shall be permitted to serve the ADU, provided the infrastructure complies with applicable plumbing, building and engineering or City standards.

For water service, the existing water lateral shall;

- i. Be inspected to verify the service is of adequate size and material to sufficiently serve the primary residence and the ADU including any required fire service;
- ii. Split to meter the ADU separately from the primary residence;
- iii. Where the existing water lateral does not meet these standards, new or additional water service shall be required. **[Objective Health and Safety Standard]**

- 4. Other Utilities. Electrical, gas, and other utilities not provided by the City shall comply with the requirements of the applicable utility provider and the California Building Standards Code. Nothing in this section shall be interpreted to require a separate connection for such utilities unless required by the utility provider or applicable code. **[Objective Health and Safety Standard]**

- I. ~~H.~~ Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

1. *Generally.* The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

2. *Unpermitted ADUs JADUs Constructed Before 2020.*

a. *Permit to Legalize.* As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

- i. The ADU or JADU violates applicable building standards; or
- ii. The ADU or JADU does not comply with the state ADU or JADU law or this section.

b. *Exemptions.*

i. Notwithstanding subsection (H)(2)(a) of this section, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in Health and Safety Code section 17920.3.

ii. Subsection (H)(2)(a) of this section does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.

17.22.030 Accessory dwelling units.

- A. *Purpose.* The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance, and consistent with, California Government Code Sections 66310 et seq. (formerly Sections 65852.2 and 65852.22), as may be amended from time to time.
- B. *Effect of Conforming.* An ADU or JADU that conforms to the standards in this section will not be:
1. Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
 2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 3. Considered in the application of any local ordinance, policy, or program to limit residential growth.
 4. Required to correct a nonconforming zoning condition as defined in subsection (C) of this section. This does not prevent the city from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.
- C. *Definitions.* As used in this section, terms are defined as follows:
1. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - a. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - b. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
 2. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

3. “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

4. “Efficiency kitchen” means a kitchen that includes each of the following:

- a. A cooking facility with appliances.
- b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the ADU.

5. “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:

- a. Is no more than five hundred (500) square feet of interior livable space in size;
- b. Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be part of and contained within the single-family structure;
- c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;
- d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling;
- e. Includes an efficiency kitchen, as defined in this subsection (C); and

6. “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, cooking, eating, or sanitation.

7. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

8. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

9. “Passageway” means a pathway that is unobstructed, clear to the sky, and extends from a street to one entrance of the ADU or JADU.

10. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

11. “Public transit” means a location where the public may access shared transportation services available to the general public, including fixed-route services such as buses and trains, as well as demand-responsive or microtransit services, including door-to-door or flexible-route services operated by or on behalf of a public agency, such as the Vine Shuttle. For purposes of this chapter, public transit includes, but is not limited to, major transit stops and high-quality transit corridors as defined in Public Resources Code Section 21155.

12. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

D. *Approvals.* The following approvals apply to ADUs and JADUs under this section:

1. *Ministerial Approval.* Applications for accessory dwelling units and junior accessory dwelling units shall be considered ministerially, without discretionary review or a public hearing, consistent with Government Code Section 66316. Every ADU and JADU requires a building permit.
2. *Completeness Review.* Within fifteen (15) days of receiving an application for an accessory dwelling unit or junior accessory dwelling unit, the City shall determine whether the application is complete.

If the application is incomplete, the City shall provide the applicant with a written notice identifying all information necessary to complete the application. The notice shall include a complete list of all deficiencies, as required by Government Code Section 66317.

If the City does not provide written notice of incompleteness within fifteen (15) days, the application shall be deemed complete for purposes of this section.

3. *Resubmittal of Incomplete Applications.* If an application is determined to be incomplete, the applicant may submit the additional information identified in the City’s written notice.

Upon resubmittal, the City shall review the application for completeness in accordance with Government Code Section 66317 and this section.

Nothing in this subsection is intended to permit multiple rounds of incompleteness determinations based on items that were not identified in the initial written notice, consistent with State law.

4. *Action on Application.* The City shall approve or deny an application for an accessory dwelling unit or junior accessory dwelling unit within sixty (60) days from the date the application is deemed complete, consistent with Government Code Section 66317.

If the application to create an accessory dwelling unit or junior accessory dwelling unit is submitted with an application to create a new single-family dwelling, the sixty (60)-day period shall not begin until the application for the single-family dwelling is deemed complete.

To the extent applicable, the time periods set forth herein shall be interpreted in a manner consistent with the Permit Streamlining Act and State ADU law.

5. *Basis for Denial.* An application for an accessory dwelling unit or junior accessory dwelling unit may be denied only if the proposed unit does not comply with objective standards set forth in this chapter or applicable provisions of State law.

Any denial shall be in writing and shall include a statement of the reasons for denial.

6. *Appeals.* If an application for an accessory dwelling unit or junior accessory dwelling unit is determined to be incomplete or is denied, the applicant may appeal that determination in writing in accordance with Government Code Section 66317. The appeal shall be considered and decided within the timeframes required by State law. No other appeals shall apply to ministerial decisions under this section. The appeal shall be submitted to the Community Development Director or designee.

7. *Fees.* The City may charge fees for the processing of applications for accessory dwelling units and junior accessory dwelling units, as established by resolution of the City Council and set forth in the City's adopted fee schedule. Any such fees shall be limited to the reasonable cost of providing the service and shall be imposed in accordance with Government Code Section 66311.5
8. *Concurrent Review of Demolition.* A demolition permit for an existing structure that is to be replaced with an accessory dwelling unit shall be reviewed concurrently with the application for the accessory dwelling unit and shall be issued in conjunction with the permit for the accessory dwelling unit. The City shall not require a demolition permit to be issued separately from the accessory dwelling unit permit.

E. Classes.

1. *Class 1: Statutorily Regulated.* Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (F) below, it is allowed in each of the scenarios provided in this subsection (E)(1). An ADU and JADU approved under subsection (E)(1)(a) may be combined with an ADU approved under subsection (E)(1)(b), and ADUs approved under subsection (E)(1)(c) may be combined with ADUs approved under subsection (E)(1)(d).
 - a. *Converted on Lot with Single-Family:* One ADU as described in this subsection (E)(1)(a) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - ii. Has exterior access that is independent of that for the single-family dwelling; and

- iii. Has side and rear setbacks sufficient for fire and safety, consistent with applicable State standards
 - iv. The JADU complies with the requirements of Government Code sections 66333 through 66339 including but not limited to requirements related to size, owner-occupancy, and efficiency kitchen facilities.
- b. *Limited Detached on Lot with Single-Family*: One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:
- i. The side- and rear-yard setbacks are at least four feet.
 - ii. The total floor area is 800 square feet of livable space or smaller.
 - iii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height, provided that this method does not preclude compliance with State-required height allowances.
- c. *Converted on Lot with Multifamily*: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (E)(1)(c), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- d. *Limited Detached on Lot with Multifamily*: No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:
- i. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of

less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

- ii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height.
- iii. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

2. *Class 2: Locally Regulated.* Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (E)(1) above, all ADUs are subject to the standards set forth in subsections (F) and (G) below.

F. *General ADU and JADU Requirements.* The following requirements apply to all Class 1 and Class 2 ADUs and JADUs:

1. *Zoning.*

- a. A Class 1 ADU approved under subsection (E)(1) may be created on a lot in a residential or mixed-use zone.
- b. A Class 2 ADU approved under subsection (E)(2) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- c. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

2. *Height.*

- a. Except as otherwise provided by subsection (F)(2)(b) and (F)(2)(c) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- b. A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a Public Transit stop, as defined in

subsection (C)(11). The maximum height may be increased up to two additional feet in height (for a maximum of 20 feet) to accommodate a roof pitch that is aligned with the roof pitch of the primary dwelling unit.

c. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

d. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (F)(2)(d) may not exceed two stories.

e. For purposes of this subsection (F)(2), height shall be measured consistent with the City's standard definition of building height.

3. *Fire Sprinklers.*

a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. *Rental Term.* No ADU or JADU may be rented for a term that is shorter than thirty (30) days. This prohibition applies regardless of when the ADU or JADU was created.

5. *No Separate Conveyance.* No ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

6. *Septic System.* If the ADU or JADU will connect to an on-site water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last ten (10) years. Refer to the county of Napa's environmental health department regulations.

7. *Owner Occupancy.*

- a. *ADUs*. ADUs are not subject to an owner-occupancy requirement.
- b. *JADUs*.
 - i. *Generally*. As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling, ADU, or JADU, as the person's legal domicile and permanent residence.
 - ii. *Exceptions*. The owner-occupancy requirement in this subsection (F)(7)(b) does not apply in either of the following situations:
 - a. The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).
 - b. The property is entirely owned by another governmental agency, land trust, or housing organization.

7. *Deed Restriction*. Prior to issuance of a certificate of occupancy for a JADU, a deed restriction must be recorded against the title of the property in the county recorder's office and a copy filed with the community development director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:

- a. The JADU may not be sold separately from the primary dwelling.
- b. The JADU is restricted to the approved size and to other attributes allowed by this section.
- c. The deed restriction runs with the land and may be enforced against future property owners.
- d. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the community development director, providing evidence that the JADU has in fact been eliminated. The community development director may then determine whether the evidence

supports the claim that the JADU has been eliminated. Appeal may be taken from the community development director's determination consistent with other provisions of this code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this code.

e. The deed restriction is enforceable by the community development director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.

8. *Building and Safety.*

a. *Building Code Compliance.* ADUs and JADUs shall be constructed in compliance with applicable building standards in effect at the time of permit issuance, consistent with State law.

b. *No Change of Occupancy.* Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in California Building Code Section 310, unless the chief building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (F)(8)(b) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

9. *Certificate of Occupancy Timing.*

a. *Generally.* No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.

b. *Limited Exception for State-declared Emergencies.* Notwithstanding subsection (F)(9)(a) above, a certificate of occupancy for an ADU may be

issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

- i. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.
- ii. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.
- iii. The ADU has been issued construction permits and has passed all required inspections.
- iv. The ADU is not attached to the primary dwelling.

G. *Specific ADU Requirements.* The following requirements apply only to Class 2 ADUs approved under subsection (E)(2) above. This subsection (G) does not apply to Class 1 ADUs or JADUs approved under subsection (E)(1) above.

1. *Maximum Size.*

- a. The maximum size of a detached or attached ADU subject to this subsection G is one thousand two hundred (1,200) square feet of interior livable space for a unit.
- b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent (50%) of the floor area of the existing primary dwelling.
- c. Application of other development standards in this subsection G, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (G)(1)(b) above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than eight hundred (800) square feet of interior livable space.

2. *Gross Floor Area.* No ADU may cause the total gross floor area of the underlying zone to be exceeded, with the provision that all lots may have an ADU up to 800 square feet.

3. *Lot Coverage.* No ADU subject to this subsection F may cause the total lot coverage of the lot to exceed the maximum lot coverage for the zoning district in

which the ADU is proposed as established in Table 17.16.030(B), Development Standards—Residential Zoning Districts, subject to subsection (G)(1)(c), above.

4. *Setbacks.*

a. ADUs that are subject to this subsection (G) must conform to 4-foot side and rear setbacks. ADUs that are subject to this subsection (G) must conform to the front setback as required by the underlying zoning district, subject to subsection (G)(1)(c), above.

b. No setback is required for an ADU that is subject to this subsection (G) if the ADU is constructed in the same location and to the same dimensions as an existing, nonconforming, enclosed structure.

5. *Passageway.* No passageway, as defined by subsection (C) of this section, is required for an ADU.

6. *Parking.*

a. *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (C)(12) of this section.

b. *Exceptions.* No parking under subsection (G)(6)(a) of this section is required in the following situations:

i. The ADU is located within one-half mile walking distance of public transit, as defined by subsection (C)(11) of this section.

ii. The ADU is located within an architecturally and historically significant historic district.

iii. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (E)(2)(a) of this section.

iv. When on-street parking permits are required but not offered to the occupant of the ADU.

v. When there is an established car share vehicle stop located within one block of the ADU.

vi. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsection (G)(6)(b)(i) through (v), of this section.

c. *No Replacement.* When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

7. *Architectural Requirements.* The following objective standards apply to ADUs:

a. Exterior materials shall be consistent with those of the primary dwelling (e.g., siding, stucco, or wood).

b. The roof form shall be consistent with the dominant roof slope of the primary dwelling. Roof slope shall not vary by more than 2:12 from the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

c. The exterior lighting shall be limited to fully-shielded and downward-directed fixtures.

d. The ADU shall have a separate exterior entrance.

e. All windows located within four (4) feet of a side or rear property line that is not adjacent to a public right-of-way line shall utilize clerestory with the bottom of the glass at least six feet above the finished floor, or utilize frosted or obscure glass.

8. *Historical Protections.* An ADU that is on a lot listed in the California Register of Historic Resources shall be located entirely behind the rear-most exterior wall of the primary dwelling and directly behind the primary dwelling.

9. *Allowed Stories.* The number of stories of an ADU shall be consistent with the applicable height limits of this section.

H. *Fees and Utilities.* The following requirements apply to all Class 1 ADUs and JADUs and Class 2 ADUs that are approved under subsections (E)(1) or (E)(2), above.

1. *Impact Fees.*

- a. No impact fee is required for an ADU that has less than seven hundred fifty (750) square feet of interior livable space. For purposes of this subsection (H)(1), “impact fee” means a “fee under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
- b. A JADU or ADU with less than 500 square feet of interior livable space does not increase accessible space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and therefore is not subject to school fees under Education Code section 17620.
- c. Any impact fee that is required for an ADU that has seven hundred fifty (750) square feet or more in interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling).

2. *Utility Fees.*

- a. ADUs and JADUs created from existing space within a primary dwelling or accessory structure are not required to install a new or separate utility connection and shall not be subject to connection fees or capacity charges.
- b. For ADUs and JADUs not described in subsection (H)(2)(a), connection fees and capacity charges may be imposed, provided that such fees are proportionate to the burden created by the unit and do not exceed the reasonable cost of providing service.
- c. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.
 - i. Where a new or separate connection is permitted to be required by State law, any connection fee or capacity charge shall be proportionate to the burden created by the ADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

- ii. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

3. *Utilities.* An ADU must be adequately served by water and sewer utilities, a separate or new utility connection may be required. Where existing City-owned or City-regulated utility infrastructure is proposed to be used, inspection and verification of its capacity and condition shall be required.

- a. Existing utility sewer infrastructure serving the primary dwelling shall be permitted to serve the ADU, provided that the existing infrastructure complies with applicable plumbing, building, and engineering or City standards.

For sewer service, the existing sewer lateral shall:

- i. Be inspected with closed-circuit television (CCTV) and detailed report provided to the City which demonstrate the existing sewer lateral is free of corrosion, holes, cracks, separations, off-sets and roots;
 - ii. Have a minimum diameter of four inches, have an accessible clean out, be of acceptable material and maintain a secure, manufactured connection to the sewer mainline and be otherwise demonstrated to meet applicable plumbing and engineering standards; and
 - iii. Where the existing sewer lateral does not meet these standards, replacement or upgrade shall be required.
- b. Existing water service serving the primary dwelling shall be permitted to serve the ADU, provided the infrastructure complies with applicable plumbing, building and engineering or City standards.

For water service, the existing water lateral shall;

- i. Be inspected to verify the service is of adequate size and material to sufficiently serve the primary residence and the ADU including any required fire service;
- ii. Split to meter the ADU separately from the primary residence;

- iii. Where the existing water lateral does not meet these standards, new or additional water service shall be required.

4. *Other Utilities.* Electrical, gas, and other utilities not provided by the City shall comply with the requirements of the applicable utility provider and the California Building Standards Code. Nothing in this section shall be interpreted to require a separate connection for such utilities unless required by the utility provider or applicable code.

I. *Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.*

1. *Generally.* The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

2. *Unpermitted ADUs JADUs Constructed Before 2020.*

a. *Permit to Legalize.* As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

- i. The ADU or JADU violates applicable building standards; or
- ii. The ADU or JADU does not comply with the state ADU or JADU law or this section.

b. *Exemptions.*

i. Notwithstanding subsection (H)(2)(a) of this section, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in Health and Safety Code section 17920.3.

ii. Subsection (H)(2)(a) of this section does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.



City of St. Helena Planning Commission

Zoning Ordinance Amendment (SMHC 17.22.030) ADUs & JADUs

File No: ZOA 26-001

Staff: Jackie Oneal, Senior Planner



Purpose

- **Introduce & review** Draft ADU Ordinance updates
- **Receive** public comment and **provide feedback**
- **No formal action** tonight
- Staff will **return with revised ordinance** for consideration





Why Update the Ordinance?

- Recent **State Law** changes (SB 543 and others)
- Increased **HCD oversight** and enforcement
- City application for HCD ***ProHousing Designation***
- December 2025 PC Feedback
- Furthering **objective standards**
- **Reduce Barriers** to ADU Development





Why ADUs Matter in St. Helena

- State law & City identify ADUs as critical strategy to address the housing shortage
- More **attainable housing** options for local workforce
- **Flexible housing** for families, seniors, and caregivers
- State law requires cities to **remove barriers** and approve ADUs ministerially
- Local role is to ensure clear, **objective standards**
- Substantial number of permitted ADUs citywide (2024-2025)
- **Advances Housing Element goals** to promote ADU production (HE 2.4 and 2.7)





State Law Updates (Required Changes)

Application & Processing Requirements For Building Permits:

- 15-day completeness determination required (SB 543)
- Written deficiency letter required if application is incomplete
- 60-day decision timelines for qualifying applications

Utilities (State Framework):

- Separate utility connections and related fees prohibited for ADUs created within existing space
- Separate connections for new construction ADUs remain optional for local agencies

Note: State Law requires local jurisdictions submit ADU ordinance to HCD within 60 days of adoption. Noncompliant provisions may be deemed null and void.





Key Policy Discussion Items

Topic	Summary of Proposed Approach
Objective Design Standards	• Replace subjective standards with objective, measurable criteria • Maintain conservative approach; consider flexibility (materials, rooflines)
Utilities & Infrastructure	• Eliminate separate connection requirement • Allow use of existing infrastructure
Maximum ADU Size	• Increase to 1,200 sq ft (State maximum)
Parking & Transit Definition	• Include microtransit in transit definition to expand parking exemptions
Height Measurement	• Apply City's standard height measurement method
Privacy & Window Standards	• Simplify requirements • Ensure objective, non-restrictive standards
Historic Resource Protections	• Use objective siting standards • Avoid subjective visibility criteria



Questions?

Available Staff:

Jackie Oneal - Senior Planner

Leza Mikhail - Community Development Director

Mario Traverso - Department of Public Works Project Manager

Phillip Henry - Building Official





NAPA-SOLANO FOR EVERYONE

1436 2nd Street #784
Napa, CA 94559

April 20, 2026
hello@napasolanoforeveryone.org
(707) 564-6116

To: **Chair Warner and the St. Helena Planning Commission**
1088 College Avenue
St. Helena, CA 94574

RE: ZOA 26-001 to Update ADU and JADU Regulations Chapter 17.22.030

Dear Planning Commissioners,

My name is Ryan O'Connell and I am writing on behalf of Napa Solano For Everyone in support of this exemplary update to St Helena's ADU ordinance.

I work with St Helena residents as the founder of How To ADU, and support housing in the city as a volunteer chapter lead for Napa Solano for Everyone.

For each section of the staff report, we have included below a recommended action related to the Planning Commission considerations suggested by staff, along with public input from Napa Solano For Everyone.

1. Objective Standards - **Accept staff recommendation, or direct staff to remove unnecessary objective standards**

The commission should both accept the proposed objective standards and encourage further modifications by removing unnecessary objective standards in section (G) that constrain the development of ADUs. For example, while this draft improves the architectural matching standard by clarifying the objective measurements and giving the homeowner some leeway in matching, the entire premise of requiring architectural matching is a question of taste that limits the development of ADUs by forcing them to adopt the same kind of architecture as the primary home (which is sometimes more expensive than a current construction method or architectural style).

2. Utility Connections and Infrastructure Capacity - **No action required**

This is a thoughtful improvement to the city's utilities needs. When detached newly built ADUs require additional utility capacity, the city will be able to require separate

connections and infrastructure improvements. Moving away from a default requirement for separate utility connections for all detached units is a major win for housing equity. Mandatory separation requirements can add \$10,000 to \$30,000 in 'sunk' infrastructure costs (related to ST-17 street-cut and restoration standards) without increasing total capacity. This change directly lowers the 'entry fee' to build an ADU. The separate submetering will also help ensure that potential tenants can be charged fairly for utilities in the future.

3. Maximum ADU Size - **Accept staff recommendation**

The commission should maintain the proposed maximum size of 1200 square feet. The commission should NOT direct staff to lower these maximums which would prevent homeowners from building comfortable 2 and 3 bedroom ADUs and limit the city's ability to raise revenue through proportionate impact fees on larger ADUs.

4. Height Measurement Method - **Accept staff recommendation**

The commission should retain the city's standard measurement method as staff suggests. Having a separate definition of building height for ADUs is an unnecessary, arbitrary limit on ADU development that discriminates against ADUs in favor of larger single family primary homes.

5. Privacy and Window Standards - **Accept staff recommendation**

- a. The commission should accept staff recommendations for privacy and window standards
- b. The commission should consider directing staff to remove these standards entirely to encourage the construction of more ADUs

6. Historic Resource Protections - **Accept staff recommendation**

On the whole, this revised ordinance reduces regulatory barriers, clarifies objective standards, and improves consistency with State law. The city staff has been very considerate and professional in including local community members in the process of the update.

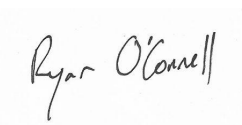
We have a few notes for public input outside the specific planning commission considerations highlighted in the project report.

1. **General Requirements** - Section F states “The following requirements apply to all Class 1 and Class 2 ADUs and JADUs” but that section includes at least one requirement which should not be applied to all Class 1 ADUs. For example, height restrictions in Section F cannot be applied to Class 1 ADUs converted out of existing detached structures i.e. an ADU approved under subsection (E)(1)(a). State law mandates that these units be approved regardless of height or setback nonconformities, and the local ordinance should explicitly clarify this to avoid confusing applicants and staff during the ministerial review process.
2. **Separate sale of ADUs** - While this may fall outside the scope of today’s project, we want to register strong support for allowing the separate sale of ADUs (Government Code §§ 66341 & 66342). This policy has many benefits including that it creates more affordable starter homes in St Helena, and it allows seniors to 'right-size' into universally designed ADUs while selling their primary home. Creating this flexibility for St Helena residents is a win-win, and tends to generate property tax reassessments which can help the city with long term finances. We hope the City considers an 'opt-in' ordinance for this in the near future.

Overall, this is an exemplary draft ordinance that is in line with the city’s goals of affirmatively furthering fair housing, meeting the city’s housing needs, and tailoring policies to balance community concerns with regional needs for housing.

We believe that this progressive ADU reform will help the city in its application for a pro-housing designation and look forward to supporting that application process.

Regards,

A handwritten signature in black ink that reads "Ryan O'Connell". The signature is written in a cursive, slightly slanted style.

Ryan O'Connell
Napa Solano For Everyone
napasolanoforeveryone.org

St Helena Planning Commission,

We are fortunate enough to live in one of the most beautiful areas of the world and we have the luxury of an industry that affords us the opportunity to make a living here while continuing to enjoy the beauty that surrounds us without it being consumed. I say this because one of the primary reasons we're able to continue to enjoy our environment is that it is protected by the AG preserve and our own town's zoning which restricts density to a specific area. This is a critical aspect because it helps to protect the beauty that perpetuates our continued and sustained desirability as a place people want to invest in and live.

If we are to be successful in maintaining a rich environment of diversity of family groups, income levels, and services we need to be able to maintain and advance full time residency to the best of our ability. Paradoxically if we simply push an agenda of building for the sake of building we risk eroding the diversity of our place through general infill development that serves a limited few and does not create opportunity for growth and advancement within our local nucleus.

Planning and building require an immense amount of resources and doing so at large scale requires an immense amount of time. Something that advancing a strategic plan around an ADU policy achieves that other approaches do not is efficiency, and affordability. Reason number one is, the land is free. Reason number two is, the scale is reasonable.

By utilizing land that is currently owned by local property owners there is no cost to entry. By utilizing a reasonable scale and providing local zoning tools that create an efficient mechanism for development the planning process is appropriately affordable. These two simple factors mean that this approach creates a strategic tool for infill within the context of our built environment that does not create overly burdensome centralized density and affords the opportunity for local property owners to strategically use their land for benefits that would not otherwise be available.

Families who have children who have moved away and would like to move back can create a structure to age in while sharing a property inter-generationally. Structures can be created or existing structures bifurcated to create eldercare scenarios allowing an aging generation to stay in home. Lower income housing can be created without requiring massive funding lifts.

To date our ADU policy has served as a self fulfilling mechanism of largely creating accessory support structures for existing single family homes. There is nothing wrong with this but we can do more, and the reason the primary function has served as this has had to do with the local restrictions in our policy. For those that can afford to build at high barriers of entry, barriers of entry are ineffectual as a mechanism for control. What they do accomplish is limiting the opportunity to those who have desire for expanding the intended use beyond the current paradigm.

Staff has done an excellent job working within the existing language framework in our code that is seemingly by design, obtuse and confusing. It may be that after the meeting tonight a logical solution would be to take the discussion and refine it to completely revised code language that appropriately captures the goals without having to adhere to the antiquated framework. To be clear it is a very heavy lift to work in the context of existing language when there is so much that needs to be clarified and modified. I think the primary goal in this revision

is streamlining accessibility and creating pathways for affordability. In that regard there are a few items in the current draft that should be considered for further refinement. In the end this ADU code section should be very clear, and very logical.

The following specific sections would benefit from further refinement in order to create cleaner logic and ease the process for staff and applicants. The primary goal is simple understanding and providing a clear pathway for owner discretion to create discrete structures affordably.

G 7.

Architectural matching requirements create overly burdensome restrictions with no benefit to the built environment and have unintended negative consequences on neighboring property owners.

Materiality of a structures has everything to do with scale and massing. Arbitrarily requiring a matching roof pitch and cladding material negatively limit opportunity for affordability and discretion needed to create structures with intent. The consequence of keeping this requirement would mean that our built environment would be limited. If a property owner with a home built in the 1930's with a 10/12 roof pitch would like to create an ADU that falls discreetly within the context of the lot they would instead be required to create a miniature of the 1930's home. We should be considering these as "support structures" that complement the context of the built environment around them rather than requiring them to copy the existing structure that was created in a completely different context. Requiring a matching roof pitch could very likely limit a neighbors view shed with an arbitrarily steep roof rather than allowing for a lower slope roof that would keep the field of vision open.

Elimination of these requirements will create opportunity for innovation and discretion.

H 1.

The language around impact and utility fees is still quite confusing.

Are impact fees assessed on the balance of square footage beyond the base threshold, or the entirety once the threshold is crossed? Given the state restrictions and lack of local clarity there are a multitude of calculations that are required to be made that are subjective and confusing.

Regarding impact fees there are multiple state bars that set minimum standards but the local assessment is based on "the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling"

Why don't we incentivize the use of this infill housing tool by limiting fees as much as possible to save staff time and make the pathway clear?

Regarding utilities 2 b. states:

"For ADUs and JADUs not described in subsection (H)(2)(a), connection fees and capacity charges *may* be imposed, provided that such fees are proportionate to the burden created by the unit and do not exceed the reasonable cost of providing service"

This is completely subjective on many levels and is a critical component of affordability. Also not clear in this section is the definition of what bar is set for “reasonable”

H 2.

-This section has improved significantly, however the framework around a portion of a fee not exceeding reasonable cost is very subjective.

Further clarifications would help to eliminate confusion around when a new city connection is required as well. 3 and 4 should simply be combined by adding the last two sentences of 4 to 3 and striking the rest of 4.

For example:

“3. Separate Utilities. New or separate utility connections shall not be required for ADUs, except where necessary to protect public health and safety due to the condition of existing utility infrastructure, as determined by the City Engineer, or where otherwise required by State law. Where existing City-owned or City-regulated utility infrastructure is proposed to be used, the City may require inspection and verification of its condition by means of closed-circuit television (CCTV) or other methods acceptable to the City Engineer. Where the existing lateral is determined by the City to be inadequate or in poor condition, repair, replacement, or upgrade may be required.”

A logical approach without requiring a base minimum simply sets the standard at “will it work?”. If the answer is yes then the applicant should be able to proceed utilizing existing infrastructure. 4” ABS did not become a standard until the late 60’s and was not widely adopted until the 70’s. Much of the housing stock in St Helena was constructed prior to the 70’s and there are a multitude of materials used; everything from cast iron to clay. Each of these pipes has a different outside diameter and the interior diameter varies as well.

There are also multiple ways of repairing issues with laterals that do not require removing sidewalks and digging into streets. lining is a good example that allows cost efficiency while greatly improving capacity. All this to say that while we are pushing forward with repairing as much street and sidewalk surface as possible, why do we have a requirement that would arbitrarily require their destruction and patched repair?

By simply using code as a benchmark for feasibility you would eliminate confusion around the requirement of new utilities. If a property has a 3” line and can accommodate “x” number of DFU’s it seems arbitrary to require a 4” line upgrade when the maximum DFU limit has not been met.

Regarding water infrastructure what is the framework around requiring a split meter? does it mean two separate base fees? Does it require a new larger meter that will then require a new hand hole in the sidewalk which would thus require sidewalk repair work? Why not have a simple standard of capacity? Does the level of development require more capacity? If the answer is no, why require any modification tot he existing meter?

Finally, generally speaking why are we differentiating between “attached” and “detached” units. This is an arbitrary distinction that has no direct relation to capacity and creates another overly burdensome expense hurdle.

Thank you for your time and consideration of this proposed update. We have a world of opportunity to continue to improve our code and our trajectory as a town. The fact that we have willing participants in staff to take this on and continue to improve is fantastic, I hope this perspective is shared as we move forward.

Sincerely,

Joshua Parke

From: [Daniel Hale](#)
To: [Public Comment](#); [Andrew Bradley](#); [Xinia Gamero](#); [Jackie Oneal](#); [Erika Opp](#)
Subject: ADU zoning update comment item 5.2
Date: Tuesday, April 21, 2026 12:02:57 PM
Attachments: [Draft Clean Copy Ordinance.pdf](#)

Andrew, Xinia, Erika,

Please include as public comment for this eve PC meeting item 5.2, ADU ordinance update. Call text or email with any questions.

Thank you,

Daniel

Jackie,

It looks like there has been tremendous progress on the ADU ordinance language. Congratulations. Very strong work by all involved.

THANK YOU !

I do think a few areas remain unclear, particularly regarding how different ADU types are treated with respect to utility connections. It is difficult to understand the basis for requiring different standards when, in practice, an attached ADU, a detached ADU, or a unit created within an existing structure can all function with a similar degree of performance and independence. The distinction, as currently framed, does not appear to align with any clear legal or fairness principle.

It seems the more appropriate and consistent standard should be whether the underlying infrastructure (water and sewer) is adequate. If capacity is insufficient, upgrades should be required. However, an infrastructure upgrade is not the same as requiring a second connection. A second connection creates perpetual financial obligations in the form of separate service fees, along with the upfront cost of installing new infrastructure. These costs are significant and can and do meaningfully discourage ADU development.

It is also important to recognize that ADUs and JADUs must already comply with St. Helena's water neutrality requirements. In doing so, they demonstrate no net increase in system burden. If a project cannot meet that standard, that can and should be addressed directly, but it is a separate issue from mandating additional connections.

More broadly, ADUs represent one of the most effective and sensitive tools available to address local housing needs. They are created within existing parcels, effectively removing land acquisition costs from the equation. That alone makes them uniquely positioned to support and solve more attainable housing outcomes.

ADUs can serve a wide range of community needs: housing for caretakers, multigenerational living, or adult children seeking to remain in a high-cost market like St. Helena. They also provide flexibility for homeowners, for example, allowing someone to downsize into an ADU while making a larger home available to a family. Whether an ADU is rented, or not, should not be the primary measure of success. A successful ADU program is one that most fully enables these units to meet real housing needs in a flexible and context-sensitive way. Building capacity in this way is most flexible as housing needs continue to change.

I look forward to continuing to work together to refine this ordinance and bring it to its most effective and equitable form. Please feel free to call, text, or email with any questions.

Sincerely,
Daniel Hale

I have inserted in red some comments in context with draft below. Hope this helps.
Thanks,

Daniel

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danielhale (INSTAGRAM)

17.22.030 Accessory dwelling units.

- A. *Purpose.* The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance, and consistent with, California Government Code Sections 66310 et seq. (formerly Sections 65852.2 and 65852.22), as may be amended from time to time.
- B. *Effect of Conforming.* An ADU or JADU that conforms to the standards in this section will not be:
1. Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
 2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 3. Considered in the application of any local ordinance, policy, or program to limit residential growth.
 4. Required to correct a nonconforming zoning condition as defined in subsection (C) of this section. This does not prevent the city from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.
- C. *Definitions.* As used in this section, terms are defined as follows:
1. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - a. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - b. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
 2. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

3. “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

4. “Efficiency kitchen” means a kitchen that includes each of the following:

- a. A cooking facility with appliances.
- b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the ADU.

5. “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:

- a. Is no more than five hundred (500) square feet of interior livable space in size;

“interior livable space” confusing, need to insert alternate definition as measured from inside of exterior walls

- b. Is contained entirely within an existing or proposed single-family structure.

An enclosed use within the residence, such as an attached garage, is considered to be part of and contained within the single-family structure;

- c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;

- d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling;

- e. Includes an efficiency kitchen, as defined in this subsection (C); and

6. “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, cooking, eating, or sanitation.

7. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

8. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

9. “Passageway” means a pathway that is unobstructed, clear to the sky, and extends from a street to one entrance of the ADU or JADU.

10. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

11. “Public transit” means a location where the public may access shared transportation services available to the general public, including fixed-route services such as buses and trains, as well as demand-responsive or microtransit services, including door-to-door or flexible-route services operated by or on behalf of a public agency, such as the Vine Shuttle. For purposes of this chapter, public transit includes, but is not limited to, major transit stops and high-quality transit corridors as defined in Public Resources Code Section 21155. **tremendous improvement!**

12. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

D. *Approvals.* The following approvals apply to ADUs and JADUs under this section:

1. *Ministerial Approval.* Applications for accessory dwelling units and junior accessory dwelling units shall be considered ministerially, without discretionary review or a public hearing, consistent with Government Code Section 66316. Every ADU and JADU requires a building permit.
2. *Completeness Review.* Within fifteen (15) days of receiving an application for an accessory dwelling unit or junior accessory dwelling unit, the City shall determine whether the application is complete.

If the application is incomplete, the City shall provide the applicant with a written notice identifying all information necessary to complete the application. The notice shall include a complete list of all deficiencies, as required by Government Code Section 66317.

If the City does not provide written notice of incompleteness within fifteen (15) days, the application shall be deemed complete for purposes of this section.

3. *Resubmittal of Incomplete Applications.* If an application is determined to be incomplete, the applicant may submit the additional information identified in the City’s written notice.

Upon resubmittal, the City shall review the application for completeness in accordance with Government Code Section 66317 and this section.

Nothing in this subsection is intended to permit multiple rounds of incompleteness determinations based on items that were not identified in the initial written notice, consistent with State law.

4. *Action on Application.* The City shall approve or deny an application for an accessory dwelling unit or junior accessory dwelling unit within sixty (60) days from the date the application is deemed complete, consistent with Government Code Section 66317.

If the application to create an accessory dwelling unit or junior accessory dwelling unit is submitted with an application to create a new single-family dwelling, the sixty (60)-day period shall not begin until the application for the single-family dwelling is deemed complete.

To the extent applicable, the time periods set forth herein shall be interpreted in a manner consistent with the Permit Streamlining Act and State ADU law.

5. *Basis for Denial.* An application for an accessory dwelling unit or junior accessory dwelling unit may be denied only if the proposed unit does not comply with objective standards set forth in this chapter or applicable provisions of State law.

Any denial shall be in writing and shall include a statement of the reasons for denial.

6. *Appeals.* If an application for an accessory dwelling unit or junior accessory dwelling unit is determined to be incomplete or is denied, the applicant may appeal that determination in writing in accordance with Government Code Section 66317. The appeal shall be considered and decided within the timeframes required by State law. No other appeals shall apply to ministerial decisions under this section. The appeal shall be submitted to the Community Development Director or designee.

7. *Fees.* The City may charge fees for the processing of applications for accessory dwelling units and junior accessory dwelling units, as established by resolution of the City Council and set forth in the City's adopted fee schedule. Any such fees shall be limited to the reasonable cost of providing the service and shall be imposed in accordance with Government Code Section 66311.5
8. *Concurrent Review of Demolition.* A demolition permit for an existing structure that is to be replaced with an accessory dwelling unit shall be reviewed concurrently with the application for the accessory dwelling unit and shall be issued in conjunction with the permit for the accessory dwelling unit. The City shall not require a demolition permit to be issued separately from the accessory dwelling unit permit.

E. Classes.

1. *Class 1: Statutorily Regulated.* Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (F) below, it is allowed in each of the scenarios provided in this subsection (E)(1). An ADU and JADU approved under subsection (E)(1)(a) may be combined with an ADU approved under subsection (E)(1)(b), and ADUs approved under subsection (E)(1)(c) may be combined with ADUs approved under subsection (E)(1)(d).
 - a. *Converted on Lot with Single-Family:* One ADU as described in this subsection (E)(1)(a) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - ii. Has exterior access that is independent of that for the single-family dwelling; and

- iii. Has side and rear setbacks sufficient for fire and safety, consistent with applicable State standards
 - iv. The JADU complies with the requirements of Government Code sections 66333 through 66339 including but not limited to requirements related to size, owner-occupancy, and efficiency kitchen facilities.
- b. *Limited Detached on Lot with Single-Family*: One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:
- i. The side- and rear-yard setbacks are at least four feet.
 - ii. The total floor area is 800 square feet of livable space or smaller.
 - iii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height, provided that this method does not preclude compliance with State-required height allowances.
- c. *Converted on Lot with Multifamily*: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (E)(1)(c), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- d. *Limited Detached on Lot with Multifamily*: No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:
- i. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of

less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

- ii. The peak height of an ADU shall not exceed the applicable height limit in subsection (F)(2), and shall be measured consistent with the City's standard definition of building height.
- iii. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

2. *Class 2: Locally Regulated.* Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (E)(1) above, all ADUs are subject to the standards set forth in subsections (F) and (G) below.

F. *General ADU and JADU Requirements.* The following requirements apply to all Class 1 and Class 2 ADUs and JADUs:

1. *Zoning.*

- a. A Class 1 ADU approved under subsection (E)(1) may be created on a lot in a residential or mixed-use zone.
- b. A Class 2 ADU approved under subsection (E)(2) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- c. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

2. *Height.*

- a. Except as otherwise provided by subsection (F)(2)(b) and (F)(2)(c) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- b. A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a Public Transit stop, as defined in

subsection (C)(11). The maximum height may be increased up to two additional feet in height (for a maximum of 20 feet) to accommodate a roof pitch that is aligned with the roof pitch of the primary dwelling unit.

c. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

d. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (F)(2)(d) may not exceed two stories.

e. For purposes of this subsection (F)(2), height shall be measured consistent with the City's standard definition of building height.

3. *Fire Sprinklers.*

a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. *Rental Term.* No ADU or JADU may be rented for a term that is shorter than thirty (30) days. This prohibition applies regardless of when the ADU or JADU was created.

5. *No Separate Conveyance.* No ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

6. *Septic System.* If the ADU or JADU will connect to an on-site water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last ten (10) years. Refer to the county of Napa's environmental health department regulations.

7. *Owner Occupancy.*

- a. *ADUs*. ADUs are not subject to an owner-occupancy requirement.
- b. *JADUs*.
 - i. *Generally*. As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling, ADU, or JADU, as the person's legal domicile and permanent residence.
 - ii. *Exceptions*. The owner-occupancy requirement in this subsection (F)(7)(b) does not apply in either of the following situations:
 - a. The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).
 - b. The property is entirely owned by another governmental agency, land trust, or housing organization.

7. *Deed Restriction*. Prior to issuance of a certificate of occupancy for a JADU, a deed restriction must be recorded against the title of the property in the county recorder's office and a copy filed with the community development director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:

- a. The JADU may not be sold separately from the primary dwelling.
- b. The JADU is restricted to the approved size and to other attributes allowed by this section.
- c. The deed restriction runs with the land and may be enforced against future property owners.
- d. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the community development director, providing evidence that the JADU has in fact been eliminated. The community development director may then determine whether the evidence

supports the claim that the JADU has been eliminated. Appeal may be taken from the community development director's determination consistent with other provisions of this code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this code.

e. The deed restriction is enforceable by the community development director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.

8. *Building and Safety.*

a. *Building Code Compliance.* ADUs and JADUs shall be constructed in compliance with applicable building standards in effect at the time of permit issuance, consistent with State law.

b. *No Change of Occupancy.* Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in California Building Code Section 310, unless the chief building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (F)(8)(b) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

9. *Certificate of Occupancy Timing.*

a. *Generally.* No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.

b. *Limited Exception for State-declared Emergencies.* Notwithstanding subsection (F)(9)(a) above, a certificate of occupancy for an ADU may be

issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

- i. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.
- ii. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.
- iii. The ADU has been issued construction permits and has passed all required inspections.
- iv. The ADU is not attached to the primary dwelling.

G. *Specific ADU Requirements.* The following requirements apply only to Class 2 ADUs approved under subsection (E)(2) above. This subsection (G) does not apply to Class 1 ADUs or JADUs approved under subsection (E)(1) above.

1. *Maximum Size.*

- a. The maximum size of a detached or attached ADU subject to this subsection G is one thousand two hundred (1,200) square feet of interior livable space for a unit.
- b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent (50%) of the floor area of the existing primary dwelling.
- c. Application of other development standards in this subsection G, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (G)(1)(b) above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than eight hundred (800) square feet of interior livable space.

2. *Gross Floor Area.* No ADU may cause the total gross floor area of the underlying zone to be exceeded, with the provision that all lots may have an ADU up to 800 square feet.

3. *Lot Coverage.* No ADU subject to this subsection F may cause the total lot coverage of the lot to exceed the maximum lot coverage for the zoning district in

which the ADU is proposed as established in Table 17.16.030(B), Development Standards—Residential Zoning Districts, subject to subsection (G)(1)(c), above.

4. *Setbacks.*

a. ADUs that are subject to this subsection (G) must conform to 4-foot side and rear setbacks. ADUs that are subject to this subsection (G) must conform to the front setback as required by the underlying zoning district, subject to subsection (G)(1)(c), above.

b. No setback is required for an ADU that is subject to this subsection (G) if the ADU is constructed in the same location and to the same dimensions as an existing, nonconforming, enclosed structure.

5. *Passageway.* No passageway, as defined by subsection (C) of this section, is required for an ADU.

6. *Parking.*

a. *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (C)(12) of this section.

b. *Exceptions.* No parking under subsection (G)(6)(a) of this section is required in the following situations:

i. The ADU is located within one-half mile walking distance of public transit, as defined by subsection (C)(11) of this section.

ii. The ADU is located within an architecturally and historically significant historic district.

iii. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (E)(2)(a) of this section.

iv. When on-street parking permits are required but not offered to the occupant of the ADU.

v. When there is an established car share vehicle stop located within one block of the ADU.

vi. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsection (G)(6)(b)(i) through (v), of this section.

c. *No Replacement.* When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

7. *Architectural Requirements.* The following objective standards apply to ADUs:

a. Exterior materials shall be consistent with those of the primary dwelling (e.g., siding, stucco, or wood).

b. The roof form shall be consistent with the dominant roof slope of the primary dwelling. Roof slope shall not vary by more than 2:12 from the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

c. The exterior lighting shall be limited to fully-shielded and downward-directed fixtures.

d. The ADU shall have a separate exterior entrance.

e. All windows located within four (4) feet of a side or rear property line that is not adjacent to a public right-of-way line shall utilize clerestory with the bottom of the glass at least six feet above the finished floor, or utilize frosted or obscure glass.

8. *Historical Protections.* An ADU that is on a lot listed in the California Register of Historic Resources shall be located entirely behind the rear-most exterior wall of the primary dwelling and directly behind the primary dwelling.

in many cases this would only serve to degrade the historic structure...they matter from front and back, sensitive (overall) site design would/should apply to historic structures as well

9. *Allowed Stories.* The number of stories of an ADU shall be consistent with the applicable height limits of this section.

H. *Fees and Utilities.* The following requirements apply to all Class 1 ADUs and JADUs and Class 2 ADUs that are approved under subsections (E)(1) or (E)(2), above.

Overall believe this (Impact fees) remains very confusing/unclear. The goal of code should be to understand in layman terms how much would an ADU cost to build? (including fees)

1. Impact Fees.

a. No impact fee is required for an ADU that has less than seven hundred fifty (750) square feet of interior livable space. For purposes of this subsection (H)(1), "impact fee" means a "fee under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

again introduction of term "interior livable space" will be confusing, need to insert alternate definition (in definitions sections) as measured from inside of exterior walls

b. A JADU or ADU with less than 500 square feet of interior livable space does not increase accessible space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and therefore is not subject to school fees under Education Code section 17620.

c. Any impact fee that is required for an ADU that has seven hundred fifty (750) square feet or more in interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling).

2. Utility Fees.

What legal/fairness principal allows treating attached or detached ADUs differently under the law?

a. ADUs and JADUs created from existing space within a primary dwelling or accessory structure are not required to install a new or separate utility connection and shall not be subject to connection fees or capacity charges.

Note this is inverse of current policy where detached ADU are not require second utility connection

b. For ADUs and JADUs not described in subsection (H)(2)(a), connection fees and capacity charges may be imposed, provided that such fees are proportionate to the burden created by the unit and do not exceed the reasonable cost of providing service.

If adhering to water neutral policy (which is required) sewer fee and charge are based upon water use, no net increase equals no additional burden

c. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

i. Where a new or separate connection is permitted to be required by State law, any connection fee or capacity charge shall be proportionate to the burden created by the ADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

- ii. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

3. *Utilities.* An ADU must be adequately served by water and sewer utilities, a separate or new utility connection may be required. Where existing City-owned or City-regulated utility infrastructure is proposed to be used, inspection and verification of its capacity and condition shall be required.

~~Adequate service capacity of water and sewer should be driving principle, if not adequate, should be upgraded but that should not be confused with requiring an additional and perpetual second "service" = utility bill.~~

- a. Existing utility sewer infrastructure serving the primary dwelling shall be permitted to serve the ADU, provided that the existing infrastructure complies with applicable plumbing, building, and engineering or City standards.

For sewer service, the existing sewer lateral shall:

- i. Be inspected with closed-circuit television (CCTV) and detailed report provided to the City which demonstrate the existing sewer lateral is free of corrosion, holes, cracks, separations, off-sets and roots;
 - ii. Have a minimum diameter of four inches, have an accessible clean out, be of acceptable material and maintain a secure, manufactured connection to the sewer mainline and be otherwise demonstrated to meet applicable plumbing and engineering standards; and
 - iii. Where the existing sewer lateral does not meet these standards, replacement or upgrade shall be required.
- b. Existing water service serving the primary dwelling shall be permitted to serve the ADU, provided the infrastructure complies with applicable plumbing, building and engineering or City standards.

For water service, the existing water lateral shall;

- i. Be inspected to verify the service is of adequate size and material to sufficiently serve the primary residence and the ADU including any required fire service;
- ii. Split to meter the ADU separately from the primary residence;

~~what does this mean?/
submeter?~~

- iii. Where the existing water lateral does not meet these standards, new or additional water service shall be required.

4. *Other Utilities.* Electrical, gas, and other utilities not provided by the City shall comply with the requirements of the applicable utility provider and the California Building Standards Code. Nothing in this section shall be interpreted to require a separate connection for such utilities unless required by the utility provider or applicable code.

I. *Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.*

1. *Generally.* The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

2. *Unpermitted ADUs JADUs Constructed Before 2020.*

a. *Permit to Legalize.* As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

- i. The ADU or JADU violates applicable building standards; or
- ii. The ADU or JADU does not comply with the state ADU or JADU law or this section.

b. *Exemptions.*

i. Notwithstanding subsection (H)(2)(a) of this section, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in Health and Safety Code section 17920.3.

ii. Subsection (H)(2)(a) of this section does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.

From: [Joe McGrath](#)
To: [Public Comment](#); [Joe McGrath](#); [Jackie Oneal](#); [Leza Mikhail](#)
Subject: 04/21/26 Planning Commission: ADU Zoning Code Public Comment
Date: Tuesday, April 21, 2026 1:36:03 PM

04/21/26

Dear Planning Commission,

I applaud the efforts of the Planning Staff to streamline and simplify the St. Helena Zoning Code relative to the entitlements of ADUs in our community. I believe there are several opportunities to further improve the code and those are itemized below.

I am a native of St. Helena who has been closely tied to this town for over 60 years. The town I grew up in was far more socio-economically diverse than it is today. This economic diversity enabled the town to function as a relatively closed ecosystem as most occupations could afford to both live and work here. This proximity of home and job had the added benefit of enabling a tight social fabric, and of course, less commuters and commuting traffic.

I have been a champion of affordable workforce housing in St. Helena for nearly 10 years commencing with development of an eight-unit workforce apartment complex here, completed in 2019. For the last five years I have served on the board of Our Town St. Helena. I speak today independent of that role. That experience, however, has clearly illustrated that large affordable workforce projects take an inordinate amount of will, time, expertise, patience, and capital. A few recent projects have taken ten years from concept to COO and often straddle shifting political winds and administrative staff.

ADUs were envisioned by the State to unlock the potential for infill development carried out by a homeowner to enable a faster and more distributed solution to constructing affordable housing. As such ADU policy is effectively trying to entice an amateur to become a developer. The homeowner is deploying capital as an investment in residential development for the purpose of making a return. Interpretation of Zoning and Building Code is difficult enough for a design or development professional. In order to unlock the potential of ADUs under distributed homeowner development model for workforce housing, the code must be simple, clear, concise, and cost-effective. Toward this end I believe the staff should consider further streamlining the proposed draft.

Section F.7: Deed Restriction

Recommend eliminating this section.

It is not clear what unique purpose a deed-restriction would serve. My understanding is that property (in this case a JADU embedded within a Single-Family Home) cannot be sold or conveyed without a unique APN.

Other alterations or demolition to a JADU would be no different than unpermitted work on any other structure.

Section F.9: Certificate of Occupancy Timing.

Recommend policy not restrict an ADU being built prior to single family dwelling.

ADUs could be utilized by first time homeowners as an entry strategy to building a starter home and later (when in improved economic circumstance) a primary residence.

Section G.7 Architectural Requirements:

Recommend limiting architectural requirements to site location (ie. setbacks etc.), overall size, undulation, height, and massing.

Additionally, I recommend eliminating any architectural requirements regarding style, vernacular, materials, colors, or being “consistent” with existing primary residence. These in effect become arbitrary and subjective standards. (Ironically the zoning code for commercial and multi-family structures calls for breaking massing by utilizing different adjacent materials and colors.)

Section H.3 Utilities

In the interest of both cost-effectiveness and logistical efficiency ADUS should NOT be required to have separate water and sewer connections if the existing primary residence (or the new-built residence) has sufficient capacity and is functionally operative. Evaluation of capacity should be empirically derived based on already existing objective standards.

ADU policy is intended to enable affordable workforce infill housing. Under current 2026 St. Helena Utility Rates, a dedicated 5/8” water meter, and dedicated sewer would cost the residents of the ADU ~\$250/month at 100 gallon/day usage for the ADU. This does not include amortization of the capital costs of installing unique water and sewer ties to main.

H.3.b.ii

Regarding the split meter requirement, it is not clear whether this is a private meter or city meter.

Once again, thanks for taking on this important work. ADU policy and code - properly structured - can play a vital role in moving the needle on workforce housing.

Regards,

Joe McGrath