



**City of St. Helena
Planning Commission Special Meeting
Tuesday, July 7, 2026 @ 4:00 PM
Vintage Hall Board Room - Second Floor
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@cityofsthelelena.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@cityofsthelelena.gov.

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

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE & 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. MINUTES APPROVAL

3.1. Receive the minutes from the June 2, 2026, Planning Commission Meeting.

3.2. Receive the minutes from the June 16, 2026, Planning Commission Meeting.

4. 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.

5. PUBLIC HEARINGS / RECOMMENDATIONS TO CITY COUNCIL

5.1. Continuance of STR26-008 at 1248 Stockton Street

CEQA Determination: The continuance of this item is not a project subject to the California Environmental Quality Act (CEQA).

Prepared By: Natalie Bresee, Assistant Planner

Recommendation: Staff recommends the Planning Commission continue the public hearing for Short-Term Rental Permit application (STR26-008) located at 1248 Stockton Street, to the Planning Commission meeting of July 21, 2026 at 6:00 p.m. at Vintage Hall, 465 Main Street, St. Helena CA.

5.2. Zoning Ordinance Amendment ZOA 26-001 to Update Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations

CEQA Determination: Statutory Exemption

Prepared By: Jackie Oneal, Senior Planner

Recommendation:

1. Find that the proposed amendments to Section 17.22.030 of the St. Helena Municipal Code are exempt from the California Environmental Quality Act; and
2. Adopt an ordinance amending Section 17.22.030 of the St. Helena Municipal Code to update regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

6. SCHEDULED MATTERS

6.1. 2026 Planning Commission Work Plan

CEQA Determination: N/A

Prepared By: Natalie Bresee, Assistant Planner

Recommendation: Receive, discuss, and recommend City Council approval of the proposed Fiscal Year (FY) 2026-27 Planning Commission Work Plan regarding Commission priorities for the upcoming fiscal year.

7. REPORTS BY STAFF AND PLANNING COMMISSION

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

This is an opportunity for the Commission as a majority to request that items be placed on future agendas for discussion in alignment with the City Council direction and/or the current Fiscal Year Planning Commission Workplan.

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for July 21, 2026.

This agenda was posted at City Hall, 1088 College Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on July 1, 2026.

Leza Mikhail, Director of Community Development

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.

MINUTES
City of St. Helena
Regular Planning Commission Meeting
Tuesday, June 2, 2026 @ 6:00 PM
Vintage Hall Board Room
465 Main Street, St. Helena CA

Present: Board Member Christopher Warner, Commissioner Autumn Anderson,
Commissioner Michelle Covell, Commissioner Hector Lopez

Absent: Commissioner Sue Furdek

1. PLEDGE OF ALLEGIANCE

Commissioner Lopez led the 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.

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

Absent: Vice-Chair Sue Furdek

Staff Present: Community Development Director Leza Mikhail, Assistant City
Manager & Public Works Director Joseph Leach, Senior Planner Jackie Oneal,
Assistant Planner Natalie Bresee, Planning Permit Technician Xinia Gamero

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.

Chair Warner opened the meeting for public comment.

No one from the public spoke.

Chair Warner closed the meeting for 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 the Minutes from the May 5, 2026, Planning Commission Meeting.

Commissioner Autumn Anderson moved to approve the minutes as presented. The motion was seconded by Commissioner Hector Lopez and on roll call carried by the following vote:

AYES: Chair Christopher Warner, Commissioner Autumn Anderson, Commissioner Michelle Covell, Commissioner Hector Lopez

NOES: None

ABSENT: Vice-Chair Sue Furdek

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

5.1. Consideration and proposed approval of a resolution determining that the Fiscal Year 2026/27 Capital Improvement Program (CIP) is in conformance with the General Plan

CEQA Determination: Not a CEQA Project (CEQA Guidelines §15378)

Prepared By: Stephanie Killingsworth, PW Financial Analyst

Recommendation: Adopt the attached resolution determining that Fiscal Year 2026/2027 Capital Improvement Program (CIP) is in conformance with the General Plan.

Public Works Director, Joseph Leach, PE presented the item.

Chair Warner opened the meeting for public comment.

No public comments were received.

Chair Warner closed the meeting for public comment.

The commission discussed the project.

Commissioner Autumn Anderson moved to approve the CIP report as presented. The motion was seconded by Commissioner Hector Lopez and on roll call carried by the following vote:

AYES: Chair Christopher Warner, Commissioner Autumn Anderson, Commissioner Hector Lopez

NOES: Commissioner Michelle Covell

ABSENT: Vice-Chair Sue Furdek

ABSTAIN: None

RECUSE: None

5.2. PL26-002; Spottswode Winery Use Permit Amendment; 1902 Madrona Avenue

CEQA Determination: Categorical Exemption

Prepared By: Jackie Oneal, Senior Planner

Recommendation: Staff recommends approving the application for Conditional Use Permit Amendment PL26-002 at 1902 Madrona Avenue (APN: 009-470-021), including action to approve a Categorical Exemption pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities).

Senior Planner, Jackie Oneal gave a presentation.

Chair Warner opened the meeting for public comment.

Beth Novack spoke.

Chair Warner closed the meeting for public comment.

Commissioner Michelle Covell moved to approve the application for Conditional Use Permit Amendment PL26-002 at 1902 Madrona Avenue (APN: 009-470-021), including action to approve a Categorical Exemption pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities). The motion was seconded by Commissioner Hector Lopez and on roll call carried by the following vote:

AYES: Chair Christopher Warner, Commissioner Autumn Anderson, Commissioner Michelle Covell, Commissioner Hector Lopez

NOES: None

ABSENT: Vice-Chair Sue Furdek

ABSTAIN: None

RECUSE: None

6. SCHEDULED ITEMS

None

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.

7.1. Future Zoning Ordinance Amendments Summary and Work Plan

CEQA Determination: N/A

Prepared By: Jackie Oneal, Senior Planner

Recommendation: Receive the informational update regarding anticipated Zoning Ordinance Amendment (ZOA) priorities and tentative scheduling.

Senior Planner, Jackie Oneal gave a presentation

The commission discussed the item.

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: cityofsthenana.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.

June 16, 2026:

Zoning Ordinance Amendment (On-Site Storage)

Zoning Ordinance Amendment (ADU/JADU)

Short Term Rental Zoning Ordinance Amendment Study Session

July 7, 2026:

Tasting Room Conditional Use Permit

New Short Term Rental Permit

Community Development Director, Leza Mikhail discussed the future meetings for June 16th and July 7th. She also thanked Planning Permit Technician Xinia Gamero for her time working with the City of St. Helena.

The Commission addressed Planning Permit Technician Xinia Gamero.

9. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for June 16, 2026. Chair Warner adjourned the meeting at **7:00 p.m.**

APPROVED:

ATTEST:

Christopher Warner, Chair

Leza Mikhail, Director of Community Development



Agenda Report to the Planning Commission

Agenda Section: PUBLIC HEARINGS / RECOMMENDATIONS TO CITY COUNCIL

Department: Community Development Department - Planning Division

DATE:	July 7, 2026
FILE NUMBER:	STR26-008
SUBJECT:	Request to Continue Short-Term Rental Permit Application, STR26-008, to July 21, 2026
LOCATION OF PROPERTY:	1248 Stockton Street, St. Helena, CA 94574
APN:	009-232-026
GENERAL PLAN/ ZONING:	Medium Density Residential (MDR)/ Medium Density Residential (MR)
APPLICANT:	Elaine Honig
PROJECT PLANNER:	Natalie Bresee, Assistant Planner
REVIEWED BY:	Leza Mikhail, Community Development Director
CEQA DETERMINATION:	The continuance of this item is not a project subject to the California Environmental Quality Act (CEQA).
RECOMMENDED ACTION:	Staff recommends the Planning Commission continue the public hearing for Short-Term Rental Permit application (STR26-008) located at 1248 Stockton Street, to the Planning Commission meeting of July 21, 2026 at 6:00 p.m. at Vintage Hall, 465 Main Street, St. Helena CA.

BACKGROUND:

The applicant applied for a Short-Term Rental permit for the subject property on May 14, 2026. The public hearing for this item was originally scheduled and noticed for the July 7, 2026 Planning Commission meeting at 6:00 p.m.

The regularly scheduled 6:00 p.m. Planning Commission has been canceled, and the Planning Commission will instead hold a special meeting at 4:00 p.m. on July 7, 2026.

PROJECT DESCRIPTION:

The action before the Planning Commission is a request to continue the public hearing for Short-Term Rental Permit application STR 26-008 to the Planning Commission meeting of July

21, 2026. The underlying application requests approval of a Short-Term Rental Permit for an existing single-family residence located at 1248 Stockton Street. No action on the merits of the Short-Term Rental Permit application is recommended at this meeting.

ANALYSIS:

The previously posted public hearing notice identified the hearing time as 6:00 p.m., as such, the Planning Commission should not consider the merits of the Short-Term Rental Permit application at the 4:00 p.m. special meeting. Staff recommends that the Planning Commission continue the item to the July 21, 2026 Planning Commission meeting so the application can be heard at a properly noticed public hearing.

ISSUES:

The only issue before the Planning Commission is procedural. The public hearing notice identified the hearing time as July 7, 2026, at 6:00 p.m. Because the regularly scheduled meeting has been canceled, and the special meeting will occur at 4:00 p.m., staff recommends continuing the item to July 21, 2026.

CORRESPONDENCE:

At the time of preparation of this report, no public correspondence had been received regarding the proposed continuance.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following motion:

Move to continue the public hearing for Short-Term Rental Permit application STR 26-008, located at 1248 Stockton Street, to the Planning Commission meeting of July 21, 2026, at 6:00 p.m., at Vintage Hall, 465 Main Street, St. Helena CA.

ATTACHMENTS:



Agenda Report to the Planning Commission

Agenda Section: PUBLIC HEARINGS / RECOMMENDATIONS TO CITY COUNCIL

Department: Community Development Department - Planning Division

DATE:	July 7, 2026
FILE NUMBER:	ZOA 26-001
SUBJECT:	Consideration of a resolution recommending that the City Council adopt an ordinance amending Section 17.22.030 of the St. Helena Municipal Code to update regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.
LOCATION OF PROPERTY:	Citywide
APN:	Citywide
GENERAL PLAN/ ZONING:	Citywide
APPLICANT:	City of St. Helena
PROJECT PLANNER:	Jackie Oneal, Senior Planner
REVIEWED BY:	Leza Mikhail, Community Development Director
CEQA DETERMINATION:	Statutory Exemption
RECOMMENDED ACTION:	1. Find that the proposed amendments to Section 17.22.030 of the St. Helena Municipal Code are exempt from the California Environmental Quality Act; and 2. Adopt an ordinance amending Section 17.22.030 of the St. Helena Municipal Code to update regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

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, requiring ministerial processing, and limiting local discretion over development standards, application review, fees, owner-occupancy, utility connections, and related requirements.

The City's existing ADU and JADU regulations are codified in Section 17.22.030 of the St. Helena Municipal Code. The proposed Zoning Ordinance Amendment updates that section to improve consistency with current State ADU law, clarify local review procedures, remove outdated provisions, and establish clearer objective standards.

On April 21, 2026, the Planning Commission held a study session to review a draft ordinance and receive public comment. No formal action was requested at that meeting. The purpose of the study session was to allow the Planning Commission and public to provide direction before staff returned with a revised ordinance for formal recommendation.

Following the study session, staff revised the ordinance in coordination with the City Attorney, Public Works Department, and other City staff. The ordinance now returns to the Planning Commission for formal consideration and recommendation to the City Council.

PROJECT DESCRIPTION:

The proposed project is a Citywide Zoning Ordinance Amendment to amend Section 17.22.030 of the St. Helena Municipal Code, Accessory Dwelling Units and Junior Accessory Dwelling Units.

The amendment updates:

- Definitions;
- Application processing procedures;
- ADU and JADU classifications;
- General development standards;
- Specific ADU standards;
- Utility provisions;
- Fee provisions; and
- Provisions related to nonconforming conditions, building code violations, and unpermitted ADUs/JADUs.

The ordinance distinguishes between "Class 1" State-mandated ADUs and JADUs and "Class 2" locally regulated ADUs. This structure is intended to make the ordinance easier to administer and clarify which standards apply to different types of ADUs and JADUs.

ANALYSIS:

The proposed ordinance includes three primary categories of amendments: (1) updates necessary to maintain consistency with State law, (2) organizational and procedural improvements to improve clarity and administration, and (3) local policy refinements developed through the Planning Commission study session and public input.

State Law Compliance Updates

The ordinance updates Section 17.22.030 to reflect current State ADU law, including Government Code Section 66310 et seq.

Key updates include:

- Ministerial approval without discretionary review or a public hearing;
- 15-day building permit completeness review;
- Resubmittal procedures;
- 60-day building permit action timelines;
- Limitations on denial;
- Applicant appeal procedures;
- Concurrent review of demolition permits;
- Certificate of occupancy timing;
- Owner-occupancy requirements;
- Impact fee limitations;
- Utility fee limitations; and
- Treatment of nonconforming zoning conditions, building code violations, and unpermitted ADUs/JADUs.

These revisions ensure the City's ADU regulations remain consistent with current State law while improving administrative clarity and reducing the potential for conflicting code provisions.

Organizational and Procedural Improvements

The existing ordinance has been substantially reorganized to improve readability, usability, and internal consistency.

The revised section is organized into the following subject areas:

- Purpose;
- Effect of conforming;
- Definitions;
- Approvals;
- ADU/JADU classifications;
- General ADU and JADU requirements;
- Specific ADU requirements;
- Utilities;
- Fees; and
- Nonconforming zoning conditions, building code violations, and unpermitted structures.

The revised organization is intended to make the ordinance easier for applicants, property owners, design professionals, staff, and decision-makers to navigate by grouping related requirements into logical sections and eliminating unnecessary duplication.

Local Policy Refinements

The proposed ordinance incorporates input received during the Planning Commission study session on April 21, 2026, as well as comments received from members of the public. Collectively, the revisions are intended to reduce unnecessary barriers to ADU development,

simplify ordinance administration, and retain objective development standards consistent with State law.

- Definitions and Clarifications: The ordinance adds a definition of "interior livable space" to clarify how ADU size limitations and impact fee thresholds are measured. It also incorporates the definition of an "efficiency kitchen" directly into the Municipal Code, improving usability while relying on State law requirements rather than establishing additional local design standards.
- Development Standards: The ordinance establishes a maximum ADU size of 1,200 square feet of interior livable space and removes bedroom-based size limitations, providing a single, objective development standard. Existing architectural requirements have been simplified by removing material-matching and roof-slope matching standards. Remaining architectural requirements are limited to objective standards addressing exterior lighting, separate entrances, and window treatments adjacent to side and rear property lines. The ordinance also applies the City's standard definition of building height to ADUs, eliminating the need for a separate ADU-specific height measurement methodology.
- Parking and Transit: The ordinance retains parking requirements only where permitted by State law and maintains applicable parking exemptions. The definition of "public transit" has been updated to reflect current local transit services, including demand-responsive and microtransit services such as the Vine Shuttle.
- Administrative Requirements: The ordinance removes the existing rent reporting requirement, reducing ongoing administrative obligations for property owners and eliminating a provision that is not necessary for ministerial ADU processing.
- Utilities and Fees: The proposed ordinance removes detailed utility requirements from Title 17 and instead references the applicable utility connection, infrastructure, and fee requirements proposed to be contained in Title 13 of the St. Helena Municipal Code. This approach consolidates utility regulations within the title administered by the Public Works Department, reducing duplication and providing a single regulatory framework for utility requirements.

The companion amendments to Title 13 also reflect a shift from the City's historical practice of generally requiring separate utility services or substantial utility upgrades for ADU development. Under the proposed framework, existing water and sewer infrastructure may continue to serve an ADU or JADU where adequate capacity exists, and applicable City standards are met, while preserving the City's authority to require repairs, replacements, or upgrades when necessary to ensure reliable utility service. This approach is intended to reduce unnecessary barriers and costs associated with ADU construction while maintaining the integrity of the City's utility infrastructure.

The Public Works Department has prepared a memorandum, included as Attachment 4, describing the rationale for the proposed Title 13 amendments and the City's updated

approach to utility infrastructure requirements. To ensure consistency between the City's zoning and utility regulations, the Public Works Department will present companion amendments to Title 13 to the City Council for consideration concurrent with the first reading of the proposed ADU ordinance.

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 a range of housing types, infill development, removal of governmental constraints, adequate infrastructure, and ADU production.

Relevant General Plan policies include:

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

Relevant Housing Element policies include:

- Policy HE 1.4: Remove governmental constraints to housing.
- Policy HE 1.5: Address workforce housing needs by supporting infill and mixed-use development near downtown.
- Policy HE 1.6: Encourage innovative housing types and design.
- Policy HE 2.4: Promote accessory dwelling unit production.
- Policy HE 2.7: Promote a balance of housing types and unit sizes throughout the community.

The ordinance also supports the City's pursuit of Prohousing Designation by reducing regulatory barriers to ADU development, improving administrative efficiency and predictability, modernizing application procedures, and maintaining objective development standards that are easier for applicants and staff to administer.

Environmental Review

Staff recommends that the Planning Commission find that the proposed ordinance is exempt from the California Environmental Quality Act pursuant to the statutory exemption applicable to local ordinances adopted to implement State ADU law.

ISSUES:

Staff has not identified any outstanding issues at the time of publication of this report.

CORRESPONDENCE:

At the April 21, 2026 Planning Commission study session, the Commission received public comment regarding the draft ordinance. Comments generally supported reducing barriers to ADU production, simplifying the ordinance, avoiding unnecessary design constraints, and limiting utility requirements that could increase project costs. Staff coordinated with the Public Works Department regarding utility standards. The Public Works utility memorandum is included as Attachment 4.

Staff also received comments requesting clarification of “interior livable space,” the definition of “efficiency kitchen,” and privacy-related window standards. The proposed ordinance incorporates revisions responsive to those comments.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt the attached resolution recommending that the City Council:

1. Find that the proposed amendments to Section 17.22.030 of the St. Helena Municipal Code are exempt from the California Environmental Quality Act; and
2. Adopt an ordinance amending Section 17.22.030 of the St. Helena Municipal Code to update regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

ATTACHMENTS:

1. Draft Planning Commission Resolution ZOA 26-001
2. Proposed City Council Ordinance
3. Clean Copy Ordinance, SHMC Section 17.22, ZOA 26-001
4. Public Works Memorandum RE Proposed Companion Amendments to Title 13
5. Redlined and Annotated Ordinance for Reference Only, SHMC Section 17.22, ZOA 26-001
6. Public Comment - Dan Hale

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO. PC2026-0XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.22.030 (ACCESSORY DWELLING UNITS) OF TITLE 17 (ZONING) OF THE ST. HELENA MUNICIPAL CODE TO UPDATE REGULATIONS FOR ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS (ZOA 26-001), AND FINDING THE ACTION STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE SECTION 21080.17)

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 26-001), codified as Title 17 of the St. Helena Municipal Code (“SHMC”); and

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has adopted multiple amendments to State ADU law that limit local authority to regulate ADUs and JADUs and require local ordinances to remain consistent with State law; and

WHEREAS, the proposed ordinance amends SHMC Section 17.22.030 to update the City’s ADU and JADU regulations, including definitions, application processing procedures, ADU and JADU classifications, development standards, utility provisions, fee provisions, and provisions related to nonconforming conditions, building code violations, and unpermitted ADUs and JADUs; and

WHEREAS, on April 21, 2026, the Planning Commission held a duly noticed study session to review a draft ordinance, receive public comment, and provide feedback to staff regarding proposed amendments to SHMC Section 17.22.030; and

WHEREAS, following the April 21, 2026 study session, staff revised the proposed ordinance to respond to Planning Commission and public input, coordinate with the Public Works Department regarding utility standards, and improve consistency, clarity, and administration of the ordinance; 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 July 7, 2026, the Planning Commission held a duly noticed public hearing to consider Zoning Ordinance Amendment ZOA 26-001; and

WHEREAS, at the public hearing, the Planning Commission considered the staff report, the proposed ordinance, the Public Works utility memorandum, all written and oral public comments, and all other information and documents presented; and

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 is statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.17, which provides that CEQA does not apply to the adoption of an ordinance by a city or county implementing Article 2 of Chapter 13 of Division 1 of Title 7 of the California Government Code, California’s ADU law, which also regulates JADUs.

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 26-001. 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 17.22.030 (Accessory Dwelling Units) of Title 17 (Zoning) of the St. Helena Municipal Code to update regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

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 June 16, 2026 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Chris Warner, Chair
Planning Commission

Leza Mikhail
Community Development Director

Attachments:

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

Exhibit “A”

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA AMENDING SECTION 17.22.030 (ACCESSORY DWELLING UNITS) OF TITLE 17 (ZONING) OF THE ST. HELENA MUNICIPAL CODE TO UPDATE REGULATIONS FOR ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS (ZOA 26-001), AND FINDING THE ACTION STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE SECTION 21080.17

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 Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has adopted multiple amendments to State ADU law that limit local authority to regulate ADUs and JADUs and require local ordinances to remain consistent with State law; and

WHEREAS, the City desires to amend Section 17.22.030 (Accessory Dwelling Units) of Title 17 (Zoning) of the St. Helena Municipal Code (“SHMC”) to update the City’s ADU and JADU regulations; and

WHEREAS, the proposed ordinance updates definitions, application processing procedures, ADU and JADU classifications, development standards, utility provisions, fee provisions, and provisions related to nonconforming conditions, building code violations, and unpermitted ADUs and JADUs; and

WHEREAS, on April 21, 2026, the Planning Commission held a duly noticed study session to review a draft ordinance, receive public comment, and provide feedback to staff regarding proposed amendments to SHMC Section 17.22.030; and

WHEREAS, following the April 21, 2026 study session, staff revised the proposed ordinance to respond to Planning Commission and public input, coordinate with the Public Works Department regarding utility standards, and improve consistency, clarity, and administration of the ordinance; and

WHEREAS, on July 7, 2026, the Planning Commission held a duly noticed public hearing and adopted Resolution No. PC2026-0XX recommending that the City Council adopt the proposed ordinance and find the action statutorily exempt from CEQA under Public Resources Code Section 21080.17; 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, the City gave public notice of the public hearing before the City Council for the proposed ordinance in accordance with applicable law; 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 Section 17.22.030.

Section 17.22.030 (Accessory Dwelling Units) of Title 17 (Zoning) of the St. Helena Municipal Code is hereby amended in its entirety to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 3: 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 4: CEQA.

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the environmental regulations of the City. The City Council finds that this Ordinance is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17, which provides that CEQA does not apply to the adoption of an ordinance by a city or county implementing Article 2 of Chapter 13 of Division 1 of Title 7 of the California Government Code, California's ADU law, which also regulates JADUs.

Section 6: 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 28th day of July, 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

EXHIBIT A

Section 17.22.030 Accessory Dwelling Units

[clean copy of Section 17.22.030 here.]

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) consistent with Chapter 13 of Division 1 of Title 7 of the California Government Code (Gov. Code Section 66310 et seq.) 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 JADU.
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).
6. "Interior livable space" means a space in a dwelling intended for human habitation, including living, sleeping, cooking, eating, or sanitation. Interior livable space includes bedrooms, bathrooms, kitchens, laundry rooms, closets, and interior stairs. For purposes of this section, interior livable space is measured as the floor area within the finished interior surfaces of the enclosing walls of the ADU or JADU and does not include garages, unfinished attics, crawl spaces, exterior balconies, decks, porches, patios, or similar unenclosed areas.

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 State ADU Law. Every ADU and JADU requires a building permit.
2. *Completeness Review.* Within fifteen (15) business 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 incomplete items and a description of how

the application can be made complete, as required by Government Code Section 66317.

If the City does not provide written notice of incompleteness within fifteen (15) business 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 determine whether the resubmitted application has remedied all incomplete items identified in the City's written notice. The City shall not require the resubmitted application to include an item that was not identified in the initial written notice of incompleteness, consistent with Government Code Section 66317.

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 City receives a complete application, or from the date the application is deemed complete under this section, as applicable.

If the application to create or serve an ADU or JADU is submitted with an application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the ADU or JADU application until the City approves or denies the application for the new single-family or multifamily dwelling, provided that the ADU or JADU application shall be considered ministerially, without discretionary review or a public hearing.

If the applicant requests a delay, the sixty (60)-day period shall be tolled for the period of the requested delay.

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 ADU or JADU may be denied only if the proposed unit does not comply with applicable objective standards in this section or other objective standards that city is authorized to apply under State ADU law.

Any denial shall be in writing and shall include a full set of comments identifying the defective or deficient items and describing how the application may be remedied.

6. *Appeals.* If an application for an ADU or JADU is determined to be incomplete or is denied, the applicant may appeal the determination in writing to the Planning Commission. The appeal shall be considered and decided within the timeframes required by Government Code Section 66317. No other local appeal shall apply to ministerial decisions under this section.
7. *Processing Fees.* The City may charge fees for the processing of applications for ADUs and JADUs, 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 applicable State law.
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: State-Mandated ADUs and JADUs.* 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; and
 - 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 interior 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 and JADUs approved under subsection (E)(1) above, all ADUs are subject to the standards set forth in subsections (F) and (G), as applicable.

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
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 a 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. *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)(9)(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.

10. *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)(10)(a) above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if all 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.
 - 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, 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.
2. *Gross Floor Area.* No ADU may cause the total gross floor area of the underlying zone to be exceeded, except that this standard shall not be applied to preclude an ADU of at least eight hundred (800) square feet of interior livable space as required by State law.
3. *Lot Coverage.* No ADU subject to this subsection G 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.
 - 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 lighting shall be limited to fully-shielded and downward-directed fixtures, except as otherwise required by applicable building, fire, or electrical code
- b. The ADU shall have a separate exterior entrance.

- c. All windows located four (4) feet or closer to a side or rear property line that is not adjacent to a public right-of-way line either be clerestory windows with the bottom of the glass at least six (6) 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. *Utilities.* ADUs and JADUs shall be served by adequate water and sewer utilities. The Director of Public Works shall determine utility and infrastructure requirements in accordance with Title 13 of this Code and applicable State law.
- I. *Fees.* The following requirements apply to all ADUs and JADUs that are approved under subsection (E)(1) or (E)(2) of this section, as applicable:
 - 1. *Impact Fees.*
 - a. No impact fee is required for an ADU that is less than seven hundred fifty (750) square feet of interior livable space. For purposes of this subsection (I)(1), “impact fee” means a fee under the Mitigation Fee Act (Gov. Code Section 66000(b)) and a fee under the Quimby Act (Gov. Code Section 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
 - b. Any impact fee that is required for an ADU that is seven hundred fifty (750) square feet or more of 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.* Utility connection requirements, connection fees, capacity charges, and other applicable utility fees for ADUs and JADUs shall be governed by Title 13 of this Code and applicable State law.
- J. *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 or 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 (J)(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 (J)(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
Public Works Department

June 30, 2026

RE: July 7th Planning Commission Attachment 3 – Public Works Memorandum Regarding Proposed Title 13 Utility Amendments

As part of the Planning Division's update to the City's Accessory Dwelling Unit (ADU) regulations, the Public Works Department has prepared companion amendments to Title 13 of the St. Helena Municipal Code. These amendments consolidate water and sewer utility requirements within Title 13 and establish a consistent framework for administering utility standards for ADUs and other development projects.

Historically, the City's ADU regulations have generally required separate utility services or significant upgrades to existing utility infrastructure as part of ADU development. While protecting the City's utility system remains a priority, Public Works recognizes that these requirements may create unnecessary barriers to ADU construction in situations where existing infrastructure is capable of adequately serving both the primary dwelling and the ADU.

The proposed amendments establish a more balanced approach by allowing existing utility infrastructure to continue serving an ADU when adequate capacity exists and applicable City standards are met. Rather than requiring upgrades as a default, utility improvements will be evaluated based on the condition and capacity of the existing infrastructure and the specific needs of the proposed development.

This approach maintains the City's ability to require repairs, replacements, or upgrades when necessary to ensure reliable water and sewer service while reducing unnecessary costs for projects that can be adequately served by existing infrastructure. Consolidating these requirements within Title 13 also allows Public Works to administer utility standards consistently across all applicable development types rather than maintaining separate utility provisions within the zoning code.

The proposed amendments to Title 17 remove detailed utility requirements and instead reference the applicable provisions of Title 13. Together, the companion amendments provide a coordinated regulatory framework that supports housing production while maintaining the integrity and reliability of the City's utility infrastructure. Staff intends to bring both sets of amendments to the City Council for first reading on July 28, 2026.

Respectfully Submitted,

Mario Traverso
Project Manager, Department of Public Works

Annotated Redline Ordinance
For Reference Only; Not Proposed for Codification

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, consistent with Chapter 13 of Division 1 of Title 7 of the California Government Code (Gov. Code Sections 66310 et seq.) 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. **[State Law Required]**
2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located. **[State Law Required]**
3. Considered in the application of any local ordinance, policy, or program to limit residential growth. **[State Law Required]**
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. **[State Law Required]**

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 **[State Law Required]**

b. 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code. **[State Law Required]**

2. “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot. **[State Law Required]**

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. **[State Law Required]**

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

4. a. A cooking facility with appliances. **[State Law Required]**

2. b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU. **[State Law Required]**

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

4. 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; **[State Law Required]**

3. c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure; **[State Law Required]**

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; **[State Law Required]**

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

[State Law Required]

6. “Interior livable space” means a space in a dwelling intended for human habitation, including living, sleeping, cooking, eating, or sanitation. Interior livable space includes bedrooms, bathrooms, kitchens, laundry rooms, closets, and interior stairs. For purposes of this section, interior livable space is measured as the floor

area within the finished interior surfaces of the enclosing walls of the ADU or JADU and does not include garages, unfinished attics, crawl spaces, exterior balconies, decks, porches, patios, or similar unenclosed area. **[Additional Language Added for Clarity- Based on HCD Glossary]**

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. **[State Law Required]**

8. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards. **[State Law Required]**

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. **[State Law Required]**

10. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting. **[State Law Required]**

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.~~ **[Local Policy Choice - Expanded Definition to include “Microtransit”]**

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. **[State Law Required]**

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.]

~~—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.~~

[Clarification / Reorganization]

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 State ADU Law. Every ADU and JADU requires a building permit. [State Law Required]

2. Completeness Review. Within fifteen (15) business 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 incomplete items and a description of how the application can be made complete, as required by Government Code Section 66317.

If the City does not provide written notice of incompleteness within fifteen (15) business 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 determine whether the resubmitted application has remedied all incomplete items identified in the City's written notice. The City shall not require the resubmitted application to include an item that was not identified in the initial written notice of incompleteness, consistent with Government Code Section 66317. [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 City receives a complete application, or from the date the application is deemed complete under this section, as applicable.

If the application to create or serve an ADU or JADU is submitted with an application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the ADU or JADU application until the City approves or denies the application for the new single-family or multifamily dwelling, provided that the ADU or JADU application shall be considered ministerially, without discretionary review or a public hearing.

If the applicant requests a delay, the sixty (60)-day period shall be tolled for the period of the requested delay. [State Law Required]

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 ADU or JADU may be denied only if the proposed unit does not comply with applicable objective standards in this section or other objective standards that City is authorized to apply under State ADU law.

Any denial shall be in writing and shall include a full set of comments identifying the defective or deficient items and describing how the application may be remedied. [State Law Required]

6. *Appeals.* If an application for an ADU or JADU is determined to be incomplete or is denied, the applicant may appeal the determination in writing to the Planning Commission. The appeal shall be considered and decided within the timeframes

required by Government Code Section 66317. No other local appeal shall apply to ministerial decisions under this section. [State Law Required]

7. *Processing Fees.* The City may charge fees for the processing of applications for ADUs and JADUs, 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 applicable State law. [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: State-Mandated ADUs and JADUs.* 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
[State Law Required]

ii. Has exterior access that is independent of that for the single-family dwelling; and**[State Law Required]**

iii. Has side and rear setbacks sufficient for fire and safety, consistent with applicable State standards**[State Law Required]**

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. **[Clarification / Reorganization]**

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. **[State Law Required]**

ii. The total floor area is 800 square feet of interior livable space or smaller. **[State Law Required]**

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. **[Clarification – rules of 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. [State Law Required]

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. [State Law Required]

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. [State Law Required]

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. [State Law Required]

2. *Class 2: Locally Regulated*. Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs and JADUs approved under subsection (E)(1) above, all ADUs are subject to the standards set forth in subsections (F) and (G), as applicable [State Law Required / Clarification]

~~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. [State Law Required; Clarification / Reorganization]

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. **[State Law Required; Clarification / Reorganization]**

c. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences. **[State Law Required]**

2. Height.

a. Except as otherwise provided by subsection ~~(EE)~~(2)(b) and ~~(EE)~~(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. **[State Law Required]**

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~~ ~~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. Local policy choice: added definition of Microtransit]**

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. **[State Law Required]**

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 ~~(FE)~~(2)(d) may not exceed two stories. **[State Law Required]**

e. For purposes of this subsection ~~(FE)~~(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.~~ **[Clarification/Internal Consistency]**

3. *Fire Sprinklers.*

- a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence. **[State Law Required]**
- b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling. **[State Law Required]**

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. **[State Law Required]**

- 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). **[State Law Required]**

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. **[State Law Required]**

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 Sstate 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.~~

[State Law Required]

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). **[State Law Required]**
- 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. **[State Law Required]**
- b. The JADU is restricted to the approved size and to other attributes allowed by this section. **[State Law Required]**
- c. The deed restriction runs with the land and may be enforced against future property owners. **[State Law Required]**
- 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 a JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this code. **[State Law Required]**

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.

[State Law Required]

~~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.~~ **[Removed to Reduce Constraints]**

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~~)(408)(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. **[State Law Required]**

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. **[State Law Required]**
 - ii. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation. **[State Law Required]**
 - iii. The ADU has been issued construction permits and has passed all required inspections. **[State Law Required]**
 - 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: **[Clarification / Reorganization]**

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.~~ **[Local Policy Choice – 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. **[State Law Required]**

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 Law Required]**

2. Gross Floor Area. No ADU may cause the total gross floor area of the underlying zone to be exceeded, except that this standard shall not be applied to preclude an ADU of at least eight hundred (800) square feet of interior livable space as required by State law with the provision that all lots may have an ADU up to 800 square feet. **[Local Objective Standard]**

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. **[Local Objective Standard]**

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. **[Local Objective Standard]**

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. **[Local Objective Standard]**

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

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. **[State Law Required]**

b. *Exceptions.* No parking under subsection (GF)(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. **[Includes “Microtransit” - Local Policy Choice]**

ii. The ADU is located within an architecturally and historically significant historic district. **[State Law Required]**

iii. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (DE)(2)(a) of this section. **[State Law Required]**

iv. When on-street parking permits are required but not offered to the occupant of the ADU. **[State Law Required]**

v. When there is an established car share vehicle stop located within one block of the ADU. **[State Law Required]**

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 (FG)(6)(b)(i) through (v), of this section. **[State Law Required]**

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. **[State Law Required]**

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

~~a. The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.~~ **[Removed to Reduce Constraints]**

~~b. 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.~~ **[Removed to Reduce Constraints]**

c. The exterior lighting ~~shall be limited to fully-shielded and downward-directed fixtures, except as otherwise required by applicable building, fire, or electrical code except as otherwise required by applicable building, fire, or electrical code.~~ must be limited to down-lights or as otherwise required by the zoning, building, or fire code. **[Local Objective Standard]**

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.~~ **[Removed to Reduce Constraints / 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.~~ **[Removed to Reduce Constraints]**

g. All windows and doors in an ADU less than 30 feet from a ~~located four (4) feet or closer to 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.~~ **[Local Objective Standard / Reduced Constraints]**

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.~~ **[Local Objective 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. **[Clarification / Reorganization]**

H. *G. Utilities.* ADUs and JADUs shall be served by adequate water and sewer utilities. The Director of Public Works shall determine utility connections and infrastructure requirements in accordance with Title 13 of this Code and applicable State law. **[Clarification/Reorganization]**

I. *Fees.* The following requirements apply to all ADUs and JADUs that are approved under subsection ~~(DE)~~(1) or ~~(DE)~~(2) of this section, as applicable:

1. *Impact Fees.*

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

[State Law Required]

b. Any impact fee that is required for an ADU that is seven hundred fifty (750) square feet or larger in size 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]**

2. *Utility Fees.* Utility connection requirements, connection fees, capacity charges, and other applicable utility fees for ADUs and JADUs shall be governed by Title 13 of this Code and applicable State law. **[Clarification/Reorganization]**

~~a. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required. For detached ADUs where there is a demonstrated adequate sewer capacity acceptable to the city engineer and cleaning/review of the sewer lines has been~~

~~performed with closed circuit television technology, and an application has been submitted to the city engineer to substantiate capacity calculations, a separate connection for the ADU is not required.~~

~~b. Except as described in subsection (G)(2)(a) of this section, converted ADUs on a single-family lot that are created under subsection (D)(1)(a) of this section are not required to have a new or separate utility connection directly between the ADU and the utility, nor is a connection fee or capacity charge required.~~

~~c. Except as described in subsection (G)(2)(a) of this section, all ADUs and JADUs that are not covered by subsection (G)(2)(b) of this section require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.~~

~~i. The connection is subject to a connection fee or capacity charge that is 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.~~

J. -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. **[State Law Required]**

2. *Unpermitted ADUs or JADUs Constructed Before 2020.*

a. *Permit to Legalize.* As required by Sstate 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 ~~s~~State ADU or JADU law or this section. **[State Law Required]**

b. *Exemptions.*

i. Notwithstanding subsection (~~HJ~~)(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. **[State Law Required]**

ii. Subsection (~~HJ~~)(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. **[State Law Required]**

Public Comment item 5.2 SHPC meeting 7 July 2026

From Daniel Hale <danielmarkhale@gmail.com>

Date Tue 7/7/2026 12:14 PM

To Andrew Bradley <abradley@cityofsthelena.gov>; Public Comment <publiccomment@cityofsthelena.gov>;
Erika Opp <eopp@cityofsthelena.gov>

 2 attachments (86 KB)

adu pc revision 7 Jul.pdf; ADU JADU ORDINANCE.pdf;

Andrew, Erika,

Please include as public comment for this afternoon's PC meeting for item 5.2.
Call text or email with any questions.

Thank you,

Daniel Hale

Daniel Hale
PO Box 644
Saint Helena, CA 94574
707.227.4322

www.danielmhale.com

danielhale (INSTAGRAM)

St. Helena Planning Commission

RE: Item 5.2 - Revised ADU Strategy and Ordinance (July 7, 2026 Planning Commission Meeting)

Commissioners,

First, I would like to acknowledge the significant and incremental progress that has been made through this ADU ordinance revision. I believe Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) can and should become an important component of St. Helena's long-term housing strategy. I appreciate the sincere effort that City staff, members of the Planning Commission, and members of the public have invested in these revisions. Those efforts will ultimately strengthen the ordinance and better serve the community.

I continue to believe there are several provisions that remain absent and are worthy of discussion and consideration as the ordinance continues to evolve. I have attached several proposed revisions that I believe would further improve the ordinance.

Among them, I believe it is important to clearly establish that exemptions and development rights, once granted, are vested and grandfathered. Doing so creates greater certainty for property owners and provides a more consistent and equitable framework for administering the ordinance.

I also believe the ordinance should function logically in both directions. While these revisions are intended to encourage the creation of ADUs, they should not inadvertently restrict or penalize otherwise permitted future improvements or modest expansions to the primary residence simply because an ADU already exists on the property.

Finally, I believe every effort should be made to make the ordinance as clear and legible as possible. A well-written ordinance benefits everyone. Property owners, design professionals, and Planning staff should all be able to read the code and arrive at the same clear understanding of what is permitted, what is required, and how the ordinance is intended to operate.

Thank you again for the considerable work that has gone into this effort. I appreciate your continued willingness to refine the ordinance, and I hope these suggestions are helpful as the process moves forward.

Please feel free to call, text, or email me if you have any questions.

Thank you,

Daniel Hale

ACCESSORY DWELLING UNIT AND COMMUNITY HOUSING PROGRAM

(Reserved/needs further discussion/development)

17.51.010 Purpose

The purpose of this chapter is to encourage the creation of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) as an important component of the City's long-term housing strategy.

The City finds that ADUs and JADUs provide one of the most context-sensitive forms of housing production available and can expand housing opportunities while preserving neighborhood character.

This chapter is intended to:

- A. Expand housing opportunities.
- B. Support aging in place.
- C. Encourage multigenerational living.
- D. Improve housing opportunities for local workers.
- E. Support Housing Element implementation.
- F. Promote efficient use of developed land and existing infrastructure.
- G. Preserve neighborhood character through incremental housing growth.
- H. Preserve St. Helena as a living community.

17.51.020 Legislative Findings

The City Council finds that:

- A. ADUs are an effective and neighborhood-compatible form of housing production.
- B. ADUs contribute to housing affordability and housing diversity.
- C. ADUs provide housing opportunities for family members, caregivers, seniors, local workers, and other residents.
- D. ADUs support aging in place and multigenerational living arrangements.
- E. ADUs utilize existing infrastructure efficiently.
- F. State law encourages ADU creation and limits local barriers.
- G. ADUs are an important component of the City's housing strategy.
- H. All ADU and JADU configurations provide equivalent housing benefits.
- I. Unnecessary distinctions among ADU types increase housing costs and reduce housing production.
- J. ADUs and JADUs provide one of the most cost-effective forms of housing production available.
- K. Fee exemptions should be administered to provide certainty to property owners.
- L. Lawfully established exemptions should remain associated with the property and dwelling unit.
- M. Preserving exemption certainty promotes housing production and Housing Element objectives.
- N. State law frequently authorizes exemptions from development standards including floor area, lot coverage, setbacks, parking, density, and similar regulations, and preserving those exemptions supports long-term housing opportunities.

ARTICLE I - GENERAL POLICIES

17.51.030 Accessory Dwelling Units as a Preferred Housing Strategy

The City shall encourage ADUs and JADUs as a preferred form of context-sensitive housing production and shall seek to remove unnecessary barriers while maintaining objective standards consistent with state law.

17.51.040 Equal Treatment of Accessory Dwelling Units and Junior Accessory Dwelling Units

A. The City shall administer and apply this title in a manner that affords equal treatment to all ADUs and JADUs authorized by state law.

B. Except where expressly required by state law, the City shall not impose different development standards, permit procedures, fees, review criteria, utility requirements, occupancy restrictions, or operational requirements based solely upon whether an ADU or JADU is attached, detached, converted, newly constructed, or otherwise configured.

C. ADUs and JADUs providing equivalent residential use and function shall be subject to the same objective standards and procedures unless a distinction is expressly required by state law.

D. The City shall not interpret silence in state law as authorization to impose additional requirements upon one category of ADU or JADU.

E. No preference or disadvantage shall be created solely on the basis of unit configuration.

F. This section shall be liberally construed to ensure consistent implementation of state housing law.

ARTICLE II - INFRASTRUCTURE AND UTILITY POLICIES

17.51.050 Utility Connections

Except where expressly required by state law, the City shall not require separate utility connections, utility meters, utility laterals, utility services, capacity charges, connection fees, infrastructure upgrades, or similar utility-related improvements solely because a dwelling unit qualifies as an ADU or JADU.

ADUs may share utility services with a primary dwelling unit to the maximum extent permitted by law.

17.51.055 State Law Consistency

This chapter shall be interpreted and administered consistent with California ADU law, as amended. Administrative interpretations shall be narrowly construed when they have the effect of limiting, delaying, conditioning, or increasing the cost of ADU or JADU development.

17.51.057 ADU and JADU Exemptions and Vested Rights

A. ADUs and JADUs shall be exempt from development impact fees to the maximum extent authorized by state law.

B. An ADU and a JADU shall each be independently eligible for fee exemptions authorized by state law.

C. An ADU containing up to 1,200 square feet shall not be subject to development impact fees except as otherwise required by state law.

D. Any exemption, waiver, reduction, modification, or relief lawfully granted or recognized for an ADU or JADU pursuant to state law or this title shall run with the property and remain valid for the life of the dwelling unit.

E. The lawful establishment of an ADU or JADU shall not reduce, consume, extinguish, offset, or otherwise diminish the right to construct, enlarge, remodel, reconstruct, replace, or maintain a primary dwelling to the maximum extent otherwise permitted by this title.

F. The existence of an ADU or JADU shall not be used to reduce allowable floor area, building area, lot coverage, development capacity, or other residential development rights otherwise available to the primary dwelling except where expressly required by state law.

G. The lawful existence of an ADU or JADU shall not be used as a basis to require future conformity with development standards from which the dwelling unit was previously exempt.

H. Protected exemptions include, but are not limited to:

1. Floor area limitations.
2. Floor area ratio limitations.
3. Lot coverage limitations.
4. Density limitations.
5. Open space requirements.
6. Setback reductions or exemptions.
7. Parking reductions or exemptions.
8. Height allowances.
9. Impact fee exemptions.
10. Any other development standard exemption, waiver, modification, or protection authorized by state law.

I. Such exemptions shall remain valid notwithstanding expansion, remodeling, reconstruction, or transfer of ownership of the property.

J. Nothing herein exempts future development from objective requirements related to water availability, water neutrality, wastewater capacity, public infrastructure capacity, Building Code requirements, Fire Code requirements, health and safety standards, or other applicable provisions of law.

ARTICLE III - COMMUNITY HOUSING OBJECTIVES

17.51.070 Workforce Housing Opportunities

The City may establish voluntary programs encouraging ADUs that provide housing opportunities for households earning between 30 percent and 120 percent of Area Median Income.

17.51.080 Aging in Place and Multigenerational Housing

The City shall encourage ADUs that support aging in place, caregiver housing, family housing, multigenerational living arrangements, housing opportunities for persons with disabilities, and independent living opportunities for seniors.

17.51.090 Housing Diversity

ADUs are recognized as important contributors to housing diversity, neighborhood stability, incremental housing growth, affordability, sustainability, and resilience.

ARTICLE IV - INCENTIVES

17.51.100 Accessory Dwelling Unit Incentive Program

The City Council may establish programs encouraging ADU development, including reduced permit fees, expedited permit processing, pre-approved plans, technical assistance programs, Housing Trust Fund assistance, Community Land Trust partnerships, rehabilitation assistance, and other incentives authorized by law.

17.51.120 Pre-Approved Plan Program

The City Council may establish a voluntary pre-approved ADU plan program.

ARTICLE V - OBJECTIVE STANDARDS

17.51.125 Accessory Dwelling Unit Development Standards

A. Maximum Size. An ADU may contain up to 1,200 square feet of habitable floor area.

B. Setbacks. ADUs shall maintain minimum side-yard and rear-yard setbacks of four (4) feet.

C. Height. ADUs shall be permitted at the maximum height allowed by state law.

D. Privacy Standards. Any window or door located within five (5) feet of a side or rear property line shall utilize obscured glass, a fixed non-transparent panel, glazing located at least six (6) feet above adjacent grade, or another equivalent objective privacy treatment.

E. Bedrooms. The City shall not establish a maximum number of bedrooms for an ADU. Bedroom count may be limited only by Building Code, Fire Code, water-neutrality requirements, utility capacity limitations, and other objective infrastructure standards authorized by law.

F. Equal Application. These standards shall apply equally to attached, detached, conversion, garage-conversion, internal, and newly constructed ADUs unless a distinction is expressly required by state law.

17.51.130 Objective Review

ADUs and JADUs shall be reviewed and approved using objective standards consistent with state law. The City shall avoid discretionary review processes not authorized by state law.

17.51.140 Relationship to Other Housing Programs

ADUs may contribute toward implementation of Housing Element objectives, workforce housing goals, community housing stewardship goals, aging-in-place objectives, housing diversity goals, anti-displacement objectives, and other adopted housing policies.

ARTICLE VI - ADMINISTRATION

17.51.150 Administration

The Community Development Director shall administer this chapter.

17.51.160 Annual ADU Program Review

The Community Development Director shall periodically review ADU production, Housing Element implementation progress, workforce housing needs, permit processing procedures, incentive program effectiveness, and opportunities to further facilitate ADU development.

17.51.170 Intent

It is the intent of the City that ADUs and JADUs become a central component of St. Helena's long-term housing strategy. ADUs and JADUs are intended to complement workforce housing, affordable housing, missing-middle housing, housing preservation, Community Land Trust programs, and other housing strategies established by this title.



Agenda Report to the Planning Commission

Agenda Section: SCHEDULED MATTERS

Department: Community Development Department - Planning Division

DATE:	July 7, 2026
FILE NUMBER:	N/A
SUBJECT:	Fiscal Year 2026-27 Planning Commission Work Plan
LOCATION OF PROPERTY:	N/A
APN:	N/A
GENERAL PLAN/ ZONING:	N/A
APPLICANT:	N/A
PROJECT PLANNER:	Natalie Bresee, Assistant Planner
REVIEWED BY:	Leza Mikhail, Community Development Director
CEQA DETERMINATION:	N/A
RECOMMENDED ACTION:	Receive, discuss, and recommend City Council approval of the proposed Fiscal Year (FY) 2026-27 Planning Commission Work Plan regarding Commission priorities for the upcoming fiscal year.

BACKGROUND:

The Planning Commission serves as the City's advisory body on land use planning matters. Its responsibilities include reviewing development applications, making recommendations to the City Council on policy and legislative matters, and implementing the General Plan, Zoning Code, and other adopted City plans and regulations. The Commission also provides a public forum for review of planning matters and helps ensure that development proposals are evaluated for consistency with applicable City requirements.

The City is currently in the process of establishing uniform and prescribed annual work plans for each of its committees and commissions for approval and alignment with City Council goals and available resources by department. The Fiscal Year 2026-27 Planning Commission Work Plan (PC Work Plan) identifies anticipated projects, policy initiatives, recurring responsibilities, and study session items expected to come before the Planning Commission during the upcoming fiscal year. The PC Work Plan is intended to support agenda planning, public transparency, and coordination with City Council priorities. It is guided by adopted Council

objectives related to housing, zoning code updates, community enhancement, economic development, permit streamlining, public engagement, interdepartmental coordination, and organizational effectiveness.

Several PC Work Plan items are also driven by State housing law, statutory review deadlines, applicant-submitted development applications, and previously initiated policy work directed by the City Council, City Manager and/or Department Director. Accordingly, the PC Work Plan is intended to remain flexible and may be adjusted as priorities, legal requirements, staff capacity, and City Council direction evolves.

The Planning Commission's bylaws establish the Commission's meeting schedule, order of business, and meeting procedures, including scheduled matters and agenda forecasting. The PC Work Plan functions within that existing procedural framework. It does not amend the bylaws, establish new procedural rules, or authorize the Commission to make informal or advance decisions or directives on potential future development applications or policy projects.

PROJECT DESCRIPTION:

ANALYSIS:

Discussion

During FY 2026-27, the Planning Commission is expected to continue its regular development review responsibilities while also considering several policy initiatives, code amendments, and study session items. These efforts support implementation of the General Plan, Housing Element, State housing laws, and City Council priorities.

The Work Plan is organized into topics that address the following categories:

- Current Planning and Development Review;
- Housing and State Mandate Implementation;
- Long-Range Planning and Policy Initiatives;
- Community Development / Economic Development;
- Infrastructure / Environmental Coordination;
- Commission Development and Public Engagement,
- Prior Fiscal Year Achievements and Decisions.

Current planning responsibilities will include review of discretionary applications requiring Planning Commission action or recommendation, including design review, use permits, subdivisions, variances, historic resource-related applications, and other applications processed pursuant to the Municipal Code. The timing and number of these items will depend on applicant submittals, completeness review, environmental review, statutory deadlines, and staff capacity.

Housing-related work is expected to remain a significant part of the Commission's agenda. Anticipated items include Housing Element implementation, amendments needed to maintain

consistency with State housing law, and potential updates to support objective standards, permit streamlining, and housing production.

Long-range planning and policy work is expected to include targeted zoning code amendments and cleanup items to correct inconsistencies, improve clarity, address implementation issues, and align the Municipal Code with the General Plan, Housing Element, and State law. This may include items already underway, such as amendments related to on-site storage uses, as well as future amendments related to objective development standards, accessory uses, entitlement procedures, or other zoning code provisions identified through implementation. To the extent planning-related issues arise from broader City initiatives, staff may bring items to the Planning Commission for review or input as appropriate.

The PC Work Plan is a flexible agenda-management tool that maintains the priorities of staff and Planning Commission to balance workloads, resources and City Council goal alignment. Items may be added, removed, deferred, or reprioritized based on City Council direction, statutory mandates, applicant-driven project timelines, staff and consultant availability, public hearing requirements, and emerging legislative requirements. Staff recommends that the Planning Commission receive, discuss, and approve the FY 2026-27 PC Work Plan.

Additional Information

To help introduce and frame the FY 2026-27 Planning Commission Work Plan, staff has prepared a proposed mission statement for Planning Commission consideration. The mission statement is intended to provide a concise summary of the Planning Commission's role in guiding land use and development decisions, implementing adopted City policies, and supporting the long-term interests of the community.

Staff is requesting Planning Commission input on the proposed mission statement and any recommended revisions before it is incorporated into the final Work Plan:

The City of St. Helena Planning Commission is a five-member body of community representatives appointed by the City Council. The goal of the Planning Commission is to guide land use and development decisions that implement the City's General Plan, preserve the unique character of St. Helena, promote housing opportunities, protect community resources, and ensure that growth occurs in a manner that benefits current and future residents.

Fiscal Impact

The proposed PC Work Plan identifies projects and initiatives that will be completed through existing Community Development Department staffing resources and consultant support as authorized through the City Council adopted budget

ISSUES:

Staff has not identified any issues with the Fiscal Year 2026-27 Planning Commission Work Plan

CORRESPONDENCE:

No correspondence has been received at the time of the agenda posting.

STAFF RECOMMENDATION:

Receive, discuss, and recommend City Council approval of the proposed Fiscal Year (FY) 2026-27 Planning Commission Work Plan regarding Commission priorities for the upcoming fiscal year.

ATTACHMENTS:

1. Fiscal Year 2026-27 Planning Commission Work Plan
2. Adopted PC By Laws



CITY OF ST. HELENA

Planning Commission

Work Plan for Fiscal Year 2026-2027
(July 1, 2026 – June 30, 2027)

Accomplishments for Fiscal Year 2025-2026
(July 1, 2025 – June 30, 2026)

Commissioners:

Christopher Warner, Chairperson

Sue Frudek, Vice Chairperson

Autumn Anderson

Michelle Covell

Hector Lopez

City of St. Helena
Community Development Department
1088 College Avenue
St. Helena, CA 94574

MISSION STATEMENT

The City of St. Helena Planning Commission is a five-member body of community representatives appointed by the City Council. The goal of the Planning Commission is to guide land use and development decisions that implement the City's General Plan, preserve the unique character of St. Helena, promote housing opportunities, protect community resources, and ensure that growth occurs in a manner that benefits current and future residents.

PLANNING COMMISSION ROLES & RESPONSIBILITIES

Pursuant to Chapter 2.60 of the St. Helena Municipal Code, the Planning Commission serves as the City's advisory body on planning and development matters and is responsible for carrying out duties delegated by the City Council and Municipal Code.

The Planning Commission's primary responsibilities include:

- Reviewing and acting upon development applications as authorized by the Municipal Code.
- Conducting public hearings on land use and development matters.
- Making recommendations to the City Council regarding amendments to the General Plan, Housing Element, Zoning Ordinance, and other planning-related policies.
- Reviewing environmental documents prepared pursuant to the California Environmental Quality Act (CEQA).
- Evaluating development proposals for consistency with adopted City plans, policies, and regulations.
- Providing opportunities for public participation in planning and land use decisions.
- Assisting with implementation of State housing laws and local planning initiatives.

FY 2026-27 WORK PLAN

The FY 2026-27 Planning Commission Work Plan should provide the goals/objectives (no more than five) of the workplan, the activities to accomplish the goals, the priority ranking of each goal, and where feasible the timeline anticipated to accomplish the goal.

1. Schedule, notice, and conduct bi-monthly meetings (usually held on the 1st and 3rd Tuesday of each month) for the purpose of carrying out the roles and responsibilities described within this work plan. **(Ongoing)**
2. Conduct workshops, open to the public for the purpose of studying, evaluating, and facilitating decision-making regarding items scheduled for public hearings, or with relevance to land use. These workshops serve to educate the Planning Commissioners about City planning policies, legal requirements, department procedures, and work programs.
 - The Department has a general list of anticipated land use application projects/entitlements, ordinance amendments, and policy documents that may be presented to the Planning Commission during the 2026 - 2027 fiscal year, which includes, but is not limited to, the following projects:

- Adams Street Castellucci Hotel
 - Alilia Hotel Expansion
 - 1360 Main Street Redevelopment
 - Zoning Ordinance Amendments
 - ADU Ordinance Update
 - Short-Term Rental Ordinance Update
 - Sign Ordinance Update
 - Miscellaneous Code Update 1
 - General Plan Annual Review
- Outside of regularly scheduled public hearing items or projects established by the Community Development Department or by referral by the City Council, workshops for the 2026 - 2027 fiscal year may include the following topics (dependent on Department workload and capacity) suggested throughout the fiscal year, listed in order of priority:
 - Brown Act and Robert's Rules of Order **(TBD - As necessary)**
 - California Environmental Quality Act and State Legislative Updates **(TBD - As necessary)**
 - Permit Streamlining Act **(TBD - As necessary)**
 - In addition to the workshop items identified above that fall under the direct purview of the Planning Commission and/or are on the Community Development Department workplan, the following informational/educational workshops are of interest to the Planning Commission. These workshops fall under the purview and/or workplans of other City Departments, outside agencies, or are outside of the Planning Commission purview, and may be scheduled, depending on the availability of requisite outside staff or agency participation:
 - Napa County Office of Emergency Services
 - Hazard Mitigation Plan Informational Presentation
 - St. Helena Evacuation Plan and Wildfire Considerations
 - Napa County Regional Climate Action & Adaptation Plan (RCAAP)
 - Napa Countywide Transportation Plan & Active Transportation Plan
 - Housing Element and RHNA Implementation
 - Napa Local Agency Formation Commission (LAFCO)
 - Napa Valley Vine Trail Planning and Implementation
 - Our Town St Helena
 - Chamber of Commerce
3. Attend the League of California Cities Planning Commissioners Academy **(Spring 2027)**

FY 2025-26 ACCOMPLISHMENTS

During FY 2025-26, the Planning Commission continued to advance City Council priorities, review development applications, and provide policy guidance on a variety of planning matters.

Recommendations to City Council

The Planning Commission reviewed and provided recommendations on the following policy and legislative matters:

- 1030 Fulton Lane General Plan Amendment
- Vision Triangle Zoning Ordinance Amendment
- Calculation of Floor Area Zoning Ordinance Amendment
- Short-Term Rental Zoning Ordinance Amendment
- Alcohol Sales Zoning Ordinance Amendment
- Spring Grove Tentative Subdivision Map
- Sylvaner Tentative Parcel Map
- Kidd Ranch Tentative Parcel Map
- On-site Storage Zoning Ordinance Amendment

Accepted status reports on the following topics/projects:

Reviewed potential amendments to the Zoning Ordinance intended to improve consistency with State law, clarify development standards, and address implementation issues identified by staff.

- 2023 Zoning Code Update Study Session
- ADU Ordinance Amendment Study Session
- Short-Term Rental Ordinance Study Session

Processed Appeals of Discretionary Land Use Applications for the following projects:

Not applicable. No appeals were filed for Planning Commission review.

Approved Development Projects

The Planning Commission continued to review and take action on discretionary development applications throughout the fiscal year.

Applications reviewed included:

- Major Design Review (2 Projects)
- Demolition (3 Projects)
- Conditional Use Permits/ Amendments (2 Projects)
- Tentative Subdivision Map (3 Projects)
- Major Sign Permit (4 Projects)

Received Informational Training Sessions from the following Agencies:

Not applicable. It is the goal of the Community Development Department to provide trainings to the Planning Commission on topics of interest every other year, depending on the availability of requisite outside staff or agency participation and Department workload.

CITY OF ST. HELENA

RESOLUTION No. 2018-116

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

RECITALS

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

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

RESOLUTION

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

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

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

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

APPROVED:


Alan Galbraith, Mayor



ATTEST:


Cindy Tzafopoulos, City Clerk



ST. HELENA PLANNING COMMISSION BY-LAWS

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

ORGANIZATION AND ELECTION AND DUTES OF OFFICERS

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

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

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

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

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

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

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

SCHEDULE OF MEETINGS

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

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

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

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

AGENDA

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

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

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

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

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

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

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

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

CONDUCT OF PUBLIC HEARINGS

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

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

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

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

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

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

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

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

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

VOTING

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

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

MISCELLANEOUS

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

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

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

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

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

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

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

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

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

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

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

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Commissioners Ponte, Monnette and Hardy

NOES: None

ABSENT: Commissioner Knudsen

ABSTAIN: None