

The October 10, 2017 City Council Meeting is cancelled.



City of St. Helena
Regular City Council Meeting
Tuesday, October 10, 2017 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of three minutes.

Page

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Mayor: Alan Galbraith, Vice Mayor: Peter White, City Council: Paul Dohring, Geoff Ellsworth and Mary Koberstein
4. PUBLIC FORUM:
Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Each person's comments shall be limited to 3 minutes. Each person is entitled to speak on any non-agendized item only once at any meeting. Brief questions by Councilmembers for clarifications may be posed and answered, and Councilmembers may make requests that items be placed on future agendas, but in accordance with state law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.
5. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, AND AB 1234 REPORTS:
Reports by staff and/or Councilmembers on items of general interest. Brief questions for clarification may be posed and answered, and Councilmembers 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 City Council.
6. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 6.1. Proclamation - National Friends of the Library Week October 15-21, 2017 presented to Maria Stel, Executive Director for the Friends & Foundation, St. Helena Public Library 7
[Proclamation](#)
7. STAFF BRIEFING
- 7.1. None
8. CONSENT ITEMS
 Members of the Council 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)
- 8.1. Consideration and proposed approval of a resolution authorizing a Lease Agreement with Fellion Wilson LLC for the St. Helena Fire Department's Station #2 at 1025 Dowdell Lane and the fiscal impact for FY 2017-18 totals \$21,000 - \$1,500 per month for the lease agreement and a \$3,000 security deposit 9 - 40
- CEQA Determination: Not a CEQA project
Prepared By: John Sorensen, Fire Chief
Recommendation:
 Staff recommends the City Council approve the lease agreement for Station #2, and authorize the City Manager to execute the lease agreement.
[Staff Report](#)
- 8.2. Second reading and proposed adoption of an ordinance adding Chapter 10.36 to the St. Helena Municipal Code to provide for designated truck traffic routes within the City of St. Helena 41 - 55
- Consideration and proposed approval of a resolution approving 1) a Budget Adjustment of \$5,450 to the FY 17/18 Police Department Budget and (2) Use of General Fund Reserves in the Amount of \$5,450 for Enforcement Related Activities Supporting the City of St. Helena Truck Ordinance
- CEQA Determination: This project is deemed exempt from the requirements of CEQA under Section 15301, Existing Facilities; and Section 15061(b) (3), which identifies that a rulemaking activity which does not have the potential for causing a significant effect on the environment is therefore, exempt per the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment.
Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer, William Imboden, Chief of Police
Recommendation:
 Staff recommends that the City Council conduct the second reading of the ordinance, adopt by title only and waive further reading.
- Staff also recommends approval of a resolution approving 1) a Budget Adjustment of \$5,450 to the FY 17/18 Police Department Budget and

(2) Use of General Fund Reserves in the Amount of \$5,450 for Enforcement Related Activities Supporting the City of St. Helena Truck Ordinance

[Staff Report](#)

- 8.3. Consideration and proposed adoption of resolution delaying the Utility Rate Adjustments scheduled for the November 8, 2017 billing cycle until the Modified Utility Rates are adopted on November 28, 2017 for implementation on the December 8, 2017 billing cycle. 57 - 60

CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt a resolution delaying the Utility Rate Adjustments scheduled for the November 8, 2017 billing cycle until the Modified Utility Rates are adopted on November 28, 2017 for implementation on the December 8, 2017 billing cycle.

[Staff Report](#)

- 8.4. Residential Growth Management Update 61 - 66

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended the City Council review the proposed information and receive and file the report. It is recommended the City Council review the proposed information and receive and file the report.

[Staff Report](#)

9. PUBLIC HEARINGS

- 9.1. Appeal of the Planning Commission decision to adopt a Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program and approve a Design Review Permit for the Las Alcobas Pedestrian Bridge located at 1915 Main Street and 2000 Main Street in the Service Commercial and Winery Zoning Districts. 67 - 325

CEQA Determination: Mitigated Negative Declaration

Prepared By: Lilly Bianco, Contract Planner

Recommendation:

The Planning Commission recommends the City Council consider the appeal, staff report, and all testimony, written and spoken and:

1. Affirm the Planning Commission's decision to approve the project and adopt the Initial Study and Mitigated Negative Declaration and approve Design Review for the Las Alcobas Pedestrian Bridge; and

2. Deny the applicant's appeal of the Planning Commission's decision approving a Design Review application to construct a 10 x 65 ft pedestrian bridge between 1915 Main (Las Alcobas) and 2000 Main (Beringer Winery) and over York Creek, within the SC and Winery Zoning Districts, respectively.

[Staff Report](#)

10. NEW BUSINESS

- 10.1. Consideration and proposed adoption of 1) a resolution approving the Road Maintenance and Rehabilitation Account Project List (FY 17/18) , 2) a resolution designating Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79 and authorizing \$192,500 in FY 18/19 Gas Tax, \$40,000 FY 18/19 SB 1 funding, \$77,500 in FY 18/19 General Fund resources to the Project, and 3) designating two Councilmembers to participate in the development of the Five-Year street rehabilitation and preventative maintenance Capital Improvement Plan (CIP)

327 - 379

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Recommendation:

Adopt 1) a resolution approving the Road Maintenance and Rehabilitation Account Project List (FY 17/18), 2) a resolution designating Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79 and authorizing \$192,500 in FY 18/19 Gas Tax, \$40,000 FY 18/19 SB 1 funding, and \$77,500 General Fund resources in FY 18/19 to the Project, and 3) designating two Councilmembers to participate in the development of the Five-Year street rehabilitation and preventative maintenance Capital Improvement Plan (CIP).

[Staff Report](#)

- 10.2. Discussion regarding the conceptual Mayor's forum

11. ITEMS LIKELY TO BE PLACED ON THE NEXT OR FUTURE MEETING AGENDA:

11.1. October:

1. 10/24 SHAPE Appointments – City Clerk
2. 10/24 P&R Commission appointment – City Clerk
3. 10/24 NOC for emergency WW Plan work - PW
4. 10/24 M Group Contract amendment - Planning
5. 10/24 1st Qtr Finance Review - Finance
6. 10/24 Measure A Amendment – Finance
7. 10/24 AB1600 Report – Finance
8. 10/24 PSA with Carollo Engineers - PW
9. 10/24 Increasing the Cumulative Total Amount of All Master Professional Service Agreements Project Work Orders - PW
10. 10/24 Library Broadband - Library
11. 10/24 Finalize strategic goals and objectives - Admin

12. 10/24 CDBG Closeout - Finance
13. 10/24 WTP Truck Purchase - PW
- November:
14. 11/28 Adoption of utility rates (PH Notice) - Finance
15. 11/28 PH - Consideration and proposed approval of a resolution adopting Recreation fees and charges – Recreation
16. Wildan Contract Amendment - PW
17. 11/14 Little League Contract Amendment - Recreation
18. ADA Policy - HR
19. Facilities Condition Assessment - PW
20. 11/14 Movember - PD
21. 11/28 Arbor Day Proclamation – PW

12. ADJOURNMENT

The next Regular City Council meeting is scheduled for October 24, 2017, at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was posted at City Hall, 1480 Main Street, and at Vintage Hall, 465 Main Street, St. Helena, California on October 6, 2017.



Cindy Tzaferopoulos, City Clerk

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 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this 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 City Council 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 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <https://sthelena.civicweb.net> and will be available for public review at the respective meeting.

**City of St. Helena
PROCLAMATION**

**Proclamation National Friends of Libraries Week
October 15-21, 2017**

Whereas, Friends & Foundation, St. Helena Public Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the work of the Friends & Foundation, St. Helena Public Library highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends & Foundation, St. Helena Public Library understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with programming, expert assistance in research, readers' advisory, and children's services;

Now, therefore, be it resolved that I, Alan Galbraith, Mayor of City of St. Helena proclaim October 15-21, 2017, as Friends of Libraries week in St. Helena, California and urge everyone to join the Friends & Foundation, St. Helena Public Library and thank them for all they do to make our library and community so much better.

Dated: October 10, 2017

Alan Galbraith, Mayor
City of St. Helena



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution authorizing a Lease Agreement with Fellion Wilson LLC for the St. Helena Fire Department's Station #2 at 1025 Dowdell Lane and the fiscal impact for FY 2017-18 totals \$21,000 - \$1,500 per month for the lease agreement and a \$3,000 security deposit

CEQA Determination: Not a CEQA project

Prepared By: John Sorensen, Fire Chief

Reviewed By: Mark Prestwich, City Manager

Approved By: Mark Prestwich, City Manager

BACKGROUND

The City of St. Helena's Fire Department has provided fire/life safety protection and response services since 1911. It has become necessary to establish a secondary station to meet the growing demand of the public and to maintain high standards of service and rapid response times. The City of St. Helena and owner of the property located at 1025 Dowdell Lane wish to enter into a lease agreement to establish the secondary station. Staff has completed the processes necessary to reach the final stages of signing said lease and taking possession of the property.

On April 25, 2017, a resolution approving a fee waiver for the use permit planning application fee and building permit fees, not to exceed \$10,800, was approved by the City Council (attachment 1).

On June 13, 2017, the fiscal year 2017-18 City of St. Helena Annual Budget, including proposed costs associated with Station #2, was adopted by the City Council.

On June 20, 2017, a resolution approving a use permit in order to establish and operate a secondary fire station was approved by the Planning Commission (attachment 2).

On July 11, 2017, a resolution approving the authorization of the City Manager to enter into a lease agreement for the proposed St. Helena Fire Department Station #2 at 1025 Dowdell Lane with property owner Sean Wilson, was adopted by the City Council. (attachment 3).

DISCUSSION

The St. Helena Fire Department has obtained Planning Commission and lease agreement approval for Station #2. The lease agreement has been secured and now requires the City of St. Helena's City Council final approval to move forward with St. Helena Fire Department taking possession of the property.

FISCAL IMPACT

The approximate costs of these improvements are unknown; however, will be funded by the St. Helena Volunteer Fire Department Association and, if necessary, supplemented with residual proceeds from the 1996 Go Bonds, as the bonds were paid off in FY 16/17, and may be used for these types of improvements.

The fiscal impact for FY 2017-18 totals \$21,000 - \$1,500 per month for the lease agreement and a \$3,000 security deposit. The funds for this request is included in the adopted FY 2017/18 budget.

RECOMMENDED ACTION

Staff recommends the City Council approve the lease agreement for Station #2, and authorize the City Manager to execute the lease agreement.

ATTACHMENTS

[April 25, 2017 - Staff Report for the City Council Waiver of Various fees for Station 2](#)

[June 20, 2017 - Planning Commission Staff Report - 1025 Dowdell Lane - Pdf](#)

[2017-104 Authorization for the City Manager to Enter into a Lease Agreement for the Proposed St. Helena Fire Department Station #2 at 1025 Dowdell Lane](#)

[Station 2 Finalization Resolution](#)

[City of St Helena - Fire Station 2 Lease Agreement](#)



Report to the City Council
Council Meeting of April 25, 2017

Agenda Section: Consent

Subject: Consideration and Proposed Approval of a Resolution Approving a Request for Waiver of Use Permit Planning Application Fee and Building Permit Fees, not to Exceed \$10,800, for the St. Helena Fire Department's Application for St. Helena Fire Department Station #2 at 1025 Dowdell Lane

CEQA Status: Not a CEQA project

Prepared By: Allison Mattioli, Management Analyst

John Sorensen, Fire Chief

Approved By: Larry Pennell, Interim City Manager

BACKGROUND

The City of St. Helena's Fire Department has provided fire/life safety protection and response services since 1911. Due to increased calls for service, as well as increased traffic congestion concerns, it has become necessary for the Fire Department to consider alternative methods of meeting the growing demands of the public, in order to maintain high standards of service, and rapid response times.

DISCUSSION

The St. Helena Fire Department intends to submit a use permit application to the City of St. Helena's Planning Commission, to request modification of the use of the property located at 1025 Dowdell Lane, in order to operate one fire apparatus, and house fire personnel, in an effort to effectively maintain the standards of service and call response times.

The Department intends to make modifications to the existing garage structure in order to house the apparatus, while the St. Helena Volunteer Fire Department Association will furnish the fees associated with the existing residence on the property.

The City of St. Helena's Municipal Code § 17.08.190 (D) (1) Payment and Processing of Fees, provides the following language, requiring action from Council in order to waive the application processing fee:

No application for a development project may be filed without a deposit in an amount estimated to cover processing costs unless payment of processing fees have been waived by action of the council. The city shall make subsequent periodic invoices to ensure that the balance in the project account remains sufficient to cover anticipated processing costs, and it shall be the responsibility of those liable for payment to make such payments.

FISCAL IMPACT

The use permit Planning application fee, totaling \$5,800, and the building permit fees not to exceed in the amount of \$5,000 for the modification of the garage, for a total waiver of not to exceed \$10,800.

RECOMMENDED ACTION

Staff recommends approval of the waiver of the use permit application fee and building permit fees associated with modification of the garage structure.

ATTACHMENTS

Resolution

CITY OF ST. HELENA
RESOLUTION NO. 2017-

**APPROVING THE WAIVER OF USE PERMIT APPLICATION FEE AND BUILDING
PERMIT FEES FOR THE ST. HELENA FIRE DEPARTMENT'S
APPLICATION AT 1025 DOWDELL LANE NOT TO EXCEED \$10,800**

RECITALS

- A. The St. Helena Fire Department intends to submit a use permit application to the City of St. Helena's Planning Commission.
- B. The application is to request modification of the use of the property located at 1025 Dowdell Lane in order to operate one fire apparatus, and house fire personnel.
- C. The Fire Department wishes to submit the application in an effort to effectively maintain the standards of service and call response times.
- D. The application fee waiver will have no direct fiscal impact to the City.

RESOLUTION

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

- 1. Permission is hereby granted to waive the use permit application fee in the amount of \$5,800.
- 2. Permission is hereby granted to waive the building permit fees associated with modification of the garage structure, in an amount not to exceed \$5,000.

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council held on April 25, 2017 by the following roll call vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk



PLANNING COMMISSION REPORT

Planning Commission Meeting of June 20, 2017

AGENDA SECTION: Public Hearing

FILE NUMBER: PL17-033

SUBJECT: Request by the City of St. Helena Fire Department for adoption of a resolution approving a use permit in order to establish and operate a secondary fire station at 1025 Dowdell Lane in the Industrial (I) district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Noah Housh, Planning and Community Improvement Director

LOCATION OF PROPERTY: 1025 Dowdell Lane

APN: 009-580-006

GENERAL PLAN/ZONING: Industrial (I)

APPLICANT: John Sorensen

PHONE: (707) 486-2882

PROJECT DESCRIPTION

The existing 31,410-sf parcel at 1025 Dowdell Lane is currently developed with an approximately 1,600-sf, 2 bedroom house, a 400-sf detached garage and a 1,250-sf unenclosed barn and is located in a developed industrially zoned area of the city.

Due to increased calls for service, as well as increased traffic congestion, it has become necessary for the Fire Department to consider alternative methods of meeting the growing demands of the public in order to maintain high standards of service and rapid response times. Therefore, the City of St. Helena Fire Department is requesting use permit approval in order to modify the use of the existing property to implement and operate a second fire station, Station 217, with the purpose of improving and effectively maintaining the standards of service and call response times.

The proposed station would not be regularly staffed, and would operate in the same manner as the existing station located at 1480 Main Street, which is currently a paid-

per-call response model, where emergency personnel respond to the station upon receiving a call for service. Approximately six (6) to ten (10) fire personnel would be assigned to this station. These responders would utilize the existing six parking stalls to park personal vehicles as they respond to the station for emergencies.

As part of station operations, the Fire Department would house one fire apparatus (i.e., a fire engine) and one utility vehicle (i.e., a pickup truck, outfitted with a light bar, siren, and other emergency response amenities) on-site. Minor improvements would be made to the existing structure in order to house the 27-foot long fire apparatus, including moving an interior wall approximately thirteen feet. No additional floors or living quarters would be added.

This station would not have a community warning siren to notify emergency response personnel. The existing warning sirens, at 1480 Main Street, and the 1405 Charter Oak Avenue would remain in use.

ANALYSIS

CEQA

The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 "existing facilities" as the operation of an existing private structure involving a negligible expansion of use beyond that existing at the time of the lead agency's determination. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan land use Designation of Industrial (I). This designation provides for industrial parks, warehouses, light manufacturing, auto and farm-related equipment sales and repairs, viticulture and winery support services and similar and compatible uses. This designation is found in two areas of St. Helena: an area along Sulphur Springs Creek between Highway 29 and Valleyview Street, and an area east of Highway 29 and south of Mills Lane. General Plan policies applicable to the proposed project include:

- *2.6.55 – Ensure that industrial projects are designed and sited so as to provide a positive image of the community. Landscaping and setbacks should be utilized to minimize visual impact.*
- *2.6.67 – Pursue sites for future schools, parks, and other public facilities (e.g., fire station, community center, etc.) consistent with projected growth.*

The General Plan also states that the Floor Area Ratio (F.A.R.) shall not exceed 0.50 in areas designated for industrial uses.

Staff Response: With an F.A.R. of approximately 0.06 (2,000-sf / 31,410-sf), the project is in compliance with this limitation. Staff finds that the proposed use is consistent with the General Plan in that it will improve fire department response times benefitting both locals and tourists alike.

ZONING

Consistent with the General Plan Industrial Land Use Designation, the site exhibits a zoning designation of Industrial (I). While the establishment of a fire station is not explicitly identified as a conditional use in the I district, ambulance services require a use permit and as a similar use, a new fire station requires one as well.

Use Permit

The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. Pursuant to Municipal Code Section 17.168 050, no use permit shall be granted unless the following findings can be made:

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

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

Staff Response: The proposed fire station would increase public safety by improving fire department response times benefitting both locals and tourists alike. Furthermore, the proposed change in use would not conflict with or inhibit other industrial uses. Staff finds that the project meets and/or complies with the required findings to approve a use permit as identified above. The findings included in the attached resolution identify this compliance.

PARKING

Municipal Code Section 17.124, Parking & Loading Requirements, does not prescribe specific parking requirements for a fire station, let alone an unmanned “call to respond” model fire station. Rather, pursuant to Section 17.124.030 (H), it directs the Planning Commission to determine parking requirements for uses not specifically listed and use the requirements of Chapter 17.124 as a general rule and guide.

Staff Response: The project site is over ½ acre and is largely undeveloped. As such, it can easily accommodate parking for a fire engine, utility vehicle, and 6 to 10 fire personal as required for calls.

HISTORIC RESOURCES

The existing home was constructed in approximately 1900 and while it is old, it is not listed on the City’s Historical Resources Master List.

Staff Response: No historical resources would be affected or otherwise negatively impacted by the issuance of a use permit at this location.

WATER

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

Staff Response: The proposed change in use does not result in any new development, as defined above, and therefore is not subject to the St. Helena Water neutrality provisions. As a practical matter, an unmanned “call to respond” model fire station would use very little water.

ISSUES

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

CORRESPONDENCE

As of the completion of this report staff had received no correspondence related to this application.

STAFF RECOMMENDATION

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

1. Determine that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Section 15301; and
2. Accept the required findings and approve a resolution granting a use permit for a new fire station at 1025 Dowdell Lane.

ATTACHMENTS

[Resolution](#)

[Aerial View](#)

[Site Plan](#)

[Photos](#)

[Applicant Statement](#)

**CITY OF ST. HELENA, STATE OF CALIFORNIA
USE PERMIT NO.
GRANTED TO THE ST. HELENA FIRE DEPARTMENT
1025 DOWDELL LANE (PL17-033)**

PROPERTY OWNER: Sean Wilson

APN: 009-580-006

RECITALS

1. The applicant, John Sorensen, on behalf of the City of St. Helena Fire Department, submitted an application for a use permit to establish and operate a secondary fire station at 1025 Dowdell Lane in the Industrial (I) district.
2. Establishment of a new fire station is conditionally allowed in the Industrial Zoning District pursuant to Municipal Code Section 17.60.030.
3. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site and in compliance with state and local law; and
4. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 20, 2017.

RESOLUTION

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff report, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that this project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.
- C. In accordance with Municipal Code Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit:
 1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that the proposed new fire station would not include any production, manufacturing or any component of the business that would be expected to produce any element injurious to the surrounding community.*
 2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses in that the noise associated with an on-call fire station is minimal and no warning siren would be present. Furthermore, the proposed fire station would improve response times thereby improving safety within the City. In addition, the surrounding land uses are not considered "noise sensitive" that would be especially vulnerable to noise.*

1025 Dowdell Lane
Use Permit
June 20, 2017

3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as the proposed station would generate very little traffic, would be located within an industrially zoned area and would not increase the level of traffic noise on Highway 29 (Main Street).*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that the proposed use would have similar service demands as previous uses within the existing building and fire protection service would be improved.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location as ingress and egress would not change for the existing site.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed use will serve the local community.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located in that the proposed fire station is a conditional use within the Industrial Zoning District. The use would be surrounded by light industrial and ancillary office uses. Given the minimal intensity of the proposed use and the fact that the surrounding industrial areas are not devoted to heavy industry/manufacturing the proposed use is expected to be compatible with the established district and would not conflict with or inhibit the continuation of any of the existing uses.*
8. *That the proposed use would not be in conflict with the City's General Plan in that the fire station would be both local and tourist serving.*
9. *That the proposed use would not be injurious to public health, safety, or welfare as the fire station would be the exact opposite; it serves to increase public health, safety and welfare.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan as use permits are considered on a case by case basis and based on the specific merits of a given project. Accordingly, the granting of this use permit would not influence future decisions or otherwise set a precedent.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees, business owners and customers is available in that the project's ability to provide adequate off-street parking is evident by the size of the parcel and available space for parking.*

- 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the proposed fire station will occur in an existing building, will generate very little traffic and can adequately be served by existing streets.*

Planning Department Conditions of Approval

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

1. The use permit shall be vested within one (1) year from the date of approval. The permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
2. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to existing ordinances and regulations.
3. The permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed to the City Council within that 14 day period.
4. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with the permit, minor modifications may be approved by the Planning Director.

8. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
10. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities that generate noise that can be heard at the property line of any parcel of real property within the City limits shall occur on Sundays or federal or local holidays.

Public Works Department Conditions of Approval

11. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
12. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
13. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
14. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
15. An encroachment permit shall be required for any work performed in the public right of way.

1025 Dowdell Lane
Use Permit
June 20, 2017

Building Department Conditions of Approval

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

I HEREBY CERTIFY that the foregoing use permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on June 20, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

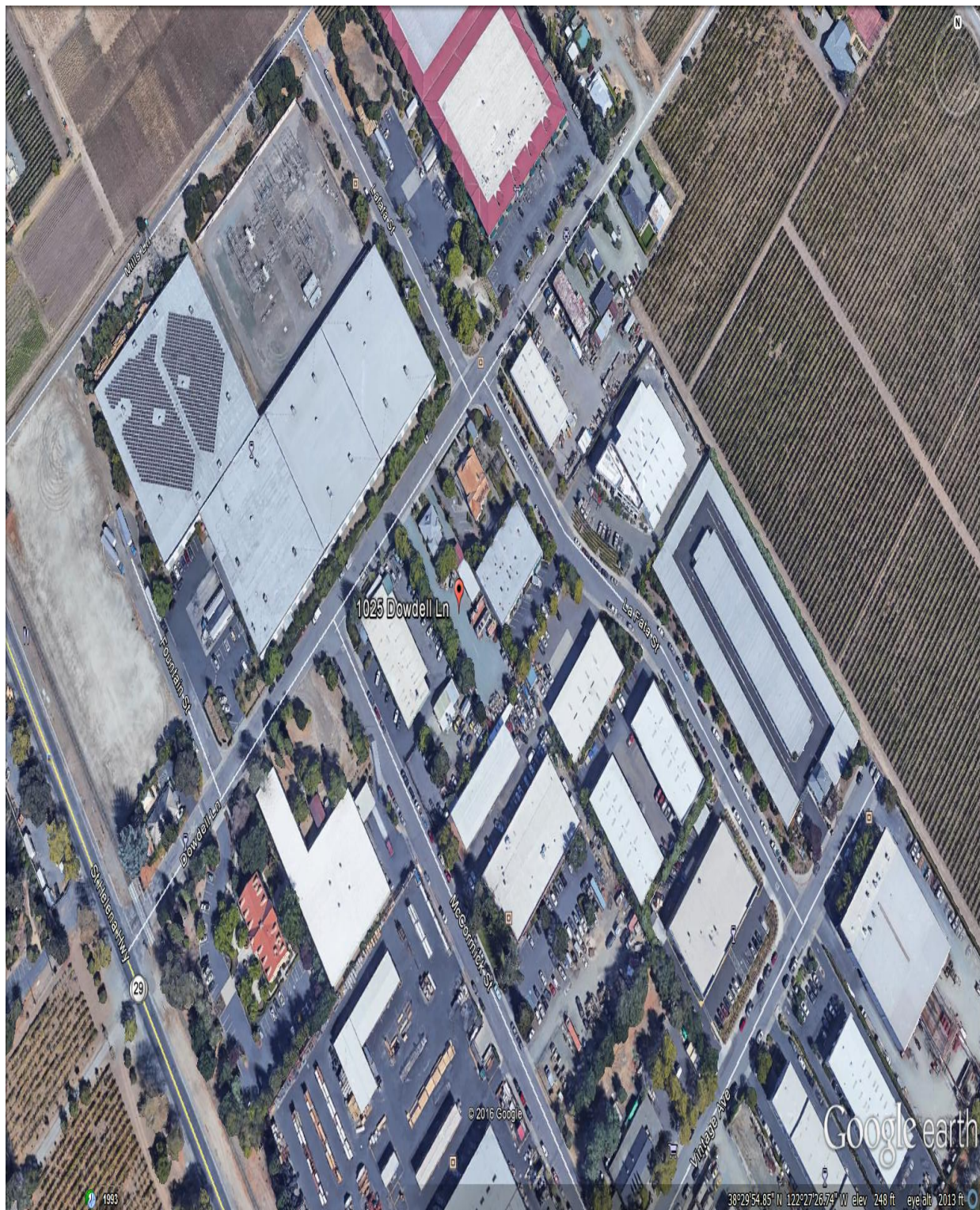
APPROVED:

ATTEST:

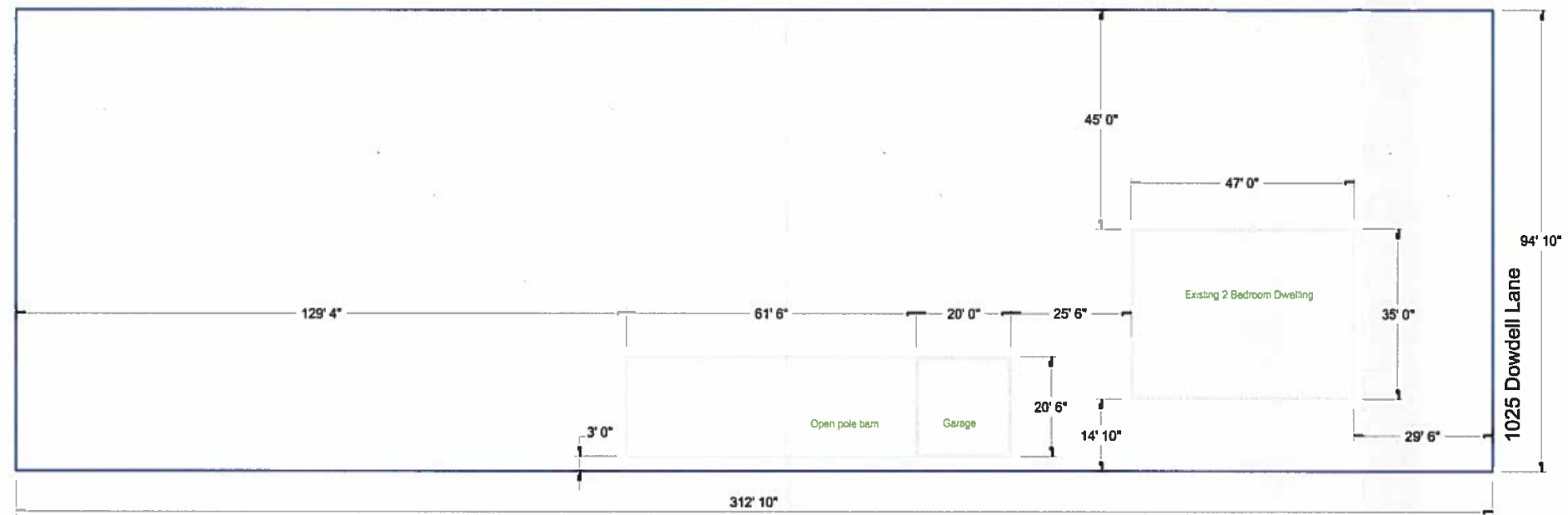
Grace Kistner
Chair, Planning Commission

Noah Housh
Planning Director

1025 Dowdell Lane
Use Permit
June 20, 2017



RECEIVED
PLANNING DEPARTMENT
MAY 02 2017
City of St. Helena



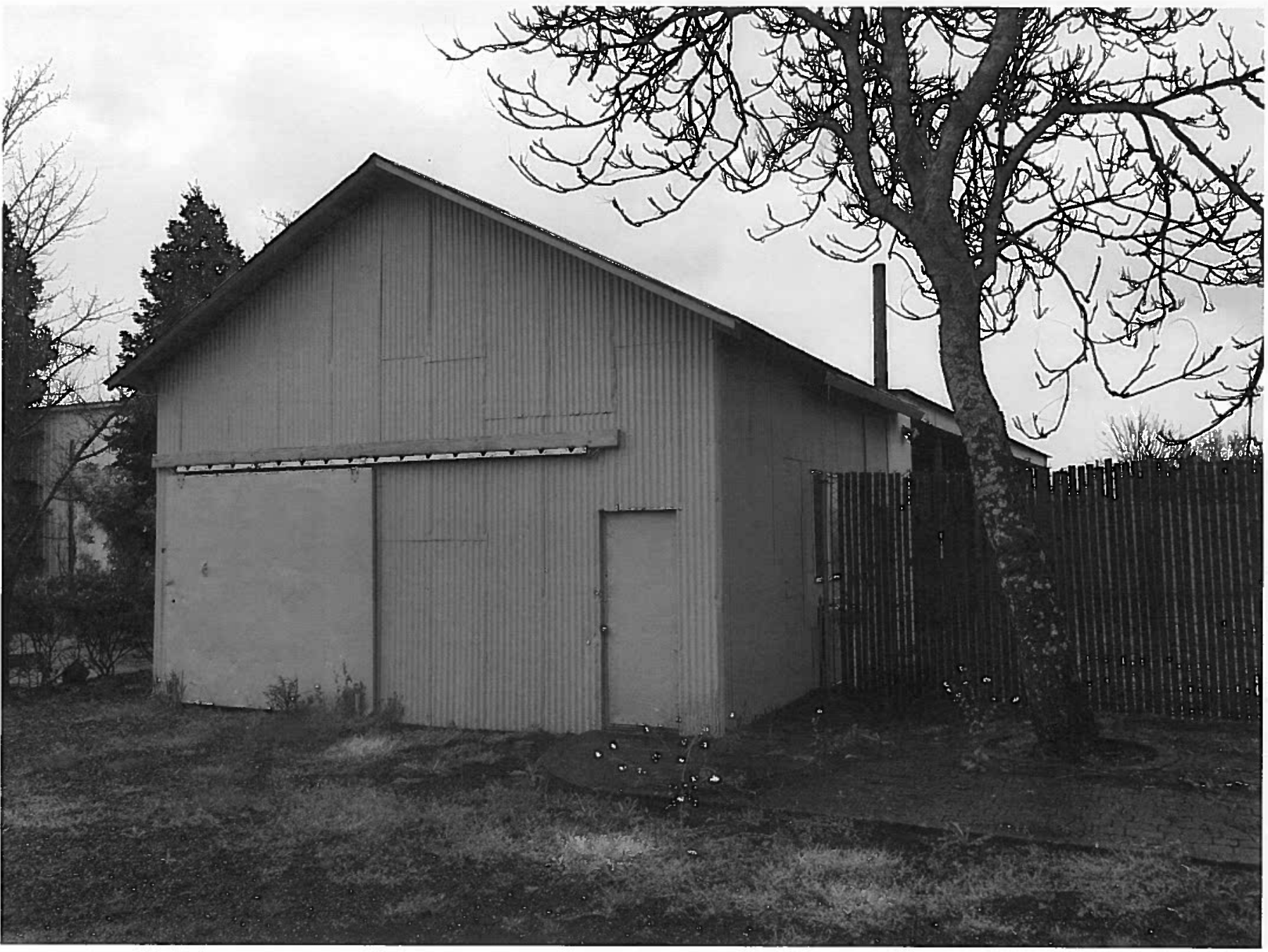
Scale 1" = 3/32"

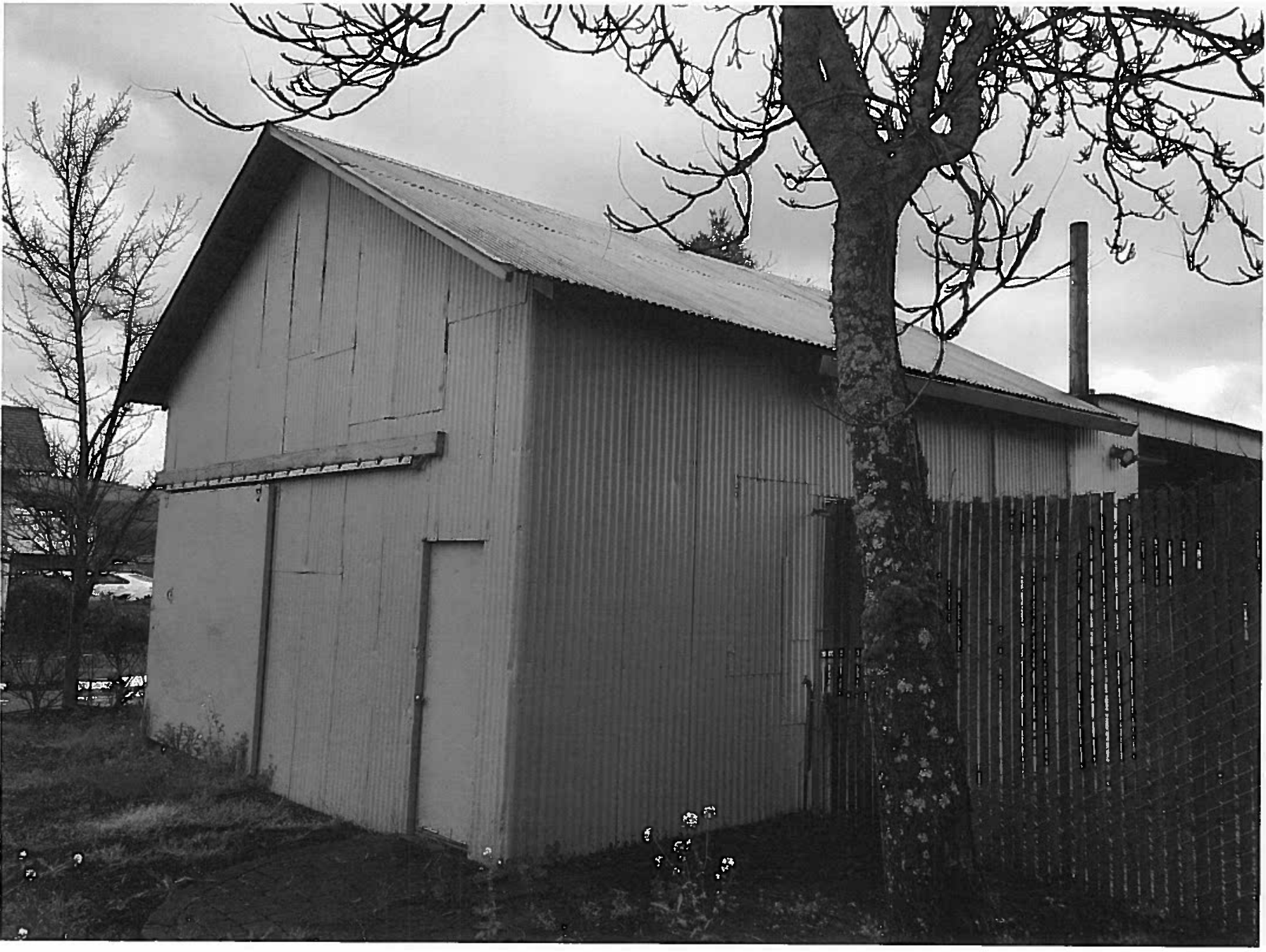
SHFD Station 217
1025 Dowdell Land
Saint Helena CA 94574

Drawn By: Gregory Smith
Date Drawn: 13 April 2017













RECEIVED
PLANNING DEPARTMENT

MAY 02 2017

ST. HELENA FIRE DEPARTMENT STATION 217 - USE PERMIT WRITTEN STATEMENT

City of St. Helena

The City of St. Helena's Fire Department has provided fire/life safety protection and response services since 1911. Due to increased calls for service, as well as increased traffic congestion concerns, it has become necessary for the Fire Department to consider alternative methods of meeting the growing demands of the public, in order to maintain high standards of service, and rapid response times.

The St. Helena Fire Department seeks approval to modify the use of the existing property located at 1025 Dowdell Lane, surrounded by Carl's Body Shop, in the service commercial district, and a law firm. Previously the site was used for ag vineyard management company. In order to implement and operate a second fire station, Station 217, with the purpose of improving and effectively maintaining the standards of service and call response times; a 24/7 operation. The modification of use would include housing one fire apparatus, of any type, and one utility vehicle. A utility vehicle can generally be described as a pickup truck, outfitted with a light bar, siren, and other emergency response amenities.

The proposed station would not be regularly staffed, and would operate in the same manner as the existing station located at 1480 Main Street, St. Helena, which is currently a paid-per-call response model, where emergency personnel respond to the station upon receiving a call for service.

This additional station would not have a community warning siren to notify emergency response personnel. The existing warning sirens, at 1480 Main Street, and the 1405 Charter Oak Avenue would remain in use.

City-funded improvements will be made to the existing structure, in order to house the fire apparatus, including moving an interior wall approximately thirteen feet, to accommodate the 27-foot long fire apparatus. No additional floors or living quarters will be added.

Approximately six to ten fire personnel will be assigned to this station, who will utilize the existing six parking stalls to park personal vehicles as they respond to the station for emergencies.


Applicant Signature5/1/2017
Date

CITY OF ST. HELENA

RESOLUTION NO. 2017-104

**AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A LEASE
AGREEMENT FOR THE PROPOSED ST. HELENA FIRE DEPARTMENT
STATION #2 AT 1025 DOWDELL LANE**

RECITALS

- A. The City of St. Helena's Fire Department has provided fire/life safety protection and response services since 1911.
- B. It has become necessary to establish a secondary station to meet the growing demands of the public and in order to maintain high standards of service and rapid response times.
- C. The City of St. Helena and owner of the property located at 1025 Dowdell Lane wish to enter into a lease agreement to establish the secondary station.

RESOLUTION

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

- 1. Permission is hereby granted to the City Manager to enter into a lease agreement for the proposed St. Helena Fire Department Station #2.

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council held on July 11, 2017 by the following roll call vote:

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

APPROVED:

Alan Galbraith
Alan Galbraith, Mayor

ATTEST:

Cindy Black
Cindy Black, City Clerk



**CITY OF ST. HELENA
RESOLUTION NO. 2017-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
AUTHORIZING A LEASE AGREEMENT WITH FELLION WILSON LLC FOR ST.
HELENA FIRE DEPARTMENT STATION #2 AT 1025 DOWDELL LANE**

RECITALS

- A. It has become necessary to establish a secondary station to meet the growing demands of the public and maintain high standards of service and rapid response times; and
- B. The City of St. Helena and owner of the property located at 1025 Dowdell Lane have entered into a lease agreement to establish the secondary station; and
- C. Staff has completed the processes necessary to reach the final stages of signing said lease and taking possession of the property.

RESOLUTION

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

- 1. Approval of the lease agreement with Fellion Wilson LLC for St. Helena Fire Department Station #2, and authorize the City Manager to execute said agreement.

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council held on October 10, 2017 by the following roll call vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

SHOP LEASE

FELLION WILSON LLC, a California limited liability company ("Landlord") and THE CITY OF ST. HELENA, a California municipal corporation ("Tenant"), enter into this Residential Lease Agreement ("Lease"), effective as of September 1, 2017 for the lease of the shop/garage area and the first bay of the pole barn (the "Premises") (as shown on the Map attached hereto as Exhibit A) located on a portion of that certain real property commonly known as 1025 Dowdell Lane, Napa County, California (the "Property"), Napa County APN 009-580-006.

NOW, THEREFORE, incorporating the foregoing and for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. PREMISES: Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the Premises on the terms and condition hereinafter set forth. The Premises consists of the shop and garage area behind the residence on the property (approximately 324 square feet), plus the first bay of the pole barn closest to the shop/garage area.

2. TERM: The term ("Term") of this Lease shall be month-to-month, commencing on September 1, 2017 and terminating upon thirty (30) days written notice of termination by either party to the other party.

3. RENT: Tenant shall pay landlord monthly rent of \$1,500.00 on the first of each month.

4. SECURITY DEPOSIT: Tenant shall deliver to Landlord a Security Deposit in the amount of \$3,000.00 (the "Security Deposit"). The Security Deposit shall be held by Landlord and shall be used to remedy any damages to the Premises attributable to Tenant's occupancy and any amounts due and payable for rent, or for the cleaning of the Premises following Tenant's occupancy. Any Security Deposit amounts held by Landlord and not used by Landlord for the listed purposes shall be returned to Tenant 90 days following the end of Tenant's occupancy of the Premises.

5. USE: It is agreed that the Premises shall be used by Tenant for the purpose of parking a truck in the shop/garage area and for general storage purposes in the bay of the pole barn. Tenant, in its possession, use, and occupancy of the Premises, agrees to observe and comply with all restrictions, laws, and ordinances affecting said property or occupancy thereof.

Tenant's use of the Premises shall be restricted to the shop and garage area behind the residence on the property, plus the first bay of the pole barn closest to the shop/garage area, and none of the surrounding areas. Tenant shall not keep any pets on the Premises. Tenant shall not send or receive mail from the Premises.

6. CONSTRUCTION/COMMERCIAL ACTIVITY: Landlord hereby discloses that the Property is zoned Industrial (I) by the City of St. Helena and will be used for commercial purposes during the Term of the Lease. In addition, Landlord hereby discloses that Landlord will be arranging for construction of various commercial buildings on the Property during the Term. Commercial uses and construction will generate significant noise, dirt, traffic, and

activity on the Property. Tenant hereby acknowledges Landlord's disclosures regarding construction and commercial activity and agrees that the noise, dirt, traffic, activity, and other similar inconveniences shall not be a violation of Landlord's obligations under this Lease or California law. Tenant agrees to occupy the Premises with the full understanding that the Property will be the site of construction and commercial activity.

7. UTILITIES: Electrical power and water shall be supplied to the Premises during the Term at Landlord's sole cost and expense.

8. REPAIRS AND MAINTENANCE: Landlord shall, at its sole cost and expense, keep and maintain the exterior walls and roof in good order, condition, and repair, except where damage (if any) has been caused by the abuse or negligence of the Tenant during the Term of this Lease, in which event Tenant shall repair same at its sole cost and expense.

Except as herein provided, Tenant hereby agrees that the Premises are now in good condition and shall at its own cost and expense keep and maintain the Premises in the manner in which it was received, reasonable wear and tear excepted. Tenant at its own cost and expense shall be responsible for cleaning, general maintenance, and upkeep of the Premises.

9. ALTERATIONS AND ADDITIONS: Tenant shall not, without the Landlord's prior written consent, make any alterations, improvements or additions in or about the Premises, and any additions to or alterations of the Premises shall at once become a part of the realty and belong to the Landlord. Tenant shall keep the Premises free from any liens arising out of any work performed, materials furnished, or obligations incurred by the Tenant.

10. HOLD HARMLESS: Tenant shall indemnify, defend, protect and hold Landlord harmless from and against any and all claims, demands, actions, injuries, damages, costs, losses and liabilities (collectively, "Claims") arising from Tenant's use or occupancy of the Premises or from any activity, work, or things which may be permitted or suffered by Tenant in or about the Premises, or caused by Tenant and/or Tenant's invitees anywhere on the Premises, including without limitation all damages, costs, attorney's fees, expenses and liabilities incurred in the defense of any claim or action or proceeding arising therefrom. Tenant's obligations under this Section shall survive expiration or termination of the Lease for any cause.

11. DAMAGE TO PREMISES: Landlord will maintain fire, hazard, liability and such other insurance on the Premises as Landlord deems advisable in its sole discretion. Tenant acknowledges that Landlord's insurance will not cover Tenant's property and that Tenant should obtain insurance for Tenant's personal property. Tenant shall obtain and keep in force general liability insurance coverage in the amount of \$1,000,000.00 per occurrence and shall name Landlord as an additional insured under such coverage.

12. ASSIGNMENT AND SUBLETTING: Tenant shall not assign, transfer, sublet, mortgage, or otherwise transfer or encumber all or any part of Tenant's interest in this Lease or in the Premises without Landlord's prior written consent, which may be withheld for any reason or no reason in Landlord's absolute discretion. Upon any assignment or sublease of this Lease

or the Premises, or any portion thereof, Tenant shall not be released or relieved of any covenant, obligation or liability under this Lease.

13. DEFAULT: It is agreed between the parties hereto that if any amount shall be due hereunder and unpaid, or if Tenant shall default and breach any other covenant or provision of the Lease, then the Landlord, after giving the proper notice required by law, may re-enter the Premises and remove any property and any and all persons therefrom in the manner allowed by law and may terminate this Lease. In addition, the Landlord may recover any damages and pursue any other rights and remedies which the Landlord may have against the Tenant by reason of such default as provided by law.

14. ENTRY BY LANDLORD: The Tenant shall permit the Landlord and/or its agents to enter into and upon the Premises upon no less than twenty-four (24) hours prior notice for the purpose of inspecting it for Landlord's future use or for the purpose of maintaining the Premises.

15. ATTORNEY'S FEES: In the event of any arbitration or litigation between the parties, whether based on contract, tort or other cause of action or involving bankruptcy or similar proceedings, in any way related to this Lease, the non-prevailing party shall pay to the prevailing party all reasonable attorneys' fees and costs and expenses of any type, without restriction by statute, court rule or otherwise, incurred by the prevailing party in connection with any action or proceeding (including arbitration proceedings, any appeal and the enforcement of any judgment or award), whether or not the dispute is litigated or prosecuted to final judgment. The "prevailing party" shall be determined based upon an assessment of which party's major arguments or positions taken in the action or proceeding could fairly be said to have prevailed (whether by compromise, settlement, abandonment by the other party of its claim or defense, final decision, after any appeals, or otherwise) over the other party's major arguments or positions on major disputed issues.

16. SURRENDER: On the last day of the term of this Lease, Tenant shall surrender the Premises to Landlord in good condition, broom clean, ordinary wear and tear excepted.

17. BINDING ON SUCCESSORS AND ASSIGNS: Each provision of this Lease performable by Tenant shall be deemed both a covenant and a condition. The terms, conditions and covenants of this Lease shall be binding upon and shall inure to the benefit of each of the parties hereto, their heirs, personal representatives, successors and assigns.

18. NOTICES: Whenever under this Lease a provision is made for any demand, notice or declaration of any kind, it shall be in writing and served either personally or sent by registered or certified United States mail, postage prepaid, or with a commercial courier or delivery service for overnight delivery, addressed at the address as set forth below:

Tenant:	St. Helena Fire Department Attn. Chief John Sorensen 1480 Main Street St. Helena, California 94574
---------	---

Landlord: Fellion Wilson LLC
 Attn: Sean Wilson
 1025 Dowdell Lane
 St. Helena, California 94574

Such notice shall be deemed to be received within seventy-two (72) hours from the time of mailing, if mailed as provided for in this paragraph.

19. WAIVERS: No waiver by Landlord of any provision hereof shall be deemed a waiver of any other provision hereof or of any subsequent breach by Tenant of the same or any other provisions.

20. SUBORDINATION; ESTOPPEL CERTIFICATES: This Lease, and Tenant's leasehold interest, is and shall be subordinate, subject and inferior to any and all liens and encumbrances now and hereafter placed on the Premises by Landlord, and any and all extensions, modifications, or renewals of such liens and encumbrances, and all advances paid under such liens and encumbrances. Tenant, within ten (10) days after notice from Landlord, shall execute and deliver to Landlord a certificate stating that this Lease is unmodified and in full force and effect, or in full force and effect as modified, and stating the modifications. The certificate also shall state the amount of monthly rent, the dates to which the rent has been paid in advance, and the amount of any prepaid rent. Failure to deliver the certificate within the ten (10) day period shall be conclusive evidence that this Lease is in full force and effect and has not been modified except as may be represented by Landlord.

21. MEMORANDUM OF LEASE: If requested by Landlord, Tenant agrees to execute a Memorandum of Lease summarizing certain salient points about the Lease for the purpose of recording in the office of the Napa County Recorder.

22. MISCELLANEOUS: Time is of the essence of this Lease. This Lease constitutes the entire agreement between the parties concerning the subject matter hereof and may be modified only by a written instrument executed by both parties. This Lease shall be governed and enforced pursuant to California law and may be executed in counterparts. Venue for any legal proceeding to interpret or enforce this Lease shall be in Napa County, California. The parties shall take such further actions and execute such further documents as may be necessary to affect the purposes of this Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Lease on the date first above written:

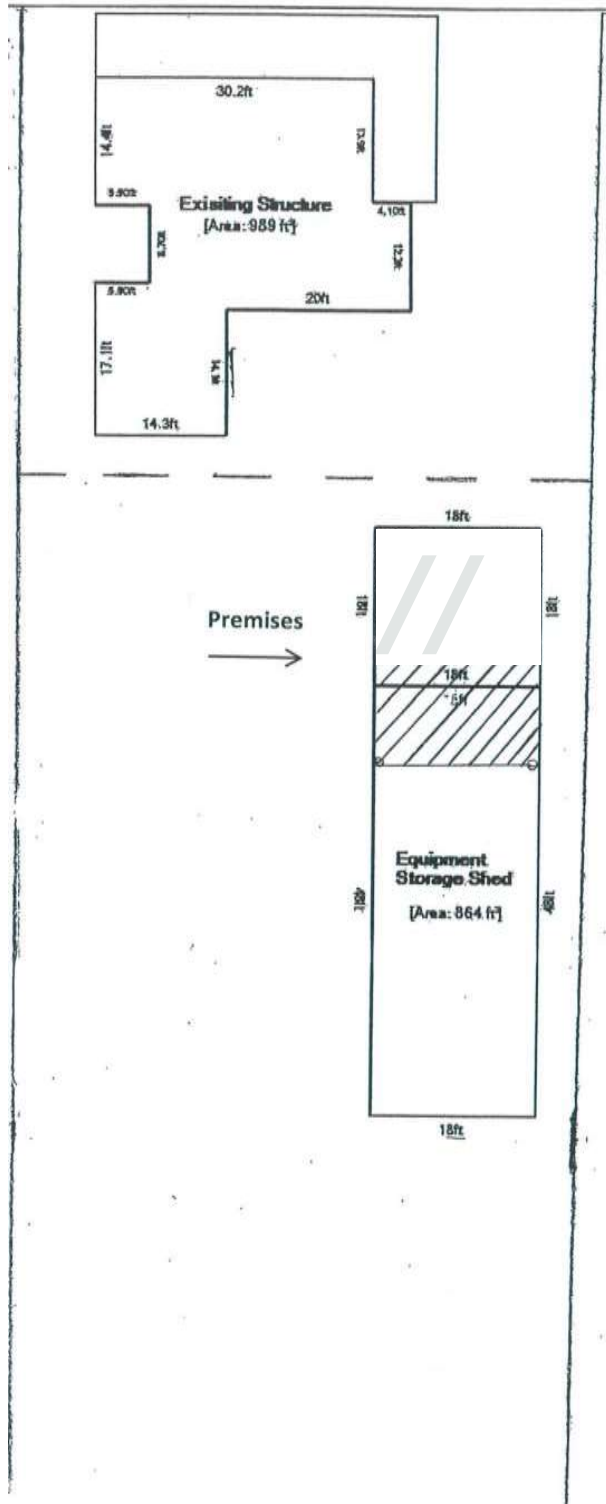
TENANT: THE CITY OF ST. HELENA,
a California municipal corporation

By: Mark Prestwich
Its: City Manager

LANDLORD:
Fellion Wilson, LLC
a California limited liability company

By: _____
Sean Wilson, Member-Manager

Dowdell Lane Exhibit A



OAK #4844-0709-6656 v2



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: Consent

Subject: Second reading and proposed adoption of an ordinance adding Chapter 10.36 to the St. Helena Municipal Code to provide for designated truck traffic routes within the City of St. Helena

Consideration and proposed approval of a resolution approving 1) a Budget Adjustment of \$5,450 to the FY 17/18 Police Department Budget and (2) Use of General Fund Reserves in the Amount of \$5,450 for Enforcement Related Activities Supporting the City of St. Helena Truck Ordinance

CEQA Determination: This project is deemed exempt from the requirements of CEQA under Section 15301, Existing Facilities; and Section 15061(b) (3), which identifies that a rulemaking activity which does not have the potential for causing a significant effect on the environment is therefore, exempt per the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment.

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer,
William Imboden, Chief of Police

Reviewed By:

Approved By: Mark Prestwich, City Manager

BACKGROUND

This item was initially brought to the City Council at the request of Councilmember Ellsworth to discourage large commercial truck traffic from using residential streets as an alternate route to Highway 29. At its regularly scheduled meeting on July 11, 2017, City Council reviewed a draft ordinance and requested staff to bring it back with considerations included for specific vehicle weight limitations and enforcement.

An introduction and first reading of the proposed ordinance was held by the City Council on September 26, 2017.

DISCUSSION

Staff has attached a revised Ordinance per Council direction on September 26, 2017. If Council moves forward with the Ordinance, it will take effect and be in force 30 days after its adoption. The proposed ordinance includes the following additions to the City's Municipal Code:

- Restricts trucks exceeding a maximum weight limit of 10,000 pounds to specific truck traffic routes (defined as Main Street between Chaix Lane and Deer Park Road) when going through the City limits and utilizing the most direct route when making site specific deliveries
- Authorizes the Police Department to enforce and issue a misdemeanor and \$1,000 fine when a truck violates the ordinance
- Any police officer is authorized to require any person driving or in control of any truck being operated on a street within the City other than on a specific truck route to proceed to any public or private scale available for the purpose of weighing the vehicle to determine whether this chapter has been violated
- Violators will be liable for all damage, clean-up and administrative costs

The Police Department contacted local businesses regarding the possibility of utilizing their permanent scales for weighing trucks thought to be in violation of the weight restrictions. Three businesses have verbally agreed to provide assistance and include: Beringer, Trincherro Family Estates doing business as Sutter Home, and Harold Smith and Sons. The alternative is for the City to purchase portable scales.

To improve awareness and compliance with such an Ordinance, staff is recommending the following public outreach and enforcement strategies:

- Informational mailing to all St. Helena businesses.
- Press Release to local media informing the residential and commercial business community of the new truck ordinance.
- Inclusion of truck ordinance information on the City's website.
- Preparation of an article in the City's new quarterly newsletter.
- Appropriating \$5,450 to fund approximately three weeks of directed enforcement to ensure compliance with Ordinance. Enforcement will consist of having the Police Department bring an officer in on overtime on random days (four hours per day) to conduct enforcement activities.

This project is deemed exempt from the requirements of CEQA under Section 15301, Existing Facilities; and Section 15061(b) (3), which identifies that a rulemaking activity which does not have the potential for causing a significant effect on the environment is therefore, exempt per the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment.

FISCAL IMPACT

The costs associated with preparing the ordinance have been limited to City staff and attorney time. Enforcement of the ordinance will be conducted during normal staff hours and when violations do occur, the drivers will be liable for any additional costs incurred as well as being subjected to a \$1,000 fine. The recommended appropriation of \$5,450 from General Fund Reserves to the Police Department Overtime Fund for directed enforcement/compliance activities will be incorporated into a Resolution brought forward concurrently with a second reading of the Ordinance. In addition, there may be a nominal fee associated with contracting with private businesses for utilizing their scales to confirm truck weights. Agreements for scale use will be brought forward for approval prior to commencement of enforcement. Costs would be recovered if a truck were to be found in violation of the Ordinance.

RECOMMENDED ACTION

Staff recommends that the City Council conduct the second reading of the ordinance, adopt by title only and waive further reading.

Staff also recommends approval of a resolution approving 1) a Budget Adjustment of \$5,450 to the FY 17/18 Police Department Budget and (2) Use of General Fund Reserves in the Amount of \$5,450 for Enforcement Related Activities Supporting the City of St. Helena Truck Ordinance

ATTACHMENTS

[Attach 1 2017.04.25 Ellsworth Discussion](#)

[Attch 2 St Helena Truck Route Ordinance - Clean](#)

[Attch 3 Reso for PD Enforcement](#)

9/15/2017

9.5.Ellsworth A discussion regarding a possible large truck ordinance

A discussion regarding a possible LARGE COMMERCIAL TRUCK ORDINANCE

To ensure the safety and peace of mind in residential neighborhoods, the health of our residents, and to extend the operational life of our residential streets, a new ordinance should be discussed to **prohibit large commercial "through" trucks on our residential streets.**

Oversize trucks have begun to travel on our public residential streets as a short cut to their destinations and to avoid the traffic congestion on Highway 29.

Unnecessary heavy truck traffic on our public residential streets 1) is detrimental to the maintenance and longevity of such streets, taking up public works staff time that is in short supply, 2) impacts our financial budget by ruining roads we cannot afford to keep fixing over and over, 3) creates a nuisance in neighborhoods due to their noise and 4) creates health and safety impacts from diesel emissions near homes and schools and where residents including children are walking and biking.

"Diesel exhaust ranks among the air pollutants that EPA believes pose the greatest public health risks. Exposure to diesel exhaust can cause lung disease and respiratory problems. Diesel exhaust also exacerbates asthma, and long term exposure is thought to increase the risk of lung cancer. Children may be more susceptible to this pollution because they breathe 50 percent more air per pound of body weight than adults." (EPA flyer "Air Pollution and Kids" from the Bay Area Air Quality Management District website)

Many communities have recognized that **large commercial trucks are incompatible with residential neighborhoods** and have enacted ordinances which address this exact issue. These communities employ a method that restricts use of **indirect routes** by oversize trucks to destinations within those cities. They do not forbid large trucks entirely from using city streets to do commerce, but they restrict them to *"direct" routes*. The limiting factor used is "weight loads".

*"Heavy trucks obviously cause more road damage than cars, but how much more? According to a GAO study (Excessive Truck Weight: An Expensive Burden We Can No Longer Afford), road damage from **one 18-wheeler is equivalent to 9600 cars**. The study assumed a fully loaded tractor-trailer at 80,000 pounds, and a typical passenger car at 4,000 pounds. That's 20 times difference in weight, but the wear and tear caused by the truck is exponentially greater." (www.vabike.org/vehicle-weight-and-road-damage)*

The California vehicle code website describes the legislative details for St Helena to restrict large commercial trucks on the city streets.

"The legislative body of any county or city may by ordinance permit the operation and moving of vehicles and loads upon highways under their respective jurisdictions of a maximum gross weight in excess of the maximum gross weight of vehicles and loads specified in this code...." "No ordinance adopted pursuant to Section 35701 shall prohibit any commercial vehicles coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods..." (Chapter 10.16 Commercial Vehicles/Trucks)

file:///S:/PubWorks/Staff%20Reports/2017/09-26-2017/Truck%20Ordinance/9.5.Ellsworth%20A%20discussion%20regarding%20a%20possible%20larg... 1/2

9/15/2017

9.5.Ellsworth A discussion regarding a possible large truck ordinance

The aspect of enforcement also should be included in the discussion. Due to our size, enforcement is not anticipated to be particularly difficult. All truck drivers must carry a Bill of Lading showing where they are going. For example, it would not be hard to ascertain that a truck on Spring Street headed for Madrona Ave is not taking the most direct route from the highway but rather is cutting through our residential streets to get to their destination.

We can benefit from the prior work of other small towns. Towns in California and Texas alike have adopted ordinances which we can review in our study of this matter.

CITY OF ST. HELENA

ORDINANCE NO. _____

**ADDING CHAPTER 10.36 TO THE ST. HELENA MUNICIPAL CODE TO PROVIDE
FOR DESIGNATED TRUCK TRAFFIC ROUTES WITHIN THE CITY OF ST.
HELENA**

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

SECTION 1. Findings. In adopting this Ordinance, the City Council finds:

A. California Vehicle Code Division 11, Chapter 1, Article 3 and California Vehicle Code Division 15, Chapter 5, Article 4 provide authority for local agencies to restrict truck traffic.

B. California Vehicle Code section 21101 allows the restriction of certain vehicles, by stating that, "Local authorities . . . may adopt rules and regulations by ordinance or resolution . . . (c) Prohibiting the use of particular highways by certain vehicles" California Vehicle Code section 21104 further states "an ordinance or resolution which is submitted to the Department of Transportation . . . in complete draft form for approval . . . is effective as to any state highway"

C. California Vehicle Code section 35701 allows restriction of vehicles by stating that, "(a) Any city, or county for a residence district, may, by ordinance, prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit . . . (b) The ordinance shall not be effective until . . . signs are erected . . . (c) No ordinance . . . shall apply to any state highway . . . in the National System of Interstate and Defense Highways, except an ordinance which has been approved by a two-thirds vote of the California Transportation Commission."

D. Because of their great weight, research shows that trucks are more damaging to street pavement than passenger vehicles, and vehicle weight contributes to pavement deterioration; thus trucks create a disproportionate share of street maintenance costs. Studies by the American Association of State Highway and Transportation Officials have shown that truck traffic is responsible for substantially more damage than passenger vehicles, and that each doubling of weight on an axle causes a sixteen-fold increase in pavement damage.

E. The establishment of City Truck Traffic Routes is warranted to restrict noise and traffic pollution, minimize pavement damage, and address safety concerns in residential areas.

F. All legal prerequisites to the adoption of this Ordinance have occurred.

SECTION 2. Adding Chapter 10.36. Chapter 10.33 is hereby added to Title 10 of the St. Helena Municipal Code to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to add Chapter 10.36 to the St. Helena Municipal Code is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (CEQA) because the City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment, and the Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061. Additionally, in accordance with CEQA Guidelines section 15301, the action to adopt this Ordinance is categorically exempt from CEQA in that it relates to operation of public streets and will result in negligible or no expansion of existing use.

SECTION 4. Severability. The City Council hereby declares every section, paragraph, sentence, cause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5: Inclusion in the St. Helena Municipal Code. It is the intention of the St. Helena City Council that the text in Exhibit A of this ordinance be made a part of the St. Helena Municipal Code and that the text may be renumbered or relettered and the word "Ordinance" may be changed to "Section," "Chapter," or such other appropriate word or phrase to accomplish this intention.

SECTION 6: Effective Date. This ordinance shall take effect and be in force (thirty) 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the city of St. Helena.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the ____ day of _____, 2017, and was adopted at a regular meeting of the St. Helena City Council on the ____ day of _____, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Black, City Clerk

I, CINDY TZAFPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2017. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Cindy Tzafopoulos, City Clerk

APPROVED AS TO FORM:

Thomas B. Brown, City Attorney

EXHIBIT A**Chapter 10.36
Designated Truck Traffic Routes**

Sections:

- 10.36.010** **Truck traffic routes.**
- 10.36.020** **Restriction of heavy trucks to "truck traffic routes."**
- 10.36.030** **Inapplicability of truck traffic routes to certain vehicles.**
- 10.36.040** **Truck Parking Permits.**
- 10.36.050** **Enforcement.**
- 10.36.060** **Weigh-in.**
- 10.36.070** **Additional liability and indemnification for damage caused.**
- 10.36.080** **Challenge to administrative citation.**
- 10.36.090** **Remedies cumulative—Actions—Relationship to other laws.**

10.36.010 Truck traffic routes.

The following streets, or portions thereof, located within the city are hereby designated as "truck traffic routes" for the movement of vehicles exceeding a maximum weight limit of 10,000 pounds, and the City Manager is hereby authorized to designate such streets as "truck traffic routes" by appropriate signs:

Street Name	From	To
Main Street (SR29/SR128)	Chaix Lane	Deer Park Road

10.36.020 Restriction of heavy trucks to "truck traffic routes."

When appropriate signs are in place, designating the "truck traffic routes" set forth in Section 10.36.010, the operator of any vehicle exceeding a maximum gross limit of 10,000 pounds shall drive on such routes, and none other, except that nothing in this section shall prohibit the operator of any vehicle exceeding a maximum gross weight of 10,000 pounds coming from a "truck traffic route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or delivery of goods, wares and merchandise, from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor, or for parking such vehicle in a location for which a parking permit has been issued pursuant to Section 10.36.040.

For purposes of this section, "direct route" means:

- a) For deliveries more than one-half (1/2) mile off of the nearest point on the truck traffic route, travel is permitted only by the most direct route to the destination.

- b) For deliveries one-half (1/2) mile or less from a driver's chosen point of departure from the truck traffic route, travel is permitted by the most direct route from the chosen point of departure to the destination.
- c) After delivery or pickup, travel is permitted by (i) the most direct route back to the truck traffic route, or (ii) if the next stop is one-half (1/2) mile or less, proceeding to the next stop by the most direct route.

10.36.030 Inapplicability of truck traffic routes to certain vehicles.

The provisions of Sections 10.36.010 and 10.36.020 shall not apply to:

- a) Passenger buses under the jurisdiction of the Public Utilities Commission.
- b) Any vehicle owned by a public utility or a licensed contractor which necessarily is in use in the construction, installation, or repair of any public utility.
- c) School buses while carrying students to and from school.
- d) Pickup trucks. For the purposes of this section, a "pickup truck" means a four-wheeled commercial motor vehicle commonly known as a "pickup truck," equipped with a permanently affixed open-box body and with a manufacturer's rated load capacity not exceeding one ton in weight.
- e) Any vehicle owned, leased, operated, or controlled by any licensed contractor while necessarily in use in the construction, maintenance, or repair of a public works project, or by any highway carrier regulated by the Public Utilities Commission while transporting any materials to or from a public works project, when the bids for such project were opened prior to the adoption of the ordinance establishing this section, unless an alternate direct route is provided substantially within and by the City.
- f) Tow trucks or moving vans providing a service on a street.
- g) Transfer, operator, and contractor trucks, including trucks hauling disposables and recyclables, leaving and returning from a solid waste disposal site.
- h) Street sweepers.
- i) Emergency vehicles.
- j) Recreational vehicles (as defined by California Health and Safety Code section 18009.3).

10.36.040 Truck Parking Permits.

The Public Works Director may issue permits to vehicles subject to provisions of Sections 10.36.010 and 10.36.020 to park such vehicles in locations off "truck traffic routes" as specified in the permit, if the Public Works Director determines that the issuance of such a permit will not result in damage to any city street and will not permit the violation of any city ordinance or state

law. The permit shall be issued for a specified vehicle and for a specified parking area, and shall be visibly displayed on the vehicle at all times.

10.36.050 Enforcement.

The city may enforce this chapter in any manner permitted by law. A violation of this chapter shall be and is hereby declared to be a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), a public nuisance, and contrary to the public interest, and shall, at the discretion of the city and without limitation on any other relief, create a cause of action for injunctive relief. Each day a violation occurs shall constitute a separate offense.

10.36.060 Weigh-in.

Any peace officer is authorized to require any person driving or in control of any vehicle which may be subject to this chapter and that is being operated on a street within the City other than on a truck traffic route, as designated under section 10.36.010 of this chapter, to proceed to any public or private scale available to weigh the vehicle for the purpose of determining whether a violation of this chapter has occurred.

10.36.070 Civil penalty; additional liability and indemnification for damage caused.

- A. In addition to any fine imposed under section 10.36.050 of this chapter, any person who violates this chapter shall be liable and responsible for a civil penalty of one thousand dollars (\$1,000) for each day such violation occurs. The city may recover such civil penalty by either civil action or administrative citation. Such penalty shall be in addition to all other costs incurred by the city, including, without limitation, the city's staff time, investigation expenses, and attorney's fees.
- B. In addition to any fine imposed under section 10.36.050 of this chapter, and any civil penalty imposed under section 10.36.070(A) of this chapter, any person operating a vehicle in violation of this chapter shall be liable, and shall indemnify and hold the City harmless, for any damage or liability to public facilities arising out of or related to any such violation. Such liability shall be in addition to all other costs incurred by the city, including, without limitation, the city's staff time, investigation expenses, and attorney's fees. The city may recover such liability, costs, and fees by either civil action or administrative citation.
- C. Where the City proceeds by administrative citation in collecting either the civil penalty imposed by section 10.36.070(A) or the liability for damage caused under section 10.36.070(B), the responsible person must remit payment of the noticed costs, expenses, and/or fees to the City of St. Helena within forty-five (45) days of the issuance of the citation. The City shall provide the responsible person notice of the right to request an administrative hearing to challenge the cost recovery, and the time for requesting that hearing. The payment of any such costs shall be stayed upon a timely request for an administrative hearing made pursuant to section 10.36.080, and if such a request is made, shall remain stayed during the pendency of the administrative hearing process.

10.36.080 Challenge to administrative citation.

In accord with the following provisions, any person dissatisfied with the city's issuance of an administrative citation under section 10.36.070 may request an administrative hearing to challenge the citation:

- A. The responsible person shall have the right to request the administrative hearing within forty-five (45) days of the issuance of the administrative citation and imposition of the civil penalty. To request such a hearing, the responsible person shall notify the city clerk in writing within forty-five (45) days of the issuance of the citation. The appeal notification shall include all specific facts, circumstances, and arguments upon which the appeal is based.
- B. The city manager is hereby authorized to designate a hearing officer to hear such appeal. The city hearing officer shall conduct a hearing on the appeal within ninety (90) days of the request for the hearing unless one of the parties requests a continuance for good cause. The hearing officer shall only consider those facts, circumstances, or arguments that the responsible person has presented in the appeal notification.
- C. The hearing officer shall render a decision in writing within thirty (30) days of the conclusion of the hearing. The hearing officer shall have discretion to reduce the amount of the administrative citation based upon evidence presented by the responsible person that such a reduction is warranted by mitigating factors including, without limitation, lack of culpability and/or inability to pay. Provided, however, that in exercising its discretion the hearing officer should consider the purpose of this chapter to prevent and deter violations and whether the reduction of civil penalties will frustrate that purpose by resulting in the responsible person's enrichment or profit as a result of the violation of this chapter.
- D. Any aggrieved party to the hearing officer's decision on the administrative appeal may obtain review of the decision by filing a petition for writ of mandate with the Napa County Superior Court in accordance with the timelines and provisions set forth in Government Code Section 53069.4.
- E. If, following an administrative hearing, appeal, or other final determination, the responsible person is determined to be liable for the administrative citation, such liability, if unpaid within forty-five (45) days of the notice of the final determination, may be recovered by civil action.

10.36.090 Remedies cumulative—Actions—Relationship to other laws.

The remedies provided under this chapter are cumulative, and shall not restrict the city to any other remedy to which it is entitled under law or equity. Nothing in this chapter shall be deemed to conflict with any penalty or provision under state law, or prohibit any conduct authorized by the state or federal constitutions. If any section, subsection, sentence, clause, phrase, or word of

this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

CITY OF ST. HELENA

RESOLUTION No. 2017-

Resolution Approving 1) a Budget Adjustment of \$5,450 to the FY 17/18 Police Department Budget and (2) Use of General Fund Reserves in the Amount of \$5,450 for Enforcement Related Activities Supporting the City of St. Helena Truck Ordinance

RECITALS

- A. On October 10, 2017, City Council adopted a Truck Ordinance that included Police enforcement related activities to support the new Ordinance; and
- B. Enforcement of the Ordinance will be conducted during normal staff hours and when violations do occur, the drivers will be liable for any additional costs incurred as well as being subjected to a \$1,000 fine; and
- C. The additional costs for enforcing the Ordinance was not a budgeted item in FY 17/18; and
- D. Funds needed to implement additional Police enforcement activities must be taken from the General Fund Reserves.

RESOLUTION

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

- 1. A budget adjustment of \$5,450 to the FY 2017/18 Police Department budget; and
- 2. Use of \$5,450 from General Fund Reserves for enforcement related activities supporting the City of St. Helena Truck Ordinance.

Approved at a Regular Meeting of the St. Helena City Council on October 10, 2017, by the following vote:

Mayor Galbraith: _____
Vice Mayor White: _____
Councilmember Koberstein: _____

Councilmember Dohring: _____

Councilmember Ellsworth: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: Consent

Subject: Consideration and proposed adoption of resolution delaying the Utility Rate Adjustments scheduled for the November 8, 2017 billing cycle until the Modified Utility Rates are adopted on November 28, 2017 for implementation on the December 8, 2017 billing cycle.

CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

Prepared By: April Mitts, Finance Director

Reviewed By: Mark Prestwich, City Manager

Approved By: Mark Prestwich, City Manager

BACKGROUND

On September 26, 2017, City Council adopted Resolution 2017-129 accepting Modified Water and Wastewater Rates and authorization to proceed with the Proposition 218 requirements for Water and Wastewater Rates Modifications. On November 28, 2017, a Public Hearing will be held for City Council to consider the proposed adoption of resolutions accepting the September 2017 Water and Wastewater Rate Modification and adopt new Water and Wastewater Rates. The modified rates are scheduled to go into effect for on the December 2017 billing cycle.

DISCUSSION

Under the current rate structure, water and wastewater rates are scheduled to increase on the November 8, 2017 utility bill. With the pending adoption of a Modified Rate Structure on November 28, 2017, City Council is being asked to delay, by resolution, the scheduled Water and Wastewater rate increases which would take effect in November 2017. If adopted, the modified utility rates will go into effect on the December 8, 2017 billing cycle.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution delaying the Utility Rate Adjustments scheduled for the November 8, 2017 billing cycle until the Modified Utility Rates are adopted on November 28, 2017 for implementation on the December 8, 2017 billing cycle.

ATTACHMENTS

[Attachment 1 - Resolution Adopting Rate Increase Delay](#)

Attachment 1

CITY OF ST. HELENA

RESOLUTION NO. 2017-_____

**Delaying the Utility Rate Adjustments
Scheduled for the November 8, 2017
Billing Cycle Until the Modified Utility
Rates are Adopted on November 28,
2017 for Implementation on the
December 8, 2017 Billing Cycle**

RECITALS

- A. On November 29, 2016, City Council adopted new utility rates; and
- B. Following the adoption of the new rates City Council provided direction to form an Ad Hoc Utility Rate Committee with the direction to review the Water and Wastewater Study dated October 31, 2016 and make recommendations, if any, to the City Council for revisions to the Study and possible adjustments to the rates adopted by City Council on November 29, 2016; and
- C. The Ad Hoc Utility Rate Committee met nine times during April and May 2017; and
- D. On June 19, 2017, the Ad Hoc Utility Rate Committee presented their recommendations to City Council where City Council discussed each recommendation and provided direction to staff and HEC to complete the utility rate revisions; and
- E. On September 12, 2017, the City published rate models for citizen review and City Council consideration; and
- F. On September 18, 2017, the City held a Special Meeting for City Council to discuss the options presented and make recommendations on which rate models to proceed with for the establishment of new utility rates for the City of St. Helena; and
- G. On September 26, 2017, City Council adopted Resolution 2017-129 accepting the Modified Water and Wastewater Rates and to proceed with the Proposition 218 requirements for these modifications; and
- H. It is anticipated the Modified Rate Structure will be adopted by City Council on November 28, 2017 and implemented for the December 8, 2017 billing cycle; and
- I. Under the current rate structure, a rate increase is scheduled for the November 8, 2017 billing cycle; and

Attachment 1

- J. City Council desires to delay the water and wastewater rate increases scheduled for the November 8, 2017 billing cycle.

RESOLUTION

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

1. Delay the Utility Rate Adjustments scheduled for the November 8, 2017 billing cycle until the Modified Utility Rates are adopted on November 28, 2017 for implementation on the December 8, 2017 billing cycle

Approved at a Regular Meeting of the St. Helena City Council on October 10, 2017 by the following vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: Consent

Subject: Residential Growth Management Update

CEQA Not a CEQA project
Determination:

Prepared By: Noah Housh, Planning & Community Improvement Director

Reviewed By: Mark Prestwich, City Manager

Approved By: Mark Prestwich, City Manager

BACKGROUND

The City of St. Helena has a Residential Growth Management System (GMS) that limits the number of residential building permits that can be issued each year (Municipal Code Chapter 17.152). The GMS's stated purpose is to regulate the residential growth of the City to approximately 2% per year, while providing for both market rate and affordable housing. Generally, building permits are regulated for market rate housing and not for exempt categories of development such as non-residential development (including hotels), replacement or relocated housing, additions, guest cottages, Accessory Dwelling Units (ADUs) and affordable housing units.

According to the GMS, no more than nine (9) building permits for market rate housing may be issued each year. Annual allocations of regulated building permits are to be issued on January 1st of each year on a first approved, first served basis. Staff has been including allocation of these allotments into the discretionary entitlement resolution approving any new residential units for each unit requiring an allotment, also on a first approved, first served basis. Permits that are not issued during the year are carried over (banked) into the next year, but are available only for the construction of market rate units in developments that include a minimum of 40% regulated affordable housing, per the Growth Management Ordinance.

In 2016, the City issued a total of nine growth management allotments to allow the construction of new single and multi-family residential units within the community.

Affordable Housing Units, such as those approved with the Turley Flats multi-family housing development and the Our Town St Helena "self-help" project are exempt from Growth Management limitation, and therefore these units are not included in this accounting.

The City Council is required to conduct an annual review of ordinance provisions, and this report is intended to facilitate this review.

DISCUSSION

As is the case at the start of each year, nine allotments for new unregulated market rate housing (see below) were available for 2017, and nine additional allotments will be available in 2018. As of the date of this report, the City has committed to issue five residential allotments to allow building permits to be issued for two new single family homes, and three new multi-family homes within St Helena, leaving three residential allotments available for new homes in 2017. The Ordinance currently identifies allotments will be granted on January 1, on a first approved, first served bases.

As previously reported in March 2016, staff has been including a conceptual allocation date into the discretionary resolution approving any new residential unit. This is to both address the challenge of "issueing" allotments on January 1 of each year as is identified in the Ordinance, and to identify the year the project intends to receive their allotment. The table below provides a summary of the allotment history over the past five years, including up to date information for 2017.

Year	Permits Available			Permits Issued/Allotted	
	Rollover	New	Total	Total	Rollover
2013	66	9	75	5	70
2014	70	9	79	25	54
2015	54	9	63	3	60
2016	60	6	66	9	60
2017	60	3	63**	5*	--

*Five allotments have been allocated for new market rate SFDs to date in 2017.

**Sixty-three is the number of total allotments remaining, with 3 available for market rate residential units in 2017 and 60 being "banked" for future residential projects which include a minimum of 40% affordable units.

FISCAL IMPACT

No direct fiscal impacts have been identified as a component of managing the Residential Growth Management Ordinance, other than the staff time to track and administer Ordinance compliance and issuance of allotments.

RECOMMENDED ACTION

It is recommended the City Council review the proposed information and receive and file the report.

ATTACHMENTS

[Attachment 1-Section 17.152 GMS code section](#)

**Chapter 17.152
RESIDENTIAL GROWTH MANAGEMENT SYSTEM***

Sections:

- 17.152.010 Purpose.**
- 17.152.020 Regulation of building permits.**
- 17.152.030 Population caps and annual growth rate calculation.**
- 17.152.040 Exempted and regulated development categories.**
- 17.152.050 Distribution of permits.**

* Prior code history: Prior code §§ 27.340—27.345.

17.152.010 Purpose.

The purpose of this chapter is to implement the “St. Helena General Plan Residential Growth Management System” as adopted in 1979 and revised in September 1993, with the adoption of a new general plan, and again in June 2002, with the adoption of an updated “Housing Element of the General Plan.” The purpose of the policies is to regulate the residential growth of the city to approximately two percent per year, while providing for both market rate and affordable housing units. (Ord. 04-10 (part))

17.152.020 Regulation of building permits.

No building permit for a new residence shall be issued except in conformance with this chapter. (Ord. 04-10 (part))

17.152.030 Population caps and annual growth rate calculation.

The 2002 Housing Element update stated that the prior General Plan Goal 2.6.10 should be amended to reflect the data of the year 2000 census. The 2000 census found that the city had two thousand seven hundred seven (2,707) total dwelling units. With a limitation of nine building permits for market rate housing per year, issued over ten (10) years, the number of dwelling units will be approximately two thousand eight hundred (2,800), not including regulated affordable units, guest cottages, accessory dwelling units or second units. This number shall not be construed as a goal, but as a maximum number of units. (Ord. 04-10 (part))

17.152.040 Exempted and regulated development categories.

A. Exempted Development Categories. This chapter shall not apply to the issuance of building permits for the following projects:

1. Industrial;
2. Commercial;
3. Commercial/residential (daily rental);
4. Replacement housing (on the same site as a preexisting unit which has been removed, demolished or burned within the immediately preceding two years) but not in conjunction with subsection (A)(5) of this section;
5. Relocation of units already existing in the city;
6. Additions, renovations and refurbishment of existing dwelling units;

7. Accessory buildings of any type (except dwelling units);
 8. Guest cottages (detached bedroom(s) without kitchen facilities);
 9. Second units as defined in Section 17.04.160 and regulated by Section 17.116.030;
 10. Affordable Housing. Affordable units are those dwelling units which are required to be rented at affordable rents or purchased at an affordable sales price, consistent with Chapter 17.146. The number of affordable housing units constructed shall be determined by the city council at the time of review of the development agreement authorizing the units. The agreement shall contain guarantees that the dwelling units would continue to be affordable to persons of very low, low, or moderate income for an agreed upon period of time.
- B. Annual Allocations and Carryover. No more than nine building permits for market rate housing may be issued each year. Permits remaining unused at the end of the year will carry over into the subsequent year, but shall only be available for allocation for the construction of market rate units in development projects that include a minimum of forty percent (40%) affordable units. (Ord. 04-10 (part))

17.152.050 Distribution of permits.

- A. Annual allocations of regulated building permits shall be issued on January 1st of each year on a first approved, first served basis.
- B. Each building permit shall indicate whether the permit is exempt from the growth management system, or from what category the permit was drawn. The planning department shall maintain a list of how many permits remain available for the year.
- C. Each dwelling unit, including those within a multifamily building, is counted as one unit for purpose of allocation of building permits under this chapter. Attached housing units with floor area of eight hundred fifty (850) square feet or less per dwelling unit shall count as one-half unit.
- D. After all permits have been allocated in a given year, building permit applications and plans for new units regulated by this chapter will continue to be reviewed and approved. Building permits are reviewed under the residential growth management system after a building permit application is deemed complete. A building permit application cannot be considered complete until it is found in compliance with the general plan and zoning ordinance. Building permit allocations begin on January 1st of each year. Permits are allocated within the priority in which they were deemed complete until all permits have been issued. A building permit will not be issued until the following allocation period in which permits become available for that category.
- E. All approved building permits shall be automatically extended to the time when permit availability occurs unless the permit is withdrawn by the applicant.
- F. Building permits must be obtained within thirty (30) days after notification of permit availability. If the permit is not obtained within thirty (30) days the application will be deemed withdrawn and the building permit will become available to the next priority number.
- G. Permits may not be transferred to a different site or substituted for a different dwelling. Minor design changes may be approved by the planning director. The action of the planning director may be appealed to the planning commission in accordance with the provisions of Chapter 17.08.

H. The city council shall review the provisions of the ordinance codified in this chapter at their first regularly scheduled meeting of September of each year. (Ord. 04-10 (part))



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: Public Hearing

Subject: Appeal of the Planning Commission decision to adopt a Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program and approve a Design Review Permit for the Las Alcobas Pedestrian Bridge located at 1915 Main Street and 2000 Main Street in the Service Commercial and Winery Zoning Districts.

**CEQA Mitigated Negative Declaration
Determination:**

Prepared By: Lilly Bianco, Contract Planner

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By: Mark Prestwich, City Manager

BACKGROUND

On August 15, 2017, the Planning Commission approved Design Review for the Las Alcobas Pedestrian Bridge project authorizing the construction of a pedestrian bridge between 1915 Main (Las Alcobas) and 2000 Main (Beringer Winery) and over York Creek, within the Service Commercial (SC) and Winery Zoning Districts, respectively. The Commission voted 3 to 1 (with one commissioner absent) to approve the Design Review permit. A timely appeal was filed by Mike Griffin.

Design Review approval would authorize the applicant to construct a pedestrian bridge to provide connectivity over York Creek and between the Las Alcobas Hotel property and Beringer Winery. The bridge will measure approximately 10 feet wide and 65 feet in length, and will be supported by abutment mat foundations, approximately 12 feet long by 5.5 feet wide. The bridge abutments will be constructed on spread footings cast approximately 3-5 feet below the original ground level.

Because the project is limited to an application for Design Review approval, the City Council's discretion and thus the scope of its jurisdiction to condition the project to

mitigate environmental impacts under CEQA is similarly limited to the issues within the City's discretion under the Design Review Ordinance. The Design Review Ordinance expressly restricts the City's discretion to the general form, spatial relationships and appearances of the project and precludes the City from disapproving proposals for non-design related issues. However, the City is not the only agency that has approval authority over the project. In addition to the Design Review permit sought from the City, the applicant has also applied for a Streambed Alteration Agreement ("SAA") from the California Department of Fish and Wildlife ("CDFW"), the state agency with expertise concerning and the obligation to manage the State's fish and wildlife resources in trust for its citizens. CDFW is considered both a responsible and a trustee agency under CEQA and will use the Initial Study/Mitigated Negative Declaration ("IS/MND") document to support its consideration and issuance of a SAA and impose/enforce the biological mitigation measures it has developed with the applicant. As such, while the City's discretion and CEQA jurisdiction are limited to design related issues, the IS/MND analyzes the project's potential non-design related environmental impacts and identifies standard regulatory requirements as mitigation measures where appropriate for the benefit of the public and the responsible and trustee agencies with jurisdiction over the project and related resources.

DISCUSSION

On August 29, 2017, Mike Griffin filed an appeal of the Planning Commission's Decision. The appellant included a series of three written statements, authored by both individuals and organizations in support of the appeal application. A summary of those statements is provided in ***bold italic*** typeface with staff's response, below. For a comprehensive list of reasons for the appeal please see **Attachment 2 and 2.1**.

Document 1.

- ***There could be impacts resulting from a De Facto partnership between Las Alcobas and Beringer Winery***

On August 15, 2017 at the Public Hearing for the Design Review application, a Beringer representative (Jennifer Locke) confirmed that in fact no partnership does, or is anticipated to, exist between the respective parties. It should also be noted that a partnership would only be relevant to the City if it resulted in a change in operation or intensity of use, which would then be subject to discretionary review in accordance with the City's Zoning Code. At this point, no such situation exists and no details regarding the concerning "impacts" were provided in the appellants statement.

Further, CEQA Guidelines Section 15144, entitled "Forecasting" notes that while preparing an IS/MND necessarily involves some degree of forecasting, those efforts are limited to consequences that are reasonably foreseeable under the circumstances. The legal mechanism needed to facilitate the pedestrian bridge between the parties is a reciprocal access agreement (easement). It is not reasonably expected that the proposed bridge would trigger a formal business

partnership (de facto or real) between the respective properties that would, in and of itself, result in impacts to the physical environment associated with existing uses or planned future uses.

- ***The bridge seems to be part of piecemeal type development and does not address cumulative impacts***

Under CEQA, agencies are required to consider potential impacts from the “whole of the project,” including direct and reasonably foreseeable indirect impacts. When aspects of the whole project are omitted from that consideration, full disclosure and analysis may be hindered and result in “segmentation” or “piecemealing.” The appellant’s claim that such segmentation or piecemealing may be occurring here is purely speculative, and without any evidentiary support. The City and the IS/MND fully describe the whole of the project and have not improperly omitted any known or reasonably foreseeable components or consequences thereof.

Most importantly, the pedestrian bridge was neither considered or proposed, nor reasonably foreseeable at the time that the Los Alcobas Hotel project was under review. Rather, the application for a pedestrian bridge was filed separately and was prompted by pedestrian safety along existing Highway 29. In sum, no improper segmentation or piecemealing has occurred in our description or analysis of this project.

With respect to cumulative impacts, the initial study determined the project’s potential contribution to a significant cumulative impact is not cumulatively considerable and therefore not a potentially significant impact related to the proposed project. As detailed on page 57 the IS/MND prepared for the project,

The analysis of cumulative impacts for each environmental factor can employ one of two methods to establish the effects of other past, current, and probable future projects. A lead agency may select a list of projects, including those outside the control of the agency, or, alternatively, a summary of projections. These projections may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and these documents may describe or evaluate the regional or area-wide conditions contributing to the cumulative impact.

This Initial Study evaluates cumulative impacts using the General Plan EIR. As described in the analysis above, potential environmental impacts are expected to remain at, or be mitigated to, less than significant levels. The project does not increase the severity of any of the cumulatively considerable impacts from the levels identified and analyzed in the General Plan EIR. Therefore, the project’s cumulative impacts will be less than significant.

No information or evidence has yet been provided to the City that would otherwise contradict the findings of the IS/MND, including those summarized above.

- ***(The respective properties) should also be linked together by a parking plan that removes commercial disruption and encroachment into surrounding residential zoning***

The pedestrian bridge is not expected to generate a greater level of vehicular traffic or otherwise increase the intensity/visitation of either site. As such, there is not a nexus to require a parking plan. Further, both affected properties maintain the appropriate number of parking spaces as required by the City for their respective uses.

- ***No approval should occur until hotel impacts from previous approvals are addressed***

Existing hotel operations are outside of the scope of this Design Review application for the subject Bridge which, per Zoning Code Section 17.164.040, is limited to review of the merits of the proposed bridge *design* and determination of consistency with the required design review findings enumerated under Code Section 17.164.030. The proposed pedestrian bridge is a distinct project and does not otherwise re-open consideration of past approvals or uses authorized under previous entitlements.

- ***Cameras should be installed to verify compliance with City rules***

As appropriate, conditions of approval and mitigation measures imposed on the project include a monitoring and reporting component which serves to verify compliance with City of St. Helena regulations and requirements.

- ***There could be noise that impacts nearby neighbors***

Potential noise impacts were analyzed on pages 47- 48 of the IS/MND and no noise impacts were identified. It should also be reiterated that because the project area is bounded by the Las Alcobas Hotel and Beringer Winery and separated from any residential/ noise sensitive land uses by State Highway 29, there is very limited potential for noise to be disruptive to any noise sensitive land uses such as residential neighborhoods. Therefore, consistent with the findings of the IS/MND, there is no expectation that noise related to use of the bridge (e.g. occasional foot traffic) would adversely impact nearby neighbors and neither the appellant nor anyone else has presented any evidence to the contrary.

Document 2. Chris Malan, Living Rivers Council

- ***The IS/MND cannot be approved because it fails to identify and discuss that endangered CFWS and threatened RLF are known to be present.***

This comment was originally received by the City on August 14, 2017 and after the CEQA Public Comment period which extended from June 19, 2017 to July 19, 2017. This comment was verbally responded to and a written response prepared by the Biological Consultant, Wildlife Research Associates (**Attachment 3**), was provided at the August 15th Planning Commission hearing.

As detailed at the August 15th hearing, A Habitat Assessment was prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting on September 29, 2016, and appended to the IS/MND. As part of the Habitat Assessment, a site visit was conducted on September 9, 2016 to evaluate the potential for occurrence of 41 special-status plant species, and 38 special-status wildlife species known to be present or potentially present in the region. As shown in Appendix C of the Habitat Assessment, no suitable habitat for California freshwater shrimp or California red-legged frog was identified. Thus it was concluded that both of these species do not have the potential to occur on the project site.

The project applicant, Guneet Bajwa, has applied for a Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3) with the CDFW. The draft Streambed Alteration Agreement (dated January 23, 2017) identifies mitigation measures required by CDFW as a responsible agency, to be implemented by the applicant to avoid or minimize adverse impacts to fish and wildlife resources that may be present within the York Creek riparian corridor. The CDFW did not identify either CRFL or CFWS as potentially occurring species in York Creek consistent with the findings of the Habitat Assessment. Even so, while not expected to occur in York Creek, the California freshwater shrimp and California red-legged frog, would be protected by the following avoidance and minimization measures set forth in the IS/MND, as required by CDFW in their draft Streambed Alteration Agreement.

1. Confine work within the stream/riparian corridor to the period June 15 to October 15. (Re-vegetation work using hand tools is not confined to this time period.)
2. Avoid work in the portion of the streambed where flowing water is present or anticipated.
3. Provide training sessions for work personnel to identify any sensitive species which may be in the area.
4. Establish temporary construction fencing or flagging to identify the agreed limits of disturbance within the stream area.
5. Place bridge at sufficient height above the stream to allow maximum flows and debris generated during a 100-year storm to pass beneath unrestricted.
6. Locate bridge abutments outside the stream banks.

7. Install scour protection materials so that they are properly aligned within the channel and otherwise engineered, installed and maintained, to assure resistance to washout, and erosion of the stream bed, stream banks and/or fill.
8. Survey the project area by a qualified biologist for presence of special-status species that may be present within 48 hours prior to construction.
9. Suspend work and notify CDFW if special-status species or listed species encountered during project construction.
10. Visually check all sections of construction materials for the presence of wildlife sheltering within them prior to the pipe sections being placed and attached together, or have the ends capped while stored on site so as to prevent wildlife from entering.
11. At the end of each work day, an escape ramp shall be placed at each end of any constructed open trench to allow animals that may have become entrapped in the trench to climb out overnight.

As stated under bulleted item number 8 above, the project area will be surveyed by a qualified biologist for the presence of any special-status species that may be present within 48 hours prior to construction. Additionally, as described under bulleted item number 9 above, work will be suspended and CDFW notified if special-status or listed species are encountered during project construction. As such, CDFW will be notified if any California freshwater shrimp and California red-legged frog are found within the construction site.

For an expanded response, please see **Attachment 3**, which includes the response letter prepared by the Biologist and provided to Planning Commissioners at the August 15, 2017 hearing.

Document 3.

- ***A determination on the aesthetic impacts associated with the visual design of the bridge need to be disclosed and analyzed now.***

As noted above, potential aesthetic impacts are the only resource area that is within the City's limited jurisdiction under the Design Review Ordinance. Aesthetics refers to the overall visual character of an area or given field of view. Accordingly, the aesthetics analysis centers on a project's visual relationship with existing and planned development within the project Site and surrounding area. The analysis considers aspects of visual character, such as design, size, shape, color, the general composition of aesthetic features, including both natural and human-made features, and the relationships between these elements. Section 5.1, pages 18-19, of the IS/MND, discloses and analyzes potential aesthetic

impacts to the environment. In addition, the merits of the design and compatibility with the surroundings was considered as part of Design Review process, discussed in the project staff report and in respect to the 17 design criteria enumerated under Code Section "Design criteria."

Given the existing context and environmental setting, the introduction of the pedestrian bridge would not adversely impact the visual character or quality of the site. As such, the IS/MND concludes that potential impacts to aesthetic resources would be less than significant. Similarly as stated in August 15th Staff report,

" ... the proposed pedestrian bridge would be a pre-fab steel truss bridge painted high gloss black with stainless steel cable railing with a maximum 4" spacing, live oak panel , and live wood deck. The employment of stainless steel materials as well as naturally sourced materials, like the live oak detailing, would be compatible with the character of the subject site (which is defined by a natural creek setting and contemporary development associated with the Las Alcobas Hotel and the Beringer Winery).

The bridge's impact to visual character was addressed in detail in the staff report and in respect to the 17 design review findings. Visual impacts were further discussed by the Planning Commission as part of the public hearing. The Planning Commission deliberated on the potential aesthetic impacts and by approving Design Review determined that the project met all 17 required design review findings related to aesthetic impacts and compatibility. Nothing about the project or its site has changed since then and staff continues to recommend that the design review findings can be made and are supported by the evidence in the record.

- ***It would be helpful to have a biological expert comment on whether the project would have a greater impact to the creek and surrounding habitat than acknowledged and whether the mitigation measures are adequate***

As noted above, the City's limited design review discretion does not afford the City with jurisdiction to condition the project to address such non-design issues, but the City has incorporated the mitigation measures that CDFW has recommended into the IS/MND. Nonetheless, the Biological Assessment was prepared by a qualified biologist and recommended appropriate mitigation measures to avoid, minimize, and off-set any potential impacts identified. In addition, the CDFW reviewed the prepared Biological Assessment and agreed with the findings and mitigation measures identified within. Through their issuance of a Streambed Alteration Agreement and in their role as a responsible agency under CEQA, the CDFW provides further assurance that all special status species and habitat are fully protected in accordance with Fish and Game Code and the California Endangered Species Act.

- ***The City should consider whether traffic noise would reverberate off of the bridge and impact residential on the opposite side of the Highway.***

Potential noise impacts were analyzed in Section 5.12 and on pages 46 to 48 of the IS/MND and were determined to be less than significant. No information has been provided that contradicts those findings or otherwise indicates that the pedestrian bridge would affect noise or traffic.

- ***Additional analysis of construction traffic impacts is required. You could reference previous major impacts to the intersection during construction activities at Las Alcobas to highlight the problems the can be expected here.***

Again, as noted above, the City's limited design review discretion does not afford the City with jurisdiction to condition the project to address such non-design issues. Nonetheless, construction traffic impacts are analyzed under IS/MND Section 5.16 and on pages 50-53 of the IS/MND. As detailed therein, construction related traffic would be limited and temporary such that it would not be expected to significantly affect local street capacities or function. It was further clarified at the August 15th Planning Commission hearing that given that the proposed bridge is a pre-fabricated bridge it would be mostly constructed off-site and then delivered and installed on-site within a matter of hours. Given the type and method of construction and very limited construction window, the conclusions of the IS/MND remain valid and no further analysis of construction traffic impacts is required. The scale and scope of the Bridge project construction is significantly less than that of the Las Alcobas hotel construction and is not anticipated to result any significant impacts, as identified in the project documents and analysis.

FISCAL IMPACT

There will be no fiscal impact to the General Fund related to Council action on this item.

RECOMMENDED ACTION

The Planning Commission recommends the City Council consider the appeal, staff report, and all testimony, written and spoken and:

1. Affirm the Planning Commission's decision to approve the project and adopt the Initial Study and Mitigated Negative Declaration and approve Design Review for the Las Alcobas Pedestrian Bridge; and
2. Deny the applicant's appeal of the Planning Commission's decision approving a Design Review application to construct a 10 x 65 ft pedestrian bridge between 1915 Main (Las Alcobas) and 2000 Main (Beringer Winery) and over York Creek, within the SC and Winery Zoning Districts, respectively.

ATTACHMENTS

[1915 Main ATTCH 1. Appeal Resolution](#)

[1915 Main ATTCH 2. Appeal Application](#)

[1915 Main ATTCH 2.1 Appeal Application Documentations](#)

[1915 Main ATTCH 3. August 15 Staff Report and Attachments](#)

[1915 Main ATTCH 4. Living Rivers Council Comment Letter](#)

[1915 Main ATTCH 5. Biologist Response to Living Rivers Comment](#)

[1915 Main ATTCH 6. Caltrans Comment Letter, August 14, 2017](#)

CITY OF ST. HELENA

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
DENYING AN APPEAL OF THE PLANNING COMMISSION'S DECISION
TO APPROVE DESIGN REVIEW FOR THE LAS ALCOBAS PEDESTRIAN
BRIDGE PROJECT LOCATED OVER YORK CREEK AND AT 1915 MAIN
STREET AND 2000 MAIN STREET IN THE SERVICE COMMERCIAL
AND WINERY ZONING DISTRICTS, RESPECTIVELY, AND AFFIRMING
THE PLANNING COMMISSION'S DECISION TO ADOPT AN INITIAL
STUDY, MITIGATED NEGATIVE DECLARATION AND MITIGATION AND
MONITORING AND REPORTING PROGRAM, AND APPROVE DESIGN
REVIEW FOR THE LAS ALCOBAS PEDESTRIAN BRIDGE PROJECT**

PROPERTY OWNER: Spring Mountain Hotel, LLC **APN:** 009-490-009; 009-131-009

Recitals

1. Mr. Guneet Bajwa submitted an application for a Design Review permit to introduce a 10 x 65 foot pedestrian bridge spanning a portion of York Creek and located in between 1915 Main Street and 2000 Main Street and in the Service Commercial and Winery Zoning Districts, respectively, and
2. Pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and Initial Study was prepared in consultation with applicable responsible and trustee agencies, including the California Department of Fish and Wildlife, which also has discretionary approval power over a portion of the project (i.e., Streambed Alteration Agreement), and
3. In the role of Lead Agency, the City consulted with the California Department of Fish and Wildlife to incorporate recommended mitigation measures into the CEQA Document so as to avoid or minimize adverse impacts to potentially affected fish and wildlife species as prescribed by the Streambed Alteration Agreement, and
4. In accordance with the requirements of CEQA, the IS/MND was circulated for public review and comments from June 19, 2017 until July 19, 2017, and
5. A staff report dated August 15, 2017 and incorporated herein by reference analyzed the project's consistency with the Design Criteria enumerated in Section 17.164.030 of the Municipal Code, and
6. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, Initial Study/ Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and all testimony, written and spoken, at a duly noticed public hearing on August 15, 2017, and

7. At the conclusion of the public hearing on August 15, 2017 and having deliberated on the matter, the Planning Commission adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approved a Design Review permit thereby authorizing the modifications contained in proposed plans, as conditioned, and
8. Mike Griffin filed a timely appeal of the Planning Commission's decision to the City Council in accordance with Municipal Code Chapter 1.16, and
9. The City Council considered Mike Griffin's appeal at a duly noticed public hearing on October 10, 2017 and considered the Las Alcobas Pedestrian Bridge Project in its entirety. The City Council, after reviewing materials provided from the Planning Commission public hearing, as well as considering the staff report and record of the proceedings before the City Council, the written evidence submitted for the Council public hearing, and the testimony and other evidence submitted at the Council public hearing, voted to deny the appeal and adopt the Initial Study Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve the Design Review application.

Resolution

The City Council of the City of St. Helena, State of California, hereby denies the appeal and affirms the Planning Commission's decision to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve design review based on the following findings:

A. CEQA

1. The City Council's discretion and thus the scope of its jurisdiction to condition the project to mitigate environmental impacts under CEQA is similarly limited to the issues expressly within the City's discretion under the Design Review Ordinance, the only discretionary approval required for this project.
2. The City Council has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting on or approving the project,
3. The Initial Study/ Mitigated Negative Declaration prepared for the project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA,
4. On the basis of the whole record, there is no substantial evidence that the Project, as designed, conditioned, and mitigated, will have a significant effect on the environment, and
5. The Initial Study/ Mitigated Negative Declaration represents the independent judgement and analysis of the City as lead agency for the project.
6. The City Council adopts the Initial Study/Mitigated Negative Declaration

B. DESIGN REVIEW:

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The City Council must find that the project is consistent with the design criteria prescribed by Section 17.164.030 and exhibits a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood. As such, the City Council hereby finds:

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan.
The proposed project includes a small pedestrian bridge which will be accompanied by restoration activities around the vicinity of the project site and proximate to York Creek. The project would also facilitate safe and convenient pedestrian travel through complementary land uses. Accordingly, the project is found to be consistent with all applicable General Plan policies and in particular, with the following policies:
 - 4.3.8 *Require... structures to be of a small scale commensurate with existing older building in the CB and SC Areas.*
 - 6.2.3 *Protect the riparian vegetation and habitat value of the City's stream corridors by requiring development setbacks and open space easements along the Napa River, Sulphur Creek, York Creek, and Spring Creek.*
 - 6.2.13 *Require new development to be sited to maximize the protection of native tree species, riparian vegetation, important concentrations of natural plants, and important wildlife habitat.*
 - 6.2.15 *Require a Biological Assessment of any proposed project site where species or the habitat of species defined as sensitive or special status by the California Department of Fish and Game (Wildlife) or the U.S. Fish and Wildlife Service might be present.*
 - 6.4.5 *Revegetate stream corridors that have been degraded by agriculture or other past practices, with native vegetation in order to enhance their value for habitat and recreation.*
 - 8.2.7 *Develop an area bicycle plan and other bicycle-and pedestrian related facilities. To create a meaningful alternative to automobile usage for short trips, bicycle paths should connect home-to work or home-to-local shopping locations (including bicycle storage racks). Link neighborhoods and commercial areas on a bike path system and encourage bicycle travel.*
2. Compatibility of design with the immediate environment of the site;

As detailed on project plans, the proposed pedestrian bridge would be constructed of steel trusses painted high gloss black with stainless steel cable railing with a maximum 4" spacing, live oak panel, and live oak wood deck. The employment of stainless steel materials, as well as naturally sourced materials like the live oak detailing, would be compatible with the character of the subject site, and the architecture of the adjacent buildings.

3. Relationship of the design to the site;
The proposed pedestrian bridge is largely obscured from view, significantly setback from Highway 29, and is of an appropriate size and scale and exhibits an appropriate and harmonious relationship to the site and surrounding land uses.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources contributing to the character of the properties, but have not been specifically found to exhibit a unified design character by any St. Helena governing body or land use policy. The small size, quality materials and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site. This is further supported by the analysis and findings of the Mitigated Negative Declaration for the project.
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
As a small pedestrian bridge which is largely obscured from view, it is not expected to alter the current transition between the adjacent properties and is found to provide a harmonious transition from the Service Commercial/hotel land use to the winery/tasting room land use in that it provides a safer secondary pedestrian connection between these uses, set back from the property frontages and of a design and scale commensurate with the uses and structures on each of the subject properties.
6. Compatibility with future construction both on and off the site;
The pedestrian bridge is a small, ancillary component of the Las Alcobas property and is expected to be compatible with any future construction on or off site, given its scale, location and design features and elements.
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The proposed design and materials are appropriate for the proposed use as a pedestrian bridge, given the metal and wood uses are both structurally significant and incorporated in such a way as to provide a harmonious extension of the hotel use and design, to the winery use.

8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
The siting of the pedestrian bridge is such that there can be convenient access from one property to another while also ensuring the bridge is somewhat obscured and allowed to blend in with the existing character of both sites and York Creek given its size, location, and materials. Further, the materials and design of the bridge work to maintain the sense of order and desirability of the environment created by the adjacent uses and structures as well as the surrounding natural environment. As such, the planning and siting are found to be orderly and sensible.
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
No open space or landscaping is proposed as part of this project however the project does preserve existing landscaping and all vegetation removed will be replaced and expanded as part of native habitat restoration activities required by CDFW under the Streambed Alteration Permit and is therefore found to be appropriate in design and function.
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
The bridge itself it found to be an ancillary feature to the adjoining uses however, the project is conditioned to provide additional ancillary functions such as trash receptacle(s) proximate to the bridge to prevent any refuse from entering the waterway and keep the site surroundings free of debris. Additionally, the project will provide a pedestrian walkway from the bridge to the Beringer tasting room to inform drivers travelling through the parking lot that pedestrians may be present and to ensure orderly and efficient pedestrian travel between the sites. Both ancillary functions are found to be minimal in terms of visual impact and would be compatible with the overall design concept of the respective sites and the proposed bridge itself.
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
The proposed pedestrian bridge and associated striping in the Beringer parking lot are found to facilitate safe and convenient pedestrian travel between the Las Alcobas site and Beringer site and are intended to expand on the safety and convenience of the circulations systems serving both properties.
12. Whether natural features are appropriately preserved and integrated with the project;
As required by mitigation and conditions of the Streambed Alteration Agreement (SAA) recommended by CDFW, the project would, to the extent possible, avoid disturbance to existing riparian habitat, and therefore generally preserve natural features including plant and animal habitat. Where disturbed, the project applicants will perform restoration activities in accordance with the Restoration Plan required by CDFW and prepared October 31, 2016, which will serve to

improve the habitat of the project vicinity itself, primarily through the removal of non-native plants and replacement of these plants with native species.

13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;
The steel truss bridge with live oak detailing is found to be consistent with the overall aesthetic and design concept exhibited by the Las Alcobas property in that it is intended to compliment the architectural design and aesthetic of the hotel. Further, these materials, textures and details are found to be compatible with the historic design and structures on both adjacent sites
14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources. However, the small size, quality materials, and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site.
15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
No open space or landscaping is proposed as part of this project however the project does preserve existing landscaping and all vegetation removed will be replaced and expanded on and is therefore found to be appropriate in design and function.
16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;
As required per the Streambed Alteration Agreement and mitigation recommended by CDFW and included in the Mitigated Negative Declaration, the project will be required to re-introduce native vegetation and trees beneficial to the riparian habitat. As such, proposed plant material is found to be suitable and adaptable to the site and the climate of St. Helena.
17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.
The associated restoration activities would promote sustainability and climate protection by protecting and helping to re-establish native habitat proximate to York Creek, expanding on the alternative transportation options available to both hotel and winery guests and through the incorporation of locally sourced materials, such as the live oak incorporated into the design.

- C. **Now therefore be it further resolved** that, the Design Review for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code and other uniformly applied development and regulatory standards. Each of the following conditions are intended to ensure project design demonstrates said compliance.
- D. **Now therefore be it further resolved** that the City Council adopts the Mitigation Monitoring and Reporting Program for the project and directs the Planning Director or his designee to file a Notice of Determination with the County Clerk within five working days of the date this Resolution is approved.

Conditions of Approval

1. The Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. The plans submitted for building permit review shall be in substantial conformance with the plans on file in the Planning Division, date stamped February 7, 2017, except as modified by the following conditions.
3. The Design Review permit shall be vested within one (1) year from the date of approval. A building permit for the project allowed under this approval shall have been obtained within one (1) year from the effective date of the Design Review decision or these approvals shall expire; provided however that the approved Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
4. Any request for an extension of the Design Review permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
6. Prior to issuance of construction permits, compliance with conditions of approval shall be clearly identified on plans. A copy of approved plans with the conditions listed on said plans shall be maintained on-site during construction activities.
7. Conditions shall be achieved at such a time as determined by the City and shall be achieved at the requisite stage and before issuance of certificate of occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
8. The applicant shall defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or

annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

9. This Design Review approval shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance and all other uniformly applied development standards. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
11. Prior to issuance of the final building permit the applicant shall introduce pedestrian striping in the Beringer Parking lot and between the bridge and tasting room entrance so as to facilitate safe and efficient pedestrian travel through the Beringer Winery parking lot.
12. Prior to issuance of the final building permit one or more trash receptacles shall be installed on either end of the pedestrian bridge and outside of top of bank and shall be secured and maintained on a regular basis. Any refuse that is deposited outside of the trash receptacles and in the vicinity of the pedestrian bridge shall be promptly collected and properly disposed of.
13. Prior to issuance of building permit, the applicant shall execute a Reciprocal Easement Agreement with Treasury Wine Estates (Beringer Vineyards) to establish certain covenants, restrictions and easements respecting the design, construction, maintenance, operations and use of the pedestrian bridge.
14. Prior to issuance of building permit the applicant shall submit a lighting plan that conforms to ADA Standards for review and approval by the Planning Director and/or Building Official. Any proposed lighting with the sole purpose of illuminating the pedestrian bridge shall be sufficiently shielded and turned off when not in use so as to prevent any potential impacts associated with light and glare.
15. All Mitigation Measures enumerated in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program shall be duly complied with.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

17. The bridge shall be constructed in accordance with American Association of State Highway and Transportation Officials Load & Resistance Factor Design Bridge design specifications and shall be inspected by a licensed structural engineer at regular intervals and in accordance with Federal Highway Administration National Bridge Inspection standards. The results of all inspections shall be recorded, maintained, and shall be made available at any time upon the City's request. Any structural inadequacies identified during an inspection shall be promptly addressed in accordance with the recommendations of the consulting engineer.
18. A grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
19. The applicant shall record easements for all utilities, access and drainage patterns where facilities, features, or people cross one parcel to serve another parcel, as determined by the City's Public Works Director.
20. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum
21. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
22. Site plan shall show the location of any trees within the project area. Provide a tree protection plan for approval by the Public Works Director prior to approval of the building permit. The plan shall be coordinated with any civil grading/drainage/improvement plans.
23. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
24. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.

Building Department Conditions of Approval

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

26. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.
27. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
28. The applicant shall provide a construction waste management plan with the building permit application.
29. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
30. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

Approved at a Regular Meeting of the St. Helena City Council on October 10, 2017, by the following vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk



Planning Department
1480 Main Street
St. Helena, CA 94574
(707) 967-2792

APPEAL APPLICATION

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PLANNING DEPARTMENT

AUG 29 2017

City of St. Helena

FILE NUMBER PL17-056

For additional information, zoning, forms & documents please visit us on the web at: <http://www.cityofstheleena.org/content/planning>

PLEASE TYPE OR PRINT

Project Name LAS ALCOBAS BRIDGE
Project Site Address 1915 MAIN ST ST. HELENA CA 94574
APN 009-490-009 Additional APN - -

APPELLANT INFORMATION

Name MIKE GRIFFIN
Address 1824 PARK ST
City ST. HELENA
State CA Zip 94574
Phone 707-480-0481
Email

APPELLANT INFORMATION

Name Same
Address
City
State Zip
Phone
Email

NOTE: Additional appellant(s) information (name, address, phone number, email, and signature) shall be attached to the application.

OFFICE USE ONLY

Related files PL17-013
General Plan Zoning
Application Fee \$ 1,000 Public Hearing / Mailing \$ 600.00
Total Fees Received \$ 1,600 Received by Xinia Gamero

Staff Notes:

I, MIKE GRIFFIN, hereby file this application for an appeal and agree to pay any and all processing fees imposed by the St. Helena Municipal Code and City Council Resolution(s), or as they may be amended from time to time.

Date: 8-29-2017 Appellant's Signature: Mike Griffin

Date: _____ Appellant's Signature: _____

Date: _____ Appellant's Signature: _____

PROCESSING FEES:

☒ Minor Appeal	\$1,000
☒ Public Hearing Notice	\$600

Total 1,600.00
 Change 0.00
 Bal Forward:
 Mike Griffin
 Customer #: 003338
 1024 Park Street
 St. Helena, CA 94574
 Cashier: avdler
 Station: FOUNTAINIER

Total 1,600.00
 Check 1275 1,600.00
 Cash 12/4 0.00

Date: 08/29/2017 Time: 15:02
 Receipt No. 00139301
 Account: 1,600.00
 Hypocal - Minor Process
 ing - PL17-036 1,600.00
 Public Hearing Notice
 - PL17-036 400.00
 Planning Labels - PL17
 -036 200.00

CITY OF ST. HELENA
 1400 Main St.
 St. Helena, CA 94574

REQUIREMENTS FOR A COMPLETE APPEAL APPLICATION:

The following list is not exhaustive, some applications may require additional information. Consult with a planning staff member to determine whether additional materials are required for your appeal.

Incomplete applications will not be accepted.

Please use the space below and/or attach separate sheets.

☐ ACTION being appealed, including the name of the commission or board and date the action was taken:

Planning Commission Approval of Las Alamos
Pedestrian Bridge Aug 15 2017

☐ ACTION requested by appellant:

REVERSE DECISION

☐ REASON for appeal:

This appeal is based on the attached
documents and Planning Commission comments,
(6 pages)

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AUG 29 2017

-----on Los Alcobas/Beringer Bridge

City of St. Helena

We can't continue to approve projects like this bridge that link these two properties/business together until we have clarify and understanding of the relationship between the two operations.

We've seen that that there is some kind of de facto "partnership" between the two businesses with staging and shuttling/ trucking over of Los Alcobas items from the Beringer winery on Pratt St, sharing office space and now this proposed bridge.

Were impacts from these uses ever analyzed?

What is the extent of this sharing of resources? Are Beringer and Los Alcobas in some type of partnership? Will the bridge be used to further intertwine their business models?

Part of the concern is due to the fact that Beringer is operating without a Use Permit and without a water agreement. If Los Alcobas is partners with them then might they also start sharing water? This is especially worrying if Beringer has unlimited water access. What if one of the companies buys the other, will they both get unlimited water use? What about sewer?

This brings up the question if there is there any kind of financial partnership between Los Alcobas and Beringer?

In this age of corporate consolidation and real estate/hotel flipping the city of St. Helena should know who really owns what in our town, particularly if it includes unlimited access to water.

This shuttling and sharing space links the two properties together, like a partnership.

Does that include being partners too on other things like water, sewer and owners?

Especially if Beringer is getting unlimited water we should know what kind of partnership this is

Also this bridge seems part of a piecemeal type of development that doesn't address cumulative impacts, because it's never clear what the long term picture is, though they keep coming back in for more approvals.

While each incremental step may have less impacts, the total impacts from the overall finished project as we're seeing can be significant

Also it has been suggested that if these two projects are linked together by a bridge they should also be linked together by a parking plan that removes commercial disruption and commercial encroachment on surrounding residential zoning.

No approval of a bridge should happen until hotel impacts from previous approvals, unanalyzed impacts such as parking spillover and offsite staging/shuttling are cleared up.

Any approval should also include the condition that cameras be installed to verify compliance with city rules and ordinances by both Los Alcobas and Beringer.

Also there in nothing here to protect the creek. If people can walk by on the bridge, alcohol, trash, cigarettes and food could get thrown in the creek

Also there could be noise from the bridge that echoes or broadcasts out and could impact the nearby neighbors.

8-29-17

MIKE GAFFRIL # 1



Living Rivers Council

LRC

2945 Atlas Peak Rd.
Napa, California, 94559
(707) 255-7434
(707) 259-1097 fax

cmalan@earth@gmail.com

icarenapa.org

August 13, 2017

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PLANNING DEPARTMENT

AUG 29 2017

City of St. Helena

To: St. Helena Planning Commission

Re: Las Alcobas Pedestrian Bridge, Mitigated Negative Declaration, MND, fails the California Environmental Quality Act, CEQA

The Napa River watershed is a local, state and national treasure because it is a biological hot spot on the planet. This special watershed encompasses both a Mediterranean climate to the east that meets the coastal temperate rain forest climate to the west. Additionally there are numerous micro-climates that is the foundation for the rise of a world class wine industry. These climates and soils support rich and complex aquatic and terrestrial habitats that support a high diversity in both flora and fauna. Unfortunately, many of these precious habitats are being lost one project at a time including by this walking bridge.

LRC does recognize that this project will do some restoration, however, it is at the loss initially removing 144 feet of riparian vegetation, including 8 trees. Trees provide critical shade for delicate stream habitats by preventing warming of the water where aquatic animals are sensitive to temperature changes which can cause a dead zone for aquatic species.

The consultant for this project attempted to mitigate for these species impacted by this project; Steelhead trout, Western Pond Turtle, Foothill yellow-legged frog, riparian woodcut, bats, common aquatic and terrestrial species and nesting birds.

However, the MND failed to recognize that the Napa River watershed is critical habitat for the endangered California Freshwater Shrimp, CFWS, known to be within 1/2 mile of York Creek. Also, Red-legged Frog, RLF, are listed as threatened and are known to be in this area too.

The current draft Stream Bed Alteration Permit application submitted to the Department of Fish and Wildlife, does not include pre-project surveys for CFWS or RLF. (See attachment 1 below)

Anytime a project could harm endangered or threatened species, the applicant must have a biological opinion process with resource agencies and a possible Take Permit application for killing or harming endangered or threatened

8-29-17

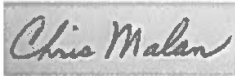
Michelle Gaiffir #2

species. This MND does not include protections for the these endangered and threatened species.

The MND can not be approved because it fails to identify and discuss that endangered CFWS and threatened RLF are known to be present, which are fatal flaws of the MND. An Environmental Impact Report, EIR, is required when there are significant environmental impacts.

Living Rivers Council recommends that the St. Helena Planning Commission reject the MND and require that the applicant do an EIR to make sure all environmental impacts and alternatives to this project are identified and discussed.

Thank You,



Chris Malan
Manager
Living Rivers Council
LRC

Attachment 1

California Freshwater Shrimp



8-29-17
MIKE GRIFIN (3)

MND States this:

Avoidance and Minimization Measures:

The project applicant, Guneet Bajwa, has applied for a Streambed Alteration Agreement (Notification No. 1600- 2016-0346-R3) with the California Department of Fish and Wildlife (CDFW). The draft Streambed Alteration Agreement (January 23, 2017) identifies measures to be implemented by the applicant to avoid or minimize adverse impacts to the following fish and wildlife resources that may be present within the York Creek riparian corridor:

- ☒ Steelhead trout (*Oncorhynchus mykiss*)
- ☒ Western pond turtle (*Clemmys marmorata*)
- ☒ Foothill yellow-legged frog (*Rana boylei*)
- ☒ Riparian woodrat (*Neotoma fuscipes riparia*)
- ☒ Bat roosts (various species)
- ☒ Common aquatic and terrestrial species
- ☒ Nesting birds

Some of the key avoidance and minimization measures described in the draft Streambed Alteration Agreement include:

- ☒ Confine work within the stream/riparian corridor to the period June 15 to October 15. (Revegetation work using hand tools is not confined to this time period.)
 - ☒ Avoid work in the portion of the streambed where flowing water is present or anticipated.
 - ☒ Provide training sessions for work personnel to identify any sensitive species which may be in the area.
 - ☒ Establish temporary construction fencing or flagging to identify the agreed limits of disturbance within the stream area.
 - ☒ Place bridge at sufficient height above the stream to allow maximum flows and debris generated during a 100-year storm to pass beneath unrestricted.
 - ☒ Locate bridge abutments outside the stream banks.
 - ☒ Install scour protection materials so that they are properly aligned within the channel and otherwise engineered, installed and maintained, to assure resistance to washout, and erosion of the stream bed, stream banks and/or fill.
 - ☒ Conduct a focused survey for active bird nests if grading, excavation or other project-related activities are scheduled during the typical nesting season of protected raptors and migratory birds (typically February 1 to August 31).
 - ☒ Survey project area for indications of bat habitat by a qualified bat biologist prior to commencement of construction.
 - ☒ Survey the project area by a qualified biologist for presence of special-status species that may be present within 48 hours prior to construction.
 - ☒ Suspend work and notify CDFW if special-status species or listed species encountered during project construction.
- JUNE 2017 P A G E | 5 LAS ALCOBAS PEDESTRIAN BRIDGE

8-29-17
Mikie Griffin #4

- ☒ Visually check all sections of construction materials for the presence of wildlife sheltering within them prior to the pipe sections being placed and attached together, or have the ends capped while stored on site so as to prevent wildlife from entering.
- ☒ At the end of each work day, an escape ramp shall be placed at each end of any constructed open trench to allow animals that may have become entrapped in the trench to climb out overnight.

8-29-17

Miko Griffin #5

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AUG 29 2017

City of St. Helena

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The MND does not provide any rendering or detailed description of the physical appearance of the bridge, which will be visible from Hwy 29. It seems this will be dealt with in the design review phase, but as we know, the City attorney does not allow the council to consider impacts under CEQA when a design review approval is before them. Thus, a determination on the aesthetic impacts associated with the visual design of the bridge need to be disclosed and analyzed now.

If there are any local biological experts, it would be helpful to have them comment on whether the project would have greater impacts to the creek and surrounding habitat than acknowledged and whether the mitigation measures are adequate.

The city should consider whether traffic noise would reverberate off of the bridge and impact residential on the opposite side of the highway.

Additional analysis of construction traffic impacts is required. You could reference previous major impacts to the intersection during construction activities at Las Alcobas to highlight the problems that can be expected here.

Attachments

8-29-17

Mike Griffin #6



PLANNING COMMISSION REPORT

Planning Commission Meeting of August 15, 2017

AGENDA SECTION: Public Hearing

FILE NUMBER: PL17-013

SUBJECT: Design Review application (PL17-013), to construct the Las Alcobas Pedestrian Bridge over York Creek and between 1915 Main St and 2000 Main Street in the Service Commercial and Winery Zoning Districts, Respectively

PREPARED BY: Lilly Bianco, Contract Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 02/07/17

ACCEPTED AS COMPLETE: 07/27/17

LOCATION OF PROPERTY: York Creek and extending from Las Alcobas (1915 Main Street) to Beringer Winery (2000 Main Street)

APN: 009-490-009; 009-131-009

GENERAL PLAN/ZONING: Service Commercial: SC with Planned Development and Historic Preservation overlay (1915 Main); Agriculture: Winery (2000 Main)

APPLICANT: Mr. Guneet Bajwa

PHONE: (707) 853-1833

BACKGROUND

The Las Alcobas property at 1915 Main supports a luxury 70-room hotel situated on 2.91 acres, which has been in operation since spring 2017 (approved entitlements attached for reference). The property exhibits a zoning designation of (SC: PD: HP) Service Commercial with Planned Development with a Historic Preservation overlay. The adjacent property is the Beringer Winery at 2000 Main Street and is developed with the Historic Beringer Winery buildings, which operates as a tasting room and historic winery grounds and is zoned as (W) winery.

PROJECT DESCRIPTION

Applicant, Guneet Bajwa, is requesting Design Review approval to construct a pedestrian bridge to provide connectivity over York Creek between the Las Alcobas Hotel property at 1915 Main Street and Beringer Winery at 2000 Main Street. The bridge will measure approximately 10 feet wide and 65 feet in length, and will be supported by abutment mat foundations, approximately 12 feet long by 5.5 feet wide. The bridge abutments will be constructed on spread footings cast approximately 3-5 feet below the original ground level.

The bridge will be prefabricated with stainless steel cable railing with 4" maximum spacing and 2" live edge oak panels. The base of the bridge will feature 2" IPE wood deck. It will be erected by a small crane or pair of excavators. The Beringer parking lot and existing disturbed areas on the Las Alcobas side will be used for staging areas. Standard erosion control measures will be implemented during construction. In addition, the riparian woodland outside of the bridge crossing will be fenced using barrier fencing to prevent equipment or construction activities encroaching upon the riparian woodland community. Silt fencing will be placed below the bridge abutments on each side of the creek to prevent any soil or other materials from being discharged into the creek channel.

Access to the bridge will be provided by a series of stairs on the Las Alcobas property. A marked crosswalk will be placed on the existing paved area of the Beringer Winery parking lot to allow pedestrians to safely cross from the bridge to the Beringer Winery. Recycle and trash bins will be located on either side of the bridge to preclude trash from entering the waterway. Both components will be required per condition of approval.

A reciprocal easement between the respective property owners will be executed prior to building permit issuance. The Agreement would establish covenants, restrictions and easements respecting the design, construction, maintenance, operations and use of the pedestrian bridge. Amongst other things, the Draft Agreement stipulates that the First Party (i.e. Spring Mountain Hotel LLC) shall maintain or cause to be maintained the Bridge in good condition and appearance and in accordance with all applicable laws. A maintenance trust fund would be established directly following execution of agreement with the exclusive purpose to be used to maintain (or remove the bridge if warranted in the future) .Each of the easements, covenants, conditions, restrictions, liens and charges set forth in the Agreement would run with the land of each of the Parcels.

To comply with stipulations promulgated by the Streambed Alteration Agreement administered by the California Department of Fish and Wildlife (CDFW) the project would implement a Riparian Habitat Restoration Plan. The Restoration Plan was developed to compensate for the loss of eight trees and 144 square feet of willow riparian vegetation and has been conceptually approved by the CDFW.

ANALYSIS

GENERAL PLAN

The subject property exhibits a General Plan Land Use designation of Service Commercial. The SC Designation provides for service and retail uses, restaurants, service stations, motels, public and quasi-public uses, and other like uses. The designation is intended primarily for auto-oriented service and retail uses which would not be considered appropriate for the Central Business District. The SC Designation applies to the subject site as well as areas fronting Highway 29 and south of Sulphur Springs Creek. Policies applicable to the proposed project include the following:

4.3.8 Require... structures to be of a small scale commensurate with existing older building in the CB and SC Areas.

6.2.3 Protect the riparian vegetation and habitat value of the City's stream corridors by requiring development setbacks and open space easements along the Napa River, Sulphur Creek, York Creek, and Spring Creek.

6.2.13 Require new development to be sited to maximize the protection of native tree species, riparian vegetation, important concentrations of natural plants, and important wildlife habitat

6.2.15 Require a Biological Assessment of any proposed project site where species or the habitat of species defined as sensitive or special status by the California Department of Fish and Game (Wildlife) or the U.S. Fish and Wildlife Service might be present.

6.4.5 Revegetate stream corridors that have been degraded by agriculture or other past practices, with native vegetation in order to enhance their value for habitat and recreation.

8.2.7 Develop an area bicycle plan and other bicycle-and-pedestrian related facilities. To create a meaningful alternative to automobile usage for short trips, bicycle paths should connect home-to-work or home-to-local shopping locations (including bicycle storage racks). Link neighborhoods and commercial areas on a bike path system and encourage bicycle travel.

ZONING

Consistent with the GP land use designation, 1915 Main Street exhibits a Zoning Designation of SC: Service Commercial with Planned Development (PD) and Historic Preservation (HP) overlay. Pursuant to 17.52.050 (E), structures which are customarily incidental and clearly subordinate to permitted and conditional uses are allowed. Design Review is required for any new structures within the SC Zoning District, discussed in more detail, below, under "Design Review.

Staff Analysis

As a pedestrian bridge, the project meets applicable development standards prescribed by Code Section 17.52.070. The introduction of the bridge would not cause the property to conflict with any applicable provision. Further, the small scale of the pedestrian bridge, appropriate siting, and associated restoration activities ensure that it is consistent with applicable General Plan policies, such as those named above. Given that, the project is found to be consistent with all applicable development review standards and the goals and overall intent of the St. Helena General Plan.

WATER

The proposed pedestrian project is not subject to water neutrality requirements and therefore no analysis or off-sets are required as a condition of project approval.

DESIGN REVIEW

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The Planning Commission must find that the project is consistent with the design criteria prescribed by Section 17.164.030 (detailed below) and exhibit a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood. Consistency findings and staff response related to the Design Review Criteria are enumerated, below.

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan.
The proposed project includes a small pedestrian bridge which will be installed accompanied by restoration activities around the vicinity of the project site and proximate to York Creek. The project would also facilitate safe and convenient pedestrian travel through complementary land uses. Accordingly, the project appears consistent with all applicable General Plan policies, such as those named above.
2. Compatibility of design with the immediate environment of the site;
*As detailed on project plans (**Attachment 4**), the proposed pedestrian bridge would be a pre-fab steel truss bridge painted high gloss black with stainless steel cable railing with a maximum 4" spacing, live oak panel, and live wood deck. The employment of stainless steel materials as well as naturally sourced materials, like the live oak detailing, would be compatible with the character of the subject site.*
3. Relationship of the design to the site;

The proposed pedestrian bridge is largely obscured from view and is of an appropriate size and scale and exhibits a good relationship to the site and surrounding land uses.

4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;

The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources. However, the small size, quality materials, and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site.

5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;

As a small pedestrian bridge which is largely obscured from view, it is not expected to alter the current transition between the adjacent properties.

6. Compatibility with future construction both on and off the site;

The pedestrian bridge is a small, auxiliary component of the Las Alcobas property and is expected to be compatible with any future construction on or off site.

7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;

The proposed design and materials are appropriate for the proposed use as a pedestrian bridge.

8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;

The siting of the pedestrian bridge is such that there can be convenient access from one property to another while also ensuring the bridge is somewhat obscured and allowed to blend in with the existing character of both sites and York Creek. As such, the planning and siting appear orderly and sensible.

9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;

No open space or landscaping is proposed as part of this project.

10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;

To ensure the responsible use of the bridge, the project is conditioned to provide trash receptacle(s) proximate to the bridge to prevent any refuse from entering the waterway. Additionally, the project will be conditioned to stripe a pedestrian walkway from the bridge to the Beringer tasting room to apprise vehicles travelling through the parking lot that pedestrians may be present and to ensure orderly and efficient pedestrian travel between the sites. Both ancillary functions would be minimal in terms of visual impact and would be compatible with the overall design of the respective sites and the proposed bridge.

11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;

The proposed pedestrian bridge and associated striping in the Beringer parking lot would facilitate safe and convenient pedestrian travel between the Las Alcobas site and Beringer site.

12. Whether natural features are appropriately preserved and integrated with the project;

As required by mitigation and conditions of the Streambed Alteration Agreement (SAA) issued by CAFW, the project would, to the extent possible, avoid disturbance to plant or animal habitat and where disturbed, would perform restoration activities in accordance with the Restoration Plan, prepared October 31, 2016.

13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;

The prefab steel truss bridge with live oak detailing would be consistent with the overall aesthetic exhibited by the Las Alcobas property.

14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;

The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources. However, the small size, equality materials, and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site.

15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage

textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;

No landscaping is proposed. The restoration activities would be consistent with the native habitat in and proximate to York Creek.

16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;

As required per the Streambed Alteration Agreement and mitigation imposed under the Mitigated Negative Declaration, the project will be required to re-introduce native vegetation and trees beneficial to the riparian habitat. As such, proposed plant material is expected to be suitable and adaptable to the site and the climate of St. Helena.

17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.

The associated restoration activities would promote sustainability and climate protection by protecting and helping to re-establish native habitat proximate to York Creek.

CEQA

In accordance with Article 6 and Appendix G of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared for the proposed project and included as **Attachment 5**. The document contains a description of the proposed project, an analysis of potential environmental impacts resulting from the proposed project, as well as mitigation measures intended to reduce potentially significant impacts to less-than-significant levels. The Draft IS/MND was circulated for a 30-day public review period from June 19, 2017 to July 19, 2017.

ISSUES

No Issues Identified.

CORRESPONDENCE

No comments received at the writing of this Staff Report.

STAFF RECOMMENDATION

The City of St Helena Planning and Community Improvement Department recommends that the Planning Commission, by resolution:

1. Approve the Las Alcobas Pedestrian Bridge Initial Study and Mitigated Negative Declaration, and
1. Accept the required findings and approve Design Review for the Las Alcobas Pedestrian Bridge.

ATTACHMENTS

[1915 Main ATTCH 1. Resolution \(1\)](#)

[1915 Main ATTCH 3. Aerial View](#)

[1915 Main ATTCH 4. Project Plans](#)

[1915 Main ATTCH 5. Public Draft IS-MND](#)

[1915 Main ATTCH 6. Response to Comments](#)

[1915 Main ATTCH 6.1 CDFW Comment](#)

[1915 Main ATTCH 7. grandview sr 032712 packet ready](#)

[1915 Main ATTCH 8. Resolution Packet \(2012-20, 2010-91-water use, 2010-89-Room & Rest Cap, 2010-88-Neg Dec\)](#)

[1915 Main ATTCH 10. Brewery PC Reso](#)

[1915 Main ATTCH 9. CC Reso-13 Rooms](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF DESIGN REVIEW FOR THE LAS ALCOBAS
PEDESTRIAN BRIDGEPROJECT LOCATED AT 1915 MAIN STREET**

PROPERTY OWNER: Spring Mountain Hotel, LLC **APN:** 009-490-009; 009-131-009

Recitals

A. Whereas, Mr. Guneet Bajwa submitted an application for a Design Review permit to introduce a 10 x 65 foot pedestrian bridge spanning a portion of York Creek and located in between 1915 Main Street and 2000 Main Street and in the Service Commercial and Winery Zoning Districts, respectively, and

B. Whereas, pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and included Initial Study was circulated for public review and comments from June 19, 2017 until July 19, 2017.

E. Whereas, A staff report dated August 15, 2017 and incorporated herein by reference analyzed the projects consistency with the Design Criteria enumerated in Section 17.164.030 of the Municipal Code, and

F. Whereas, the Planning Commission of the City of St. Helena, State of California, considered the project, staff report, Initial Study/ Mitigated Negative Declaration and all testimony, written and spoken, at a duly noticed public hearing on August 15, 2017, and

G. Now, therefore let it be found that, the Planning Commission adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approves a Design Review permit and authorizes the modifications contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

1. In making the findings of this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this resolution and the associated Staff Report, City files for this matter, correspondence, presentations, and other materials.
2. CEQA
 1. The Planning Commission has independently reviewed and analyzed the Initial Study/ Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting on or approving the project,

2. The Initial Study/ Mitigated Negative Declaration prepared for the project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA,
3. On the basis of the whole record, there is no substantial evidence that the Project, as designed, conditioned, and mitigated, will have a significant effect on the environment, and
4. The Initial Study/ Mitigated Negative Declaration represents the independent judgement and analysis of the City as lead agency for the project.

5. DESIGN REVIEW:

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The Planning Commission must find that the project is consistent with the design criteria prescribed by Section 17.164.030 (detailed below) and exhibit a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood. Consistency findings and staff response related to the Design Review Criteria are enumerated, below.

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan.
The proposed project includes a small pedestrian bridge which will be installed accompanied by restoration activities around the vicinity of the project site and proximate to York Creek. The project would also facilitate safe and convenient pedestrian travel through complementary land uses. Accordingly, the project appears consistent with all applicable General Plan policies, such as those named above.
2. Compatibility of design with the immediate environment of the site;
*As detailed on project plans (**Attachment 4**), the proposed pedestrian bridge would be a pre-fab steel truss bridge painted high gloss black with stainless steel cable railing with a maximum 4" spacing, live oak panel, and live wood deck. The employment of stainless steel materials as well as naturally sourced materials, like the live oak detailing, would be compatible with the character of the subject site.*
3. Relationship of the design to the site;
The proposed pedestrian bridge is largely obscured from view and is of an appropriate size and scale and exhibits a good relationship to the site and surrounding land uses.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources. However, the small size,

quality materials, and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site.

5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
As a small pedestrian bridge which is largely obscured from view, it is not expected to alter the current transition between the adjacent properties.
6. Compatibility with future construction both on and off the site;
The pedestrian bridge is a small, auxiliary component of the Las Alcobas property and is expected to be compatible with any future construction on or off site.
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The proposed design and materials are appropriate for the proposed use as a pedestrian bridge.
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;

The siting of the pedestrian bridge is such that there can be convenient access from one property to another while also ensuring the bridge is somewhat obscured and allowed to blend in with the existing character of both sites and York Creek. As such, the planning and siting appear orderly and sensible.
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
No open space or landscaping is proposed as part of this project.
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
To ensure the responsible use of the bridge, the project is conditioned to provide trash receptacle(s) proximate to the bridge to prevent any refuse from entering the waterway. Additionally, the project will be conditioned to stripe a pedestrian walkway from the bridge to the Beringer tasting room to apprise vehicles travelling through the parking lot that pedestrians may be present and to ensure orderly and efficient pedestrian travel between the sites. Both ancillary functions would be minimal in terms of visual impact and would be compatible with the overall design of the respective sites and the proposed bridge.
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
The proposed pedestrian bridge and associated striping in the Beringer parking lot would facilitate safe and convenient pedestrian travel between the Las Alcobas site and Beringer site.

12. Whether natural features are appropriately preserved and integrated with the project;
As required by mitigation and conditions of the Streambed Alteration Agreement (SAA) issued by CAFW, the project would, to the extent possible, avoid disturbance to plant or animal habitat and where disturbed, would perform restoration activities in accordance with the Restoration Plan, prepared October 31, 2016.
13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;
The prefab steel truss bridge with live oak detailing would be consistent with the overall aesthetic exhibited by the Las Alcobas property.
14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
The proposed pedestrian bridge will span a portion of York Creek between the Las Alcobas Hotel site (1915 Main) and the Beringer Tasting Room (2000 Main). Both properties include identified historic resources. However, the small size, equality materials, and siting of the bridge would ensure that it would be compatible with the surrounding character of the respective sites and not diminish or otherwise impact the integrity of any historical resources or the character of either site.
15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
No landscaping is proposed. The restoration activities would be consistent with the native habitat in and proximate to York Creek.
16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;
As required per the Streambed Alteration Agreement and mitigation imposed under the Mitigated Negative Declaration, the project will be required to re-introduce native vegetation and trees beneficial to the riparian habitat. As such, proposed plant material is expected to be suitable and adaptable to the site and the climate of St. Helena.
17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.
The associated restoration activities would promote sustainability and climate protection by protecting and helping to re-establish native habitat proximate to York Creek.

F. Now therefore be it further resolved that, the Design Review for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code subject to each of the following conditions. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

Conditions of Approval

1. The Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. The plans submitted for building permit review shall be in substantial conformance with the plans on file in the Planning Division, date stamped February 7, 2017, except as modified by the following conditions.
3. The Design Review permit shall be vested within one (1) year from the date of approval. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Design Review decision or these approvals shall expire; provided however that the approved Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
4. The Design Review permit shall become effective fourteen (14) calendar days after approval, provided that the action is not appealed by the City Council or any other interested party within that 14 day period.
5. Any request for an extension of the Design Review permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
6. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
7. Prior to issuance of construction permits, compliance with conditions of approval shall be clearly identified on all plans. A copy of approved plans with the conditions listed on said plans shall be maintained on-site during construction activities.
8. Conditions shall be achieved at such a time as determined by the City and shall be achieved at the requisite stage and before issuance of certificate of occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
9. The applicant shall defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim,

action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

10. This Design Review approval shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
12. A building permit is required for any onsite demolition, construction or change of occupancy.
13. Prior to issuance of final building permit the applicant shall introduce pedestrian striping in the Beringer Parking lot and between the bridge and tasting room entrance so as to facilitate safe and efficient pedestrian travel through the Beringer Winery parking lot.
14. Prior to issuance of final building permit one or more trash receptacles shall be installed on either end of the pedestrian bridge and outside of top of bank and shall be secured and maintained on a regular basis.
15. Prior to issuance of building permit, the applicant shall execute a Reciprocal Easement Agreement with Treasury Wine Estates (Beringer Vineyards) to establish certain covenants, restrictions and easements respecting the design, construction, maintenance, operations and use of the pedestrian bridge.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
17. A grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.

18. The applicant shall record easements for all utilities, access and drainage patterns where facilities, features, or people cross one parcel to serve another parcel, as determined by the City's Public Works Director.
19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum
20. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
21. Site plan shall show the location of any trees within the project area. Provide a tree protection plan for approval by the Public Works Director prior to approval of the building permit. The plan shall be coordinated with any civil grading/drainage/improvement plans.
22. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
23. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.

Building Department Conditions of Approval

24. A building permit is required for all onsite demolition, construction and/or change of occupancy.
25. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.
26. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
27. The applicant shall provide a construction waste management plan with the building permit application.
28. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
29. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

I HEREBY CERTIFY that the foregoing Design Review permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on August 15, 2017 by the following roll call vote:

AYES:

NOES:

ABSENT:

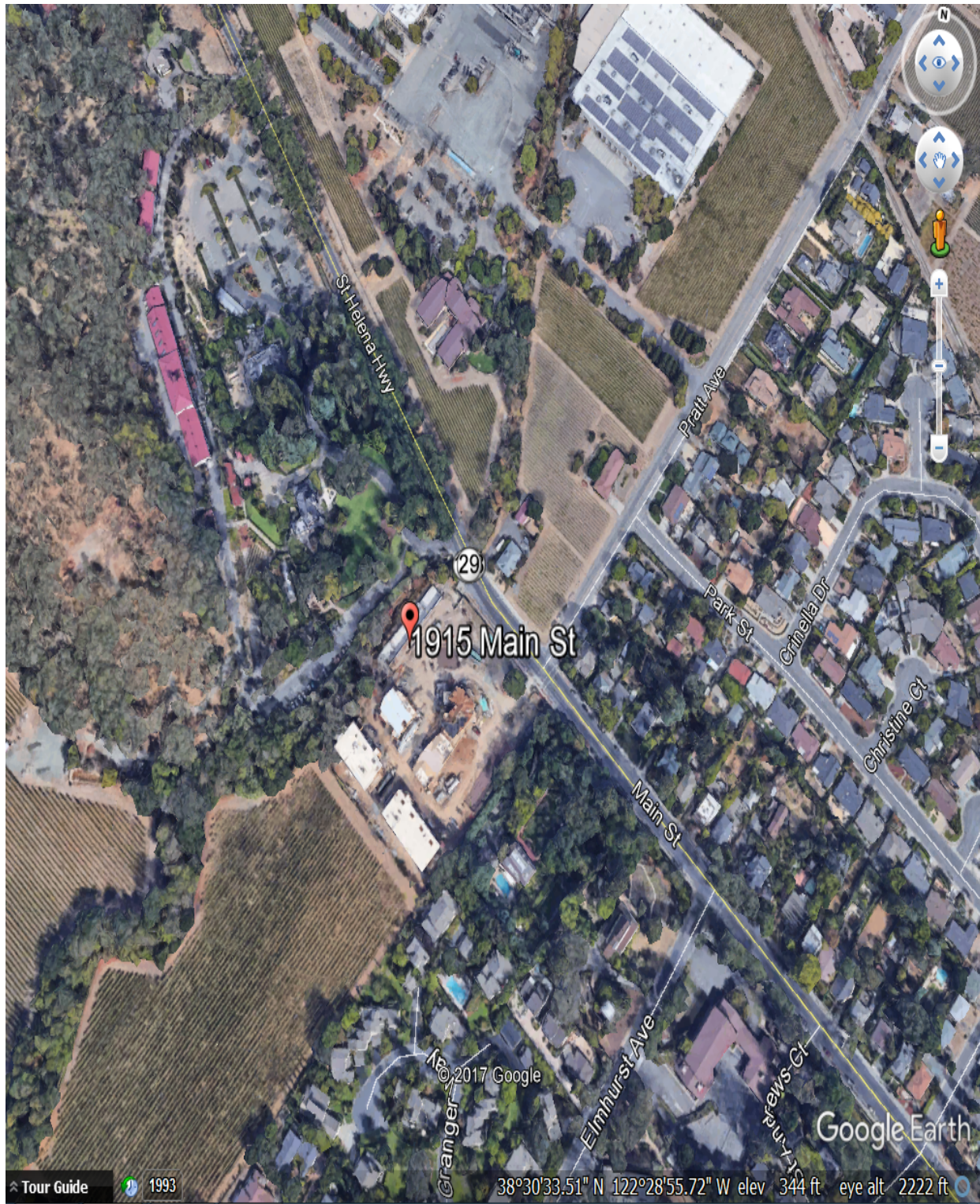
ABSTAIN:

APPROVED:

ATTEST:

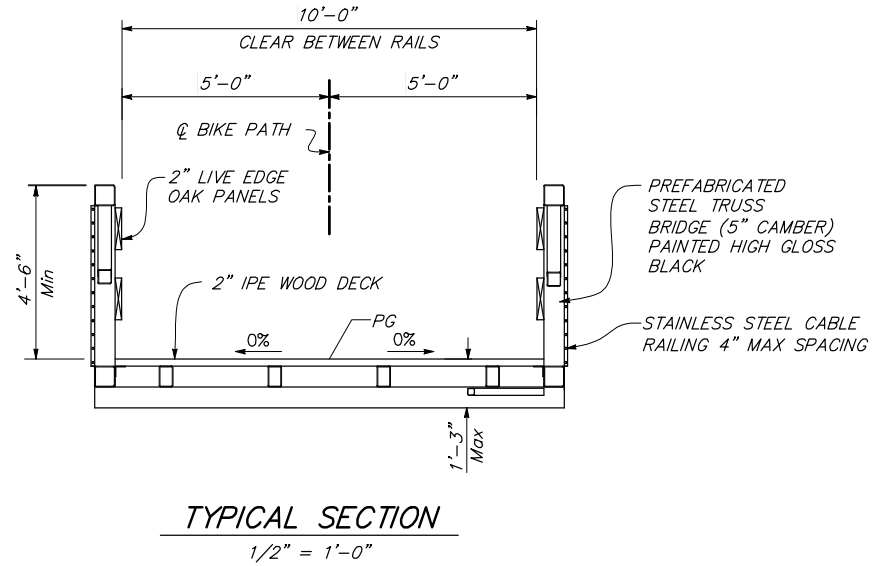
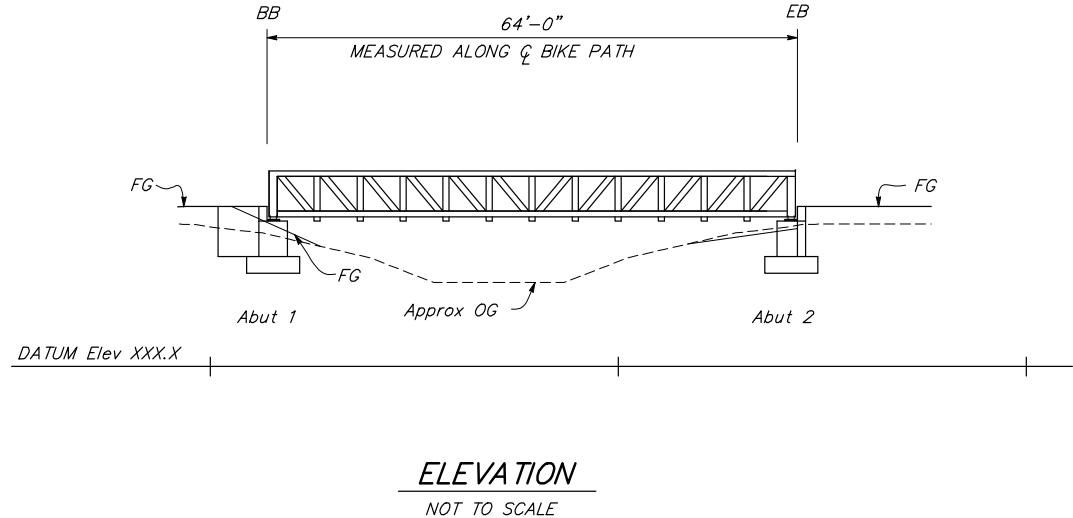
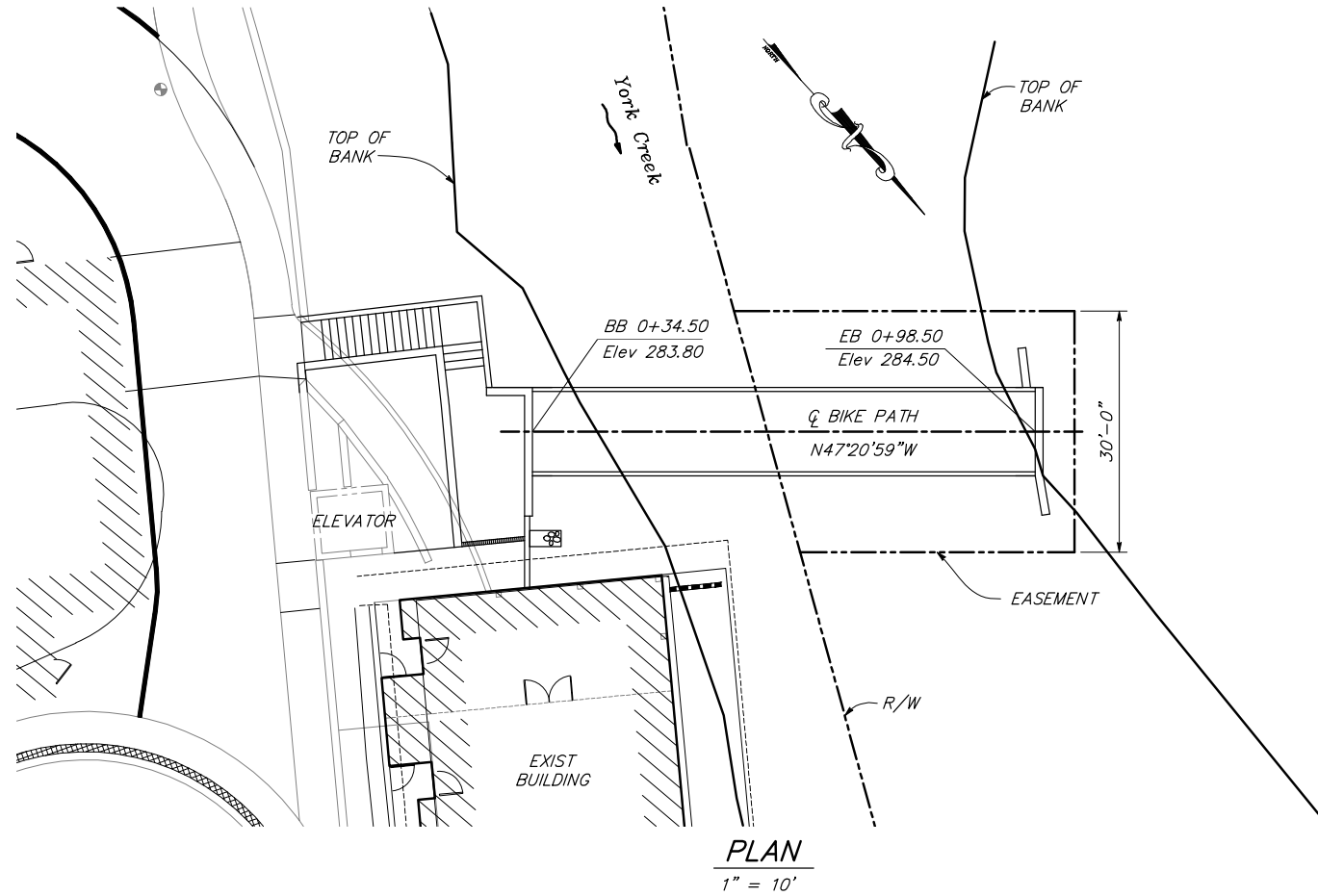
Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director



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INDEX TO PLANS	
No.	TITLE
S1	GENERAL PLAN
S2	FOUNDATION PLAN
S3	ABUTMENT LAYOUT
S4	TRUSS DETAILS

Professional Engineer
JASON BRADFORD HICKEY
No. S5783
Exp. 8/30/18
Structural
State of California

PREPARED UNDER THE DIRECTION OF
JASON BRADFORD HICKEY, S5783 DATE
7/11/2016
DESIGNED BY
JSH
DRAWN BY
CB
REVIEWED BY

MARK THOMAS & COMPANY
7300 COLSON BOULEVARD, SUITE 203
SACRAMENTO, CALIFORNIA 95826
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CALIFORNIA
ST. HELENA
SPRING MOUNT
YORK CREEK BRIDGE
GENERAL PLAN

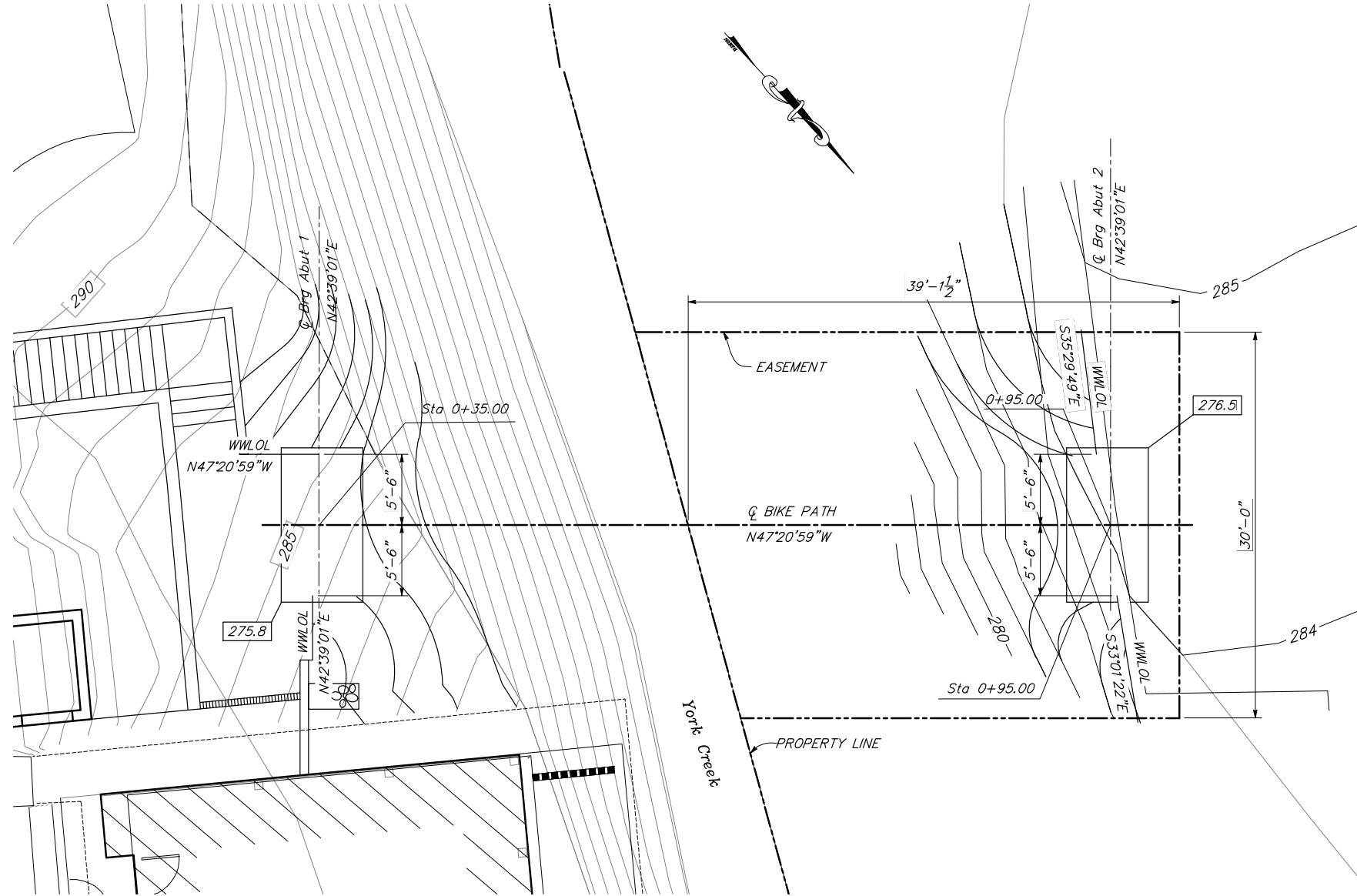
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DRAWING DATE
JULY, 2016
SHEET NUMBER
S1 OF S4

Agenda Item #9.1.

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LEGEND

Indicates Bottom of Footing Elevation (feet)

GENERAL NOTES
LOAD AND RESISTANCE FACTOR DESIGN

DESIGN:
AASHTO LRFD Bridge Design Specifications, 4th edition and the
Catrans Amendments, preface dated September 2010.

SEISMIC DESIGN:
2013 CBC/ASCE 7-10

LIVE LOADING:
H5 Vehicular Loading or 90 psf Pedestrian Loading

SEISMIC LOADING:
Soil Profile: Vs30 = 270 m/s (886 ft/s)
Moment Magnitude: 6.6
Peak Ground Acceleration 0.500g
See ARS Curve

CONCRETE:
fy = 60 ksi
fc = 3.6 ksi unless otherwise noted
n = 8

STRUCTURAL STEEL:
(Except for Prefabricated Steel Truss Bridge Members)
Plates: ASTM A709/A709M
Bolts, Nuts, Washers: ASTM A325, TYPE 1

FOOTING PRESSURE:
See "SPREAD FOOTING DATA TABLE".

PLAN
1" = 5'

SPREAD FOOTING DATA TABLE

Support Location	Working Stress Design (WSD)
	Allowable Gross Bearing Capacity (ksf)
Abut 1/Abut 2	2.4

TABLE 1-2013 CBC/ASCE 7-10 SEISMIC DESIGN PARAMETERS

LATITUDE: 38.5095°N LONGITUDE: -122.4793°W	ASCE 7-10 TABLE/FIGURE	2013 CBC TABLE/FIGURE	FACTOR/ COEFFICIENT	VALUE
Short-Period MCE at 0.2s	Figure 22-1	Figure 1613.3.1(1)	S _s	1.50g*
1.0s Period MCE	Figure 22-2	Figure 1613.3.1(2)	S ₁	0.60g*
Soil Class	Table 20.3-1	Section 1613.3.2	Site Class	C
Site Coefficient	Table 11.4-1	Table 1613.3.3(1)	F _a	1.00g*
Site Coefficient	Table 11.4-2	Table 1613.3.3(2)	F _v	1.30g*
Adjusted MCE Spectral Response Parameters	Equation 11.4-1 Equation 11.4-2	Equation 16-37 Equation 16-38	S _{MS} S _{M1}	1.50g* 0.78g*
Design Spectral Acceleration Parameters	Equation 11.4-3 Equation 11.4-4	Equation 16-39 Equation 16-40	S _{DS} S _{D1}	1.00g* 0.52g*
Seismic Design Category	Table 11.6-1	Section 1613.3.5(1)	Risk Category I to IV	D
	Table 11.6-2	Section 1613.3.5(2)	Risk Category I to IV	D

PROFESSIONAL ENGINEER
JASON BRADFORD HICKEY
No. S5783
Exp. 8/30/18
STRUCTURAL
STATE OF CALIFORNIA

DESIGNED BY
JASON BRADFORD HICKEY, S5783 DATE
7/11/2016
DRAWN BY
CB
REVIEWED BY
JPH

PREPARED UNDER THE DIRECTION OF

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CALIFORNIA

SPRING MOUNTAIN

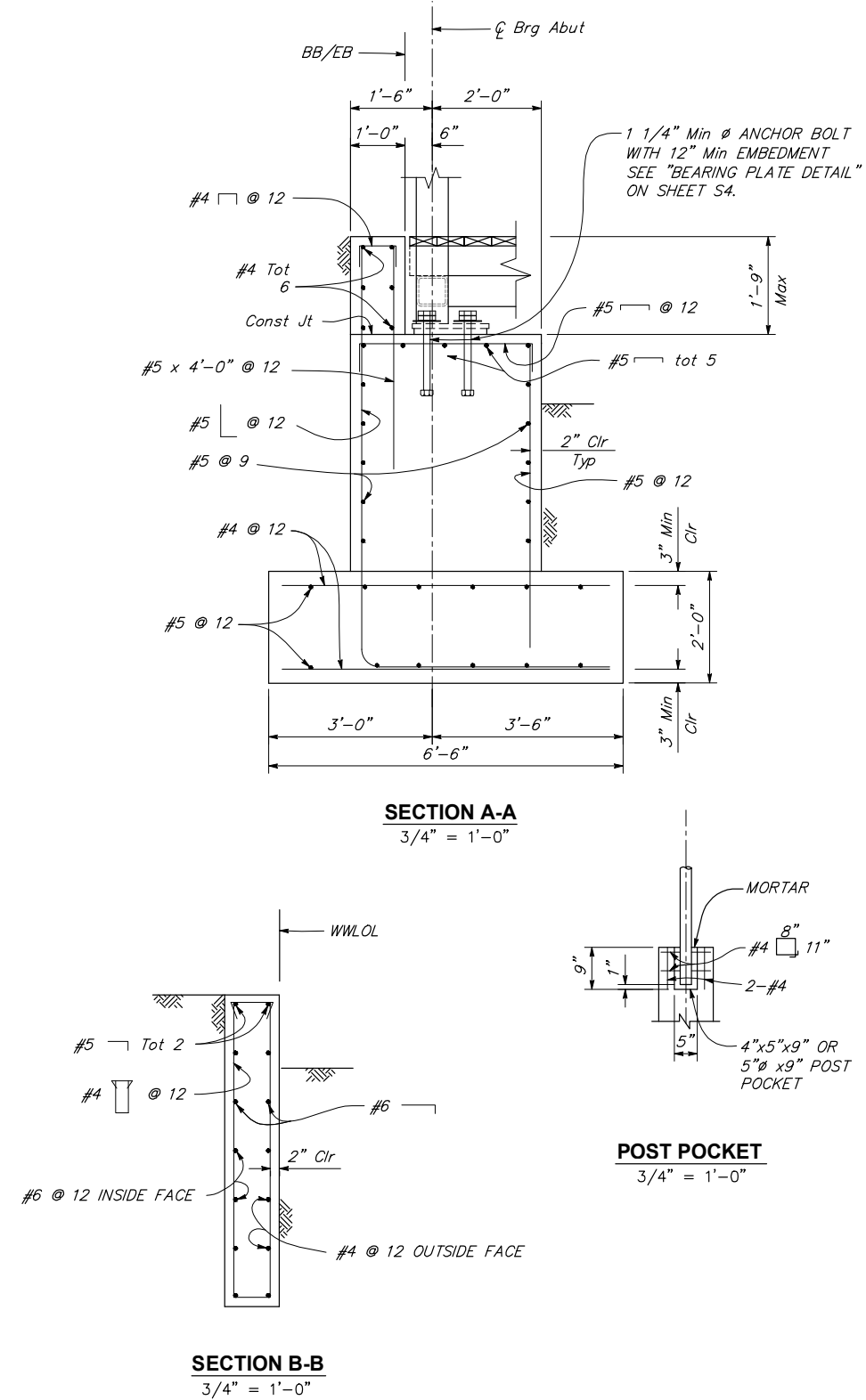
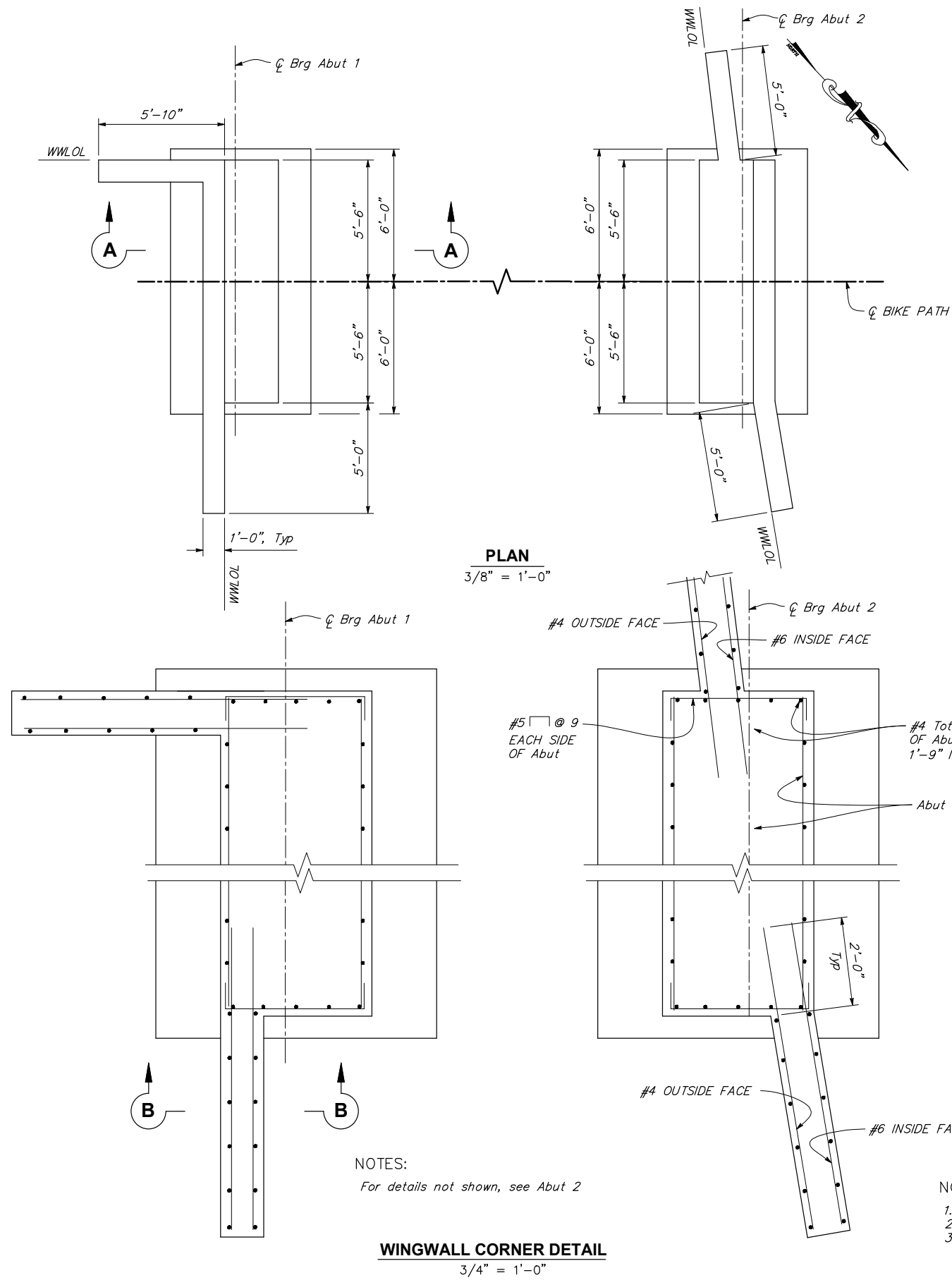
ST. HELENA

YORK CREEK BRIDGE
FOUNDATION PLAN

PROJECT NUMBER
XXXXXXXXXX

DRAWING DATE
JULY, 2016

SHEET NUMBER
S2 OF S4



NOTES:

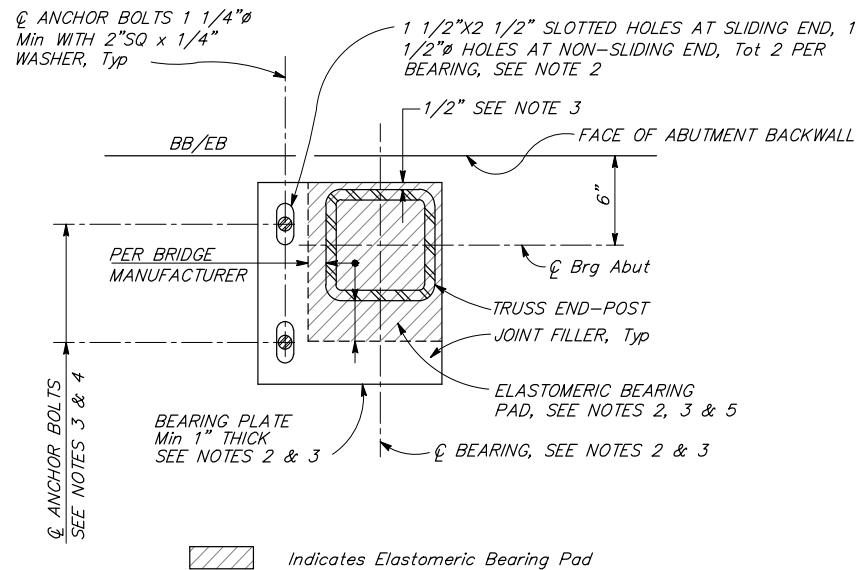
1. *Abutment 2 shown. Abut 1 similar.*
2. *Not all Abutment and Wingwall reinforcement shown.*
3. *Adjust Wingwall reinforcement to avoid conflicts with anchor bolts.*

NOTES:
For details not shown, see Abut 2

ST. HELENA SPRING MOUNTAIN YORK CREEK BRIDGE ABUTMENT LAYOUT		CALIFORNIA		MARK THOMAS & COMPANY 22400 JASON BOULEVARD, SUITE 203 SAN JOSE, CALIFORNIA 95131 (916) 381-9100 FAX: (916) 381-9180	PREPARED UNDER THE DIRECTION OF JASON BRADFORD HICKEY No. 55783 Exp. 5/23/18	7/11/2016 JASON BRADFORD HICKEY, 55783 DATE DESIGNED BY DRAWN BY REVIEWED BY	REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA NO. 55783 EXPIRATION DATE 5/23/18
PROJECT NUMBER XXXXXXX							
DRAWING DATE JULY, 2016							
SHEET NUMBER S3 OF S4							

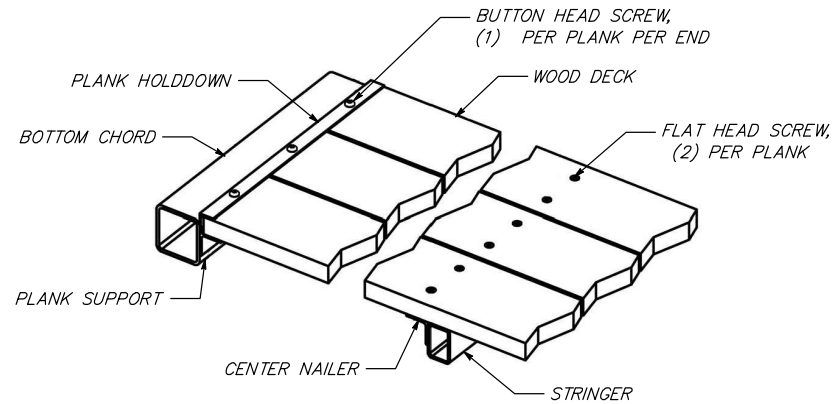
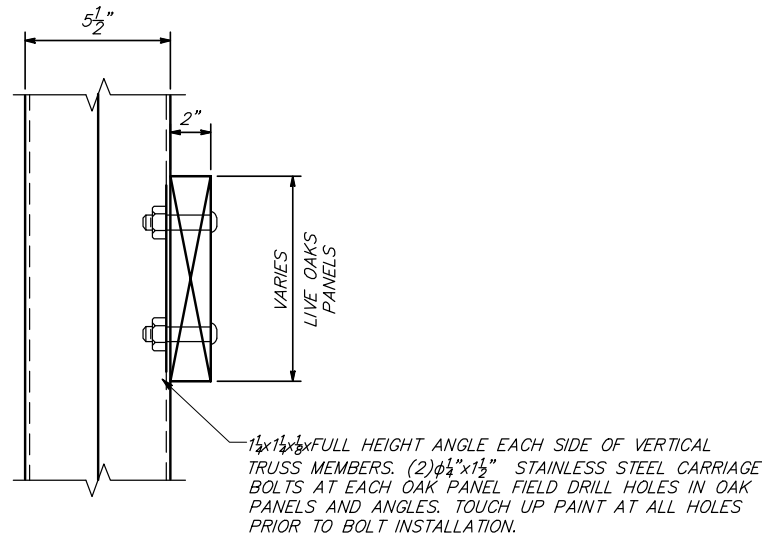
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BEARING PLATE DETAIL
NO SCALE

LIVE EDGE OAK PANEL ATTACHMENT DETAIL
NO SCALE



WOOD DECK DETAIL
NO SCALE

NOTES:

- Contractor shall verify all controlling field dimensions and coordinate all plans prior to ordering or fabricating any material.
- For Steel Truss Bridge Details, see "Pre-Fabricated Steel Truss Bridge Approved Drawings" by the bridge manufacturer. Slots and holes in bearing plates and bearings are shown for 1 1/4"(Min) $\emptyset$ anchor bolts for uniform bids. The actual anchor blots, holes and slot sizes shall be per bridge manufacturer's approved designs or minimum as shown, modified to suit.

Contractor shall coordinate, furnish and install anchor bolts and washers per bridge manufacturer's plans.
- Use minimum 1" thick x 10" wide steel reinforced elastomeric bearing pads. Bearing plates, bearing pads, anchor bolt sizes, etc. shall be determined by the prefabricated truss manufacturer's design. Approximate details shown are for uniform bid only.
- Anchor bolts, washers, nuts and lock nuts shall be ASTM A325 or better, galvanized or electroplated or with approved rustproof treatment.
- Epoxy bond bearing pads and joint fillers (of same thickness as bearing pads) to the abutment seat. Apply light coat of commercial quality grease to top of elastomeric bearing pads at the sliding end only.
- Seal weld all remaining unwelded contacts of welded elements prior to shipment, Typ all locations.
- Bridge manufacturer to supply & install Load Limitation Plaque; submit shop drawing for approval.



PREPARED UNDER THE DIRECTION OF
7/11/2016
JASON BRADFORD HICKEY, 55783 DATE
DESIGNED BY JBH
DRAWN BY CB
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CALIFORNIA
SPRING MOUNT
YORK CREEK BRIDGE
TRUSS DETAILS

ST. HELENA

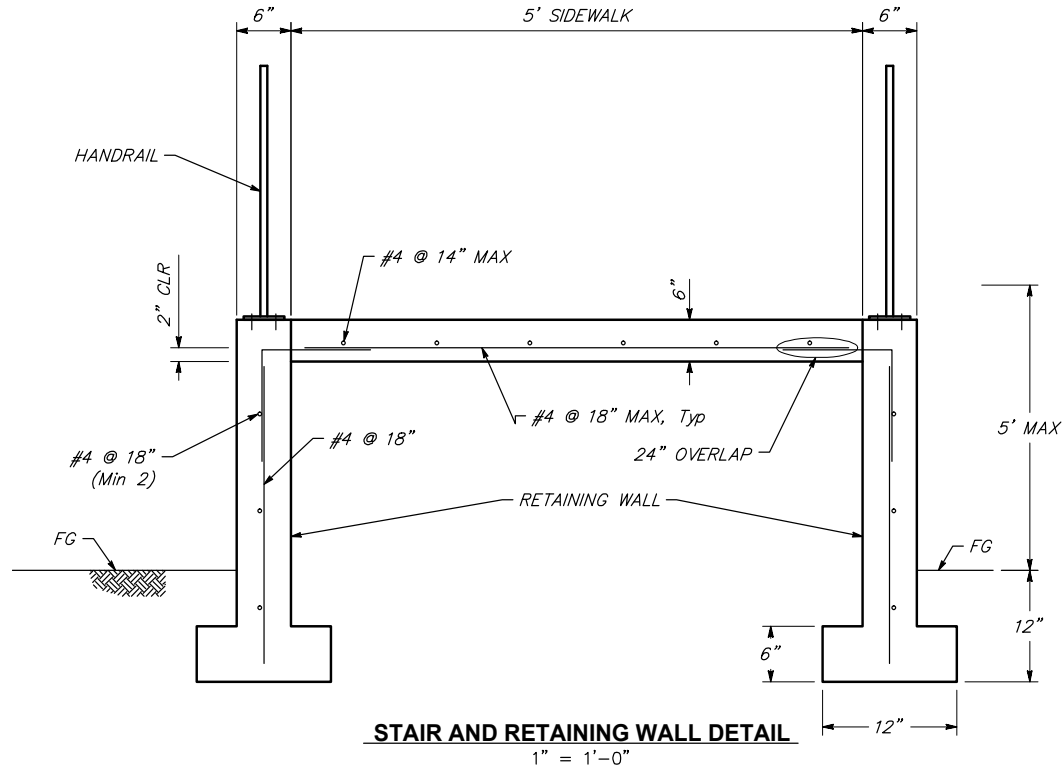
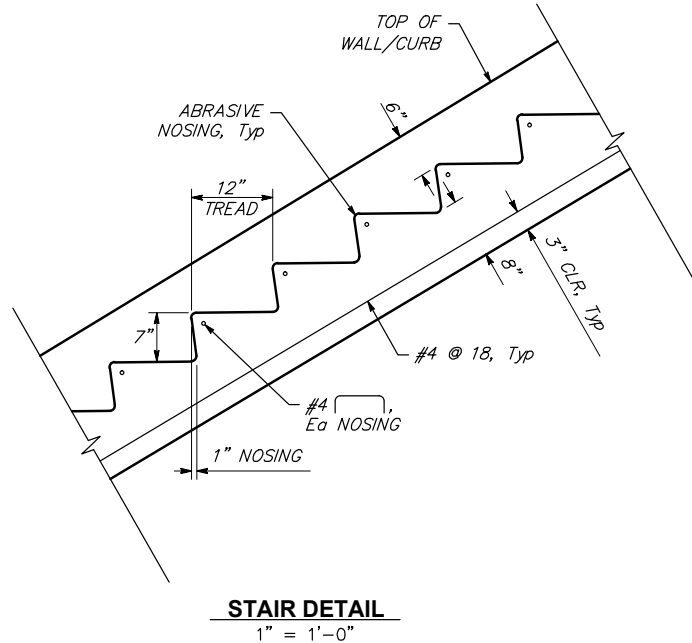
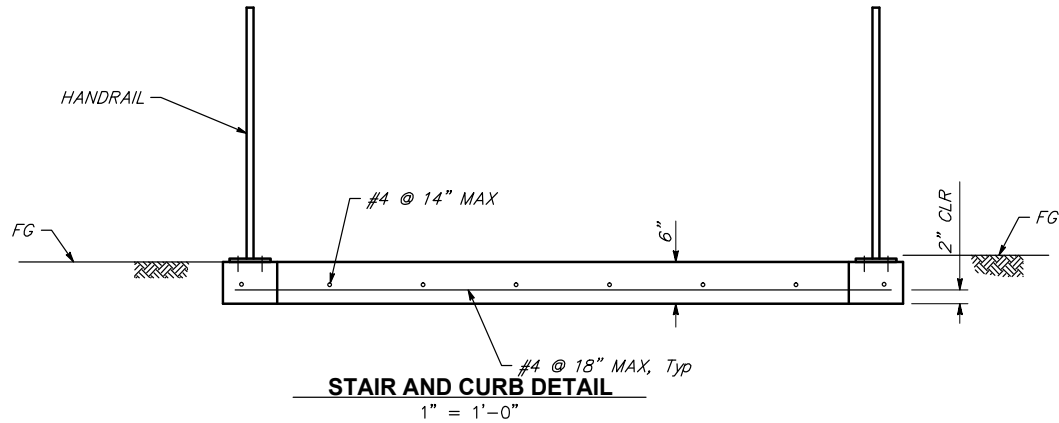
PROJECT NUMBER
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DRAWING DATE
JULY, 2016

SHEET NUMBER
S4 OF S4

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FOR REDUCED PLANS, THE 0 1 2 3
ORIGINAL SCALE IS IN INCHES



PREPARED UNDER THE DIRECTION OF
JASON BRADFORD HICKEY, S5783 DATE 7/11/2016
DESIGNED BY JSH
DRAWN BY CB
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CALIFORNIA
SPRING MOUNT
LAS ALCOBAS STAIRWAY
STAIR AND WALL DETAILS
ST. HELENA

PROJECT NUMBER
XXXXXXXXXX
DRAWING DATE
SEPTEMBER, 2016
SHEET NUMBER
S2 OF S2



LAS ALCOBAS PEDESTRIAN BRIDGE

ENVIRONMENTAL CHECKLIST AND INITIAL STUDY MITIGATED NEGATIVE DECLARATION

PREPARED BY:



METROPOLITAN PLANNING GROUP
1303 JEFFERSON STREET, SUITE 100-B
NAPA, CA 94559

June 13, 2017

M-GROUP

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**LAS ALCOBAS PEDESTRIAN BRIDGE
CEQA ENVIRONMENTAL CHECKLIST AND INITIAL STUDY**

Project Title:	Las Alcobas Pedestrian Bridge
Lead agency name and address:	City of St. Helena 1480 Main Street, St. Helena, CA 94574
Contact person and phone number:	Lilly Bianco, Planner (707) 968-2748
Project Location:	1915 Main Street, St. Helena, California (APN 009-490-009) 2000 Main Street, St. Helena, California (APN 009-131-009)
File Number:	PL17-013
Project sponsor's name and address:	Spring Mountain Hotel, LLC. 1007 7th Street, Suite M-100 Sacramento, CA 95814
Property Owners:	<u>1915 Main Street</u> Spring Mountain Hotel, LLC. 1007 7th Street, Suite M-100 Sacramento, CA 95814 (707) 853-1833 <u>2000 Main Street</u> Treasury Wine Estates 555 Gateway Drive P.O. Box 4500 Napa, CA 94558 (707) 259-4500
General Plan Designation:	1915 Main Street – Service Commercial 2000 Main Street – Agriculture
Zoning:	1915 Main Street –Service Commercial with Planned Development and Historic Preservation overlay (SC:PD:HP) 2000 Main Street – Winery (W)
Description of project:	The project consists of the construction of a pedestrian bridge over a ten foot wide section of York Creek between 1915 Main Street and 2000 Main Street. The proposed bridge design is approximately 10 feet wide and 65 feet long and will be supported by abutment mat foundations on either side of the creek (12 feet x 5.5 feet). The project also includes habitat restoration activities within York Creek.
Surrounding land uses and setting; briefly describe the project's surroundings:	The project site is surrounded by land designated as Agriculture to the north, Medium Density Residential to the east, Medium and Low Density Residential to the south, and Woodlands & Watershed and Parks & Recreation to the west.
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	California Department of Fish and Wildlife for Streambed Alteration Agreement (SAA)

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ST. HELENA LAS ALCOBAS PEDESTRIAN BRIDGE

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1. INTRODUCTION

Purpose and Intent

This Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Las Alcobas Pedestrian Bridge Project (hereinafter referred to as the "project") has been prepared by the City of St. Helena as lead agency in full accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

This IS/MND is intended to inform City decision-makers, responsible agencies, interested parties and the general public of the proposed project and its potential environmental effects. This IS/MND is also intended to provide the CEQA-required environmental documents for all city, local and state approvals or permits that might be required to implement the proposed project.

CEQA Guidelines Section 15063(c) lists the following purposes of an Initial Study:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration.
2. Enable an Applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby possibly enabling the project to qualify for a Negative Declaration.
3. Assist in the preparation of an EIR, if one is required.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

The City of St. Helena, as the lead agency, has conducted an Initial Study to determine the level of environmental review necessary for the proposed project. Consistent with Section 15070(b) of the CEQA Guidelines, the Initial Study identified potentially significant effects, but:

1. Revisions in the Project plans or proposal made by or agreed to by the applicant before a proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect would occur; and
2. There is no substantial evidence, in light of the whole record before the agency, that the Project as revised may have a significant effect on the environment.

Therefore, as the lead agency, the City of St. Helena has determined that a Mitigated Negative Declaration is the appropriate level of environmental review.

Public Review

In accordance with CEQA and the state CEQA Guidelines, a 30-day public review period for the Las Alcobas Pedestrian Bridge Project commenced on June 19, 2017 and will conclude on July 19, 2017. This IS/MND has been distributed to interested or involved public agencies, organizations, and private individuals for review. In addition, the IS/MND has been made available for general public review at the following location:

City of St. Helena
Planning Department
1480 Main Street
St. Helena, CA 94574
Hours: 9:00 a.m. to 5 p.m., Monday – Friday

During the public review period, the public will have an opportunity to provide written comments on the information contained within this IS/MND. The City will use the final IS/MND and all comments and correspondence received within the public comment period for all environmental decisions related to the proposed.

In reviewing the IS/MND and as articulated in Section 15204(a) of the CEQA Guidelines, affected public agencies and interested members of the public should focus on the sufficiency of the document in identifying and analyzing potential impacts on the environment from the proposed project, and ways in which the significant effects of the project are proposed to be avoided or mitigated. Pursuant to Section 15204(b) of the CEQA Guidelines, such public agencies and persons should focus on the proposed finding that the Las Alcobas Pedestrian Bridge Project will not have a significant effect on the environment. If public agencies or persons believe that the proposed project may have a significant effect, they should:

1. Identify the specific effect;
2. Explain why they believe the effect would occur; and
3. Explain why they believe the effect would be significant.

Finally, per Section 105204(c), reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments.

Comments on the IS/MND should be submitted in writing and received by the City of St. Helena prior to the end of the 30-day public review period on July 19, 2017. Written comments should be submitted to:

Lilly Bianco, Planner
City of St. Helena
Planning Department
1480 Main Street
St. Helena, CA 94574

Phone: (707) 968-2748
Email: lbianco@cityofsthenela.org

2. PROJECT DESCRIPTION

Project Location

The proposed project is located west of State Route (SR) 29 within the City of St. Helena, Napa County, California (see **Figure 1: Regional Location**). The proposed pedestrian bridge would span York Creek and provide a connection between the Las Alcobas Hotel located at 1915 Main Street (APN 009-490-009) and the Beringer Winery located at 2000 Main Street (APN 009-131-009). Riparian habitat restoration would occur within the York Creek riparian corridor, which runs from the southwest to the northeast towards the Napa River.

York Creek within the project area is dominated by a mix of native, non-native, and invasive species (see **Figure 2: Existing Site Conditions**). Native willows (*Salix spp.*) are present within the project area along with native valley oak (*Quercus lobata*) and Oregon ash (*Fraxinus latifolia*) trees. Non-native trees in the project area include birch (*Betula sp.*), acacia (*Acacia sp.*), pine (*Pinus sp.*) and locust (*Robinia sp.*).

The creek banks are covered by non-native Himalayan blackberry (*Rubus armeniacus*) along with native California grape (*Vitis californica*) and some wine grape (*Vitis vinifera*). Other non-native and aggressive or noxious weedy plants along the creek bank include giant reed (*Arundo donax*) and French broom (*Genista monspessulana*). The creek bottom is cobble lined and generally lacks any wetland vegetation with the exception of some torrent sedge (*Carex nudata*) and water cress (*Nasturium officinale*).

Landscaped ornamental species, specifically oleander (*Nerum oleander*) are along the top of bank on the Beringer Winery side of the proposed bridge crossing. A small palm and some locust trees are also located in this area.

The project site gently slopes upward in a northerly direction from 284 feet above sea level at the Las Alcobas Hotel to 285 feet above sea level at the paved parking lot at the Beringer property and on the north side of York Creek.

General Plan and Zoning

The City of St. Helena General Plan provides the vision for the community's natural and built environment through a series of goals and policies. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Zoning Ordinance, which guides, controls, and regulates future growth. The Las Alcobas Hotel parcel exhibits a General Plan land use designation of Service Commercial and the Beringer Winery parcel exhibits a General Plan Land Use Designation of Agriculture.

The City of St. Helena Zoning Ordinance implements the goals and policies of the General Plan. Several different districts are identified in the Zoning Ordinance that are intended to, among other things, provide for a wide range of uses and implement the community's vision to preserve, protect and enhance its unique character and quality of life. The Las Alcobas Hotel parcel is zoned as (SC: PD: HP) Service Commercial with Planned Development and Historic Preservation overlay (adopted per resolution 2006-4 on 06-13-06) and the Beringer Winery parcel is zoned as (W) winery.

Project Description

Las Alcobas Pedestrian Bridge

A prefabricated steel truss pedestrian bridge is proposed to be installed between 1915 Main Street and 2000 Main Street to provide access across York Creek between the existing Las Alcobas Hotel and Beringer Winery. The bridge may also accommodate bicycles.

The bridge will be approximately 10 feet wide and 65 feet in length and supported by abutment mat foundations on each side of the creek (see **Figure 3: Project Vicinity**). The abutment on the Las Alcobas Hotel property would be constructed within a previously disturbed area, which was cleared of vegetation as part of the Las

Alcobas Hotel construction. The abutments on the Beringer Winery property will be constructed within the existing paved area of the Beringer Winery parking lot. As proposed, the size of the abutment foundations will be 12 feet long by 5.5 feet wide and will be constructed on spread footings cast approximately 3-5 feet below the ground level.

A marked crosswalk will be placed on the existing paved area of the Beringer Winery parking lot to allow pedestrians to safely cross from the bridge to the Beringer Winery. Recycle and trash bins will be located on either side of the bridge to preclude trash from entering the waterway. Both components will be required per condition of approval.

Minor grading will be performed around the bridge abutments down to elevation 280 feet above sea level near the top of bank after which, the excavation will be performed by a backhoe or small excavator. Reinforcing steel will be placed and concrete poured for the abutment. The abutment will be backfilled and compacted with walk behind vibratory plates or jumping jacks. The bridge will be put in place by a small crane or pair of excavators located outside top of bank on either side of York Creek. Associated improvements will include wing walls, stairs on the Las Alcobas side of the bridge, and exterior flatwork. The construction staging area will be confined to the Beringer Winery parking lot on the north side of York Creek and to previously disturbed areas on the Las Alcobas property to the south of the creek.

A total of eight trees ranging between 4 to 13 inches in diameter at breast height (DBH) will be removed as part of the project. Four dead trees that remain standing will have their trunks and branches removed from within the channel (roots will remain in place) and four trees located immediately downstream of the Pedestrian Bridge will be removed for safety reasons. The project also includes the permanent removal of 144 square feet of mixed willow riparian species within the top of bank. Additionally, non-native, invasive and ornamental species will also be removed and replanted with native riparian species as further described below.

Riparian Habitat Restoration

A Riparian Habitat Restoration Plan¹ has been developed for the project and has been submitted to California Department of Fish and Wildlife (CDFW) as part of the permit application process for the Streambed Alteration Agreement². The Riparian Habitat Restoration Plan was developed to compensate for the loss of eight trees and 144 square feet of willow riparian vegetation. All restoration activities within the riparian corridor will be completed according to the Riparian Habitat Restoration Plan (see **Appendix B**) and as permitted by the Streambed Alteration Agreement.

To compensate for impacts to 144 square feet of willow riparian, the applicant will remove non-native, weedy understory plants from a 216 square foot area along each bank of York Creek for a total of 432 square feet. The mitigation planting area will be adjacent to the proposed pedestrian bridge crossing and within the existing riparian corridor along the top of bank of York Creek. Weedy plants to be removed include the planted oleander bushes along the Beringer Winery side of York Creek and Himalayan blackberry and grape vines along the Las Alcobas side of the creek. Other non-native species to be removed include giant reed and French broom.

After invasive species are removed, the area will be seeded in a native grass seed mix consisting of five pounds pure live seed per acre of each of the following species for a total of 20 pounds of pure live seed per acre: meadow barley (*Hordeum brachyantherum*); creeping wildrye (*Elymus triticoides*); red fescue (*Festuca rubra*), California oatgrass (*Danthonia californica*); and spike bent (*Agrostis exarata*). If one or more of these grasses are not available, a suitable native grass species will be substituted as authorized by the CDFW.

At a minimum, eight riparian trees will be planted to compensate for the loss of eight trees from the project area. All other restoration plantings will be native shrubs suitable for riparian habitat and will replace the non-native understory of Himalayan blackberry and grape vines to be removed. A minimum of 15 shrubs are proposed to be planted. A final restoration planting plan that shows the area planted with the numbers and species will be

¹ Jane Valerius Environmental Consulting, Riparian Habitat Restoration Plan for the Las Alcobas Bridge Project, St. Helena, Napa County, California, October 31, 2016.

² The project is subject to a Streambed Alteration Agreement in accordance with the California Department of Fish and Game Code Section 1602 for activities within the riparian corridor of York Creek.

provided to CDFW once the area has been planted as an as-built plan. This as-built plan will be used for monitoring the success of the habitat restoration. All plantings will be monitored and maintained as necessary for a minimum of five years, with a minimum of two consecutive years (two growing seasons) of monitoring after the removal of irrigation.

Avoidance and Minimization Measures

The project applicant, Guneet Bajwa, has applied for a Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3) with the California Department of Fish and Wildlife (CDFW).

The draft Streambed Alteration Agreement (January 23, 2017) identifies measures to be implemented by the applicant to avoid or minimize adverse impacts to the following fish and wildlife resources that may be present within the York Creek riparian corridor:

- Steelhead trout (*Oncorhynchus mykiss*)
- Western pond turtle (*Clemmys marmorata*)
- Foothill yellow-legged frog (*Rana boylei*)
- Riparian woodrat (*Neotoma fuscipes riparia*)
- Bat roosts (various species)
- Common aquatic and terrestrial species
- Nesting birds

Some of the key avoidance and minimization measures described in the draft Streambed Alteration Agreement include:

- Confine work within the stream/riparian corridor to the period June 15 to October 15. (Revegetation work using hand tools is not confined to this time period.)
- Avoid work in the portion of the streambed where flowing water is present or anticipated.
- Provide training sessions for work personnel to identify any sensitive species which may be in the area.
- Establish temporary construction fencing or flagging to identify the agreed limits of disturbance within the stream area.
- Place bridge at sufficient height above the stream to allow maximum flows and debris generated during a 100-year storm to pass beneath unrestricted.
- Locate bridge abutments outside the stream banks.
- Install scour protection materials so that they are properly aligned within the channel and otherwise engineered, installed and maintained, to assure resistance to washout, and erosion of the stream bed, stream banks and/or fill.
- Conduct a focused survey for active bird nests if grading, excavation or other project-related activities are scheduled during the typical nesting season of protected raptors and migratory birds (typically February 1 to August 31).
- Survey project area for indications of bat habitat by a qualified bat biologist prior to commencement of construction.
- Survey the project area by a qualified biologist for presence of special-status species that may be present within 48 hours prior to construction.
- Suspend work and notify CDFW if special-status species or listed species encountered during project construction.

- Visually check all sections of construction materials for the presence of wildlife sheltering within them prior to the pipe sections being placed and attached together, or have the ends capped while stored on site so as to prevent wildlife from entering.
- At the end of each work day, an escape ramp shall be placed at each end of any constructed open trench to allow animals that may have become entrapped in the trench to climb out overnight.

Construction Schedule

For the purpose of this analysis, it is assumed that construction activities for the proposed pedestrian bridge would occur over a period of four months. Following installation of the bridge, implementation of the Riparian Habitat Restoration Plan is anticipated to take one month to complete.

Required Discretionary Actions

The project requires Design Review by the City of St. Helena for construction activities associated with installation of the pedestrian bridge.

Other Public Agency Review

The project requires approval from the following public agency:

- California Department of Fish and Wildlife for a Streambed Alteration Agreement

Consultation Under AB 52

In accordance with AB 52 (PRC Section 21084.2), lead agencies are required to consider Tribal Cultural Resources (TCR) including a site feature, place, cultural landscape, sacred place or object, of cultural value to the tribe and is listed on the California Register of Historic Resources (CRHR) or a local register, or the Lead agency, at its discretion, chooses to treat resources as such. AB 52 mandates that a lead agency initiate consultation with a tribe with traditional and/or cultural affiliations in the geographic area where a subject project is located if a project may cause a substantial adverse change in the significance of a tribal cultural resource. Should the tribe respond requesting formal consultation in accordance with the procedural requirements of AB 52, the lead agency must work with the tribe or representative thereof to determine the level of environmental review warranted, identify impacts, and recommend avoidance or mitigation measures to reduce any potential impacts.

In accordance with AB 52, a summary of the proposed project was mailed to the following local tribes on March 15, 2017:

- Yocha Dehe Wintun Nation Tribe
- Cortina Band of Indians
- Wappo
- Middletown Rancheria of Pomo

A response requesting consultation under AB 52 was received from the Yocha Dehe Wintun Nation Tribe on April 24, 2017 following close of the 30-day response window. As a courtesy the City of St. Helena responded to the tribal representative offering to consult via email on May 11, 2017. As of June 12, 2017 no response from the Yocha Dehe representative has been received.

No other Tribes requested consultation under AB 52.

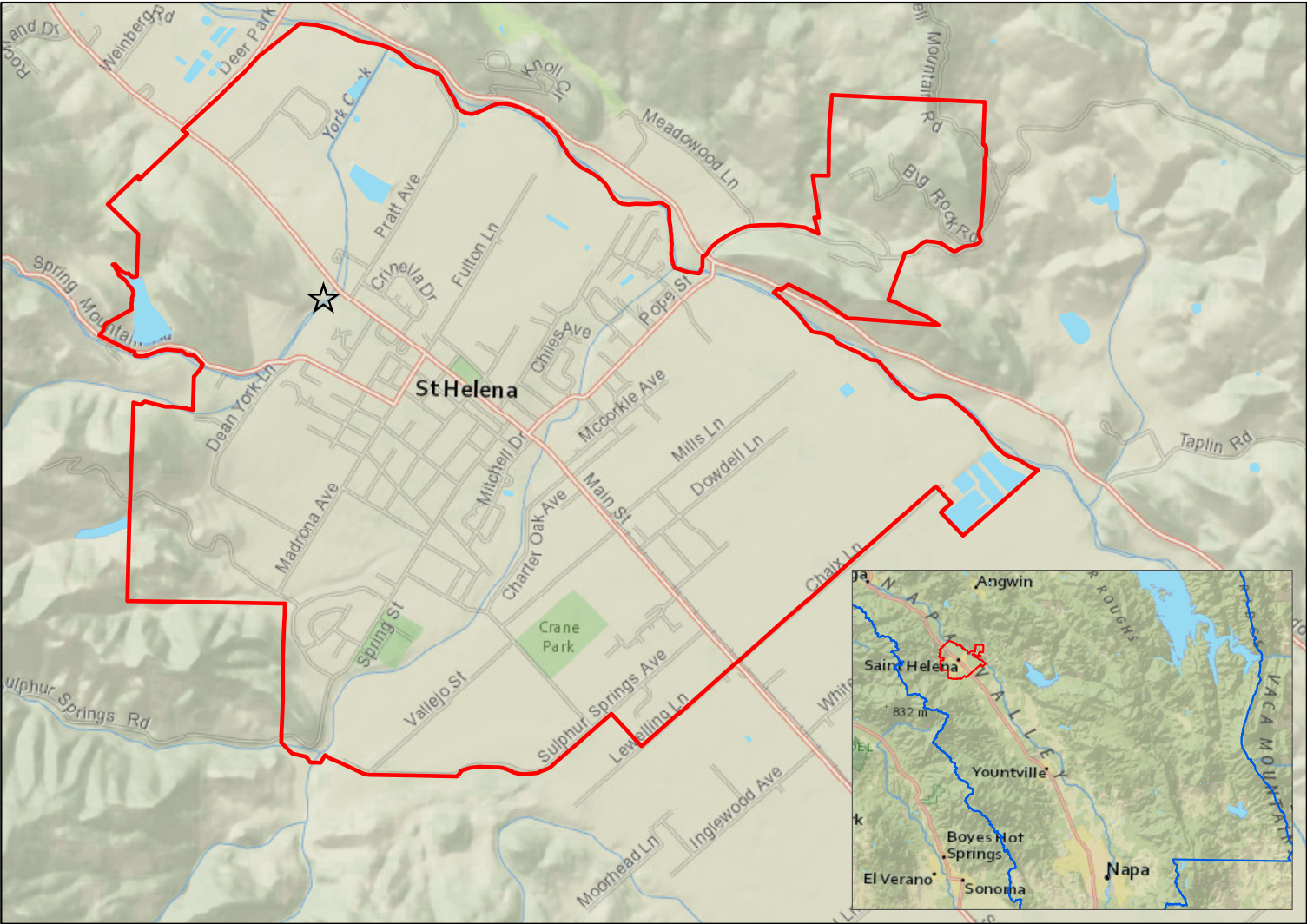
Documents Incorporated By Reference

CEQA Guidelines Section 15150 recognizes the desirability of reducing the volume of documentation necessary for environmental review and authorizes incorporation by reference any portion of relevant documents that provide

general background to the environmental document. As such, this Initial Study incorporates the following documents, which were reviewed as part of the analysis of certain topical sections provided herein:

1. City of St. Helena, 1993 General Plan;
2. City of St. Helena, 1993 General Plan EIR; and
3. City of St. Helena, Zoning Ordinance, as amended.

Additional documents not reflected in this section are identified and analyzed within the Initial Study. These documents are available for review at the City of St. Helena Planning Department, 1480 Main Street, St. Helena, CA 94574.



0 0.25 0.5 1 Miles



Service Layer Credits: Content may not reflect National Geographic's current map policy. Sources: National Geographic, Esri, DeLorme, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.

Regional Location Las Alcobas Bridge St. Helena, California

Figure 1

- ★ Project Site
- ▭ St. Helena City Limits
- ▭ Napa County

Data source: Napa County GIS

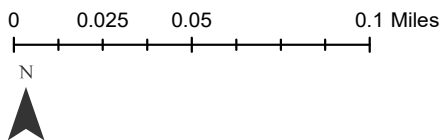
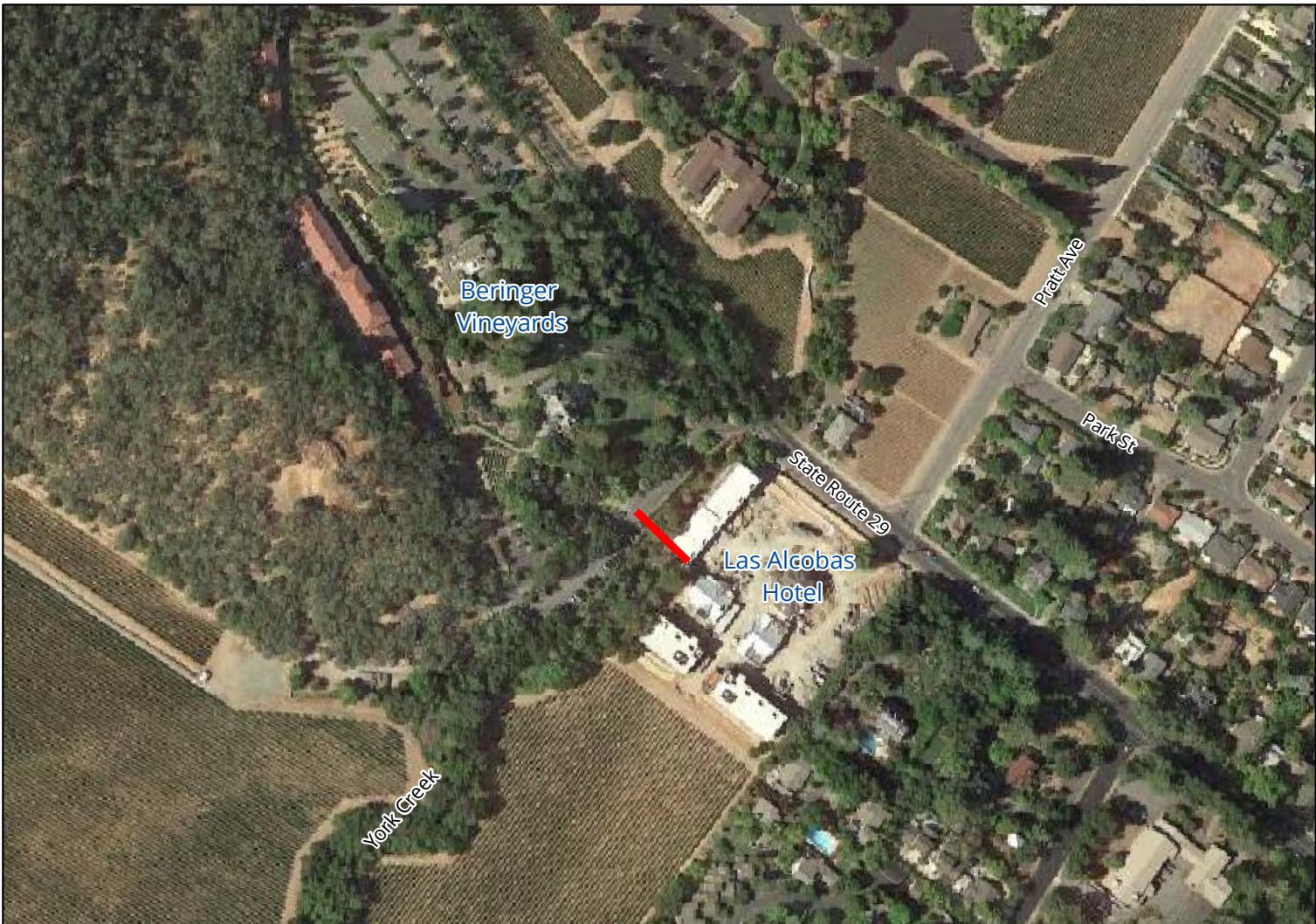
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Existing Conditions
Las Alcobas Bridge
St. Helena, California

Figure 2

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Project Vicinity
Las Alcobas Bridge
St. Helena, California

Figure 3

Las Alcobas Bridge

Data source: Napa County GIS;
US Census Bureau; Google Satellite Imagery

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3. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact Unless Mitigation is Incorporated" as indicated by the checklist on the following pages.

Aesthetics		Hazards & Hazardous Materials		Recreation	
Agricultural & Forestry		Hydrology / Water Quality	x	Transportation / Traffic	
Air Quality		Land Use / Planning		Tribal Cultural Resources	
Biological Resources	x	Mineral Resources		Utilities / Service Systems	
Cultural Resources	x	Noise		Mandatory Findings of Significance	
Geology / Soils		Population / Housing			
Greenhouse Gases		Public Services			

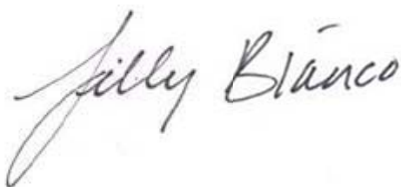
The CEQA Initial Study (IS) Checklist and written explanations are provided in Section 4 below. The IS Checklist and narrative indicate the level of significance of the potential environmental effects of the proposed project upon each of the noted environmental resources.

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**4. DETERMINATION
(TO BE COMPLETED BY THE LEAD AGENCY)**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	



June 13, 2017

Signature: Lilly Bianco, Associate Planner

Date

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5. EVALUATION OF ENVIRONMENTAL IMPACTS

The following discussion addresses the potential level of impact relating to each aspect of the environment.

5.1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
Sources: City of St. Helena 1993 General Plan; General Plan EIR; Project plans dated July 11, 2016; California Scenic Highway Mapping System, http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm , Accessed May 3, 2017.				

Existing Aesthetics Setting: The City of St. Helena is situated in the relatively narrow valley floor and framed by wooded foothills of the Mayacama and Vaca Mountain ranges located to the east and west, respectively. The valley floor undulates to the north and exhibits a gradual rise in elevation in a northerly direction of approximately 362 Feet above sea level which provides for the occasional interruptions in the vistas as viewed from the City. Foothills are readily visible from most locations in the flatland areas of the City, particularly from east/west oriented streets.

Natural features that contribute to the distinct character of St. Helena include Sulphur Creek, York Creek, the Napa River, and oak and bay wooded hillsides located at the north end of St. Helena and at the base of Howell Mountain Road, east of the Napa River. Agricultural land uses, primarily viticulture, account for approximately 48 percent of the city's land use. As such, the vineyards serve as dynamic visual features and are central in defining the visual character of the City. The long established urban form within the City limits contrasts with the surrounding natural and agricultural uses and provides for a distinct visual character. Notable visual features include distinctive architecture, tree lined streets, and the interspersed vineyards.

The project site is located on the west side of SR 29 across York Creek between the Las Alcobas Hotel and the Beringer Winery properties. The portion of York Creek within the project area is dominated by a mix of native, ornamental, non-native and invasive species consisting of native willows (*Salix spp.*), native valley oak (*Quercus lobata*), Oregon ash (*Fraxinus latifolia*), birch (*Betula sp.*), acacia (*Acacia sp.*), pine (*Pinus sp.*), locust (*Robinia sp.*), non-native Himalayan blackberry (*Rubus armeniacus*), California grape (*Vitis californica*), wine grape (*Vitis vinifera*), giant reed (*Arundo donax*), French broom (*Genista monspessulana*), torrent sedge (*Carex nudata*), water cress (*Nasturium officinale*), and oleander (*Nerum oleander*). The project site is surrounded by existing vegetation, paved roads, and existing development of the Las Alcobas Hotel and the Beringer Winery.

Aesthetics Impact Discussion:

5.1(a,c) (Effect a Scenic Resource or Vista, Degrade Visual Character) Less Than Significant Impact:

A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The City has not identified any specific vistas, but rather states that the sense of a strong connection to the surrounding agricultural open space and hillsides should be preserved in the future and that views of Vineyards, hillsides, creeks and major landscape features should be maintained.

Development activities within the project site include tree removal and the installation of a pedestrian bridge, which would change the existing visual character of the site. However, the proposed pedestrian bridge would be constructed adjacent to the existing Las Alcobas Hotel, which is three stories in height with a massing of approximately 190 feet in length along the south bank of York Creek. The proposed bridge would not introduce a new feature that would obscure existing views of hillsides or major landscape features. In addition, the aesthetic and visual resources within, and viewed from, the project site are partially limited due to the existing structures, trees, and vegetation.

The proposed project is subject to Design Review in order to ensure that the architectural style, massing, color and materials, and other proposed design elements of the pedestrian bridge are compatible with the existing character. The proposed project would implement a Riparian Habitat Restoration Plan as required by the Streambed Alteration Agreement. At a minimum, eight riparian trees will be planted to compensate for the proposed removal of eight trees from the project area. Native shrubs, grasses and groundcover will also be planted to provide a layered plant community and enhance the riparian corridor along York Creek at the project site.

Introduction of the proposed Las Alcobas Pedestrian Bridge over York Creek would not generate significant impacts to the visual character of the site. Therefore, potential impacts to scenic vistas and the existing visual character would be less than significant.

5.1(b) (Scenic Resources from Designated Scenic Highway) No Impact: There are no designated scenic highways within the City of St. Helena. The nearby SR 29 is considered eligible to be officially designated. However, the project site is located approximately 300 feet from SR 29 and mostly obscured from view because of existing structures, trees, and vegetation within the York Creek riparian corridor. As such, introduction of the proposed Las Alcobas Pedestrian Bridge will not damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings viewable from a designated (or eligible) State scenic highway. Therefore, the project will have no impacts to scenic resources.

5.1(d) (Light and Glare) No Impact: The project site is adjacent to existing development including the Las Alcobas Hotel and Beringer Winery, both of which are current sources of light and contribute to the ambient light conditions. Existing uses in the project area including hotel and winery guests, employees, and deliveries, introduce light and glare from the routine operation of vehicles as well as lighting from existing buildings and parking areas. The proposed bridge does not include the installation of any lighting and therefore would have no impact to existing ambient light conditions. Accordingly, there would be no impacts related to light and glare.

Mitigation Measures: None Required.

5.2. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan: Open Space and Conservation Element (6-1), (6-3); and California Department of Conservation Farmland Mapping and Monitoring Program.

Agricultural and Forestry Resources Setting: Agriculture remains a dominant land use in the City of St. Helena and the greater Napa County. Located within the northern portion of the Napa Valley; the majority of the City's land is located on the valley floor, where soils, weather, and water resources are conducive to viticulture. Viticulture serves as the most prolific agricultural use and requires relatively large parcels in contrast to other land uses in St. Helena. According to the 1993 General Plan, agricultural land comprises 47% of the incorporated area, and of that total, the majority of acres are actively cultivated with vineyards. The City of St. Helena promotes the retention of agricultural activities and discourages encroachment into agricultural lands through the application of land use designations directed to maintain large parcels for agricultural use and limiting residential and commercial development to within the Urban Limit Line (ULL) and to parcels already designated for such uses.

According to the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the project site is designated as "Urban and Built-up Land." Lands surrounding the project site are also designated as "Urban and Built-up Land." No portion of the project site is under Williamson Act contract.

In accordance with the definition provided in California Public Resources Code Section 12220(g), "forest land" is land that can support, under natural conditions, 10 percent native tree cover of any species, including hardwoods, and that allows for the preservation or management of forest-related resources such as timber, aesthetic value, fish and wildlife, biodiversity, water quality, recreational facilities, and other public benefits. The project site is dominated by a mix of native, ornamental, non-native and invasive plant species and would not meet the definition of forest land pursuant to Section 12220(g) of the Public Resources Code. None of the land within the project site is zoned as forest land, timberland zone, or timberland zoned Timberland Production.

Agricultural and Forestry Resources Impact Discussion:

5.2 (a-e) (Farmland Conversion, Williamson Act, Forestland, Timberland) No Impact: There are no forestlands, important farmlands, agricultural resources or agricultural preserves located within the project site and surrounding properties. The project site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The 2014 Napa County Important Farmland map shows the project site as "Urban and Built-up Land." Lands adjacent to the project site are also designated as "Urban and Built-Up Land." The project site is not under Williamson Act contract. There are no forestlands, timberlands or such zoning on the subject site or vicinity. The proposed project would have no impacts to agricultural resources or forest uses, and would not result in the conversion of such lands since none exist on-site or in the project vicinity. Therefore, the project would have no impact to agricultural and forestry resources.

Mitigation Measures: None Required.

5.3. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Exposure of sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐

Sources: City of St. Helena 1993 General Plan; General Plan EIR; BAAQMD 2017 Bay Area Clean Air Plan; and BAAQMD CEQA Guidelines May 2017.

Air Quality Setting: The City of St. Helena is located within the San Francisco Bay Area air basin regulated by the Bay Area Air Quality Management District (BAAQMD). Air quality within the Bay Area Air Basin is influenced by natural geographical and meteorological conditions as well as human activities such as construction and development, operation of vehicles, industry and manufacturing, and other anthropogenic emission sources. The Federal Clean Air Act and the California Clean Air Act establish national and state ambient air quality standards respectively. The BAAQMD is responsible for planning, implementing, and enforcing air quality standards within the Bay Area Air Basin, including the City of St. Helena.

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards; 0.09 parts per million (ppm) and 0.070 ppm, respectively. The Bay Area Air Basin is also in non-attainment for the PM₁₀ and PM_{2.5} state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m³ for PM₁₀ and less than 12 µg/m³ for PM_{2.5}. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM_{2.5}) standard and will be required to prepare a State Implementation Plan (SIP) for PM_{2.5}. All other national ambient air quality standards within the Bay Area Air Basin are in attainment.

Air quality emissions of carbon monoxide (CO), ozone precursors (ROG and NO_x) and particulate matter (PM₁₀ and PM_{2.5}) from construction and operation are evaluated pursuant to the BAAQMD CEQA Air Quality Guidelines established in May 2010³ and updated in May 2017. With release of the 2017 Bay Area Clean Air Plan (CAP) and the associated EIR, it is expected that updated thresholds and guidelines may be developed in the near term. In the absence of updated guidelines and thresholds, based upon its own judgment and analysis, the City of St. Helena recognizes that these thresholds represent the best available scientific data and has elected to rely on BAAQMD Guidelines dated May 2017 in determining screening levels and significance.⁴ BAAQMD air quality

³ Adopted by Board of Directors of the BAAQMD in June 2010 (Resolution No. 2010-6).

⁴ In March 2012, the Alameda County Superior Court ordered BAAQMD to set aside use of the significance thresholds within the BAAQMD 2010 CEQA Guidelines and cease dissemination until they complete an assessment of the environmental effects of the thresholds in accordance with CEQA. The Court found that the thresholds, themselves, constitute a "project" for which environmental review is required.

thresholds are presented in **Table 1** below.

Table 1: Air Quality Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82	82	15
PM _{2.5}	54	54	10
CO	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	
Single-Source Health Risks and Hazards for New Sources or New Receptors			
Excess Cancer Risk	> 10.0 per one million		
Chronic or Acute Hazard Index	> 1.0		
Incremental annual average PM _{2.5}	> 0.3 µg/m³		
Cumulative Health Risks and Hazards for Sensitive Receptors			
Excess Cancer Risk	> 100.0 per one million		
Chronic Hazard Index	> 10.0		
Annual Average PM _{2.5}	> 0.8 µg/m³		
Greenhouse Gas Emissions			
GHG Annual Emissions	Compliance with a Qualified GHG Reduction Strategy OR 1,100 metric tons or 4.6 metric tons per capita		
Source: BAAQMD's May 2017 CEQA Air Quality Guidelines Note: ROG = reactive organic gases, NO _x = nitrogen oxides, PM ₁₀ = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM _{2.5} = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less; and GHG = greenhouse gas.			

Air Quality Impact Discussion:

5.3(a) (Conflict With Applicable Air Quality Plan) Less Than Significant Impact: The BAAQMD adopted the 2017 Bay Area Clean Air Plan (CAP) on April 19, 2017 to comply with state air quality planning requirements set forth in the California Health & Safety Code. The 2017 CAP includes a wide range of control measures

In August 2013, the First District Court of Appeal reversed the Alameda County Superior Court's decision. The Court held that adoption of the thresholds was not a "project" subject to CEQA because environmental changes that might result from their adoption were too speculative to be considered "reasonably foreseeable" under CEQA. In December 2015, the California Supreme Court reversed the Court of Appeal's decision and remanded the matter back to the appellate court to reconsider the case in light of the Supreme Court's opinion. The BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The BAAQMD is currently working to update any outdated information in the Guidelines.

designed to decrease emissions of the air pollutants most harmful to Bay Area residents and which include particulate matter (PM), ozone (O₃), and toxic air contaminants (TACs). The CAP further endeavors to reduce emissions of methane and other “super-greenhouse gases (GHGs)” that are potent climate pollutants in the near-term and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

The proposed control strategy for the 2017 CAP consists of 85 distinct measures targeting a variety of local, regional, and global pollutants. The CAP includes control measures for stationary sources, transportation, energy, buildings, and agriculture, natural and working lands, waste management, water, and super-GHG pollutants. Implementation of some of the control measures could involve retrofitting, replacing, or installing new air pollution control equipment, changes in product formulations, or construction of infrastructure that have the potential to create air quality impacts.

The BAAQMD CEQA Guidelines set forth criteria for determining consistency with the CAP. In general, a project is consistent if a) the project supports the primary goals of the CAP, b) includes control measures and c) does not interfere with implementation of the CAP measures.

The proposed project would have a less than significant impact due to a conflict with the Clean Air planning efforts since, a) the project supports the goals of the CAP in that it encourages pedestrians to walk between the hotel and winery instead of take their cars; b) includes control measures to protect air quality during construction by implementing best control measures set forth by BAAQMD; and c) the proposed project would generate air quality emissions well below the BAAQMD criteria pollutant thresholds (see Section 5.3(b-c) below). Therefore, the project will have less than significant impacts due to a conflict with the regional air quality plan.

5.3(b-c) (Violate Air Quality Emission Standards) Less Than Significant with Mitigation: Air quality emissions associated with the proposed project would result from short-term construction activities. No air quality impacts would be generated from operation of the project. BAAQMD Guidelines, as adopted in 2010 and updated May 2017 include “screening criteria” that provide a conservative estimate above which a project would be considered to have a potentially significant impact to air quality. Projects that are below the screening criteria threshold are reasonably expected to result in less than significant impacts to air quality since pollutant generation would be minimal.

Given the nature of the proposed project (i.e., installation of a pedestrian bridge and riparian habitat restoration) there will be negligible air quality emissions during construction and a potential reduction in air quality emission at operation since the project provides pedestrian connectivity and an opportunity to reduce vehicle trips for guests between the Las Alcobas Hotel and the Beringer Winery properties.

Construction includes minor grading around the bridge abutments, and the removal of vegetation, grasses, and trees. During construction activities at the project site would generate temporary air pollutant emissions associated with site preparation, ground disturbance, the operation of heavy-duty construction equipment, workers traveling to and from the site, and the delivery of material to the project site. These activities may create temporary emissions of fugitive dust from site grading, and the release of toxic air contaminants, particulate matter, and ozone precursors (ROG and NO_x) from combustion of fuel and the operation of heavy-duty construction equipment. The project includes the construction of a pedestrian bridge within an approximately 0.07-acre site, which is well below the BAAQMD screening level for projects. At most, construction equipment will include two backhoes, one long arm excavator, and one small crane. Air quality emissions generated from construction equipment will not approach levels that exceed BAAQMD thresholds and impacts would be less than significant.

The BAAQMD CEQA Air Quality Guidelines consider contributions of fugitive dust to be less-than-significant if best management practices (BMPs) are implemented to reduce emissions. As such, **Mitigation Measure AQ-1**, which provides for a variety of dust control measures during construction activities including watering the project site, covering haul loads, limiting idling time, and temporarily halting construction when winds are greater than 15 miles per hour, is set forth below. With the implementation of Mitigation Measure AQ-1 (BAAQMD-recommended best management practices), air quality emissions from construction activities will be further minimized and the project will have less than significant impacts to air quality.

At operation, the project, as a pedestrian bridge, would not generate any air quality emissions. Therefore, there would be no impact related to the violation of an air quality standard at operation of the proposed project.

5.3(d) (Exposure sensitive receptors to Pollutant Concentrations) Less Than Significant with Mitigation: The BAAQMD defines sensitive receptors as “facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses.” Sensitive receptors may include schools, hospitals or residential areas. In St. Helena, sensitive receptors include residential land uses, elementary, junior and high schools, and hospitals, care facilities and convalescent homes. The nearest sensitive receptors are located in the immediate vicinity as children and the elderly could be visitors or guests at the Beringer Winery and Las Alcobas Hotel. Due to the proximity of sensitive receptors, the project has the potential to generate temporary air quality impacts associated with fugitive dust emissions during construction activities.

In order to ensure that fugitive dust emissions are reduced to levels below significance **Mitigation Measure AQ-1** shall be implemented. AQ-1 is set forth pursuant to BAAQMD Basic Control Strategies and requires covering haul trucks, watering during active ground disturbance, limiting idling time, proper maintenance of equipment, and other standard measures. With implementation of AQ-1 potential impacts to sensitive receptors during construction will be reduced to levels below significance.

At operation, the project, as a pedestrian bridge, would not generate any air quality emissions. Therefore, there would be no impact related to the exposure of sensitive receptors to pollutants at operation of the proposed project.

5.3(e) (Objectionable Odors) Less Than Significant Impact: There may occasionally be localized odors during installation of the proposed pedestrian bridge associated with construction equipment and concrete pouring. Odors associated with construction are short term in duration and will cease once construction is complete. The level of odors associated with construction will be minimal given the limited scope and scale of the project. The pedestrian bridge will not generate excessive odors or dust (as described above) that affects a substantial number of people. Therefore, the project will have less than significant impacts to air quality due to objectionable odors.

Mitigation Measures:

AQ-1: Latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition and construction plans to require implementation of the following (the following shall be augmented as warranted based on forthcoming BAAQMD updated recommended mitigation measures that may be in effect when onsite development is proposed in the future):

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per day using recycled water.
2. All haul trucks transporting soil, sand, or other loose material shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation.
8. Construction equipment staging shall occur as far as possible from existing sensitive receptors (away from the southeast property line and surrounding residences).
9. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

5.4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (Formerly Fish and Game) or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (formerly Fish and Game) or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan: Open Space and Conservation Element (6-1), (6-2), (6-6); Wildlife Research Associates and Jane Valerius Environmental Consulting, Habitat Assessment for the Las Alcobas Bridge Crossing, St. Helena, Napa County, California, September 29, 2016; Jane Valerius Environmental Consulting, Riparian Habitat Restoration Plan for the Las Alcobas Bridge Project, St. Helena, Napa County, California, October 31, 2016; Draft Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3) entered between Guneet Bajwa, project applicant, and the California Department of Fish and Wildlife.

Biological Resources Setting: Biological resources are protected by state and federal statutes including the Federal Endangered Species Act (FESA), the California Endangered Species Act (CESA), the Clean Water Act (CWA), and the Migratory Bird Treaty Act (MBTA). These regulations provide the legal protection for plant and animal species of concern and their habitat at the state and federal level.

As reported in the General Plan, the City of St. Helena exhibits suitable habitat to support plant and animal species with special-status. The City also contains species that are identified in the California Natural Diversity Database (CNDDB) due to rarity and threats, and are considered sensitive resources.

A site specific Habitat Assessment was prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting (**Appendix C**). The Habitat Assessment presents the findings of a review of scientific literature and reports detailing previous studies conducted in the area, and the California Department of Fish and Wildlife's (CDFW) Natural Diversity Data Base (CNDDB) for reported occurrences of special-status vegetation communities, plants and animals. As part of the Habitat Assessment, a site visit was conducted on September 9, 2016 to evaluate the potential for occurrence of 41 special-status plant species, and 38 special-status wildlife species known to be present or potentially present in the region.

York Creek in the project area is dominated by a mix of native, ornamental, non-native and invasive species. Native willows (*Salix spp.*) are present within the project area along with native valley oak (*Quercus lobata*) and Oregon ash (*Fraxinus latifolia*) trees. Non-native trees in the project area include birch (*Betula sp.*), acacia (*Acacia sp.*), pine (*Pinus sp.*) and locust (*Robinia sp.*).

The creek banks are covered by non-native Himalayan blackberry (*Rubus armeniacus*) along with native California grape (*Vitis californica*) and some wine grape (*Vitis vinifera*). Other non-native and aggressive or noxious weedy plants along the creek bank include giant reed (*Arundo donax*) and French broom (*Genista monspessulana*). The creek bottom is cobble lined and generally lacks any wetland vegetation with the exception of some torrent sedge (*Carex nudata*) and water cress (*Nasturium officinale*).

Landscaped ornamental species, specifically oleander (*Nerum oleander*) are established along the top of bank on the Beringer Winery side of the proposed bridge crossing. A small palm and some locust trees are also located in this area.

Within the project area, York Creek runs from southwest to the northeast towards the Napa River. As described in the Central Napa River Watershed Project, York Creek drains a watershed of approximately 4.4 square miles. The project site is located within Reach 2, a 3,051 foot segment of the stream characterized as a B3 channel type, which are classified as moderately entrenched riffle dominated channels with infrequently spaced pools, very stable plan and profile, stable banks on moderate gradients with low width /depth ratios and cobble dominant substrates.⁵

York Creek is identified as a "Waters of the U.S." and state regulated by federal and state agencies. The U.S. Army Corps of Engineers (USACE) would take jurisdiction below the ordinary high water mark (OHWM) of the creek. However, no work will occur within the OHWM of the creek as part of the proposed project so no permit is required from the USACE. The CDFW maintains jurisdiction over the bed, bank, and riparian corridor of York Creek and therefore a permit from CDFW is required for the proposed alteration of the riparian corridor that will occur as part of the placement of the bridge abutments and vegetation removal to accommodate the proposed pedestrian bridge. The project applicant has applied to enter into a Streambed Alteration Agreement (Notification

⁵ Napa County Resource Conservation District, Central Napa River Watershed Project, October 2005.

No. 1600-2016-0346-R3) with the California Department of Fish and Wildlife (CDFW) and a draft Streambed Alteration Agreement has been prepared.

Upper York Creek Dam Removal

The City of St. Helena has received federal funding from the U.S. Environmental Protection Agency to remove an earthen dam and restore the channel cross-section on a 0.23-mile-segment of Upper York Creek in the upper Napa River watershed,⁶ which is approximately 2.5 miles upstream from the proposed project site. The Dam Removal Project will open access to 1.5 miles of steelhead spawning and rearing habitat currently obstructed by the existing dam. Implementation of the Dam Removal Project will be the culmination of 15 years of cooperative planning with resource agencies to remove an obsolete dam that is a complete barrier to fish passage and to restore aquatic habitat in the upstream degraded reservoir. Reconnecting Upper York Creek with the Napa River will help restore natural hydrologic functioning of the watershed including sediment and woody debris transport. The Dam Removal Project was initiated in 2016 and restoration activities are expected to be completed by 2019.

Biological Resources Impact Discussion:

5.4(a-b) (Adverse Effects to Sensitive Species and Habitats) Less Than Significant with Mitigation:

Certain vegetation communities and plant and animal species are designated as having special-status based on their overall rarity, endangerment, restricted distribution, and/or unique habitat requirements. In general, special-status is a combination of these factors that leads to the designation of a species as sensitive. The FESA outlines the procedures whereby species are listed as endangered or threatened and establishes a program for the conservation of such species and the habitats in which they occur. The CESA amends the California Fish and Game (Wildlife) Code to protect species deemed locally endangered and essentially expands the number of species protected under the FESA. Below is a description of the sensitive habitats and species that could occur on the project site or in the vicinity:

Special-status Vegetation Communities

No special-status vegetation communities occur within the proposed alignment of the pedestrian bridge crossing. However, although the mixed willow riparian vegetation is not a special-status vegetation community type, riparian woodlands and forests provide valuable and important wildlife habitat and other ecological functions. As such, willow riparian community is considered a sensitive natural community and is regulated by CDFW.

Placement of the bridge abutments at the top of bank of the creek will require the removal of approximately 144 square feet (0.003 acres) of the established mixed willow riparian community and will include the removal of eight trees along with some of the non-native herbaceous understory plants. The four trees to be removed to accommodate placement of the bridge include: one 9" dbh non-native locust; one 13" dbh non-native birch; one 9" dbh native willow and one 4" dbh native willow.

In addition, four non-native and mostly dead trees will be removed adjacent to the project site within the York Creek corridor as they represent a hazard. The tree roots and stumps will remain in the creek channel for erosion control and bank stabilization. However, the tree trunks and branches will be removed. The four trees to be removed include 10", 9", and 7" dbh birch trees and a 13" dbh dead tree of unknown species.

A total of approximately 144 square feet or 0.003 acres of riparian vegetation will be removed in conjunction with the proposed pedestrian bridge project. Outside top of bank on the Las Alcobas side of the creek, vegetation has previously been removed in conjunction with the recently completed hotel development. Vegetation on the Beringer side of the bridge crossing will include the removal of non-native trees and ornamental oleander bushes located at top of bank.

⁶ U.S. Environmental Protection Agency, Upper York Creek Dam Removal, Fish Passage, and Ecosystem Restoration, <https://www.epa.gov/sfbay-delta/upper-york-creek-dam-removal-fish-passage-and-ecosystem-restoration>, Accessed May 5, 2017.

As a stipulation of the Streambed Alteration Agreement, the applicant prepared a Riparian Habitat Restoration Plan⁷ for the project which has been submitted to CDFW. The Riparian Habitat Restoration Plan compensates for the proposed removal of eight trees and 144 square feet of willow vegetation within the riparian corridor. As required by **Mitigation Measure BIO-1**, to compensate for impacts due to removal of 144 square feet of the willow riparian community, the Riparian Habitat Restoration Plan identifies removal of non-native, weedy understory plants from a 216 square foot area along each bank of York Creek for a total of 432 square feet. After invasive species are removed, the area will be seeded in a native grass seed mix, for a total of 20 pounds of pure live seed per acre. At a minimum, eight riparian trees will be planted to compensate for the loss of eight trees from the project area. Only two of the eight trees to be removed are native; therefore, the proposed replanting of eight native trees is a 4:1 compensation for the loss of the two native willows. A minimum of 15 riparian shrubs will also be planted. With implementation of BIO-1, impacts to special-status vegetation communities would be reduced to less than significant levels.

Special-status Plant Species

No special-status plants were identified and none are likely to occur due to the altered and disturbed nature of the project site, dominance of non-native and invasive herbaceous plants, and lack of native herbaceous plant species. The riparian community along the creek banks is highly altered and dominated by Himalayan blackberry and grape vines that preclude other herbaceous species from the site. The creek generally lacks wetland vegetation and no special status wetland plants were observed at the time of the site visit. No special-status plant species were observed and none are expected to occur. Therefore, installation of the proposed pedestrian bridge will have no impacts to special-status plant species.

Special-status Animal Species

A total of 38 special-status animal species were evaluated for their potential to occur in the vicinity of the project site. Based on this evaluation, 18 special-status animal species were identified as potentially occurring in the vicinity of the project area. Of those 18 special-status animal species, the following fish or wildlife resources could be adversely impacted by construction activities if present:

- Steelhead trout (*Oncorhynchus mykiss*)
- Western pond turtle (*Clemmys marmorata*)
- Foothill yellow-legged frog (*Rana boylei*)
- Riparian woodrat
- Bat roosts
- Common aquatic and terrestrial species nesting birds

The Steelhead (*Oncorhynchus mykiss irideus*) Central California coast Distinct Population Segment was federally listed as Threatened in 1997. Critical Habitat was designated in 2005 along the Columbia River (Washington), Snake River Basin (Washington, Oregon, Idaho), and Willamette River (Washington, Oregon).⁸ It is State listed as a Species of Special Concern. The steelhead, also known as coastal rainbow trout, has a more rounded snout, with a bright pink stripe along the lateral line with spotted dorsal fins and a square or slightly forked caudal fin. Steelhead habitat occurs along the length of York Creek and steelhead have been reported in York Creek.

The Foothill yellow-legged frog (*Rana boylei*) is a Federal and State Species of Concern. This native frog ranges in size between 1.5 to 3.5 inches in length. This species typically inhabits rocky streams, preferring streams that are perennial than intermittent, but have been reported from intermittent streams. No protocol level surveys were conducted for this species as part of the habitat assessment. The closest reported sighting is in Sulphur Creek.

⁷ Jane Valerius Environmental Consulting, Riparian Habitat Restoration Plan for the Las Alcobas Bridge Project, St. Helena, Napa County, California, October 31, 2016.

⁸ NOAA Fisheries, Final Assessment of NOAA Fisheries' Critical Habitat Analytical Review Teams For 12 Evolutionarily Significant Units of West Coast Salmon and Steelhead, August 2005.

The Western pond turtle (*Emys marmorata*) is a CDFW State Species of Special Concern. Primary habitats include permanent water sources such as ponds, streams and rivers. It is often seen basking on logs, mud banks or mats of vegetation, although wild populations are wary and individuals will often plunge for cover after detecting movement from a considerable distance. No protocol surveys were conducted for this species as part of the habitat assessment. This species was not observed within the project area during field surveys. The Western pond turtle has been reported approximately 1 mile east of the study area, in the Napa River.

Nesting Passerines are protected under the MBTA and Fish and Game Code 3503.5, California Fully-protected species. Passerines have potential to nest within the proposed project area. Passerines (perching birds) observed potentially nesting in the trees on site include song sparrow and savannah sparrow. Nesting bird surveys were not conducted as part of the habitat assessment. Several species were observed on the site, and several shrubs located throughout the parcel provide suitable nesting habitat for birds.

Nesting Raptors-sharp-shinned hawk (*Accipiter striatus*) is protected under the MBTA and Fish and Game Code 3503.5, California Fully-protected species. Raptors nest in a variety of substrates, including burrows, tree cavities, ledges and stick nests. No surveys were conducted for these species as part of the habitat assessment given that, of the eight trees proposed for removal, none of them provide suitable nesting habitat for raptors due to the non-native grape and ivy growing into the upper branches of the dead trees. There is, however, the potential for raptors to nest within 500 feet of the proposed project site.

Several species of bats may occur in the area, including pallid bat (*Antrozous pallidus*), a California Species of Special Concern (SSC), western long-eared myotis (*Myotis evotis*), fringed myotis (*Myotis thysanodes*), Yuma myotis (*Myotis yumanensis*), and other *Myotis* species. Colonial bat species select a variety of trees and roost features, including tree cavities created by birds, squirrels, fire or rot damage, crevices and deep fissures in the wood or bark of a tree, and exfoliating bark. The two solitary bat species in this area are western red bat (*Lasiurus blossevillei*), also SSC, and hoary bat (*Lasiurus cinereus*). A bat habitat assessment of the trees was not conducted as part of the habitat assessment. The proposed pedestrian bridge alignment will not impact roosting bats because, of the eight trees that are proposed for removal, none of them supported cavities for roosting bats, and none of them provided suitable foliage habitat for roosting bats. However, potential roost habitat may occur in trees adjacent to the project area.

The potential adverse effects the project could have on the fish or wildlife resources identified above include: change in contour of channel, floodplain or bank (if modified); loss of natural riparian substrate and vegetation; loss of bank stability; increase of bank erosion; soil compaction or other disturbance to soil layer; disruption to nesting birds and other wildlife; and/or mortality of individuals. Loss of habitat, wildlife disruption, and mortality of individuals would be considered a potentially significant impact. As required by **Mitigation Measure BIO-1**, preconstruction surveys will be conducted for nesting birds and special-status wildlife species as stipulated in the Draft Streambed Alteration Agreement. If special-status species or listed species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity. With implementation of BIO-1, potential impacts to special-status wildlife species would be reduced to less than significant levels.

5.4(c) (Adverse Effects to Jurisdictional Waters) Less Than Significant with Mitigation: York Creek qualifies as a waters of the U.S. and state. However, by design, the project would not result in direct impacts to jurisdictional features including Sections 404 and 401 of the Clean Water Act (regulated by the US Army Corps of Engineers and the Regional Water Quality Control Board, respectively). However, construction activities could result in erosion and sediment runoff that could potentially impact jurisdictional waters if not controlled.

As required by **Mitigation Measure BIO-1**, erosion control measures shall be utilized throughout all phases of construction where sediment runoff from exposed slopes threatens to enter jurisdictional waters. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used where ever sediment has the potential to leave the work site and enter the stream. With implementation of BIO-1, potential impacts to jurisdictional features covered by Section 404 and 401 of the Clean Water Act will be reduced to less than significant levels.

5.4(d) (Adverse Effect to Wildlife Movement) Less Than Significant Impact: York Creek allows for unimpeded movement along the riparian corridor for both aquatic and terrestrial wildlife. The proposed bridge will not impede movement by terrestrial or aquatic species. Therefore, impacts due to a conflict with a movement corridor would be less than significant.

5.4(e) (Conflict with Local Ordinances) Less Than Significant with Mitigation: The City of St. Helena does not have an existing tree preservation policy or tree protection ordinance; however, the policies of Section 6.6 of the Open Space and Conservation Element of the 1993 St. Helena General Plan require the planting of replacement trees where existing significant trees cannot be saved. As stated in 4.4(a) above, at a minimum, eight riparian trees will be planted to compensate for the removal of eight trees from the project area, in accordance with **Mitigation Measure BIO-1**. Only two of the eight trees to be removed are native; therefore, the planting of eight native trees is a 4:1 compensation for the loss of the two native willows. With BIO-1, the project will be in compliance with the City's Local Ordinances and Policies and potential impacts due to removal of trees would be reduced to levels below significance.

5.4(f) (Conflicts with Habitat Conservation Plans) No Impact: At present, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan exists for the City of St. Helena. The properties on either side of the proposed pedestrian bridge crossing are currently fully developed, located within the boundaries of the urban limit line, are not designated open space, and do not support any significant animal or plant habitat. Therefore, the project will not conflict with the provisions of an adopted Habitat Conservation Plan or any other Natural Community Conservation Plan approved by a local, regional or state body.

Mitigation Measures:

BIO-1: The following measures shall be implemented to protect fish and wildlife resources, special-status vegetation communities, jurisdictional features, and trees. The measures below are derived from the Draft Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3), issued by the CDFW and shall be incorporated for the proposed project as follows or as otherwise directed in the Final Streambed Alteration Agreement:

- To compensate for impacts to 144 square feet of willow riparian, the non-native, weedy understory plants from a 216 square foot area along each bank of York Creek for a total of 432 square feet shall be removed and seeded in a native grass seed mix, for a total of 20 pounds of pure live seed per acre. At a minimum, eight riparian trees shall be planted to compensate for the removal of eight trees from the project area, and a minimum of 15 riparian shrubs shall be planted.
- If grading, excavation or other project-related activities are scheduled during the typical nesting season of protected raptors and migratory birds (typically February 1 to August 31), a focused survey for active nests of such birds shall be conducted by a Qualified Biologist within 15 days prior to the beginning of Project-related activities.
- Prior to work commencing, the project area shall be surveyed for indications of bat habitat by a qualified bat biologist. If bats are found, work shall cease. Bats shall not be disturbed without specific notice to and consultation with CDFW.
- Within 48 hours prior to construction, a CDFW approved Qualified Biologist shall survey the project area at the appropriate time of day for presence of special-status species that may be present.
- If special-status species or listed species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity.
- Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter jurisdictional waters. Erosion control measures, such as, silt

fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used wherever sediment has the potential to leave the work site and enter the stream.

5.5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Sources: City of St. Helena 1993 General Plan, Appendix A: Historic Resources, 1993; St. Helena General Plan, 7.0 Historic Resources Element, 1993; Napa County General Plan, "Cultural and Historic Resources", Community Character Section, Discussion, Dec 03, 2007 Revised Public Hearing Draft; The Archaeology of the Napa Region Edited By Robert F. Heizer Anthropological Records Vol. 12, No. 6, University of California Press, Berkeley and Los Angeles, 1953; Northwest Information Center File No. 16-1591 Dated May 4, 2017.

Cultural Resources Setting: St. Helena and the greater Napa Valley exhibit a long record of human occupation, extending as far back as 10,000-12,000 years, when Native Americans first inhabited the Napa Valley. At the time of first contact with European settlers of the area, the Wappo had established a village near present day St. Helena known as Annakatanoma. As such, the Napa Valley is known to contain numerous traces of past human activity, ranging from early Native American sites and artifacts to the relicts of historic-era agricultural and ranching activities. Resources have been identified at many locations throughout Napa County and are protected under various federal, state, and local statutes, including the California Environmental Quality Act (CEQA).

Within the City limits, more than 200 historic resources have been identified. Two major surveys conducted in 1978 and 2006 provide the basis for most of the historic resources identified in the City. Additionally individual resources and the Downtown Commercial District are listed on the National Register of Historic Places. St. Helena's Historic Commercial District includes 35 contributing resources and 13 non-contributing resources.⁹

Cultural Resources Study

A Record Search was conducted at the Northwest Information Center (NWIC) on May 4, 2017 (NWIC File #16-1591) for the proposed project by reviewing pertinent NWIC base maps that reference cultural resources records and reports, historic-period maps, and literature for Napa County (see **Appendix D**).

According to information on file at the NWIC, there have been eight cultural resource studies that cover approximately 30% of the project area. The project area contains no recorded archaeological resources. The

⁹ Text Contributing resources date from the historic period of significance established for the district. Non-contributing resources are those that, due to date of construction, alterations, or other factors, do not contribute to the district's historic significance or character.

State Office of Historic Preservation Historic Property Directory (OHP HPD) (which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places) lists 14 recorded buildings or structures within or adjacent to the proposed project area, and the project area is situated within a historic district. In addition to these inventories, the NWIC base maps show two recorded buildings or structures within the proposed project area.

Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Napa County have been found along rivers and creeks in areas populated by oak and buckeye, as well as a variety of plant resources. Sites are also found where there is access to a variety of aquatic animal resources. The project area is located on the western edge of Napa Valley in a flat area straddling York Creek. Given the similarity of one or more of these environmental factors, there is a moderate potential for unrecorded Native American resources in the proposed project area.

A review of historical literature and maps indicated the possibility of late 19th to early 20th century historic-period activity within the project area. The proposed project area encompasses a portion of the historic Beringer Winery and its associated features, which appear on Buckman's 1895 and 1915 maps of Napa County. The project area also encompasses a portion of the property containing the historic Vann-Anderson House/St. Gothard's Inn, which dates to 1907 (now referred to as The Acacia House). With this in mind, there is a high potential for unrecorded historic-period archaeological resources in the proposed project area.

The 1945 and 1960 USGS St. Helena 15-minute topographic quadrangles depict at least one building or structure within the project area. If present, then these unrecorded buildings/structures meet the Office of Historic Preservation's minimum age standard that buildings, structures, and objects 45 years or older may be of historical value.

Paleontological Resources

A paleontological resources search performed using the University of California Museum of Paleontology's (UCMP) Miocene Mammal Mapping Project (MioMap) indicated no previous finds of paleontological resources on or in the immediate vicinity of the project site.¹⁰ According to the MioMap database, the closest paleontological find is located approximately three miles northeast of the project site.

Cultural Resources Impact Discussion:

5.5(a) (Historic Resources) No Impact: As described above, the vicinity of the proposed project site contains 14 recorded buildings or structures and at least one unrecorded building or structure. The project area is also located within the HP Overlay. However, the subject project site (across York Creek between Las Alcobas and Beringer Winery) does not contain any historic structures. The nearest historic structure to the project site is the Acacia House I, which was constructed in 1907 and rehabilitated in 2016 as part of the Las Alcobas Hotel Project. However, as a small pedestrian bridge across York Creek, the proposed project would not affect the integrity of any proximate historic buildings or structures. Therefore, no impacts to historic resources would occur.

5.5(b) (Archaeological Resources) Less Than Significant with Mitigation: As described above, there is a moderate potential of encountering unrecorded Native American resources and a high potential of encountering unrecorded historic-period archaeological resources in the project area. However, the abutment on the Las Alcobas Hotel property will be constructed within a previously disturbed area and the abutment on the Beringer Winery property will be constructed within an existing paved area. Based upon the size and location of disturbed soil, it is not expected that the excavation would result in the discovery of archaeological resources.

However, given the moderate to high potential for the occurrence of archeological resources, and the long history of human occupation in St. Helena, ground-disturbing activities still hold the potential to encounter unidentified

¹⁰ University of California Museum of Paleontology, Miocene Mammal Mapping Project (MioMap), <http://www.ucmp.berkeley.edu/miomap/>, Accessed May 10, 2017.

resources. It is expected that the depth of disturbance for the abutment foundations will range from approximately 3-5 feet below the ground.

Given the potential for the presence of undiscovered cultural resources associated with past Prehistoric human occupation in the vicinity of the project sites, **Mitigation Measure CUL-1** provides that, in the event that archeological resources are encountered during grading or excavation, all ground disturbing activity shall be halted immediately until a qualified archaeologist can evaluate the potential resource and recommend further action. Implementation of measure CUL-1 will ensure that in the event of accidental discovery the potential for the project to adversely impact or result in a change to the significance of archeological resources would be reduced to less than significant levels.

5.5(c) (Paleontological Resources) Less Than Significant with Mitigation: The St. Helena General Plan does not identify the presence of any paleontological or unique geological resources within the boundaries of the City Limits. Moreover, the areas proposed for excavation have been previously disturbed or developed and subject to ground disturbance. Therefore, limited expectation exists for paleontological resources to be present on the project site. Nevertheless, the potential remains for the discovery of buried paleontological resources. Because the potential for inadvertent discovery of paleontological or unique geological resources exists, **Mitigation Measure CUL-2**, as set forth below, will be implemented. CUL-2 will ensure that proper procedures are followed in the event of a paleontological discovery; thereby reducing potential impacts to levels below significance.

5.5(d) (Discovery of Human Remains) Less Than Significant: No evidence suggests that human remains have been interred within the boundaries of the project site. However, in the event that during ground disturbing activities human remains are discovered to be present, the applicant would be subject to the CA Health and Safety Code Section 7050.5, which mandates the immediate cessation of ground disturbing activities near or in any area potentially overlying adjacent human remains and contacting the Napa County Coroner. If it is determined by the Coroner that the discovered remains are of Native American descent, the Native American Heritage Commission shall be contacted immediately. If appropriate, the project sponsor shall retain a qualified archeologist to provide adequate inspection, recommendations and retrieval. Compliance with CA HSC Section 7050.5, as required under state law, and performance of actions therein, will ensure that in the event of accidental discovery of historically significant remains, all impacts will remain at levels below significance.

Mitigation Measures:

CUL-1: If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100 foot radius of the find (or as otherwise directed by a qualified archeologist) shall be suspended for a time deemed sufficient for a qualified and city-approved archeologist to adequately evaluate and determine significance of the discovered resource, confer with tribal representative, as appropriate, and provide treatment recommendations. Should a significant cultural resource be identified, a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities.

CUL-2: In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.

5.6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Publication 42.	☐	☐	☐	☒
ii. Strong Seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan; General Plan EIR; Association of Bay Area Governments (ABAG), 2016 Napa County Earthquake Hazard Map, <http://resilience.abag.ca.gov/earthquakes/napa/>, Accessed May 5, 2017; Santa Rosa Quadrangle, California 7.5 Minute Series (Topographic)," prepared by the Resources Agency Department of Conservation, 1982.

Geology and Soils Setting: The Bay Area is one of the most seismically active regions in the Country. The City of St. Helena is located within the San Andreas Fault system, which is 44 miles wide and extends throughout much of the North Bay Area. The nearest active faults are: Rodgers Creek (13 miles west), Mayacama Central (14 miles northwest), Hunting Creek – Berryessa (17 miles northeast), Concord-Green Valley (18 miles southeast), West Napa (21 miles south), and San Andreas (33 miles west). No active faults directly traverse the City; however, potential exists for geologic hazards in and around the urban limit line associated with ground shaking, including: liquefaction, ground failure, and seismically-induced landslides.

Geology and Soils Impact Discussion:

5.6(a.i) (Faults) No Impact: Fault rupture occurs when the ground surface fractures as a result of fault movement during an earthquake and almost always follows preexisting fault traces, which are zones of weakness. Given that the project site is not part of the Alquist-Priolo Earthquake fault zone and no identified active faults traverse the site, there is no expectation that the site would be vulnerable to fault rupture. The nearest fault is the West Napa Fault, which exhibited movement in 2014. The northern limit of rupture for the West Napa Fault was 15 miles to the south of the project. Other nearby faults with surface rupture include the Rodgers Creek Fault, located approximately 13 miles west of the City and the San Andreas Fault zone, located 33 miles west. There is no risk of fault-related ground rupture during earthquakes within the limits of the site due to a known Alquist-Priolo Earthquake Fault Zone. Therefore, there are no impacts expected due to fault rupture at the project site.

5.6(a. ii) (Ground-Shaking) Less Than Significant Impact: The proximity of the City to the active Rodgers

Creek Fault and the West Napa Fault places it within Zone VII to VIII (strong to very severe) of the Modified Mercalli Intensity Shaking Severity Level. As such, the project site holds potential to expose people or structures to substantial adverse effects resulting from strong seismic ground shaking. The resulting vibrations would likely cause primary damage to the proposed pedestrian bridge with secondary effects being ground failures in loose alluvium or poorly compacted fill. Both the primary and secondary effects pose a potential risk of loss of life or property.

However, the proposed pedestrian bridge has been designed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Load and Resistance Factor Design (LRFD) Bridge Design Specifications. The foundation and structural design for the bridge also meets the standards set forth in the Building Code of Regulations, Title 24, Part 2 (the California Building Code 3.7-20 Chapter 3: Setting, Impacts, and Mitigation Measures [CBC]) and the California Public Resources Code, Division 2, Chapter 7.8 (the Seismic Hazards Mapping Act). The design specifications ensure that the proposed bridge would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death as a result of seismic activity. Therefore, potential impacts from ground shaking will have a less than significant impact.

5.6(a. iii) (Seismic-related ground failure/liquefaction) Less Than Significant Impact: Liquefaction is a phenomena associated with fine-grained, loosely-packed sands and gravels subjected to ground shaking as a result of seismic activity. Liquefaction can lead to total and/or differential settlement and is largely dependent upon the intensity of ground shaking and response of soils underlying the site. According to the Susceptibility Map of the San Francisco Bay Area, the project area is mapped as having a Moderate, High, and Very High susceptibility to liquefaction.¹¹

As previously stated, the proposed pedestrian bridge is designed in accordance with the AASHTO LRFD Bridge Design Specifications. The foundation and structural design for the bridge also meets the latest CBC regulations as well as state and local ordinances for seismic safety. Therefore, hazards related to ground failure and/or liquefaction are not anticipated and impacts will be less than significant.

5.6(a. iv) (Landslide) No Impact: The risk of landslide is dictated by several factors including precipitation conditions, soil types, steepness of slope, vegetation, seismic conditions and level of human disturbance. When certain conditions are present, landslides can be triggered as a result of seismic activity. Landslides have been known to occur within Napa County, but are typically confined to slopes steeper than 15% and occur in areas underlain by geologic units that have demonstrated stability problems. Based on the site's relatively flat topography, the subject pedestrian bridge is not located in an area susceptible to landslides. Therefore, the project will have no impacts due to loss of structures or life from landslides.

5.6(b) (Erosion) Less Than Significant Impact: Development of the project will require site preparation and grading activities that will potentially result in soil erosion or the loss of topsoil if not properly controlled. Water and wind serve as the primary catalyst of soil erosion, with steeper slopes intensifying the effects. Vegetation removal as part of the site preparation process as well as grading and ground disturbing activities associated with development can heighten the potential for and accelerate soil erosion.

Project activities are not expected to generate a substantial loss in topsoil, but will involve the removal of vegetation such as brush, trees and root systems, and dense growths of grass. Accordingly, construction activities do hold the potential to result in soil erosion if not properly performed. However, all ground disturbing activities associated with the project will be carried out pursuant to the City of St. Helena's Erosion and Sediment Control Plan requirements (Chapter 13.32.090 D.3 of the Municipal Code) as required pursuant to St. Helena Municipal Code and included as a condition of project approval. The erosion control plan is required to identify techniques such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during construction activity on the project site.

¹¹ USGS, Susceptibility Map of the San Francisco Bay Area, <https://geomaps.wr.usgs.gov/sfgeo/liquefaction/susceptibility.html>, Accessed May 5, 2017.

Further, as stated in section 5.4(c) of this document, **Mitigation Measure BIO-1** would be implemented, which requires that erosion control measures be utilized throughout all phases of construction where sediment runoff from exposed slopes threatens to enter jurisdictional waters. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used where ever sediment has the potential to leave the work site and enter the stream.

Adherence to uniformly applied development standards, including the preparation of an Erosion and Sediment Control Plan, as well as BIO-1, will ensure that any potential impacts due to erosion and sedimentation will be reduced to less than significant levels. Therefore, the project will generate a less than significant impact related to soil erosion or loss of topsoil.

5.6(c,d) (Unstable Geologic Unit, Expansive Soils) Less than Significant Impact: Lateral spreading, lurching and associated ground failure can occur during strong ground shaking on certain soil substrate typically on slopes. Lurching generally occurs along the tops of slopes where stiff soils are underlain by soft deposits or along steep channel banks whereas lateral spreading generally occurs where liquefiable deposits flow towards a “free face,” such as channel banks, during an earthquake.

The project site could contain soils that exhibit expansive potential. In general, expansive soils tend to swell with increases in soil moisture and shrink as the soil moisture decreases. Changes in soil moisture content can compromise the integrity of foundations, retaining walls and slab on grade improvements from differential movements (settlement or heave).

As previously stated, the proposed pedestrian bridge has been designed in accordance with the AASHTO LRFD Bridge Design Specifications. The foundation and structural design for the bridge also meets the latest CBC regulations as well as state and local ordinances for seismic safety. Therefore, the project would have less than significant impacts due to the presence of expansive soils or a geologic unit or soil that is unstable, or that would become unstable as a result of the project.

5.6(e) (Septic Tanks) No Impact: There are no onsite septic tanks or alternative wastewater treatment facilities proposed as part of the Project. Therefore, there would be no impacts due to the disposal of wastewater where sewers are not available.

Mitigation Measures: None Required.

5.7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan; General Plan EIR; BAAQMD 2017 Bay Area Clean Air Plan; BAAQMD CEQA Guidelines 2011.

Greenhouse Gas Setting: Greenhouse gases (GHGs) are generated from natural geological and biological processes and through human activities including the combustion of fossil fuels and industrial and agricultural processes. GHGs include carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₃), chlorofluorocarbons, hydrofluorocarbons and perfluorocarbons.

While GHGs are emitted locally they have global implications. GHGs trap heat in the atmosphere, which heats up the surface of the Earth. This concept is known as global warming and is contributing to climate change. Changing climatic conditions pose several potential adverse impacts including sea level rise, increased risk of wildfires, degraded ecological systems, deteriorated public health, and decreased water supplies.

To address GHG's at the State level, the California legislature passed the California Global Warming Solutions Act in 2006 (Assembly Bill 32), which requires that statewide GHG emissions be reduced to 1990 levels by 2020. Executive Order S-3-05 provides the California Environmental Protection Agency with the regulatory authority to coordinate the State's effort to achieve GHG reduction targets. S-3-05 goes beyond AB 32 and calls for an 80 percent reduction below 1990 levels by 2050. Senate Bill 375 has also been adopted, which seeks to curb GHGs by reducing urban sprawl and vehicle miles traveled.

The BAAQMD CEQA Air Quality Guidelines, which included thresholds of significance for greenhouse gas emissions, were established in May 2010¹² and updated in May 2017. With release of the 2017 Bay Area Clean Air Plan (CAP) and the associated EIR, it is expected that updated thresholds and guidelines may be developed in the near term. In the absence of updated guidelines and thresholds, based upon its own judgment and analysis, the City of St. Helena recognizes these thresholds represent the best available scientific data and has elected to rely on BAAQMD Guidelines dated May 2017 in determining screening levels and significance.¹³ Based on the BAAQMD Guidelines, a project is considered to have a less-than-significant impact due to GHG emissions if it:

1. Complies with an adopted Qualified GHG Reduction Strategy;
2. Emits less than 1,100 metric tons (MT) CO₂e per year; or
3. Emits less than 4.6 MT CO₂e per service population per year (residents and employees).

The City of St. Helena does not have a qualified GHG Reduction Strategy pursuant to the BAAQMD Guidelines.

Greenhouse Gas Emissions Impact Discussion:

5.7(a) (Significant GHG Emissions) Less Than Significant Impact: GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There will not be any long-term operational emissions associated with the proposed project.

The BAAQMD does not have an adopted Threshold of Significance for construction-related GHG emissions. Rather, BAAQMD encourages the incorporation of best management practices to reduce GHG emissions during construction. Best management practices are specified under **Mitigation Measure AQ-1**. Furthermore, construction activities associated with installation of the proposed pedestrian bridge will be minimal since only a few pieces of construction equipment will be operating and ground disturbance is limited to the bridge abutment pads and restoration activities within the riparian corridor. Therefore, potential impacts associated with construction of the proposed Las Alcobas Pedestrian Bridge will be less than significant.

5.7(b) (Conflict with GHG Plan) No Impact: As a pedestrian bridge, providing non-vehicle access between two existing developed uses, the proposed project is consistent with all applicable local plans, policies, and regulation related to GHG emissions and does not conflict with the stipulations of AB 32, the applicable air quality plan, or any other State or regional plan, policy, or regulation of an agency for the purpose of reducing greenhouse gas emissions. The proposed bridge provides pedestrian connectivity between two established uses.

¹² Adopted by Board of Directors of the BAAQMD in June 2010 (Resolution No. 2010-6).

¹³ In March 2012, the Alameda County Superior Court ordered BAAQMD to set aside use of the significance thresholds within the BAAQMD 2010 CEQA Guidelines and cease dissemination until they complete an assessment of the environmental effects of the thresholds in accordance with CEQA. The Court found that the thresholds, themselves, constitute a "project" for which environmental review is required. In August 2013, the First District Court of Appeal reversed the Alameda County Superior Court's decision. The Court held that adoption of the thresholds was not a "project" subject to CEQA because environmental changes that might result from their adoption were too speculative to be considered "reasonably foreseeable" under CEQA. In December 2015, the California Supreme Court reversed the Court of Appeal's decision and remanded the matter back to the appellate court to reconsider the case in light of the Supreme Court's opinion. The BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The BAAQMD is currently working to update any outdated information in the Guidelines.

Therefore, the Las Alcobas Pedestrian Bridge would have no impacts due to a conflict with local, regional and statewide GHG control plans.

Mitigation Measures: None Required.

5.8. HAZARDS/HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan; EnviroStor Database (accessed 5/9/17); GeoTracker Database (accessed 5/9/17); Calfire Wildland Hazards Map, Adopted 11/2007.

Hazardous Material Setting: The California Department of Toxic Substances Control (DTSC) defines a hazardous material as: "a substance or combination of substances that, because of its quantity, concentration or physical, chemical, or infectious characteristics, may either: 1) cause, or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed." Regulations governing the use, management, handling, transportation and disposal of

hazardous waste and materials are administered by Federal, State and local governmental agencies. Pursuant to the Planning and Zoning Law, DTSC maintains a hazardous waste and substances site list, also known as the "Cortese List." Existing hazardous materials and/or waste within St. Helena include underground storage tanks, Polychlorinated Biphenyls (PCBs), asbestos, and pesticides.

Hazardous waste management in St. Helena is administered by the Napa County Department of Environmental Management (DEM) through the Certified Uniform Program Agency. The CUPA program oversees five hazardous materials programs: Hazardous Materials Management Plans (HMMP) program, California Accidental Release Prevention (CalARP) program, underground storage tank (UST) programs, aboveground storage tank (AST) programs, and hazardous waste generation and disposal. The California Department of Industrial Relations, Division of Occupational Safety and Health (DOSH) (formerly known as Cal/OSHA), is charged with enforcement of state regulation and the supervision of workplaces in California that are not under direct federal jurisdiction. State worker health and safety regulation applicable to construction workers include training requirements for hazardous waste operation and emergency response.

A review of available records, databases (EnviroStor and GeoTracker) and reports indicate that the project site is located approximately 0.8 mile from a PG & E Voluntary Cleanup site. There are no open "Leaking Underground Storage Tank (LUST) Cleanup Sites" and no open "Cleanup Program Sites" in the vicinity of the proposed project.

Hazards/Hazardous Materials Impact Discussion:

5.8(a,b) (Routine Transport, Upset and Accident Involving Release) Less Than Significant Impact: Site preparation and construction activities will result in the temporary presence of potentially hazardous materials including, but not limited to fuels and lubricants, paints, solvents, insulation, electrical wiring, and other construction related materials onsite. Although these potentially hazardous materials may be present onsite during construction, the applicant is required to comply with all existing federal, state and local safety regulations governing the transportation, use, handling, storage and disposal of potentially hazardous materials. Once construction is complete there will not be any ongoing use or generation of hazardous materials onsite.

During site preparation and construction activities Best Management Practices (BMPs) will be implemented in accordance with the City's Municipal Code Chapter 13.32 Stormwater and Runoff Pollution Control requirements. BMPs include measures to prevent spills and require onsite materials for cleanup. The applicant is required to comply with all federal and state regulations as overseen by Napa County's CUPA. Accordingly, compliance with all applicable local, state and federal laws will ensure that potential impacts related to the creation of a significant hazard are at less than significant levels to routine, upset or accidental release.

5.8(c) (Emit or Handle Hazardous Materials Within ¼ Mile of School) No Impact: Robertson Louis Stevenson Middle School is located approximately 0.2 mile southeast of the project site. As a pedestrian bridge, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste, during operations. Therefore, the project will have no impacts due to the release or handling of hazardous materials proximate to schools.

5.8(d) (Existing Hazardous Material Sites) No Impact: The California Environmental Protection Agency (CAL-EPA) annually updates the California Hazardous Waste and Substances Site List (also known as the Cortese List"). The Department of Toxic Substances Control (DTSC) compiles a record of sites to be included on the list, which is then submitted to the CAL-EPA. A search of EnviroStor, performed on May 9, 2017, showed no cleanup sites within the project vicinity. A search of Geotracker, performed on May 9, 2017, showed no open "LUST Cleanup Sites" and no open "Cleanup Program Sites" in the vicinity of the proposed project. There is no indication of spills, leaks, or contaminated soils on the project site. The project will not create a significant hazard to the public or the environment by virtue of it being located on an identified Cortese site. Therefore, the project will have no impacts due to existing hazardous materials onsite or in the vicinity.

5.8(e,f) (Public Airport Land Use Plans, Private Airport Land Use Plans) No Impact: The project is not located within the boundaries of an airport land use plan or located in close proximity to a private airstrip; the nearest airport is the Napa County Airport located approximately 23 miles south of the project site. Therefore, the project would have no impacts associated with airport-related hazards.

5.8(g) (Impair Emergency Response Plan) No Impact: The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. As a pedestrian bridge, the project will not alter any existing emergency response or evacuation routes. California has developed an emergency response plan to coordinate emergency services by federal, state, and local government, including responding to hazardous materials incidents. The State Office of Emergency Services (OES) employs a Hazardous Materials (Haz Mat) Division which enforces multiple programs that address hazardous materials. There are no aspects of the proposed project that will interfere with an adopted emergency or evacuation plan. Therefore, the project will have no impacts due to a conflict with the emergency response plan.

5.8(h) (Wildland Fire Hazards) No Impact: The City is characterized by a narrow valley floor surrounded and intermingled with steep hill terrain, containing areas which are susceptible to wildland fires. Wildland fires are of concern particularly in expansive areas of native vegetation of brush, woodland, grassland and forest. However, the project site is located within a developed area, and according to the 2007 CAL FIRE "Fire Hazard Severity Zones" Map, the site is located outside of the "Very High Fire Hazard Severity Zone" and categorized as Non-VHFWZ. Accordingly, the project will have no impacts related to the exposure of people or structure to wildland hazards.

Mitigation Measures: None Required.

5.9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☒ | ☐ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

Sources: Napa County General Plan; City of St. Helena 1993 General Plan; napawatersheds.org; City of St. Helena Comprehensive Flood Protection Project, year 3 Annual Status Report, prepared by Waterways Consulting, 12-15-13.

Hydrology and Water Quality Setting: The project site is located within the Napa River watershed which comprises an area of approximately 426 miles and extends in a northwesterly direction from San Pablo bay in the south to Mount St. Helena in the north over a distance of approximately 55 miles. The Napa River runs along the northeastern boundary of the City of St. Helena. The Napa River drains the watershed and discharges to the Napa Sonoma Marsh on the margins of the San Pablo Bay. Major tributaries serving the Napa River include York Creek and Sulphur Creek. The project site is located along York Creek, just upstream of its undercrossing at SR 29, approximately 1 mile west of its confluence with the Napa River. The proposed Las Alcobas Pedestrian Bridge is located within the dam inundation area for St. Helena Lower Dam, which is approximately 0.6 mile west of the project site.¹⁴

In 2011 the City completed major structural modifications to implement the St. Helena Flood Protection Project. The Flood Protection project introduced flood control facilities and drainage improvements to mitigate the 200 year flood event in areas proximate to the Napa River and its confluence with Sulphur Creek. The Flood project included river channel improvements, a levee and floodwall construction. Subsequent to installation of flood improvements, FEMA approved a Letter of Map Revision (LOMR) effectively updating the flood insurance rate map (FIRM) and respective flood sensitive areas. The revised map went into effect on November 5, 2012.

The project site crosses over York Creek, which is identified as FEMA Zone X, Other Areas, as delineated on map number 06055C0263E. According to this designation, the project site is located outside of the 0.2% annual chance floodplain.

Dischargers whose projects disturb one or more acres of soil, or whose projects disturb less than one acre, but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ from the State Water Resources Control Board.¹⁵ Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer.

The project site is less than one acre in size and would include new impervious surfaces outside the top of bank that are limited to the bridge abutments and access walkway. As the project would disturb less than one acre, it is not subject to the National Pollution Discharge Elimination System (NPDES) Construction General Permit, 2009-0009-DWQ (as amended by Order 2010-0014-DWQ). Nonetheless, as described above, the project will implement BMPs during construction and will be conditioned to comply with the City's Erosion Control Ordinance and is subject to a Streambed Alteration Agreement with the CDFW.

Surface water quality is regulated by the San Francisco Bay Regional Water Quality Control Board (RWQCB) via the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan). The RWQCB is responsible for implementing Section 401 of the Clean Water Act through the issuance of a Clean Water Certification when development includes potential impacts to jurisdictional areas such as creeks, wetlands or other Waters of the State. As described in Section 5.4(c) of this document, York Creek qualifies as a waters of the U.S. and state. However, by design, the project would not result in direct impacts to jurisdictional features including Sections 404 and 401 of the Clean Water Act (regulated by the US Army Corps of Engineers and the Regional Water Quality Control Board, respectively).

¹⁴ County of Napa, Dam Inundation Areas, October 2007.

¹⁵ State Water Resources Control Board, Construction General Permit Order 2009-0009-DWQ, http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml, Accessed May 16, 2017.

Hydrology and Water Quality Impact Discussion:

5.9(a,f) (Violations of Water Quality Standards, Otherwise Degrade Water Quality) Less Than Significant Impact with Mitigation: Construction activities would be limited to those required for installation of the proposed pedestrian bridge and restoration of the York Creek riparian corridor at the project site. Once completed, the project would provide a pedestrian bridge across York Creek with enhanced riparian plantings along top of bank and restoration in accordance with the streambed alteration agreement.

Construction activities have the potential to result in runoff that contains sediment and other pollutants that could degrade water quality if not properly controlled. Sources of potential pollution associated with construction include fuel, grease, oil and other fluids, concrete material, sediment, and litter. These pollutants have the potential to result in impacts due to chemical contamination from the release of construction equipment and materials that could pose a hazard to the environment or degrade water quality if not properly managed.

As required by **Mitigation Measure HYDRO-1**, erosion control measures shall be utilized throughout all phases of construction where sediment runoff from exposed slopes threatens to enter jurisdictional waters. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used wherever sediment has the potential to leave the work site and enter the stream. Therefore, with implementation of HYDRO-1, potential impacts to water quality from sedimentation and pollutants will be reduced to less than significant levels.

5.9(b) (Groundwater Supply and Recharge) No Impact: The project would not involve the use or extraction of groundwater, and no interference with groundwater recharge is anticipated. Construction, which is to occur during the dry season, would not include installing any temporary impermeable surfaces. After construction, it is anticipated that groundwater recharge rates within the project area would remain consistent with existing conditions. Therefore, the project will have no impact to groundwater supplies and recharge.

5.9(c-e) (Drainage Pattern, Runoff and Storm Drain Capacity) Less Than Significant Impact: The proposed project will not alter the course of a stream or river. The general direction and pattern of drainage following construction will match pre-development conditions. The proposed project would introduce new impervious surfaces onsite for the bridge abutments and access walkway, which would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Therefore, the project will not result in a drainage pattern that causes substantial erosion or siltation on- or off-site nor will it result in flooding on- or off-site. Therefore, impacts to the drainage pattern, storm drain system and runoff as a result of the proposed project would be less than significant.

5.9(g-h) (Flood Hazards) No Impact: Based on the Federal Emergency Management Agency's Flood Insurance Rate Map (FIRM) Panel 06055C0263E, the project site is located in Zone X, Other Areas. According to this designation, the project site is determined to be outside of the 0.2% annual chance floodplain. No housing construction is proposed as a part of the project. As such, the proposed project will not place residences or structures in a location with a significant risk due to flooding. Therefore, there would be no impacts due to flooding.

5.9(i) (Levee or Dam) Less Than Significant Impact: The proposed Las Alcobas Pedestrian Bridge is located within the dam inundation area for St. Helena Lower Dam, which is approximately 0.6 mile west of the project site. In the event of catastrophic failure of the St. Helena Lower Dam, the area around York Creek in the vicinity of the project site would be subject to inundation. However, dam safety is overseen by the Bureau of Reclamation Division of Dam Safety and dams are designed to withstand major earthquakes. Therefore, the likelihood of failure is very low. Nonetheless, should the St. Helena Lower Dam fail, impacts related to dam failure would be limited to flooding around the bridge and the associated walkway. As such, the failure of the dam would not expose people or structures to a significant risk of loss, injury or death involving flooding. Therefore, impacts would be considered less than significant.

5.9(j) (Seiche, Tsunami, Mudflow) No Impact: The project site is not located within an area that could be affected by seiche, tsunami, or mudflow. The proposed Las Alcobas Pedestrian Bridge would cross York Creek; however, because of the low flow contained within the creek, it does not have the capability of producing a

seiche or tsunami. There are no other substantial water bodies in the immediate vicinity of the project site that could impact the project site by seiche, tsunami or mudflow. Furthermore, according the California Department of Conservation, the project site is not located tsunami inundation map.¹⁶ Therefore, there will be no impact from inundation related to seiche, tsunami, or mudflow as a result of project implementation.

Mitigation Measures:

HYDRO-1: In order to protect water quality of York Creek and downstream waterways, the following shall be implemented during all construction and restoration activities:

1. Activities shall occur during the dry season from June 15 through October 15.
2. No phase of the project may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of a storm event if that construction phase may cause the introduction of sediments into the stream.
3. No construction materials or debris shall be discharged directly to York Creek.
4. All construction equipment and stockpiles shall be staged outside of the riparian corridor.
5. Construction equipment shall be maintained and fuelled offsite in designated staging areas only.
6. Equipment and materials for cleanup of spills shall be available on site and spills and leaks shall be cleaned up immediately and disposed of properly.
7. Sediment controls such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during active ground disturbance. Materials shall consist of natural fiber that biodegrade overtime. No plastics or non-porous materials shall be used for erosion control purposes.
8. No stockpiled soils shall remain exposed and unworked for more than 30 days.
9. Tracking dirt or other materials offsite shall be avoided and offsite paved areas and sidewalks/pavement shall be cleaned regularly using dry sweeping methods.
10. All exposed/disturbed areas and access points within the stream zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend of native erosion control grass seed. Seeded areas shall be mulched. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.

5.10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

¹⁶ California Department of Conservation, Napa County Tsunami Inundation USGS 24K Quads, http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Napa, Accessed May 17, 2017.

Sources: City of St. Helena 1993 General Plan and 6.0 Open Space & Conservation Element; St. Helena Bicycle Plan, January 2012.

Land Use and Planning Setting: The City of St. Helena is divided into two distinct areas: a developed “urban service area” and a more, rural, agricultural area located around the periphery such that the City exhibits a rather traditional landscape whereby commercial land uses are concentrated in the City center and along SR 29, with residential development radiating outwards to the northeast and southwest. The outer edge of the urban service area is demarcated by the urban limit line (ULL) which is a parcel specific boundary that marks the limit of allowed urban development. The intent of the ULL is to discourage urban sprawl and promote sensitive development which preserves the rural and agricultural lands around the City.

The project site is located within the City of St. Helena Urban Limit Line (ULL). The Beringer Winery parcel exhibits a General Plan Land Use Designation of Agriculture and is zoned as (W) winery. The Las Alcobas Hotel parcel exhibits a land use designation of Service Commercial and is zoned as (SC:PD:HP) service commercial with planned development and historic preservation overlay (adopted per resolution 2006-4 on 06-13-06).

The project site is surrounded by land designated as Agriculture to the north, Medium Density Residential to the east, Medium and Low Density Residential to the south, and Woodlands & Watershed and Parks & Recreation to the west.

The proposed project is subject to land use policies outlined in the St. Helena General Plan which has been adopted for the purpose of avoiding or mitigating an environmental effect. Applicable policies are outlined below:

Guiding Policies

6.2.1 Preserve and enhance St. Helena's riparian corridors for their value in providing visual amenity, drainage, and wildlife habitat.

6.2.10 Protect natural habitats which have the potential to support rare, endangered, or special status wildlife and plant species.

6.2.11 Preserve St. Helena's streams and associated riparian corridors as natural open space corridors.

6.4.5 Revegetate stream corridors that have been degraded by agriculture or other past practices, with native vegetation in order to enhance their value for habitat and recreation.

St. Helena Bicycle Plan

The St. Helena Bicycle Plan, dated January 2012, was developed as a component of the Napa County Transportation Authority's Countywide Bicycle Plan Update. The Plan is intended to guide and influence the development of bikeways, bicycle policies, bicycle programs and bicycle facility design standards to make bicycling throughout St. Helena and Napa County more safe, comfortable, convenient and enjoyable for all bicyclists. The overarching goal of the Bicycle Plan is to increase the number of persons who bicycle throughout St. Helena and Napa County for transportation to work, school, utilitarian purposes, and recreation.

According to the St. Helena Bicycle Plan, a Class I Multi-Use Path is proposed along York Creek. A Vine Trail Alignment Link, with a Class I Multi-Use Path and a Class II Bike Lane are proposed along SR 29 north of Pratt Avenue. A Class III Bike Route is proposed along SR 29 south of Pratt Avenue.

Land Use and Planning Impact Discussion:

5.10(a) (Divide An Established Community) No Impact: Division of an established community typically occurs when a new physical feature, in the form of an interstate or railroad, physically transects an area, thereby removing mobility and access within an established community. The division of an established community can also occur through the removal of an existing road or pathway, which would reduce or remove access between a community and outlying areas.

Construction of the proposed bridge would create a connection between the existing Beringer Winery and existing Las Alcobas Hotel. As such, the proposed project would not introduce a new physical feature that would remove mobility and access within an established community. Likewise, the project does not propose the removal of an existing road or pathway that could reduce or remove access between a community and outlying areas. Rather, the proposed pedestrian bridge would provide non-vehicular connectivity between two existing uses, thereby enhancing access. Therefore, the project would have no impact due to the physical division of an established community.

5.10(b) (Land Use Plan, Policy, Regulation Conflict) Less Than Significant Impact: The proposed project is required to comply with various policy documents, including the 1993 St. Helena General Plan, and the City of St. Helena's Zoning Ordinance. The proposed project does not involve any changes to land uses or zoning within the project site. The construction of a pedestrian bridge is compatible with the current land use and zoning designations for the project site, which are Agriculture and Service Commercial (land use) and winery and service commercial with planned development and historic preservation overlay (zoning).

The proposed project is also consistent with the St. Helena Bicycle Plan. Within the bicycle plan, a Class I Multi-Use Path is proposed along York Creek. Construction of the pedestrian bridge would not impede the establishment of a multi-use path along York Creek. Rather, it would provide a connection between the Las Alcobas Hotel and a planned future multi-use path envisioned along the Beringer side of York Creek.

The proposed project is subject to Design Review in order to ensure that the architectural style, massing, color and materials, and other proposed design elements of the pedestrian bridge are compatible with the existing character of the vicinity. Overall, the proposed project is consistent with the general objectives and guiding policies of the City of St. Helena. Therefore, the potential impacts due to a conflict with City of St. Helena regulations is considered to be less than significant.

5.10(c) (Habitat Conservation Plan) No Impact: The project is not located in an area that is subject to a habitat conservation plan or a natural community conservation plan. There are no conservation plans that apply to the City of St. Helena. Therefore, the project will have no impact to any conservation plan or natural community plan.

Mitigation Measures: None Required.

5.11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
Sources: City of St. Helena 1993 General Plan: Open Space and Conservation Element (6-5), (6-6); SMARA Maps, Napa County, 2008.				

Mineral Resources Setting: The California Surface Mining and Reclamation Act of 1975 (SMARA) identifies mineral resources within California. These maps identify and classify mineral resources as to their relative value for extraction. According to the 1993 General Plan, surface materials in the St. Helena area are classified as "recent alluvium." The depth of the alluvium is likely to be in the range of 250 to 500 feet. Additionally, the

General Plan states that there are no known mineral deposits of significance within the City with the exception of the aggregate (gravel) being mined from the stream bed of Sulphur Springs, which is west of SR 29 and not proximate to the project site. To date, no aggregate mineral resources or other significant mineral resources have been mapped within the City of St. Helena.

Mineral Resources Impact Discussion:

5.11(a-b) (Mineral Resources or Resource Plans) No Impact: The project site has not been delineated as a locally-important mineral resource recovery site on any plans, nor are mineral resources known to be present. As such, the project is not expected to result in the loss of availability of a known resource, including locally important mineral resources. Therefore, the project will have no impact to mineral resources.

Mitigation Measures: None Required.

5.12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan: Public Health and Safety Element (8-3).

Noise Setting: Noise is generally defined as unwanted sound. It is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). The sound pressure level is the most common descriptor used to characterize the loudness of an ambient (existing) sound level. The decibel (dB) scale is used to quantify sound intensity, but

given that the human ear is not equally sensitive to all frequencies in the entire spectrum, noise measurements are weighted more heavily for frequencies to which humans are sensitive in a process called "A-weighting," written as "dBA" and referred to as "A-weighted decibels". In general, human sound perception is such that a change in sound level of 1 dB cannot typically be perceived by the human ear, a change of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling the sound level.

The primary noise sources within the St. Helena City limits include vehicular traffic, the Napa Valley Wine Train, and agricultural activities (e.g. Vineyard frost fans, pumps in isolated areas, fixed machinery, and heavy vehicle traffic during harvest). Noise sources also include hot air balloon flyovers and limited industrial activities, particularly the Sulphur Springs gravel mining operation on Sulphur Springs Creek.

The City of St. Helena Municipal Code Section 8.24.010 (C), limits construction activities which generate noise that can be heard at the property line of any parcel of real property within the city limits to between the hours of 8:00 a.m. to 5:00 p.m. and delivery of materials/equipment and cleaning and servicing of machines/equipment limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the public works director. No construction activities which generate noise that can be heard at the property line of any parcel of real property within the city limits are allowed on Sundays or Holidays. Operational noise levels are addressed by the General Plan's Noise Element according to land use type. For example, residential land uses are considered completely compatible with noise exposures of up to 55 dBA and tentatively compatible in noise exposure areas of up to 60 dBA.

Noise Impact Discussion:

5.12(a,d) (Noise Standards, Temporary or Periodic Noise Increase) Less Than Significant Impact:

Traffic is the primary noise generator in the vicinity of the project site. The project site is also subject to noise generated by agricultural activities on adjacent properties. Construction activities would result in temporary and intermittent noise increases in the vicinity from the use of heavy equipment and truck traffic for material delivery and off-haul of materials. Construction noise associated with the proposed installation of the Las Alcobas Pedestrian Bridge would have negligible impacts on workers and persons visiting the Beringer Winery and Las Alcobas Hotel. Construction activities would be limited to weekdays from 7:00 a.m. to 6:00 p.m. and nighttime construction is not expected to be necessary. The proposed improvements would therefore comply with the requirements of the City of St. Helena Municipal Code Section 8.24.010 (C), as construction would not occur during the restricted times. Construction-related noise impacts would be temporary and cease once construction is complete. Therefore, impacts from noise would be less than significant.

5.12(b) (Groundborne Vibration and Noise) Less Than Significant Impact: Operation of heavy construction equipment, particularly pile driving and other impact devices such as pavement breakers create seismic waves that radiate along the surface of the earth. These surface waves can be felt as ground vibration. Vibration from operation of this equipment can result in effects ranging from annoyance of people to damage of structures. Varying geology and distance will result in different vibration levels containing different frequencies and displacements. In all cases, vibration amplitudes will decrease with increasing distance.

Perceptible ground-borne vibration is generally limited to areas within a few hundred feet of construction activities. As seismic waves travel outward from a vibration source, they excite the particles of rock and soil through which they pass and cause them to oscillate. The rate or velocity (in inches per second) at which these particles move is the commonly accepted descriptor of the vibration amplitude, referred to as the peak particle velocity (PPV).

Construction activities associated with installation of the proposed pedestrian bridge would occur adjacent to the existing Las Alcobas Hotel. However, the project will only require minor construction activities that would not generate excessive groundborne vibration or noise. The following equipment is proposed to be used: backhoe, small excavator, concrete truck, concrete pumping equipment, walk behind vibratory plates, jumping jacks, and small crane. Although construction activities may result in temporarily perceptible groundborne vibration, the periods of perceptible vibration would be brief and limited to the immediate construction area. Therefore, the project is not expected to expose people or structures to excessive ground borne vibration and impacts would be less than significant.

5.12(c) (Increase Ambient Noise Levels) No Impact: Operation of the pedestrian bridge would not generate noise, and would therefore not increase existing ambient noise levels. No impact would occur under this topic.

5.12(e-f) (Airport Noise) No Impact: The proposed project is not located within two miles of a public airport or public use airport, nor is it located near a private airstrip and does not expose people residing or working in the project area to excessive noise levels. Residents or visitors onsite would not be exposed to excessive noise levels generated by the airport and no impacts due to excessive noise exposure would occur.

Mitigation Measures: None Required.

5.13. POPULATION AND HOUSING:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Population and Housing Setting: A project will normally have a significant environmental effect if it will displace a large number of people or induce substantial growth or concentration of population. The proposed project involves the construction of a pedestrian bridge to provide access across York Creek between the existing Las Alcobas Hotel and Beringer Winery.

Population and Housing Impact Discussion:

5.13(a) (Substantial Growth) No Impact: The proposed bridge would provide a pedestrian and bicycle connection between the existing Las Alcobas Hotel and Beringer Winery. The proposed project would not result in changes to land uses within the project site or in the vicinity of the project area. Implementation of the project would not change development density or intensity, nor does it propose new housing units that would induce population growth. Therefore, the proposed Las Alcobas Pedestrian Bridge would have no impact, either directly or indirectly, on population growth in the area.

5.13(b-c) (Housing or Person Displacement) No Impact: The project involves the construction of a pedestrian bridge across York Creek. As such, the proposed project would not displace people or existing housing that would require the construction of replacement housing elsewhere. No impacts will occur due to the displacement of housing or people.

Mitigation Measures: None Required.

5.14. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Public Services Setting: The City of St. Helena is well served by established public services including fire and police protection, schools and parklands. In order to offset the cost of improving or expanding City services to accommodate the demand generated by new development the City charges one-time impact fees on new private development. Development impact fees are necessary in order to finance required public service improvements and to pay for new development's fair share of the costs necessary to maintain acceptable levels of service related to fire and police protection services, open space, parkland and other such public services.

Public Services Impact Discussion:

5.14(a-e) (Fire & Police Protection, Schools, Parks, Other Public Facilities) No Impact: The project includes the construction of a pedestrian bridge over York Creek connecting the existing Las Alcobas Hotel with the existing Beringer Winery. As stated in **Section 5.13 Population and Housing**, the project will not induce growth in the area, either directly or indirectly. As such, the proposed project will not result in any substantial adverse physical impacts to existing fire and police protection, schools, parks, or other public facilities. Additionally, the project will not generate an increase in demands that would warrant the expansion or construction of new governmental facilities. Therefore, no impacts related to fire and police protection, schools, parks, or other public facilities would occur.

Mitigation Measures: None Required.

5.15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical	☐	☐	☒	☐

deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐
☐
☒
☐

Sources: City of St. Helena 1993 General Plan: Parks and Recreation Element; St Helena General Plan, Appendix C: Inventory of Recreation Resources.

Recreation Setting: St. Helena provides twenty acres dedicated to recreational activities at five locations within the city's limits. Elementary school and high school facilities within the ULL are also utilized to meet the community's recreational needs. Two nearby adjacent California State parks offer an additional 1,900 acres of camping, swimming, and hiking trails for local residents and tourists.

The Parks Division of the Public Works Department maintains ten parks, four pathways, street trees, benches, and parking lots. These parks include a variety of recreational open spaces including walking trails, playgrounds, and picnic areas. The nearest park to the project site is Lyman Park, located approximately 0.5 mile to the southeast.

Recreation Impact Discussion:

5.15(a) (Deterioration of Parks) Less Than Significant Impact: The project includes the construction of a pedestrian bridge. As stated in **Section 5.13 Population and Housing**, the project will not induce growth in the area, either directly or indirectly. As such, the proposed project will not result in any new land uses that could increase park or recreational facility usage. Therefore, impacts would be less than significant.

5.15(b) (Additional Recreational Facilities) Less Than Significant Impact: The project includes the construction of a pedestrian bridge that could also accommodate bicycles. This Initial Study addresses the potential environmental effects of the proposed new pedestrian bridge. Its construction does not warrant the need for additional recreational facilities. Implementation of the proposed project will not result in any adverse impacts related to the construction or expansion of recreational facilities. Therefore, impacts due to the need for additional recreational facilities will be less than significant as no additional facilities are warranted.

Mitigation Measures: None Required.

5.16. TRANSPORTATION AND CIRCULATION

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion	☐	☐	☐	☒

management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Sources: City of St. Helena 1993 General Plan; St. Helena Bicycle Plan, January 2012; Highway 29 Specific Plan, prepared by TJKM Associates and SP2 Engineering, Inc., February 22, 2005.

Transportation and Circulation Setting: The City of St. Helena lies on a north-west/south-east axis, with SR 29 serving as the main route for intercity and regional travel. SR 29 is a two- to four-lane rural highway that stretches through Napa County from Vallejo at Napa County's southern border to Lake County in the north; within the City of St. Helena, SR 29 is confined to two travel lanes. Since SR 29 is a major north-south thoroughfare for Napa County, heavy through traffic is typical along Main Street. The street network to the west of SR 29 is a grid pattern of residential blocks connected to SR 29 by a series of east-west streets connecting residential areas. To the east of SR 29, the grid network is discontinuous due to the lack of parallel facilities to SR 29 to connect the east-west roadways.

The project would involve the temporary use of existing roadways by construction equipment and crews in order to access the project site. Construction traffic would primarily use SR 29 to access the project site.

Public Transit

Public transit service is readily available throughout Napa County. The primary transit service in Napa County is provided by the VINE, a fixed-route bus service providing service to Calistoga, St. Helena, Napa, American Canyon, Yountville, and parts of unincorporated Napa County. Two routes pass through St. Helena along SR 29: routes 10 and 29. Route 10 provides service from Calistoga to Napa, including stops in St. Helena, Rutherford and Oakville, running seven days a week, all day and including weekends. Route 29, the Vine Express, is a commuter bus operating from early morning through late afternoon, Monday through Friday. The Vine Express extends from Calistoga to the Vallejo Ferry Terminal and El Cerrito BART. Service hours are Monday through Friday, 5:20 am to 9:10 pm, Saturday 6:00 am to 8:10 pm, and Sundays 8:30 am to 7:00 pm.

Bike and Pedestrian Facilities

The St. Helena Bicycle Plan, dated January 2012, was developed as a component of the Napa County Transportation Authority's Countywide Bicycle Plan Update. The Plan is intended to guide and influence the development of bikeways, bicycle policies, bicycle programs and bicycle facility design standards to make bicycling throughout St. Helena and Napa County more safe, comfortable, convenient and enjoyable for all bicyclists. The overarching goal of the Bicycle Plan is to increase the number of persons who bicycle throughout St. Helena and Napa County for transportation to work, school, utilitarian purposes, and recreation.

According to the St. Helena Bicycle Plan, a Class I Multi-Use Path is proposed along York Creek. A Vine Trail Alignment Link, with a Class I Multi-Use Path and a Class II Bike Lane are proposed along SR 29 north of Pratt Avenue. A Class III Bike Route is proposed along SR 29 south of Pratt Avenue.

City Roadway and Intersection Impact Criteria

The 1993 St. Helena General Plan prescribed the following City Roadway and Intersection Impact Criteria to identify potential impacts from proposed development projects:

- (a) All signalized intersections in St. Helena should maintain LOS C except along Main Street, where LOS D is permitted. Exceptions to this policy are that lower service levels shall be permitted at any location where the existing LOS does not meet this standard and in which case the LOS cannot be worsened any further.
- (b) All unsignalized intersections must maintain LOS C. If the LOS degrades below LOS C, an evaluation of the need for traffic signalization shall be undertaken according to standard Caltrans signal warrants as described below. If signals are not initially warranted, the location shall continue to be monitored for signal warrants on a regular basis.

Transportation and Circulation Impact Discussion:

5.16(a) (Conflicts with Plans, Policies, Ordinances) Less Than Significant Impact: Construction activities would temporarily generate a negligible amount of additional traffic along roadways in the vicinity of the project site caused by construction workers and material deliveries. The increase in vehicle trips during construction is considered minimal and local street capacity would not be significantly affected. At operation, the proposed pedestrian bridge would not result in any conflict with adopted plan, policies and ordinance that establish measures of effectiveness for circulation. Rather, as a pedestrian bridge, the project provides an opportunity for non-vehicular access between two existing uses. Therefore, the project would have less than significant impacts due to a conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system

5.16(b) (Congestion Management Plan) No Impact: Napa County has not adopted a Congestion Management Plan. As such, the proposed project would not exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways. No further analysis of this issue is required.

5.16(c) (Air Traffic Patterns) No Impact: There are no airports in St. Helena. The closest airports to the project site are Angwin-Parrett Field (5 miles away), a public use general aviation airport located in Angwin; Charles M. Schulz Airport (15 miles away), a public airport located in Santa Rosa; and Napa County Airport, a public airport located in Napa (23 miles away). The project will have no impact on air traffic patterns, given the nature and location of the project, which is well outside of the established airport flight pattern.

5.16(d) (Design Feature Hazard) No Impact: As a pedestrian bridge, the project would not include or exacerbate dangerous design features or incompatible uses. The bridge will be accessed internally and provide access across York Creek between the existing Las Alcobas Hotel and Beringer Winery. A large volume of pedestrians are not expected to use the bridge. Use is expected to be limited to visitors of the Las Alcobas Hotel and the Beringer Winery. A marked crosswalk will be placed on the existing paved area of the Beringer Winery parking lot to allow pedestrians to safely cross from the bridge to the Beringer Winery. Therefore, no impacts would occur under this topic.

5.16(e) (Emergency Access) No Impact: The minimal increase of construction vehicles traveling to and from the project site on a temporary basis would not result in inadequate emergency access. In order to construct the project, road closure is not anticipated. At operation the proposed pedestrian bridge would have no impacts due to inadequate emergency access. Therefore, no impacts would occur under this topic.

5.16(f) (Transit, Bicycle, Pedestrian Facilities) No Impact: The project is being constructed to support pedestrian and bicycle use between two existing uses. The proposed project is consistent with the St. Helena Bicycle Plan. Within the bicycle plan, a Class I Multi-Use Path is proposed along the Beringer side of York Creek. Construction of the pedestrian bridge would not impede the establishment of a multi-use path along York Creek

in the future. Rather, it would provide a pedestrian connection between the Las Alcobas Hotel and the Beringer Winery. Therefore, no impacts to transit, bicycle and pedestrian facilities are anticipated.

Mitigation Measures: None Required.

5.17. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Sources: City of St. Helena 1993 General Plan and General Plan EIR; Sharaya Souza, Native American Heritage Commission, letter to M-Group, May 15, 2017.

Tribal Cultural Resources Setting:

Tribal Cultural Resources are defined as follows:

1. Sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are either (A) included or determined to be eligible for inclusion in the CRHR, or (B) included in a local register of historical resources as defined in subdivision (k) of §5020.1.; or,
2. A resource that the lead agency chooses, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of §5024.1 - taking into account the significance of the resource to a California Native American tribe.

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed for the area of potential project effect with negative results.¹⁷

In accordance with the provisions of Public Resources Code §2080.3.1(d) and Assembly Bill 52, the City of St. Helena notified Tribes having jurisdiction over all or part of the project sites of the proposed project in a letter post stamped March 15, 2017. The following tribes were contacted: Cortina Band of Indians, Middletown Rancheria of Pomo, Wappo, and Yocha Dehe Wintun Nation. In accordance with Public Resources Code §21083.3.1, 21083.3.2, and 21083.3 the Tribes had thirty (30) days to request consultation.

The Yocha Dehe Wintun Nation Tribe contacted the City by mail on April 24, 2017 after the 30-day notification period requesting to undergo consultation. The City responded to the Yocha Dehe representative via email on May 11, 2017 offering to meet and discuss the project. No response from the Yocha Dehe representative was received. Other tribes notified of the project did not request consultation under AB 52 indicating that they have no concerns that the project may impact tribal (traditional) cultural resources.

Tribal Cultural Resources Impact Discussion:

5.17(a.i) (Listed or Eligible for Listing) No Impact: As stated above, a search of the Sacred Lands file was conducted and did not indicate the presence of a Native American Sacred Site within or in the immediate vicinity of the project site. Therefore, the project would have no impact on a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

5.17(a.ii) (Significant Resource) Less Than Significant Impact: The City of St. Helena has not identified any tribal cultural resources and there are no known concerns associated with the proposed project impacting tribal cultural resources. The Yocha Dehe Wintun Nation Tribe requested consultation, albeit after close of the 30-day response window, and the City of Saint Helena made a good faith effort to consult by reaching out to the tribal representative via email. As of June 12, 2017, no response from the tribal representative has been received.

Ground disturbing activities will be limited to the bridge abutment pads and vegetation removal at top of bank, which is confined to a narrow area. Given the limited amount of ground disturbance associated with the proposed project it is unlikely that tribal cultural resources will be encountered. Additionally, mitigation set forth under the Cultural Resources discussion above, provides protection of cultural resources in the event of accidental discovery. Therefore, the proposed project would have less than significant impacts on Tribal Cultural Resources.

Mitigation Measures: None Required.

5.18. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable San Francisco Bay Regional Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm	☐	☐	☐	☒

¹⁷ Sharaya Souza, Native American Heritage Commission, letter to M-Group, May 15, 2017.

water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Sources: Cal Recycle, <http://www.calrecycle.ca.gov/SWFacilities/Directory/28-AA-0002/Detail/>, accessed May 11, 2017.

Utilities and Service Systems Setting:

The proposed project is located within an urbanized environment within the City of St. Helena where utility infrastructure is in place. The proposed project would not include any elements that would expand or adversely affect utility services (water, wastewater, electricity, solid waste disposal).

The project site vicinity is served by the following service providers:

- Water supply and distribution: City of St. Helena
- Wastewater collection and treatment: City of St. Helena
- Storm drainage: City of St. Helena
- Solid waste service: Upper Valley Disposal and Recycling
- Electrical and natural gas power: Pacific Gas and Electric Co.

Solid waste (including recyclable material) generated during project construction would be collected by Upper Valley Disposal and Recycling and delivered to the Clover Flat Landfill outside of Calistoga. The landfill is permitted to receive 600 tons per day and as of September 2012 had 2,870,000 cubic yards of capacity remaining.

Utilities and Service Systems Impact Discussion:

5.18(a) (Exceed Wastewater Treatment Requirements) No Impact: As a pedestrian bridge, the project does not involve any wastewater generation or discharge. There would be no change in the wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed wastewater treatment requirements or otherwise contribute to the wastewater discharges generated by the City. Therefore there would be no impacts to wastewater from the proposed project.

5.18(b) (New On-Site Water or Wastewater Treatment Facilities) No Impact: Water for project construction would not require treatment, and any generated wastewater during construction (such as portable toilet waste) would be disposed of through existing wastewater facilities. No water or wastewater facilities would be used during the bridge post-construction. Therefore, no new or expanded water treatment facilities would be required and the project would have no impacts under this criterion.

5.18(c) (Require New Stormwater Facilities) No Impact: Existing stormwater drainage facilities would continue to be used and no expansion of existing facilities would be necessary to accommodate the proposed Las Alcobas Pedestrian Bridge. No additional runoff is anticipated as a result of construction (which would occur during the dry season and in accordance with the streambed alteration agreement) and no runoff in excess of existing conditions would occur as a result of the use and maintenance of the proposed bridge. Therefore, the project would have no impacts due to new stormwater facilities.

5.18(d) (Sufficient Water Supplies) No Impact: During construction, water would be required primarily for dust suppression and would also be used for soil compaction. Construction water volumes would be minimal and would not require new or expanded water supplies or entitlements. During project operation, no new or expanded entitlements to provide potable water would be required since there are no water demand associated with a pedestrian bridge. Therefore, the project would have no impacts to water supplies.

5.18(e) (Wastewater Treatment Capacity) No Impact: The project entails the construction of a pedestrian bridge and therefore would not affect wastewater treatment facilities. See discussion under "a." above. The would be no impacts under this criterion.

5.18(f-g) (Landfill Capacity) Less Than Significant Impact: During construction of the project, a small amount of construction waste would be generated from the removal of trees and other vegetation. At operation, the project would generate minimal solid waste disposal needs that may be accommodated by trash receptacles readily available at Las Alcobas and the Beringer tasting room. Given the limited amount of debris expected to be generated from construction and operation, the landfill has sufficient capacity to accept the construction and operation waste. Accordingly, impacts associated with construction and operation waste will be less than significant.

Mitigation Measures: None Required.

5.19. MANDATORY FINDINGS OF SIGNIFICANCE (CAL. PUB. RES. CODE §15065)

A focused or full environmental impact report for a project may be required where the project has a significant effect on the environment in any of the following conditions:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Mandatory Findings Discussion:

5.19(a) (Degrade the Environment): Less Than Significant Impact: The project is consistent with the General Plan Land Use and goals, policies and programs of the City of St. Helena. With implementation of mitigation measures set forth above under Biological Resources, Cultural Resources and Hydrology and Water Quality, the project's potential impacts would be reduced to levels below significance. As such, the project will not degrade the quality of the environment, reduce habitat, or adversely affect cultural resources. Therefore, the project will have less than significant impacts due to degradation of the environment.

5.19(b) (Cumulatively Affect the Environment) Less Than Significant Impact: The CEQA Guidelines defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or increase in environmental impacts. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the proposed project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time" (Guidelines, Section 15355(a)(b)).

The analysis of cumulative impacts for each environmental factor can employ one of two methods to establish the effects of other past, current, and probable future projects. A lead agency may select a list of projects, including those outside the control of the agency, or, alternatively, a summary of projections. These projections may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and these documents may describe or evaluate the regional or area-wide conditions contributing to the cumulative impact.

This Initial Study evaluates cumulative impacts using the General Plan EIR. As described in the analysis above, potential environmental impacts are expected to remain at, or be mitigated to, less than significant levels. The project does not increase the severity of any of the cumulatively considerable impacts from the levels identified and analyzed in the General Plan EIR. Therefore, the project's cumulative impacts will be less than significant.

5.19(c) (Substantial Adverse Effect on Humans) Less Than Significant Impact: As reflected in the analysis above for each environmental topic, the project does not have the potential to result in substantial adverse impacts to humans. Therefore the project will have less than significant impacts due to substantial adverse environmental effects.

6. REFERENCE DOCUMENTS

Technical Appendices

The following resources were prepared in order to further identify project specific parameters. Copies of these technical documents are incorporated herein by reference and are available for review during normal business hours at the City of St. Helena. Questions or requests to review any of the technical appendices listed below may be directed to the project planner, Lilly Bianco, at lbianco@cityofstheleena.org.

- A. Site Plans, prepared by Mark Thomas & Company, July 2016.
- B. *Riparian Habitat Restoration Plan for the Las Alcobas Bridge Project, St. Helena, Napa County, California*, prepared by Jane Valerius Environmental Consulting, October 31, 2016.
- C. *Habitat Assessment for the Las Alcobas Bridge Crossing, St. Helena, Napa County, California*, prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting, September 29, 2016.
- D. *Northwest Information Center File No. 16-1591*, May 4, 2017.

Other Documents Referenced

- 1. *BAAQMD 2017 Bay Area Clean Air Plan*, prepared by the Bay Area Air Quality Management District, April 2017.
- 2. *California Department of Conservation Farmland Mapping and Monitoring Program*.
- 3. *California Environmental Quality Act Air Quality Guidelines*, prepared by the Bay Area Air Quality Management District, May 2011.
- 4. *California Scenic Highway Mapping System*, http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm, Accessed May 3, 2017.
- 5. *CalRecycle Central Disposal Site*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/28-AA-0002/Detail/>, Accessed May 11, 2017.
- 6. City of St. Helena 1993 General Plan EIR.
- 7. City of St. Helena 1993 General Plan.
- 8. *Draft Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3)*, entered between Guneet Bajwa, project applicant, and the California Department of Fish and Wildlife.
- 9. *St. Helena Bicycle Plan*, prepared by the Napa County Transportation & Planning Agency and the City of St. Helena, January 2012.
- 10. *Highway 29 Specific Plan*, prepared by TJKM Associates and SP2 Engineering, Inc., February 22, 2005.
- 11. *University of California Museum of Paleontology, Miocene Mammal Mapping Project (MioMap)*, <http://www.ucmp.berkeley.edu/miomap/>, Accessed May 10, 2017.

7. MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Las Alcobas Pedestrian Bridge
1915 and 2000 Main Street

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<u>AIR QUALITY</u>				
AQ-1: Latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition and construction plans to require implementation of the following (the following shall be augmented as warranted based on forthcoming BAAQMD updated recommended mitigation measures that may be in effect when onsite development is proposed in the future): 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per day using recycled water. 2. All haul trucks transporting soil, sand, or other loose material shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting	Project Applicant	St. Helena Planning and Building Department St. Helena City Engineer	Prior to issuance of grading permit and ongoing throughout project construction	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation. 8. Construction equipment staging shall occur as far as possible from existing sensitive receptors (away from the southeast property line and surrounding residences). 9. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.				
<u>BIOLOGICAL RESOURCES</u> BIO-1: The following measures shall be implemented to protect fish and wildlife resources, special-status vegetation communities, jurisdictional features, and trees. The measures below are derived from the Draft Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3), issued by the CDFW and shall be incorporated for the proposed project as follows or as otherwise directed in the Final Streambed Alteration Agreement: To compensate for impacts to 144 square feet of willow riparian, the non-native, weedy understory plants from a 216 square foot area along each bank	Project Applicant Project Biologist	St. Helena Planning and Building Department California Department of Fish and Wildlife	Prior to construction activities Ongoing throughout project construction	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
of York Creek for a total of 432 square feet shall be removed and seeded in a native grass seed mix, for a total of 20 pounds of pure live seed per acre. At a minimum, eight riparian trees shall be planted to compensate for the removal of eight trees from the project area, and a minimum of 15 riparian shrubs shall be planted. • If grading, excavation or other project-related activities are scheduled during the typical nesting season of protected raptors and migratory birds (typically February 1 to August 31), a focused survey for active nests of such birds shall be conducted by a Qualified Biologist within 15 days prior to the beginning of Project-related activities. • Prior to work commencing, the project area shall be surveyed for indications of bat habitat by a qualified bat biologist. If bats are found, work shall cease. Bats shall not be disturbed without specific notice to and consultation with CDFW. • Within 48 hours prior to construction, a CDFW approved Qualified Biologist shall survey the project area at the appropriate time of day for presence of special-status species that may be present. • If special-status species or listed species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity. • Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter jurisdictional waters. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used where ever sediment has the potential to leave the work site and enter the stream.				

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<u>CULTURAL RESOURCES</u>				
CUL-1: If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100 foot radius of the find (or as otherwise directed by a qualified archeologist) shall be suspended for a time deemed sufficient for a qualified and city-approved archeologist to adequately evaluate and determine significance of the discovered resource, confer with tribal representative, as appropriate, and provide treatment recommendations. Should a significant cultural resource be identified, a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities.	Project Applicant	St. Helena Planning and Building Department	Ongoing throughout project construction	
CUL-2: In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.	Project Applicant	St. Helena Planning and Building Department	Ongoing throughout project construction	
<u>HYDROLOGY AND WATER QUALITY</u>				
HYDRO-1: In order to protect water quality of York Creek and downstream waterways, the following shall be implemented during all construction and restoration activities: - Activities shall occur during the dry season from June 15 through October 15. - No phase of the project may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of a storm event if that construction phase may cause the introduction of sediments into the stream. - No construction materials or debris shall be	Project Applicant	St. Helena Planning and Building Department	Ongoing throughout project construction	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
discharged directly to York Creek. 4. All construction equipment and stockpiles shall be staged outside of the riparian corridor. 5. Construction equipment shall be maintained and fueled offsite in designated staging areas only. 6. Equipment and materials for cleanup of spills shall be available on site and spills and leaks shall be cleaned up immediately and disposed of properly. 7. Sediment controls such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during active ground disturbance. Materials shall consist of natural fiber that biodegrade overtime. No plastics or non-porous materials shall be used for erosion control purposes. 8. No stockpiled soils shall remain exposed and unworked for more than 30 days. 9. Tracking dirt or other materials offsite shall be avoided and offsite paved areas and sidewalks/pavement shall be cleaned regularly using dry sweeping methods. 10. All exposed/disturbed areas and access points within the stream zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend of native erosion control grass seed. Seeded areas shall be mulched. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.				

ATTACHMENT 6

RESPONSE TO COMMENTS ON CITY OF ST. HELENA LAS ALCOBAS PEDESTRIAN BRIDGE PUBLIC DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This document provides a response to comments received on the Public Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Las Alcobas Pedestrian Bridge Project. These responses address comments raised by the California Department of Fish and Wildlife (CDFW) in their letter dated July 6, 2017. This response to comments document along with the Draft IS/MND constitutes the Final IS/MND.

In accordance with the California Environmental Quality Act (CEQA) of 1970 (as amended) (California Public Resources Code 21000 et. seq.), the IS/MND was circulated for a 30-day public review period from June 19, 2017 to July 19, 2017. One (1) comment letter was received on the IS/MND. No comment letters were received outside of the public comment period. As explained herein, in light of the whole record, the City of St. Helena finds that all potentially significant impacts have been adequately addressed in the IS/MND and this Response to Comments.

CEQA Guidelines Section 15074 identifies the responsibilities of the Lead Agency when considering the adoption of a Negative Declaration or Mitigated Negative Declaration:

- Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.
- Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence¹ that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

Consistent with CEQA requirements, the City of St. Helena has reviewed and considered all comments received on the IS/MND. CEQA does not require the lead agency to prepare a response to public comments received on a Negative Declaration or Mitigated Negative Declaration.

¹ "Substantial evidence" includes facts, fact-related reasonable assumptions, and expert opinions based on facts. It does not include arguments, speculation, unsubstantiated opinion or narrative, clearly inaccurate or erroneous evidence, or socioeconomic impacts not related to the physical environment. (Pub. Res. Code Secs. 21080(e), 21082.2(c); Guidelines § 15384).

Nevertheless, the City of St. Helena has prepared this document to fully disclose all public and agency comments received and to provide responses to those comments.

COMMENTS RECEIVED

One comment letter from the California Department of Fish and Wildlife (CDFW) was received on July 6, 2017 (see Appendix A). CDFW commented on the conservation status of the foothill yellow-legged frog. CDFW commented that the IS/MND states that foothill yellow-legged frog is a state and federal species of special concern. CDFW concurs with this designation, but states in the letter that the Fish and Game Commission recently voted to advance the foothill yellow-legged frog to candidacy status under the California Endangered Species Act (CESA). CDFW states that once the species officially becomes a candidate (which could happen by the end of this summer), it will then receive the same protections of listed species. CDFW recommends updating the environmental document to reflect this new information.

RESPONSE TO COMMENTS

As stated on pages 5-6 of the IS/MND, the project applicant, Guneet Bajwa, has applied for a Streambed Alteration Agreement (Notification No. 1600-2016-0346-R3) with the CDFW. The draft Streambed Alteration Agreement (January 23, 2017) identifies measures to be implemented by the applicant to avoid or minimize adverse impacts to fish and wildlife resources that may be present within the York Creek riparian corridor, including the foothill yellow-legged frog (*Rana boylei*). The following avoidance and minimization measures from the Streambed Alteration Agreement would be applicable to the foothill yellow-legged frog:

1. Confine work within the stream/riparian corridor to the period June 15 to October 15. (Revegetation work using hand tools is not confined to this time period.)
2. Avoid work in the portion of the streambed where flowing water is present or anticipated.
3. Provide training sessions for work personnel to identify any sensitive species which may be in the area.
4. Establish temporary construction fencing or flagging to identify the agreed limits of disturbance within the stream area.
5. Place bridge at sufficient height above the stream to allow maximum flows and debris generated during a 100-year storm to pass beneath unrestricted.
6. Locate bridge abutments outside the stream banks.
7. Install scour protection materials so that they are properly aligned within the channel and otherwise engineered, installed and maintained, to assure resistance to washout, and erosion of

the stream bed, stream banks and/or fill.

8. Survey the project area by a qualified biologist for presence of special-status species that may be present within 48 hours prior to construction.
9. Suspend work and notify CDFW if special-status species or listed species encountered during project construction.
10. Visually check all sections of construction materials for the presence of wildlife sheltering within them prior to the pipe sections being placed and attached together, or have the ends capped while stored on site so as to prevent wildlife from entering.
11. At the end of each work day, an escape ramp shall be placed at each end of any constructed open trench to allow animals that may have become entrapped in the trench to climb out overnight.

As stated under bulleted item number 8 above, the project area will be surveyed by a qualified biologist for the presence of any special-status species that may be present within 48 hours prior to construction. Additionally, as described under bulleted item number 9 above, work will be suspended and CDFW notified if special-status or listed species are encountered during project construction. As such, while the status of the foothill yellow-legged frog is in the process of changing, CDFW will be notified if any foothill yellow-legged frog are found within the construction site. If “take” or adverse impacts to foothill yellow-legged frog cannot be avoided, the project may be subject to a California Endangered Species Act (CESA) permit and CDFW may impose additional mitigation measures to protect the foothill yellow-legged frog.

The Habitat Assessment dated September 29, 2016, prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting, and page 28 of the IS/MND identify the foothill yellow-legged frog as a special-status species that could be adversely impacted by construction activities if present. As required by Mitigation Measure BIO-1, preconstruction surveys shall be conducted for special-status species as stipulated in the Draft Streambed Alteration Agreement. If such species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity. As stated in the IS/MND, implementation of BIO-1 would reduce potential impacts to special-status wildlife species, including the foothill yellow-legged frog, to less-than-significant levels.

The IS/MND has been revised to incorporate the new information regarding the California Fish and Game Commission’s recent vote to advance the foothill yellow-legged frog to candidacy status (see Revisions to the IS/MND below).

REVISIONS TO THE IS/MND

In an effort to respond to comments raised, the following revisions have been incorporated into the IS/MND. New text is indicated in underline and text to be deleted is reflected by a ~~strike through~~. Text changes are presented in the page order in which they appear in the IS/MND.

In response to the CDFW comment letter, the last paragraph on page 28 of the IS/MND has been revised as follows:

The Foothill yellow-legged frog (*Rana boylei*) is a Federal and State Species of Concern. On June 21, 2017, the California Fish and Game Commission accepted for consideration the petition submitted by the Center for Biological Diversity to list the Foothill yellow-legged frog as threatened under the California Endangered Species Act. Based on that finding and the acceptance of the petition, the Commission also provided notice that the foothill yellow-legged frog is a candidate species as defined by Section 2068 of the Fish and Game Code. Within one year of the date of publication of the notice of findings, CDFW will submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. This native frog ranges in size between 1.5 to 3.5 inches in length. This species typically inhabits rocky streams, preferring streams that are perennial than intermittent, but have been reported from intermittent streams. No protocol level surveys were conducted for this species as part of the habitat assessment. The closest reported sighting is in Sulphur Creek.

In response to the CDFW comment letter, the fifth paragraph on page 26 of the IS/MND has been revised as follows:

The potential adverse effects the project could have on the fish or wildlife resources identified above include: change in contour of channel, floodplain or bank (if modified); loss of natural riparian substrate and vegetation; loss of bank stability; increase of bank erosion; soil compaction or other disturbance to soil layer; disruption to nesting birds and other wildlife; and/or mortality of individuals. Loss of habitat, wildlife disruption, and mortality of individuals would be considered a potentially significant impact. As required by Mitigation Measure BIO-1, preconstruction surveys will be conducted for nesting birds and special-status wildlife species as stipulated in the Draft Streambed Alteration Agreement. If special-status species or listed species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity. If “take” or adverse impacts to species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate cannot be avoided, the project may be subject to a California Endangered Species Act (CESA) permit. With implementation of BIO-1, potential impacts to special-status wildlife species would be reduced to less than significant levels.

In response to the CDFW comment letter, the fifth bullet of Mitigation Measure BIO-1 on page 27 of the IS/MND has been revised as follows:

- If special-status species or listed species are encountered during project construction, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity. If “take” or adverse impacts to species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate cannot be avoided, the project may be subject to a California Endangered Species Act (CESA) permit.

SUMMARY

The City of St. Helena has carefully reviewed the information developed through the response to comments process and determined that the project does not meet any of the conditions under CEQA Section 15073.5. Therefore, the recirculation of a revised IS/MND or the preparation of an Environmental Impact Report (EIR) is not required. Consistent with the CEQA Guidelines, the added information clarifies the information and analyses in the IS/MND.

The City of St. Helena will consider the revisions to the IS/MND, together with this Response to Comments document, prior to adopting the IS/MND.

ATTACHMENTS

The following materials are attached for reference.

- A. Comment Letter from California Department of Fish and Wildlife

From: Allen, Garrett@Wildlife
To: [Lilly Bianco](#)
Subject: CDFW Comment on the Following Environmental Document: SCH#20170622045 Las Alcobas Pedestrian Bridge
Date: Thursday, July 06, 2017 3:45:27 PM

Hi Lilly,

Thank you for submitting the Mitigated Negative Declaration for the subject project to CDFW for our review.

CDFW would like to comment on the conservation status of the foothill yellow-legged frog (FYLF).

In the document, it states that FYLF is a state and federal species of special concern. While this is currently the case, the Fish and Game Commission recently voted to advance the FYLF to candidacy status. What this means is that once the species officially becomes a candidate (which could happen by the end of this summer), it will then receive the same protections of listed species. I can notify you when the species officially becomes a candidate.

If “take” or adverse impacts to a listed species (including species that are candidates for listing) under the California Endangered Species Act (CESA) cannot be avoided either during Project activities or over the life of the Project, please be advised that a CESA permit must be obtained (pursuant to Fish and Game Code Section 2080 *et seq.*). Issuance of a CESA permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will impact any CESA-listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA permit. More information on the CESA permitting process can be found on the CDFW website at: <https://www.wildlife.ca.gov/Conservation/CESA>.

CDFW recommends updating the environmental document to reflect this new information.

Thank you!

Regards,
Garrett Allen
Environmental Scientist, CDFW
Bay Delta Region
Office: (707) 944-5565

PUBLIC HEARING STAFF REPORT



DATE: March 27, 2012
(Continued from February 28, 2012)

TO: City Council

FROM: Shelley Mills, Associate Planner
Greg Desmond, Interim Planning Director

2011-65: Request of **JEFF REDDING, AICP** representing **GRANDVIEW HOTEL INVESTORS, LLC** for **DESIGN REVIEW, DEMOLITION PERMIT, & USE PERMIT AMENDMENT** to a previously approved Use Permit (2010-19) for the Grandview Hotel to include the following:

1. Demolition of three non-historic buildings – Pine, Palm and Walnut and replace with hotel rooms and accessory buildings. The Palm building will contain 12 guest rooms on the second floor and storage on the first floor. The Pine building will contain 24 guest rooms and the Walnut building to be replaced with a 3,500 square foot meeting & conference room and a 3,500 square foot spa/fitness center. (A 1,178 square foot spa was previously approved in 2006.);
2. Expansion of the Laurel building to include 16 guest rooms (10 rooms previously approved in the Laurel building in 2006);
3. Construction of a new 40-seat restaurant within the Acacia House to serve the guests and public along with a request for an increase to the Regulated Food and Beverage Establishments Inventory;
4. Demolition of the Oak & Redwood buildings for the relocation of the parking into this area along the south property line.

The total number of 57 hotel rooms as previously approved will not change. The property is located at 1915 Main Street and is zoned Service Commercial with a Historic Preservation overlay. (CEQA: Prior Negative Declaration Adequate) (APN 009-490-009)

Location of Property: 1915 Main Street

APN: 009-490-009

General Plan: Service Commercial

Zoning: SC:HP: Service Commercial with Historic Preservation Overlay

Applicant: Jeff Redding, AICP

PHONE: (707) 815-0733

Property Owner: Grandview Hotel Investors, LLC

PHONE: (707) 429-6000 x104

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Project Summary:

Grandview Hotel Investors, LLC has recently acquired the Grandview property located at 1915 Main Street. The applicant submitted a request for an amendment to the previously approved Use Permit (2010-19) to better conform to their business objectives.

The current entitlements allow for the conversion and renovation of the historic Acacia House and adjacent buildings to accommodate 57 hotel rooms. While the number of total rooms on the site (57) will not change, the owners are proposing to remove non-historic buildings beyond what was approved in 2010.

The historic Acacia House will be renovated and converted to five guest rooms, restaurant, reception area and space for business operations. A change to the project includes the expansion of the Regulated Food & Beverage Inventory to include a 40-seat restaurant within the Acacia House that will be used by both guests and the public.

Other changes include:

- Palm Building – A two-story replacement for the Palm building will contain 12 guest rooms on the upper floor with storage functions located on the lower floor. The replacement building will be located in the same footprint of the existing building;
- Pine Building – A three-story replacement for the Pine building will contain 24 guest rooms;
- Walnut building - A 3,500 square foot meeting & conference room and a 3,500 square foot spa/fitness Center;
- New Laurel Building - Approved in 2006 for 10 rooms and will expand to 16 guest rooms;
- Demolition of the Oak & Redwood buildings for the relocation of the parking into this area along the south property line; and
- A new 40-seat restaurant to serve the guests and public along with a request for an increase to the Regulated Food and Beverage Establishments Inventory.

The replacement buildings have been designed and sited to complement but not compete with the historic Acacia House. Each guest room will have views of the Beringer Vineyards beyond the west property line and will have access to a private balcony or deck. A new swimming pool and spa will be located between the two new buildings and will include rest rooms and bar area.

Rather than distributing the parking throughout the site as originally proposed, the revised site plan includes the parking in one area along the south property line. Valet parking for both hotel and restaurant guests will be available 24 hours per day. Arriving guests will be dropped off at the porte-cochere with valets relocating the vehicles to the south side parking area.

The proposed 67 parking spaces include two ADA compliant parking spaces. This meets the parking requirements, consistent with the code requirement of one space per hotel room (57) and one space for each four seats (40 seats=10 spaces) for a restaurant, totaling 67 parking spaces. All other on-site and off-site improvements remain unchanged from the prior project.

Project Background:

The Grandview property consists of several buildings constructed over the last 100 + years. The Acacia House was originally constructed at the turn of the 20th century as an estate home and was converted into a country inn in 1911. Subsequent to that the property had many uses, but was most recently apartments.

In 1993 the General Plan designation was changed Low Density Residential to Medium Density Residential and the zoning became MR: Medium Density Residential. The MR zoning designation allows for to 16 dwelling units per acre The parcel size has now been confirmed at 3.38 acres, which would allow as many as 54 residential units on the property.

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In 2006 the General Plan designation was changed from Medium Density Residential to Service Commercial. It was rezoned to SC: Service Commercial with a PD: Planned Development Overlay to allow for a 35-room country inn with 22 affordable residential units on site. The HP: Historic Preservation Overlay was also added to preserve the historic character of the Acacia House and landscaped gardens.

The project approved in 2010 allowed for a revision to the 2006 Use Permit project to include an increase of the number of hotel rooms from 35 to 57; to replace the requirement to have 22 affordable units with a mitigation measure for a monetary contribution of \$750,000 to the affordable housing trust fund; to increase the number of guests allowed at events to 100; establishment of beer, wine and food service normally associated with bed and breakfast inns and catered foods for events; and to rezone the property from Service Commercial/Historic Preservation/Planned Development to Service Commercial/Historic Preservation.

Planning Commission Review:

The City Council has the sole authority to increase the Eating and Drinking Establishments Inventory, and therefore, all actions are recommendations to the City Council. The Planning Commission reviewed this project at their February 7, 2012 meeting. The Commission recommended approval of the project by a unanimous vote of 4-0, with Commissioner Pitts abstaining, as follows:

1. Recommend that the City Council determine that the prior Negative Declaration adopted for the project is adequate pursuant to Section 15162 of the CEQA Guidelines which states that where a Negative Declaration has been prepared, no additional CEQA review is required unless there are substantial changes to the project.
2. Recommend that the City Council approve, modify or deny a request to increase the Regulated Food and Beverage Establishments Inventory to 35 restaurants and a Use Permit Amendment for establishment of a new 40-seat restaurant within the Grandview Hotel.
3. Recommend that the City Council approve, modify or deny a request for a Demolition Permit to demolish the non-historic Pine, Palm & Walnut buildings to be replaced with hotel rooms, spa & meeting rooms and to demolish the non-historic Oak & Redwood buildings for the relocation of the parking to this area.
4. Recommend that the City Council approve, modify or deny a request for Design Review for the new replacement Palm, Pine and Walnut buildings, and a new Laurel Building to be utilized for hotel rooms and a new 3,500 square foot Meeting/Conference Room and a 3,500 square foot Spa/Fitness Center.

Analysis: General Plan:

The General Plan designation of the property was changed from Medium Density Residential to Service Commercial in 2006. No changes are requested to the General Plan designation.

The Service Commercial designation provides for service and retail uses, restaurants, service stations, motels, public and quasi-public uses and similar and compatible uses. The designation is intended primarily for service and retail uses that are automobile-oriented or whose operational characteristics and space needs are not considered appropriate for the Central Business district. The intent is for the SC district to be primarily local resident-serving in character. Strictly tourist-serving retail uses are prohibited within this designation.

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Analysis: Zoning:

The zoning of the property is SC: Service Commercial with a HP: Historic Preservation overlay. Hotels and motels are a conditional (use permit) use in the SC zoning district. Zoning Code Section 17.52.030 Conditional uses, states that:

Note: The city has established a limit on the number of eating and drinking establishments within such establishments as listed in the regulated food and beverage establishments' inventory. This inventory may be amended by action of the city council.

Pursuant to Zoning Code Section 17.08.100 Concurrent permit/approval processing—multiple jurisdiction, the following provisions shall apply to multiple permit/approval processing and actions by decision-making bodies:

B. When more than one permit or other discretionary approval is required and authority rests with both the planning commission and city council, the final action on all discretionary permits or other approvals shall be taken by the city council. In such cases the planning commission's actions shall consist of recommendations to the city council.

Zoning Code Section 17.48.090 identifies the standards applicable to food and beverage establishments. All uses are subject to a use permit to allow the Planning Commission to consider issues associated with water use, sewer generation, traffic, noise and circulation. The project site is located in an area that allows for a variety of retail and service uses, including food and beverage uses, and therefore through the application of conditions limiting the generation of water use, wastewater generation and similar issues, the project complies with the City's Zoning requirements.

Pursuant to Zoning Code Section 17.48.060, "Formula Restaurants" are prohibited. A formula restaurant means a restaurant devoted to the preparation and offering of food and beverage for sale to the public for consumption either on or off the premises and which is required by contractual or other arrangement to offer any of the following: standardized menus, ingredients, food preparation, décor, uniforms, architecture, or similar standardized features.

The proposed hotel restaurant will not be a formula restaurant. It is not part of any chain and there are no contractual requirements for standardized menus or décor. The restaurant will be designed to create an ambience that fits within the City of St. Helena and the Grandview Hotel.

Analysis: CEQA

A Mitigated Negative Declaration was adopted for the project in 2010 (Resolution No. 2010-88). Section 15162 of the CEQA Guidelines stipulates that where a Negative Declaration or EIR has been prepared, no additional CEQA review is required unless there are substantial changes to the project.

Staff has determined that the prior Mitigated Negative Declaration is an adequate analysis of the potential impacts of the construction of the previously approved 57 guest rooms on the subject site. Staff has incorporated all mitigation measures from the previous approval into the current project.

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Analysis: Use Permit Amendment

The Planning Commission makes the following Use Permit findings pursuant to Municipal Code Section 17.168.050 to support the motion to approve the Use Permit:

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

Restaurant

The number of restaurants within St. Helena is established by the Regulated Food and Beverage Establishments Inventory. The inventory can only be amended by the City Council. The inventory is currently at 34 restaurants. To approve the restaurant, the council will need to increase the cap from 34 to 35. The proposed hotel restaurant will be open to guests as well as the public.

Access/Parking

All required public frontage and street improvements shall be designed and built in accordance with an approval by Caltrans in cooperation with the City of St. Helena Public Works Department.

The City's Zoning Ordinance regulates development pertaining to on-site parking, loading and bicycle facilities by specific land use district. For projects containing 57 inn rooms (considering guests and employees), 57 parking spaces are required to address anticipated demand (1 per guest unit). The new proposed 40-seat restaurant requires 10 parking spaces (1 per 4 seats) for a total of 67 parking spaces. The 2012 project design includes the 67 spaces on-site and satisfies the requirements for required parking.

Traffic

The proposed addition of a 40-seat restaurant is the only change to the project approved by City Council in 2010 that would impact traffic. The proposed restaurant will be open to both the public and hotel guests, however, it is anticipated that primarily hotel guests will use the restaurant. Thus, the predominant traffic impacts associated with the restaurant are already accounted for in the trips attributed to the hotel guests.

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The restaurant is expected to generate an additional 2-3 trips during the peak hour period based upon a trip generation rate established by the ITE and assuming 30% restaurant use by non-hotel guests. It is anticipated that the trip generation will be less given the fact that non-hotel guest will access the property by foot rather than a vehicle. In addition, restaurant hours are not expected to coincide with peak hour conditions on Main Street.

The potential trips generated by the non-hotel guests will have negligible impacts on the levels of service of Main Street. According to the recently adopted Napa County General Plan EIR, the LOS on Main Street with adoption of the preferred plan alternative and the mitigation measures included in the EIR is projected to degrade from LOS D to LOS F during the evening peak hour at the identified intersection closed to the Pratt Avenue/Main Street intersection. According to Caltrans data on traffic volumes, peak hour volume on Main Street at the intersection nearest to the project site is greater than 1200 vehicles. Thus, the additional trips expected to be generated by non-hotel guests to restaurant represent far less than a 1% increase, a negligible impact.

Water Conservation

The 2010 project entitlements included a requirement that prior to issuance of building permits, the owner/applicant shall be required to enter into a new Water Use Agreement with the City of St. Helena which limits water use at the property to 65 gallons of water per room per day (approximately 3,705 gallons per day). The property shall utilize well water from an existing well for all landscape irrigation.

The applicant's engineer submitted a water use report to determine if the previously approved project with the addition of the 40-seat restaurant will continue to be within the maximum allowable water usage for the project. Because of the many variables expected in hotel operations, it is difficult to conclude the absolute values for municipal water usage. As shown in the calculations in the report dated December 16, 2011 by Chaudhary & Associates, the estimated municipal water usage is 3,671 gal/day or approximately 1,339,915 gal/yr which is within the allowable project water usage.

Biology

Pacific Tree Care submitted an arborist report regarding removal and protection of trees. To ensure that those trees remaining on the site are protected during construction and allowed to mature into the future, mitigation measures shall be applied requiring compliance with the Arborist's report for all site work.

The replacement Palm building will be located in the same footprint as the existing building. Any modifications to the bank of York Creek shall require submission of plans for review and approval by the City Engineer and the California Department of Fish and Game, and where required by the Army Corps of Engineers.

Analysis: Design Review

The purpose of Design Review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. Zoning Ordinance Section 17.164.030 establishes the design criteria under which applications should be considered.

The purpose of Design Review is:

1. *To promote those qualities in the environment which bring value to the community.*
2. *To foster the attractiveness & functional utility of the community as a place to live and work.*
3. *To preserve the character & quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance.*
4. *To protect certain public investments in the area.*

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5. *To encourage where appropriate, a mix of uses within permissible use zones.*
6. *To raise the level of community expectations for the quality of its environment.*

The following design criteria should be considered by the Planning Commission in review of this application (Zoning Ordinance Section 17.164.030):

1. *Consistency and compatibility with applicable elements of the general plan;*
2. *Compatibility of design with the immediate environment of the site;*
3. *Relationship of the design to the site;*
4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character;*
5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;*
6. *Compatibility with future construction both on and off the site;*
7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*
8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

Green Building

The adopted 2009 Housing Element of the General Plan includes Goal 5, Resource Conservation and policies to *Encourage alternative energy sources and Encourage energy and resource conservation. The City has adopted the California Green Building Standards (Municipal Code Chapter 15.53), the State's new Energy Efficiency Standards to ensure that new construction in the City meet or exceed these standards.*

A condition of approval requires compliance with Municipal Code Chapter 15.53, California Green Building Standards Code, known as the California Code of Regulations, Title 24, Part 11, with amendments set forth in Section 15.53.020 as adopted on January 1, 2011.

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Historic Resources

Napa County Landmarks has reviewed the Grandview Hotel project previously and, therefore, focused their recent review on the current proposed changes which include a restaurant addition to the main historic building, the removal of non-historic structures replaced with new structures and the proposal for a new large structure behind the existing historic building. They believe that St. Helena has an interest in preserving the integrity of its historic resources and should advocate for their historically rich environment. On February 1, 2012, Napa County Landmarks provided the following general comments on the project:

- That the entire project shall adhere to the Secretary of Interior Standards;
- That the historic windows in the Acacia House shall be retained and repaired; and
- That any new additions or buildings be mindful, respectful of their historic setting and environment; that appropriate architectural proportions with attention to scale and intensity of use be considered.

Design

The current entitlements allow for the conversion and renovation of the site containing the historic Acacia House and adjacent buildings to accommodate 57 hotel rooms. While the number of total rooms on the site (57) will not change, the owners are proposing to remove additional, non-historic buildings beyond what was approved in 2010.

The historic Acacia House will be renovated and converted to five guest rooms, restaurant, reception area and space for business operations. A change to the project includes the expansion of the Regulated Food & Beverage Inventory to include a 40-seat restaurant within the Acacia House that will be used by both guests and the public.

The proposal includes new buildings to replace the remaining non-historic buildings that were previously to be reconstructed as part of the project analyzed by ARG in 2005. The new buildings proposed as part of this project are, by their design and materials, clearly distinguishable from the materials and style of the historic Acacia House. This is a key goal of The Secretary of Interior's Guidelines for the rehabilitation and construction of historic properties. In addition, the new buildings are set far enough away from the Acacia House so as not to compete with it in terms of materials, scale and proportionality. The buildings that are closer to the Acacia House (meeting room and spa) are single story in height and are subordinate in scale to the Acacia House. The use of materials and architectural style is comparable to the other new buildings proposed for the site. As recommended by ARG, the elevator tower required to comply with ADA requirements is will be fitted with horizontal siding to distinguish it from the historic fabric of the Acacia House, yet is sympathetic with the wood shingles. Key features of the site will also be preserved as follows:

- The fieldstone wall along Main Street will be reconstructed using existing materials following the installation of the new driveway entrance that will align with Pratt Avenue as required by the City;
- The majority of specimen trees including palms and redwood are retained under both the approved project and the proposed revision;
- The fieldstone entrance piers and historic bubbler are preserved and incorporated into the proposed project design; and
- The sloped and landscaped front yard between the driveway and Main Street frontage is retained under the proposed project design.

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The table below compares the 2010 approved project to the new proposed project:

Uses/Specification	2010 Approval	2011 Revision	Remarks
Building Area	35,686 +/- s.f.	38,186 +/- s.f.	
Building Stories	Per approved plans	Acacia House—3 stories Pine—3 stories Laurel—3 stories Palm—1 story each	Acacia House - 5 guest rooms Pine – 24 guest rooms Laurel - 16 guest rooms Palm – 1 story, 12 guest rooms
Guest Rooms	57	57	
Food Service	Yes	Yes	2010 permit allowed for beer and wine, food service normally associated with bed and breakfast inns and catered foods for events (condition #33); Proposal would include a 760 s.f. restaurant area within the Acacia house to be open to both guests and public
Spa	Yes	Yes	The approved project included a spa on the 3 rd floor of the Acacia House. The revised plan includes a similar use but in a stand-alone 3,500 s.f. building. The proposed spa will be used by guests of the inn.
Meeting Room	No	Yes	The proposed project includes a 3500 +/- s.f. stand-alone meeting room building. Use of the meeting facilities will be by guests of the inn.
Parking	65 spaces provided	67 spaces provided	Parking under the proposed project will be valet-parking
Water Use	3,705 gpd	Per approved water use agreement	See attached water study dated December 15, 2011 prepared by Chaudhary & Associates

Landscaping

A revised landscape plan is included that conforms to the site plan submitted on November 18, 2011. Pacific Tree Care submitted an arborist report regarding removal and protection of trees. To ensure that those trees remaining on the site are protected during construction and allowed to mature into the future, mitigation measures shall be applied requiring compliance with the Arborist's report for all site work. The majority of specimen trees including palms and redwood are retained under both the previously approved project and the proposed revision and the sloped and landscaped front yard between the driveway and Main Street frontage is retained under the proposed project design. All landscape irrigation will be served via the existing on-site well.

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Analysis: Demolition Permit

Zoning Code Section 17.164.050(E) implements the policy direction provided in the General Plan. As provided in this section, no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings:

1. *That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.*
2. *That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood.*

Staff reviewed the application for pertinent information contained in the City's 1978 Historic Resources Inventory and 2006 directory of properties in the Historic Resources Inventory for Napa County. The Acacia House is listed on the Napa County Historic Resources Inventory and was identified as eligible for listing on the National Register.

According to the 2005 ARG historic assessment, only the Acacia House is a historic building eligible for listing as a historic resource on either the state or federal register. The remaining buildings are not eligible for listing and thus their removal would not adversely affect the historic integrity of the Acacia House, or its ability to be listed on either the state or federal register when compared to the approved project. Key historic features of the site as identified by ARG (fieldstone wall along main street; fieldstone entrance piers; historic bubbler; matures trees; and sloped and landscaped front yard with green lawn area) are largely preserved by the current project design.

The 1912 hotel annex on the grounds (Walnut Cottage) does not appear to be eligible for the National or California Registers because it does not retain sufficient integrity to its original construction. The windows of this building, which were originally wood, have all been replaced with vinyl window frames and sashes. This alteration has significantly changed the building's character. The apartment buildings and Maintenance Building, which were constructed in the 1950s and 1970s, do not possess the exceptional significance required to qualify for the National or California Registers.

The attached photographs, provided as part of the application submittal materials, show the existing structure on the site. There is no evidence to support that these are historic structures or contain historic elements. Therefore, staff believes that the findings (identified above) can be made by the Planning Commission supporting demolition of the existing structures.

Before Demolition Permit issuance, the applicant shall be required to submit a construction waste management plan that complies with Section 5.408 of the California Green Building Code. To reduce demolition debris, and to the extent practicable, reusable materials shall be recycled through a deconstruction service.

Staff Comments/Recommendation

The proposal to convert the existing property to its previous use as an inn, to include restoration of the historic Acacia House and the landscaped gardens, represents a significant benefit of the project. The proposal is also consistent with the General Plan, Zoning Ordinance, and with the Secretary of the Interior's Standards for Rehabilitation.

The project approved in 2010 did allow for establishment of beer, wine and food service normally associated with bed and breakfast inns and catered foods for events. The only change to the project approved by City Council in 2010 is that the restaurant will be open to both the public and hotel guests, however, it is anticipated that primarily hotel guests (70%) will use the restaurant.

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Staff has incorporated all pertinent conditions from the previous approval into the current project. Staff has determined that the required findings can be made, and therefore, staff recommends approval subject to the draft conditions as attached herein.

Recommended City Council Action

1. Determination that the prior Negative Declaration adopted for the project is adequate pursuant to Section 15162 of the CEQA Guidelines which states that where a Negative Declaration has been prepared, no additional CEQA review is required unless there are substantial changes to the project.
2. Approve a request to increase the Regulated Food and Beverage Establishments Inventory to 35 restaurants and a Use Permit Amendment for establishment of a new 40-seat restaurant within the Grandview Hotel.
3. Approve a request for a Demolition Permit to demolish the non-historic Pine, Palm & Walnut buildings to be replaced with hotel rooms, spa & meeting rooms and to demolish the non-historic Oak & Redwood buildings for the relocation of the parking to this area.
4. Approve a request for Design Review for the new replacement Palm, Pine and Walnut buildings and a new Laurel Building to be utilized for hotel rooms and a new 3,500 square foot Meeting/Conference Room and a 3,500 square foot Spa/Fitness Center.

Attachments:

Draft Resolution
 Location Map
 Proposal Statement
 Planning Commission Action Minutes
 Correspondence from Napa County Landmarks dated 2-1-12
 Regulated Food & Beverage Establishments Inventory
 Site Plan – 2005
 Site Plan – 2006
 2012 Site Plan/Elevations/Floor Plan
 Landscape Plan
 Photos

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CITY OF ST. HELENA

RESOLUTION _____

**APPROVING DESIGN REVIEW, A DEMOLITION PERMIT, & USE PERMIT
AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT (2010-19) FOR AN
INCREASE TO THE REGULATED FOOD AND BEVERAGE ESTABLISHMENTS
INVENTORY TO ALLOW FOR A NEW 40-SEAT RESTAURANT AT THE
GRANDVIEW HOTEL LOCATED AT 1915 MAIN STREET**

PROPERTY OWNER: Grandview Hotel Investors, LLC

APN: 009-490-009

Recital

1. A Use Permit Amendment to a previously approved Use Permit (2010-19) was submitted by the owners, Grandview Hotel Investors, LLC, of the Grandview property located at 1915 Main Street.
2. The current entitlements allow for the conversion and renovation of the site containing the historic Acacia House and adjacent buildings to 57 hotel rooms. While the number of total rooms on the site (57) will not change, the owners propose to remove additional, non-historic buildings beyond what was approved in 2010 to be replaced with new buildings designed to reinforce the historic components of the Acacia House.
3. The historic Acacia House will be returned to its prominence on the site and will be renovated and converted to five guest rooms, restaurant, reception area, common areas for guests, and space for business operations. A change to the previously approved project includes the expansion of the approved food service within the Acacia house to include a 40-seat restaurant that will be jointly used by both guests and the public.
4. Other changes include:
 - Palm Building – A two-story replacement building for Palm building will contain 12 guest rooms on the upper floor with storage functions located on the lower floor. The replacement Palm building will be located in the same footprint of the existing building;
 - Pine Building – A three-story replacement building for Pine will contain 24 guest rooms;
 - Walnut building - A 3,500 square foot meeting & conference Room and a 3,500 square foot spa/fitness center. (A 1,178 square foot spa was previously approved in 2006);
 - New Laurel Building - Approved in 2006 for 10 rooms and will expand to 16 guest rooms;
 - Demolition of the Oak & Redwood buildings for the relocation of the parking into this area along the south property line; and
 - A new 40-seat restaurant to serve the guests and public along with a request for an increase to the Regulated Food and Beverage Establishments Inventory.

- Rather than distributing the parking areas throughout the site as originally approved, the revised site plan includes the parking in one area along the south property line. Valet parking for both hotel and restaurant guests will be available 24 hours per day. Arriving guests will be dropped off at the porte-cochere with valets relocating the vehicles to the south side parking area.
5. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on the applicant's proposal on February 7, 2012 reviewing the public record, including all application submittal materials, letters submitted regarding the proposal and staff reports, opening a public hearing to receive testimony from the applicant and interested persons, and deliberating on the project and recommended approval to the City Council.
 6. The City Council of the City of St. Helena, State of California, held a noticed public hearing for this project on February 28, 2012 and which was continued to March 27, 2012.

Resolution

- A. The Planning Commission considered and recommended that the City Council find that the prior Negative Declaration adopted for the project is adequate for analysis of the environmental impacts and as pursuant to Section 15162 of the CEQA Guidelines which states that where a Negative Declaration has been prepared, no additional CEQA review is required unless there are substantial changes to the project.
- B. The City Council hereby amends the Regulated Food and Beverage Establishments Inventory by increasing number of restaurant from 34 to 35 restaurants and a Use Permit Amendment for establishment of a new 40-seat restaurant within the Grandview Hotel.
- C. The City Council makes the following Conditional Use Permit findings, contained in Zoning Ordinance Section 17.168.050, to support the motion to approve a Use Permit Amendment to the previously approved 57-room hotel on the subject parcel:
 1. That, as conditioned and with the recommended mitigations place, the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
 2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
 3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
 4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
 5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
 6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
 7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

8. That the proposed use would not be in conflict with the City's General Plan.
 9. That the proposed use would not be injurious to public health, safety, or welfare.
 10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
 11. That, as demonstrated on a detailed plan submitted by the applicant to include up to 65 off-street parking spaces, adequate off-street parking to accommodate the long term parking needs of residents, employees and customers is available.
 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.
- D. The City Council approves the Design Review subject to the applicable Design Criteria contained in Zoning Ordinance Section 17.164.030. for construction of the following:
1. Palm Building – A two-story replacement building for Palm building will contain 12 guest rooms on the upper floor with storage functions located on the lower floor. The replacement Palm building will be located in the same footprint of the existing building;
 2. Pine Building – A three-story replacement building for Pine will contain 24 guest rooms;
 3. Walnut building - A 3,500 square foot meeting & conference room and a separate 3,500 square foot spa/fitness center. (A 1,178 square foot spa was previously approved in 2006); and
 4. New Laurel Building - Approved in 2006 for 10 rooms and will expand to 16 guest rooms.
- E. The City Council approves the Demolition Permit to remove five existing non-historic structures (Pine, Palm, Walnut, Oak & Redwood buildings) on the site, as provided for in Zoning Ordinance Section 17.164.050(E), and subject to the following:
1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.
 2. That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood.
- F. The City Council approves the project entitlements, as identified herein, subject to compliance with the following conditions. This project shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the approval. The conditions noted below are particularly pertinent to this action and shall not be construed to permit violation of other laws and policies not so listed.
1. This approval shall be vested within one (1) year from the date of action. A building permit for the use allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.

2. This approval is valid for this use only. New approvals must be applied for upon any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. Any request for an extension of the terms of this approval must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. Compliance with all permit conditions shall occur in accordance with specific regulations, but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless against any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with this permit, minor modifications may be approved by the Planning Director.
8. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and the benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
10. Prior to submittal of a building permit application, all plan sheets shall be revised to be consistent with the City's approval and coordinated with the civil and landscaping plans.
11. Construction shall be in compliance with plans reviewed and approved by the City on March 27, 2012, to comply with the applicable conditions provided herein and the associated adopted mitigation measures.
12. Resolution 2010-91, accepting a New Water Use Agreement dated August 24, 2010 for 1915 Main Street was adopted. Prior to issuance of building permits, the owner/applicant shall be required to enter into a new Water Use Agreement with the City of St. Helena which limits water use at the property to 65 gallons of water per room per day (approximately 3,705 gallons per day). The property shall utilize well water for all landscape irrigation.

13. The hotel project shall be designed for all feasible water conservation technology. Consistent with St. Helena Municipal Code Article IV, Water Conservation Section 18.44, New Development, the applicant shall be required to retrofit existing dwellings prior to receiving a certificate of occupancy. Retrofits must be completed prior to issuance of certificate of occupancy.
14. Prior to issuance of building permit, the applicant shall be required to obtain approval of the Napa County Department of Environmental Management for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by Napa County DEM prior to issuance of any building permits for said areas. An annual food permit will be required.
15. As part of the construction documents for a building permit application, the applicant shall submit a detailed landscaping plan for review and approval prior to the issuance of any building permits. This plan shall include details and specifications for other landscaping features and detailed irrigation plans, planting details, such as location, number and sizes of the plant materials, and the specifications for planting. Street trees shall be reviewed for approval by the City prior to submitting an application to Caltrans, where required as part of an encroachment permit application.
16. The applicant shall install the landscape irrigation lines in accordance with reclaimed water standards, in consideration of the future reclaimed water lines.
17. The landscape plan shall depict trees to be protected, removed, and replaced and shall be consistent with the State of California's Water Efficient Landscape Ordinance (WELO) and approved by the Planning Director before issuance of a building permit. (PW)
18. Plant materials shall be purchased from a source that verifies they have been inspected for glassy winged sharpshooter to ensure that they will not contribute to the spread of Pierce's disease to the surrounding vineyards.
19. Unless otherwise provided in the Arborists Report for the project, each tree or group of trees to be preserved within the vicinity of the construction site shall be protected by enclosure with a six (6) foot chain link fence prior to grading or movement of heavy equipment. The minimum distance of the fence from the tree shall be at the drip line, but may be extended an additional 10' to include the root zone which shall be determined by the project or City Arborist. Fencing shall remain in place until such time as the Building Inspector is assured the trees are no longer in danger of construction damage.
20. Unless otherwise provided in the Arborists Report for the project, the following activities are prohibited under the drip line of protected trees unless authorized by the Planning Director under the advice of the City Arborist or project arborist:
 - a. Change in the amount of irrigation provided to the protected tree from that which was provided prior to the commencement of construction activity.
 - b. Trench, grade or pave into the drip line of a protected tree.

- c. Change the grade elevation by more than 6" within the drip line of the tree and for a distance of 30' outward from the drip line of the tree.
 - d. Park or operate any motor vehicle within the drip line area of a protected tree, except within designated parking areas.
 - e. Place or store any equipment or construction materials within the drip line area of the tree.
 - f. Attach any signs, ropes, cables or any other items to the tree.
 - g. Cut or trim any branch of the tree for temporary construction purposes.
 - h. Place or allow flowing into or over the root zone area of any tree any oil, fuel, concrete mix, paint, solvent, plaster or other deleterious substance.
21. The applicant shall be required to fully implement the recommendations of the City's arborist, as provided in the preliminary report submitted to City dated 8/8/05 and 10/24/05. A final report shall be prepared and submitted by the arborist as part of the building permit application and approved by the City prior to receiving a grading or building permit authorizing site work or construction on the site.
22. Prior to receiving a building permit authorizing construction on the site, the applicant shall provide and receive approval of an exterior lighting plan. Exterior lighting shall be designed to direct illumination downward or shielded to prevent glare onto the driveway, public roadway and adjacent properties.
23. The applicant shall provide for the enclosed storage of trash and separated recyclable materials and shall be included on the building permit submittal. Should the area designated for trash storage prove insufficient to accommodate approved uses on the site, the applicant agrees to provide alternative means (e.g. expanded facilities, more frequent collection, etc.) to address this issue.
24. Pursuant to Napa County Landmarks recommendation, the entire project shall adhere to the Secretary of Interior Standards; the historic windows in the Acacia house shall be retained and repaired; any new additions or buildings shall be mindful, respectful of their historic setting and environment; and that appropriate architectural proportions with attention to scale and intensity of use be considered.
25. The applicant shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structure. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dBA. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dBA. These measures could include replacement, relocation, removal or shielding of the equipment.
26. The applicant and/or construction manager shall notify all contractors and subcontractors that no trespassing is allowed on adjoining properties.
27. This property adjoins an agricultural district. There exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal,

normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.

28. In compliance with Title 25, Housing and Community Development law, a manager, janitor, housekeeper or other responsible person shall be on premises 24 hours per day, seven days per week.
29. The applicant shall be responsible for compliance with all mitigations measures adopted as part of this project and listed in the Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) dated August 2010 adopted as part of this permit.
30. No signs shall be installed without approval of a Sign Permit, as required by the City's Sign Ordinance.
31. The applicant shall be required to construct and maintain a solid six foot fence with two feet of lattice at the property line adjacent to the south neighbors where the existing chain link fence with wood slats and existing wood fence are presently located. This fence will provide for additional privacy between properties where elevated outdoor decks facing the south at the Oak and Redwood Cottages and raised terrace will be used by guests and could affect the privacy of the adjoining neighbors. The design and location of this fence shall be shown on the construction drawings presented as part of the building permit application submittal.
32. The swimming pool area shall be posted "Quiet Hours – 10:00 P.M. to 8:00 A.M."
33. Complete plans for the swimming pool and/or spa must be submitted to Napa County Department of Environmental Management for review and approval prior to approval of building permits. An annual pool permit will be required.
34. Events conducted on the site shall be limited to no more than 100 persons in attendance, except for up to three events in a given year that may have up to 125 persons in attendance. No more than one event shall be conducted on the site each month. Valet parking or shuttle service shall be provided for all events that include guests not otherwise registered at the inn since parking is not provided on the site to accommodate demand beyond the spaces needed for operation of the inn and residential uses. Amplified music for the events shall be limited to no more than a total of three events in a given year, and only when the City and neighbors are notified in advance of such events and the music ceases at 10:00 p.m.
35. Serving of beer and wine and operation of a wine bar, all beer and wine sales, use and consumption shall be in compliance with a license issued by Alcoholic Beverage Control.
36. The applicant shall be responsible for relocation of the historic street light presently located within the area of the proposed new driveway. To the extent that this historic street light may be located to the north of the new driveway to avoid conflicts with the adjacent residential driveway south of the project site, this alternative is preferred.

Public Works:

37. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements. Improvements shall conform to the requirements previously approved as Resolution 2010-91 including any items agreed to in those public hearings.
38. The improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those items agreed to in public hearings, those improvements as stated in the mitigations for the Negative Declaration of Resolution 2010-91, the requirements of the 2010-91 conditions of approval, the requirements of these conditions and those improvements required by any codes in effect at the time of plan submittal.
39. The applicant shall construct all on- and off-site improvements in accordance with improvement plans and supporting calculations and documentation that are prepared by a registered Civil Engineer and reviewed and approved by the City of St. Helena Public Works Department and Caltrans, where applicable. The improvement plans shall included detailed designs for all on- and off-site utilities, if applicable, water, sewer, grading, drainage, erosion control and paving. The plans and calculations must be approved by the City Engineer and Caltrans, where applicable, prior to issuance of a building permit.
40. The applicant shall be required to obtain an encroachment permit from the California Department of Transportation (Caltrans) for improvements on Main Street/State Highway 29 prior to receiving a grading or building permit authorizing site work or construction activities on the site. All conditions required by Caltrans shall be incorporated into the project and to the extent that the project is changed as a result of such conditions, the developer may be required to seek additional review by the City. The Caltrans encroachment permit and approved plans shall be submitted to Public Works prior to grading or building permit issuance.
41. The developer shall install at the developer's expense other infrastructure improvements as determined by hydrology analyses, etc, to include relocation of existing utilities and infrastructure facilities and connections, improved drainage facilities and other improvements as shown in the Highway 29 Specific Plan or as amended by the City Engineer.
42. Any request for reimbursement of public improvements shall be made pursuant to procedures in Chapter 17.176.
43. The applicant shall submit a geotechnical report with the submittal of the improvement plans. The improvement plans shall be reviewed and approved by the geotechnical engineer.

44. The applicant shall submit a drainage and hydrology analysis for the project impact, including downstream erosion potential, to the City of St. Helena Public Works Department with the Improvement Plan submittal in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of said improvement plan submittal. If inadequate downstream drainage facilities are found to exist, a program to either upgrade existing facilities or construct new drainage facilities on the west side of Main Street/Highway 29, consistent with the Specific Plan and the City of St. Helena Storm Drain Master Plan, shall be identified. The developer may be required to install stabilization at the outlet on the east side of Main Street for erosion control. On-site stormwater detention/retention/infiltration facilities are encouraged and may be required in accordance with current City, County and State law.
45. Stormwater treatment shall be designed and constructed in accordance with State of California standards to provide the necessary retention volume and infiltration surface area for the stormwater run-off for a 2 year 24 hour storm event. The release of the difference between the pre- and post-developed flows will be metered so as not to exceed the peak of the pre-developed flows for the 10-50-100 year storm events. The storm drain size shall be in accordance with the City of St. Helena Master Storm Drain Plan and the Highway 29 Corridor Specific Plan, or as amended by the City Engineer. The system to detain the post-developed flows will be designed in accordance with City standards and all current federal, state and county codes governing such improvements.
46. Modification to the York Creek stream bank shall require submission of plans and approval by the City Engineer along with California State agencies such as the Department of Fish and Game and the Regional State Water Resources Board, and where required, the Army Corps of Engineers prior to improvement plan approval.
47. The developer shall underground any on-site existing local-serving overhead utility lines per St. Helena Municipal Code. The cost of undergrounding shall be the responsibility of project developers.
48. Project water usage shall conform to the water use agreement as approved as Resolution 2010-91 of 3705 gallons per day maximum for the project. All landscape irrigation water will be served via an on-site water well. Pool water shall be trucked in.
49. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.
50. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
51. To ensure that adequate fire truck access and circulation exists, no grading or building permits shall be issued until the site improvement plans are submitted and approved by the City Public Works and Fire Departments incorporating ladder truck turning templates and vertical profiles on the driveway access.

52. Hydrant locations to be approved by the Fire Department. Provide and coordinate the location with the Fire Department for an additional Fire Hydrant fronting the Acacia House. The original fire sprinkler system design for the Acacia House shall meet current fire standards. After review of the angle of Departure Design, provide the following:
 - a. Confirm the source of where the Fire Truck Turn specifications and angle of departure were obtained from;
 - b. Provide a minimum of 1' clearance between lower orientations of fire truck and road surface;
 - c. Provide Fire Flow calculations for site and assure that 6" main is sufficient for demand;
 - d. Assume the 4" fire water mains serving multiple buildings are providing sufficient
53. Fire hydrants along the project frontage in the public right of way may be required by the Fire Department/Fire Marshall to be installed at the developer's expense.
54. If applicable, the Applicant shall indicate in writing to the City of St. Helena the disposition of all existing water well(s) within the parcel(s) (Chapter 13.16 St. Helena Municipal Code). If one or more wells are to be abandoned, or abandoned and have not been properly destroyed, the Applicant shall provide the City with a true and correct copy of a Permit approved by the Napa County Department of Environmental Management for destruction of the well(s) in conformance with the applicable State of California Water Well Standards as well as confirmation of such destruction in the form of a true and correct copy of the State of California Department of Water Resources Form-188 filed by the Applicant's contractor for each such destruction.
55. Where applicable, existing wells must be properly protected from potential contamination. Any well that is not destroyed must be properly protected and approved backflow prevention devices installed according to the City Water Specifications.
56. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards and shall include the addition of a grease interceptor for food/beverage service activities.
57. Any existing on-site septic systems must be demolished in accordance with the County Department of Environmental Management (DEM) guidelines prior to any clearing, grubbing or grading.
58. The applicant shall be required to mitigate the increase in wastewater generation on the downstream sewer system by constructing a new 6" force main with a 10" containment pipe from the Crinella Pump Station to the existing sewer system at Railroad and Fulton Avenues (approximately 1210 linear feet) at the developer's expense.
59. The applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual

stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.

60. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Department within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
61. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. These areas shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
62. The applicant shall install the landscape irrigation lines in accordance with reclaimed water standards, in consideration of the future reclaimed water lines.
63. All property lines adjoining public streets shall have a 10-foot Public Utility Easement; recorded deeds shall be submitted to the City Engineer prior to issuance of a building permit.
64. Deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per Caltrans and City specifications, extent to be determined by the Public Works Department.
65. Existing streets being cut by new services will require edge grinding and an A.C. overlay per Caltrans and City standards, extent to be determined by the Public Works Department.
66. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

Approved at a Regular Meeting of the St. Helena City Council on March 27, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

- 11 -

Delford Britton
Mayor

Delia Guijosa
City Clerk

Grandview Hotel
Project Site
1915 Main Street





PROJECT STATEMENT
GRANDVIEW INN
1915 MAIN STREET ST. HELENA, CALIFORNIA

Grandview Hotel Investors, LLC has recently acquired the historic property and accompanying current entitlements at 1915 Main Street. The current entitlements allow for the conversion and renovation of the property containing the historic Acacia House, 35-room country inn and 22 studio apartments to 57 hotel rooms. The current ownership group desires to modify the entitlement and project to better conform to their business objectives. They have engaged the architectural firm The HR Group, local landscape architect Jonathan Plant Associates, and civil engineers Reichers Spence & Associates to assist them with the desired modification.

While the number of total rooms on the site (57) will not change, the owners are proposing to remove the three non-historic buildings, referred to in the record as Pine, Laurel and Palm and replace them with new buildings that are specifically designed to reinforce the historic components of the Acacia House.

The basic elements of the project will not change. The historic Acacia House will be returned to its prominence on the site and will be renovated and converted to five (5) guest rooms, restaurant, reception area, common areas for guests, and space for business operations. A change to the approved program involves the expansion of the approved food service within the Acacia house to include a 40-seat restaurant that will be jointly used by both guests and the public.

The replacement building for Palm will contain twelve (12) guest rooms on the upper floor with storage functions located on the lower floor. The replacement building footprint for the Palm building will be located no closer to the top of bank of York Creek than the existing building.

Two new 3-story buildings are proposed along the west property line to replace the existing structures. Elevator access will be provided to each floor. These newly constructed buildings will contain forty (40) guest rooms. Each guest room will have commanding views of the Beringer Vineyards beyond the west property line and will have access to a private balcony or deck with western, sunset views. A new swimming pool and spa will be located between the two new buildings to include rest rooms and bar area.

Two other new program elements complete the proposed revision: the construction of a new 3,500 g.s.f. meeting/conference room and a 3,500 g.s.f. spa facility. These two buildings are to be located west of and behind the Acacia House. Finally rather than distributing the required parking areas

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throughout the site as originally approved, the revised site plan includes all parking spaces to be located along the south property line. Valet parking for both hotel and restaurant guests will be available 24 hours per day. Arriving guests will be dropped off at the porte-cochere with valets relocating the vehicles to the south side parking area.

Each new building has been carefully designed and sited to complement but not compete with the historic Acacia House.

The owners have engaged Jonathan Plant Associates and the design firm of Gensler, a global architecture and design firm, to assist with planting and color schemes to integrate the new additions to the site with the historic Acacia House.

The revised project is described more fully in the plan set that accompanies the request for design permit and use permit modification. The project complies with all setback, parking, coverage and height requirements of the city's zoning ordinance. In addition, the project is designed to conform to the recently approved water use agreement. Finally the owners will be seeking to amend some of the original conditions of approval to better conform to the program objectives of the revised project.

Approval of the project as described on accompanying plan set dated November 16, 2011 is requested.

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MINUTES
ST. HELENA PLANNING COMMISSION
VINTAGE HALL BOARD ROOM – 2ND FLOOR
465 MAIN STREET, ST. HELENA
FEBRUARY 7, 2012
7:00 P.M.

.....

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Commissioners Pitts, Kistner, Heil, Parker, & Chairperson Galbraith
Absent: None

Staff:
Present: Greg Desmond, Interim Planning Director
 Shelley Mills, Associate Planner
 Debby Hight, Assistant Public Works Director & City Engineer
 Cynthia Carpenter, Planning Administration
Absent: None

3. APPROVAL OF MINUTES: January 17, 2012

IT WAS MOVED BY COMMISSIONER HEIL, SECONDED BY COMMISSIONER PITTS, TO APPROVE THE MINUTES OF JANUARY 17, 2012.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

4. PUBLIC FORUM: NONE

5. COMMUNICATIONS AND PETITIONS: NONE

Commissioner Kistner noted that she had recently spoken with Mr. Friedrich regarding a letter sent with regards to her comment at the previous meeting about concerns with the waiving of City fees. She noted that Mr. Friedrich had misunderstood her comment referencing his hotel project, and that everything was now better understood and he is no longer concerned.

6. RECOMMENDED CONSENT CALENDAR:

**Continued from 1/17/2012*

6.1	2011-70:	DESIGN REVIEW
	LOCATION:	1350 MAIN STREET
	APPLICANT:	PAUL VORLAND & CLARK HARDING representing ODD FELLOWS LODGE #167 I00F

Request for Design Review to complete phase two of the Seismic Retrofit and ADA Compliance project that began in 2004. The building has been structurally reinforced from the foundation to the top of the second floor walls, as the first phase of seismic renovation. The second phase will finish the seismic reinforcing by building a structural diaphragm at the roof level and establishing ADA compliant access to the second floor.

The Odd Fellows Lodge building is a historic building made of structurally reinforced masonry located at 1350 Main Street in the CB: Central Business zoning district. (APN: 009-212-004)

CEQA: Exempt
 REQUIRED ACTION: Open & close the public hearing; accept the required findings and approve the request complete phase two of the Seismic Retrofit and ADA Compliance project that began in 2004.

COMMISSION ACTION: *Opened & closed the public hearing; accepted the required findings and approved the request complete phase two of the Seismic Retrofit and ADA Compliance project that began in 2004.*

6.2 Building Permits & Design Review Exemptions

COMMISSION ACTION: *Opened & closed the public hearing; accepted the required findings and approved the Building Permits & Design Review Exemptions as recommended by staff for approval on the Consent Calendar.*

IT WAS MOVED BY COMMISSIONER HEIL, SECONDED BY COMMISSIONER PARKER, TO APPROVE ITEM 6.1 (1350 MAIN STREET), & 6.2 (BUILDING PERMITS AND DESIGN REVIEW EXEMPTIONS) AS RECOMMENDED BY STAFF ON THE CONSENT CALENDAR:

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COMMISSIONERS HEIL, KISTNER, PARKER, & CHAIRPERSON GALBRAITH
 NOES: NONE
 ABSTAIN: COMMISSIONER PITTS, ITEM 6.1 (1350 MAIN)
 ABSENT: NONE

7. **SIGN PERMIT/ADMINISTRATIVE DETERMINATION:** NONE

8. **PUBLIC HEARINGS/ PLANNING COMMISSION ACTION IS FINAL:**

8.1 2010-26: AMENDMENT to a previously approved DESIGN REVIEW
 LOCATION: 1643 SCOTT STREET
 APPLICANT: PETER ALEXANDER

Request for replacement of a non-conforming, approximately 200 square foot garage with a new, conforming 322 square foot garage located at 1643 Scott Street in the MR: Medium Density Residential Zoning district. (APN 009-294-004)

CEQA: Exempt
 REQUIRED ACTION: Open & close the public hearing; accept or reject the required findings and approve or deny the request for replacement of a non-conforming, approximately 200 square foot garage with a new, conforming 322 square foot garage located at 1643 Scott Street.

COMMISSION ACTION: *Opened & closed the public hearing; received public testimony; accepted the required findings and approved the request for replacement of a non-conforming, approximately 200 square foot garage with a new, conforming 322 square foot garage located at 1643 Scott Street.*

IT WAS MOVED BY COMMISSIONER HEIL, SECONDED BY COMMISSIONER KISTNER, TO ACCEPT THE REQUIRED FINDINGS AND APPROVE THE REQUEST FOR REPLACEMENT OF A NON-CONFORMING, APPROXIMATELY 200 SQUARE FOOT GARAGE WITH A NEW, CONFORMING 322 SQUARE FOOT GARAGE LOCATED AT 1643 SCOTT STREET.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

8.2 2011-65: DESIGN REVIEW, DEMOLITION PERMIT &
 USE PERMIT AMENDMENT
 LOCATION: 1915 MAIN STREET
 APPLICANT: JEFF REDDING representing
 GRANDVIEW HOTEL INVESTORS, LLC

Request for Design Review, Demolition Permit, & Use Permit Amendment to a previously approved Use Permit (2010-19) for the Grandview Hotel to include the following:

1. Demolition of the three non-historic buildings – Pine, Palm & Walnut and replace them with new hotel rooms. The Palm building will contain 12 guest rooms on the second floor and storage on the first floor. The Pine building will contain 16 guest rooms and the Walnut building to be replaced with a 3,500 square foot Meeting & Conference Room and a 3,500 square foot Spa/Fitness Center. (A 1,178 spa was previously approved in 2006.);
2. Expansion of the Laurel building to include 14 guest rooms (10 rooms previously approved in the Laurel building in 2006);
3. A new 40-seat restaurant to serve the guests and public along with a request for an increase to the Regulated Food and Beverage Establishments Inventory;
4. Demolition of the Oak & Redwood buildings for the relocation of the parking into this area along the south property line.

The total number of 57 hotel rooms as previously approved will not change. The property is located at 1915 Main Street and is zoned Service Commercial with a Historic Preservation overlay. (APN 009-490-009)

CEQA: Prior Negative Declaration Adequate
 REQUIRED ACTION: Open & close the public hearing; accept or reject the required findings and approve or deny the request for Design Review, Demolition Permit, & Use Permit Amendment to a previously approved Use Permit (2010-19) for the Grandview Hotel.

COMMISSION ACTION: *Opened & closed the public hearing; accepted the required findings and approved the request for Design Review, Demolition Permit, & Use Permit Amendment to a previously approved Use Permit (2010-19) for the Grandview Hotel, as noted above.*

IT WAS MOVED BY COMMISSIONER HEIL, SECONDED BY COMMISSIONER KISTNER, TO ACCEPT THE REQUIRED FINDINGS AND APPROVE THE REQUEST FOR DESIGN REVIEW, DEMOLITION PERMIT, & USE PERMIT AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT (2010-19) FOR THE GRANDVIEW HOTEL TO INCLUDE THE FOLLOWING:

1. DEMOLITION OF THE THREE NON-HISTORIC BUILDINGS – PINE, PALM & WALNUT AND REPLACE THEM WITH NEW HOTEL ROOMS. THE PALM BUILDING WILL CONTAIN 12 GUEST ROOMS ON THE SECOND FLOOR AND STORAGE ON THE FIRST FLOOR. THE PINE BUILDING WILL CONTAIN 16 GUEST ROOMS AND THE WALNUT BUILDING TO BE REPLACED WITH A 3,500 SQUARE FOOT MEETING & CONFERENCE ROOM AND A 3,500 SQUARE FOOT SPA/FITNESS CENTER. (A 1,178 SPA WAS PREVIOUSLY APPROVED IN 2006.);
2. EXPANSION OF THE LAUREL BUILDING TO INCLUDE 14 GUEST ROOMS (10 ROOMS PREVIOUSLY APPROVED IN THE LAUREL BUILDING IN 2006);
3. A NEW 40-SEAT RESTAURANT TO SERVE THE GUESTS AND PUBLIC ALONG WITH A REQUEST FOR AN INCREASE TO THE REGULATED FOOD AND BEVERAGE ESTABLISHMENTS INVENTORY;
4. DEMOLITION OF THE OAK & REDWOOD BUILDINGS FOR THE RELOCATION OF THE PARKING INTO THIS AREA ALONG THE SOUTH PROPERTY LINE.

THE TOTAL NUMBER OF 57 HOTEL ROOMS AS PREVIOUSLY APPROVED WILL NOT CHANGE. THE PROPERTY IS LOCATED AT 1915 MAIN STREET AND IS ZONED SERVICE COMMERCIAL WITH A HISTORIC PRESERVATION OVERLAY

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

9. PUBLIC HEARINGS/ RECOMMENDATIONS TO CITY COUNCIL: NONE

10. REFERRALS: NONE

11. SCHEDULED MATTERS:

11.1 Planning Commission Nomination & Election of Chairperson

The Interim Director explained that staff is wishing to obtain clarification with regards to how the nomination and election of the Chairperson is conducted, how the language is presented in the Municipal Code & Planning Commission Bylaws. There is no real clarity between the two documents as to whether the election period or term is one calendar year or should take place in July of each year. Staff is requesting clarification from the City's legal council and will bring that information to the next Commission meeting.

Chairperson Galbraith noted that it was his understanding, and made good sense to him, that the reason for the reference to July of each year in the Bylaws corresponds with the seating of new Commission members. However, if the City Attorney feels different the Commission will uphold that determination.

12. REPORTS BY STAFF AND PLANNING COMMISSION:

Staff announced that the draft Short Term Rental ordinance would be presented to the City Council for discussion on February 14, 2012.

As for the updating of the water regulations as they pertain to the water section of the Public Facilities element of the General Plan Update, staff noted that they will be moving forward with updates of that section to reflect language additions and changes noted earlier.

Further, staff noted that they hope to begin discussion of Second Units in March.

Regarding the short-term rental draft ordinance, the draft will be discussed at City Council, however it will come back to the Planning Commission for consideration and recommendations to City Council.

Staff noted that the Sherwin project is moving forward with a new site plan which is currently being reviewed by department staff. The Commissioners can expect to review it in the near future.

Finally, Chairperson Galbraith noted that the City Manager provided the Resolution that details conduct expectations for the City's Council and Commission members as part of the weekly news report from City Hall. The Chairperson stated that as conduct expectations are so important, he believes that staff ought to come back with a change to the Bylaw document that officially adopts these important expectations, referencing the Resolution and standards contained therein.

He encouraged all members to read the Resolution from time to time. He also noted that the standards can be found on the City's website.

13. AGENDA FORECAST:

February 21, 2012

Vineland Station Final Map

2011-57: 195 Main, El Bonita Hotel – VAR/DR - Staff noted that this particular item will not be ready.

2012-03: 633 Main, Vineland Station Hotel – LLA/DR/UPA

2012-05: 929 Main Street, Bello Family Vineyards - SP

14. ADJOURNMENT: A motion will be in order to adjourn to a regularly scheduled meeting of the Planning Commission on February 21, 2012, at 7:00 p.m. in the Vintage Hall Board Room, 465 Main Street, St. Helena, CA.

Greg Desmond
Interim Planning Director



707-255-1836
1219 First Street
Napa, CA 94559
napacountyland

February 1, 2012

Board of Directors

Stephen Cuddy, AIA
President

Sarah Van Giesen
Vice President

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John Sensenbaugh
Treasurer

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Juliana Inman, AIA

Jay Jacobson, AIA

Linda Kerr

Lloyd Llewelyn

Garret Murphy

Shelley Mills
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Shelley,

Thank you for allowing us the opportunity to comment on the Grandview Project at 1915 Main Street. The Preservation Action Committee (PAC), which is a Napa County Landmarks' committee comprised of staff, architects, contractors, planners and other preservation minded individuals reviewed the project at our last PAC meeting on January 25, 2012.

Given that this project has come before this committee on another occasion, we focused our discussion on the current proposed changes which include a restaurant addition to the main historic building, the removal of non-historic structures replaced with new structures and the proposal for a new large structure behind the existing historic building. As with all projects, it is our assumption that St. Helena has an interest in preserving the integrity of its historic resources and should advocate for their historically rich environment. This said, we would like to offer you these general comments based on the project materials received and reviewed.

- That the entire project adhere to the Secretary of Interior Standards.
- That the historic windows be retained and repaired.
- That any new additions or buildings be mindful, respectful of their historic setting and environment; that appropriate architectural proportions with attention to scale and intensity of use be considered.

We hope that you find our comments meaningful and helpful as you address this project.

Sincerely,

Denina Fredrickson, Program Coordinator
on behalf of Napa County Landmarks' PAC

Program

Coordinator

Denina Fredrickson

Advisory Board

Cindy L. Heitzman

President Emeritus

Diane Dillon

Brenda W. Perry

Carol Poole

Harry Price

*Napa County
Landmarks
is an organization
that
promotes the
appreciation
of irreplaceable
historic buildings
and sites through
educational
programs,
public policy
advocacy,
research and*

**Appendix I
REGULATED FOOD AND BEVERAGE ESTABLISHMENTS INVENTORY JANUARY 2008**

	INSIDE SEATS	OUTSIDE SEATS	UNSPECIFIED	TOTAL SEATS
A & W** 501 Main Street 963-4333 (City Council Det. 1/10/95)	107	28	0	135
Ana's Cantina** 1205 Main Street 963-4921 (UP 5/3/89)	64	0	0	64
Armadillo's** 1304 Main Street 963-8082 (La Placita UP 6/7/89)	48	0	0	48
Azteca Market 789 Main Street (UP-Resolution 12/14/04)	12	0	0	12
Big Dipper 1336 Oak Avenue 963-2616 (file memo dated 2/9/90)	25	0	0	25
Cindy's Backstreet Kitchen** 1327 Railroad Ave. 963-1200 (UP 6/6/90)	0	0	125	125
Cook St. Helena** 1310 Main Street 963-7088 (UP 8/30/88)	36	0	0	36
Culinary Institute** 2555 Main Sreet 963-4503 (UP 10/15/93)	0	0	125	125
Gillwood's** 1313 Main Street	55	0	0	55

Appendix I REGULATED FOOD AND BEVERAGE ESTABLISHMENTS ... <http://www.codepublishing.com/CA/sthelenahtml/StHelena17...>

963-1788 (City Council minutes 11/9/82) Giugni's 1227 Main Street	25	0	0	25
963-3421 (occ. det.) Go Fish** 641 Main Street	0	0	169	169
963-1401 (Southside Cafe UP 6/14/94) Golden Harvest** 61 Main Street	35	0	0	35
963-3235 (UP 7/8/86) La Prima** 1010 Adams Street	68	24	0	92
963-7909 (occ. det.) Market Restaurant** 1347 Main Street	72	0	0	72
963-4646 (U.P. 10/16/01) Martini House** 1245 Spring Street	109	66	0	175
963-5578 (UP 12/19/00) Model Bakery 1357 Main Street	20	0	0	20
963-8192 (City Council Det. of Use 8/23/94) N. V. Coffee Roasting Co. 1400 Oak Ave.	40	10	0	50
963-4491 (UP 7/24/90) Pizzeria Tra Vigne** 1000 Main Street	0	0	120	120
967-9999				

Appendix I REGULATED FOOD AND BEVERAGE ESTABLISHMENTS ... <http://www.codepublishing.com/CA/sthelenahtml/StHelena17...>

(UP 8/27/91)				
St. Helena Hotel	54	0	0	54
1309 Main Street				
963-4388				
(UP 11/17/87)				
Stomp/Keller's**	72	0	0	72
1320 Main Street				
(UP 11/01/05)				
CC Blue Sushi**	36	0	0	36
1148 Main Street				
(UP 9/20/05)				
Taylor's Refresher**	0	0	139	139
933 Main Street				
(City Council Det. 1/10/95)				
Terra**	105	0	0	105
1345 Railroad Ave.				
963-8931				
(Duckworth UP 6/7/88)				
That Pizza Place**	12	0	0	12
1149 Main Street				
(UP 11/06/07)				
Tra Vigne Cantinetta	4	16	0	20
(UPA 5/2/90)				
Tra Vigne Restaurant**	60 (Dining)	100	0	160
(UP 9/15/81)	80 (Banquet)	0	0	80
1050 Charter Oak				
963-4444				
Villa Corona**	35	8	0	43
(formerly Napa Valley Deli)				
1138 Main Street				
963-7710				
(UP 5/17/94)				
Vineland Station Tea House	0	0	20	20
1281 Vidovich Ave.				
UP 2007-63				
Vineland Station Cafe	40	10	0	50
1281 Vidovich Ave.				
UP 2007-65				
Wine Valley Restaurant**	33	0	0	33

Appendix I REGULATED FOOD AND BEVERAGE ESTABLISHMENTS ... <http://www.codepublishing.com/CA/sthelenahtml/StHelena17...>

1146 Main Street
(UP 8/6/02)

SEATING TOTAL 2,177
RESTAURANT TOTAL 30

NUMBER OF RESTAURANTS PERMITTED IN ST. HELENA 30

1351 Lounge Nonconforming use; business closed.

1351 Main Street

963-4045

(occ. det.)

Magnolia** Permits for establishment of restaurant have expired.

(formerly Teng's)

1113 Hunt Ave.

963-1161

(UP 12/17/96.)

Martin Design** Permits for establishment of restaurant have expired.

(formerly Magnolia Cafe)

1118 Hunt Ave.

963-0748

(UP 98-91)

Mixers Permits for establishment of restaurant have expired.

Juice bar as accessory use

1232 Spring Street

963-9592

Pairs Parkside Cafe** Permits for establishment of restaurant have expired.

1420 Main Street

263-7666

(Rissa's UP 4/18/90)

Roadhouse 29** Permits for establishment of restaurant have expired.

(Formerly Fidel's Tacos,
Creekside Deli)

1065 Main Street

967-9997

(UP 12/17/93)

Roux** Nonconforming use expired after 60 days.

1234 Main Sreet.

963-5507

(occ. det.)

Vineland Station

Use Permit not vested.

709 Main Street

Appendix I REGULATED FOOD AND BEVERAGE ESTABLISHMENTS ... <http://www.codepublishing.com/CA/sthelenah/html/StHelena17...>

(UP 11/04/03)	
Tasting on Main	Use Permit not vested.
1142 Main Street	
(UP 2006-12)	
* The number of seats authorized in each establishment is either the number regulated by conditions imposed by the City or the number of occupants allowed based on the Uniform Fire Code regulating occupancy limits. ** Restaurants with complete kitchens capable of providing full menu service of food prepared on premises.	

This page of the St. Helena Municipal Code is current through Ordinance 2011-6, passed June 28, 2011.

Disclaimer: The City Clerk's Office has the official version of the St. Helena Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.st-helena.ca.us>
<http://www.ci.st-helena.ca.us>
 City Telephone: (707) 967-2792
 Code Publishing Company
<http://www.codepublishing.com/>
 eLibrary (<http://www.codepublishing.com/elibrary.html>)

DESIGN REVIEW SUBMITTAL
November 18, 2011

GRANDVIEW INN

1915 Main Street, St. Helena, CA

Project Team

OWNER

PRESIDIO COMPANIES
4705 Mangels Blvd.
Fairfield, CA 94534

DESIGN BUILDER

TRICORP HEARN CONSTRUCTION
11281 Pyrites Way, Suite A
Gold River, CA 95670

ARCHITECT

THE HR GROUP ARCHITECTS
2277 Falk Oaks Blvd., Studio 230
Sacramento, CA 95825

CIVIL ENGINEER

RIECHERS SPENCE & ASSOCIATES
1515 Fourth Street
Napa, CA 94559

LANDSCAPE ARCHITECT

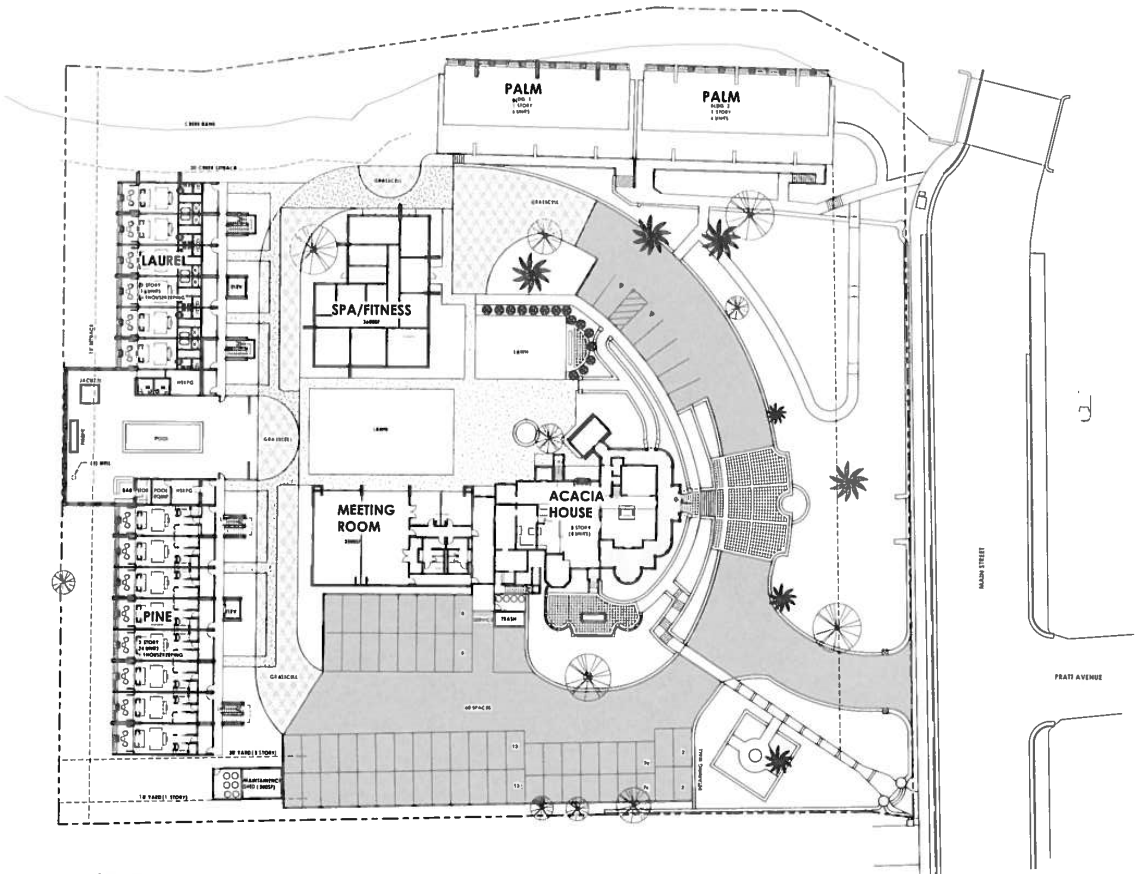
JONATHAN PLANT & ASSOCIATES, INC.
1230 Pine Street
St. Helena, CA 94574

INTERIOR DESIGNER

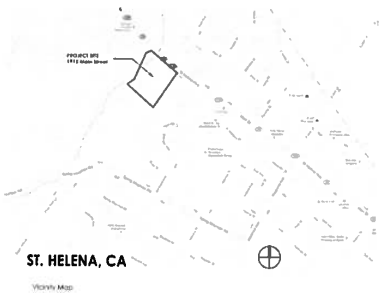
GENSLER
Two Harrison Street, Suite 400
San Francisco, CA 94105

PLANNING CONSULTANT

JEFF REDDING
2423 Renfrew Street
Napa, CA 94558



OVERALL SITE PLAN
1" = 20' 0"



ST. HELENA, CA

Vicinity Map



The HR Group Architects
2017 Oak Grove Blvd., Suite 200
St. Helena, CA 94759
707.942.1000
www.hrgrouparchitects.com

Project
GRAND VIEW INN

Drawn By

REX

Issue Date

11/09/2011

Revision

Description

OVERALL SITE PLAN AND

VICINITY MAP

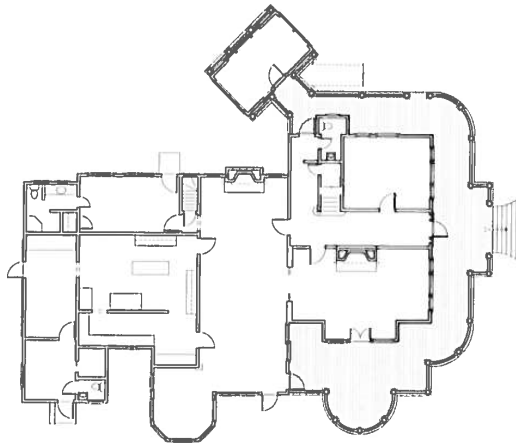
A1

11/16/2011 12:30:30
Plot
© 2011 HR Group Architects. All Rights Reserved. 11/16/2011 12:30:30
St. Helena, CA 94759

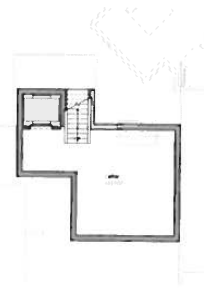


The HR Group Architects
227 Pine Street, Suite 200
San Francisco, CA 94102
P 415 485 4800
www.hrgroupinc.com

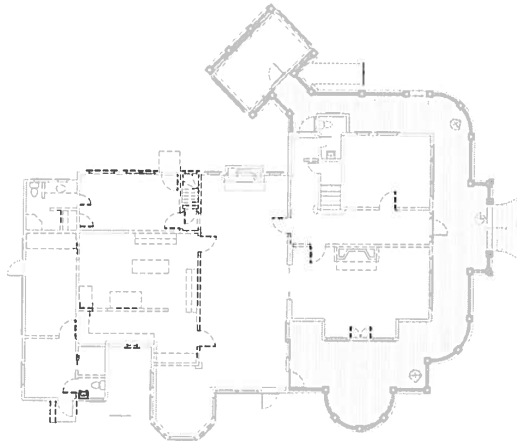
Project
Grandview Inn



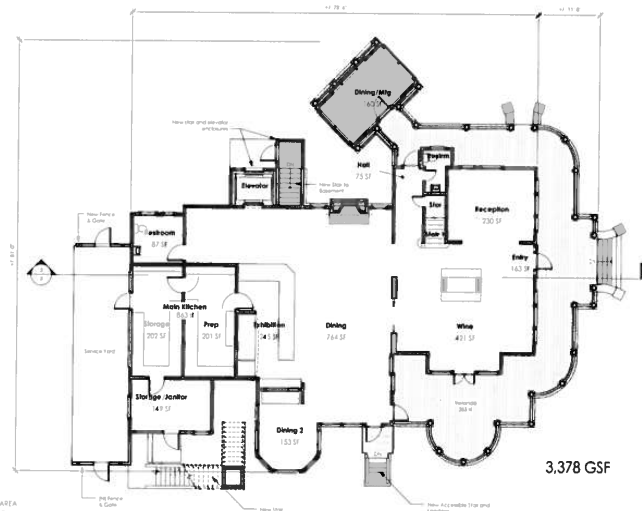
1st Floor Existing
1/8" = 1' 0"



Cellar Proposed
1/8" = 1' 0"



1st Floor Demolition
1/8" = 1' 0"



ACACIA HOUSE NET BUILDING AREA

Level	Footprint	Area
1st Floor	HOURS	21,137
1st Floor	DEMOLITION	1,400
2nd Floor	HOURS	20,114
3rd Floor	HOURS	22,814
Grand Total		43,465

ACACIA HOUSE GROSS BUILDING AREA

Level	Footprint	Area
1st Floor	DEMOLITION	1,400
1st Floor	HOURS	22,714
2nd Floor	HOURS	21,414
3rd Floor	HOURS	24,014
Grand Total		49,138

Drawn By
10/10/2011
Name Date
11/1/2011
Revision
Description
1st Floor - Acacia

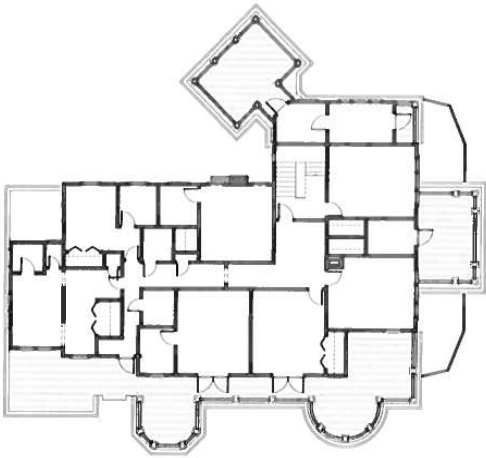
Acacia A2

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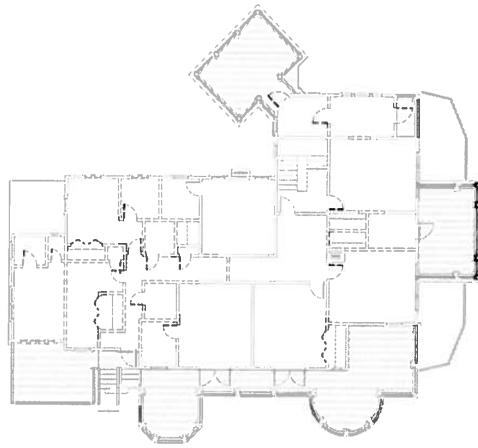


The HR Group Architects
227 West 10th Street, Suite 210
Lawrenceville, GA 30045
770.962.4800
www.hrarchitects.com

Project
Grandview Inn



2nd Floor Existing
(1/8" = 1' 0")



2nd Floor Demolition
(1/8" = 1' 0")



2nd Floor Proposed
(1/8" = 1' 0")

Preliminary Floor Area Subtotal			
Room	Area	Area	Area
A	235 sq ft	174 sq ft	901 sq ft
B	354 sq ft	319 sq ft	734 sq ft
C	319 sq ft	219 sq ft	475 sq ft
D	383 sq ft	45 sq ft	533 sq ft
E	276 sq ft		276 sq ft
F	2,099 sq ft	620 sq ft	3,942 sq ft

Drawn By
Author
Issue Date
11/03/2011
Revision

Description
2nd Floor - Acacia

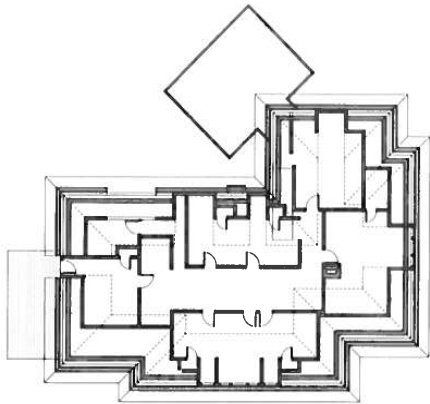
Acacia A3

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Rev

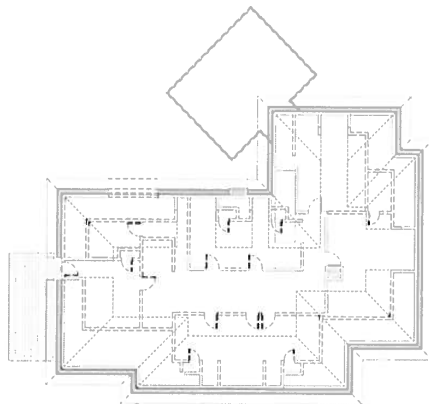


The HR Group Architects
2217 West 10th Street, Suite 210
Vancouver, BC V6L 2B5
Tel: 604.681.4455
www.hrarchitects.com

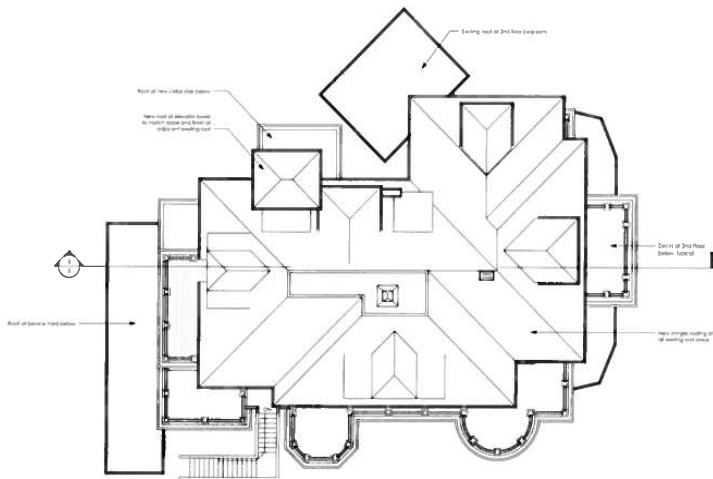
Project
Grandview Inn



3rd Floor Existing
108' x 112'



3rd Floor Demolition
108' x 112'



Roof Plan
108' x 112'



3rd Floor Proposed
108' x 112'

Drawn By
JSP

Issue Date
11/03/2011

Revision

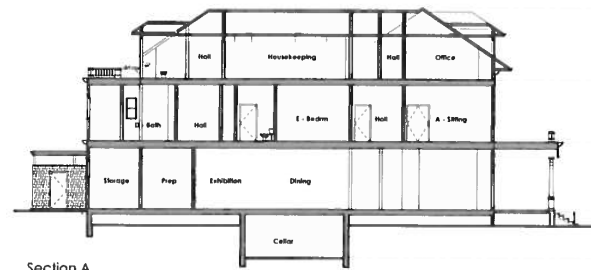
Description
3rd Floor & Roof Plan
Acacia

Acacia A4

11/3/2011 10:08 AM
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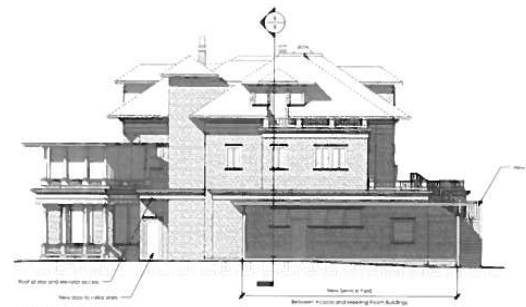
View 1



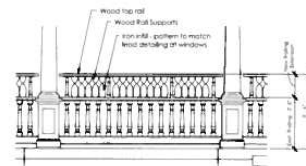
Section A



North
128' x 112'



West
128' x 112'



Railing Extension
128' x 112'



South
128' x 112'



East
128' x 112'

Drawn By

Issue Date

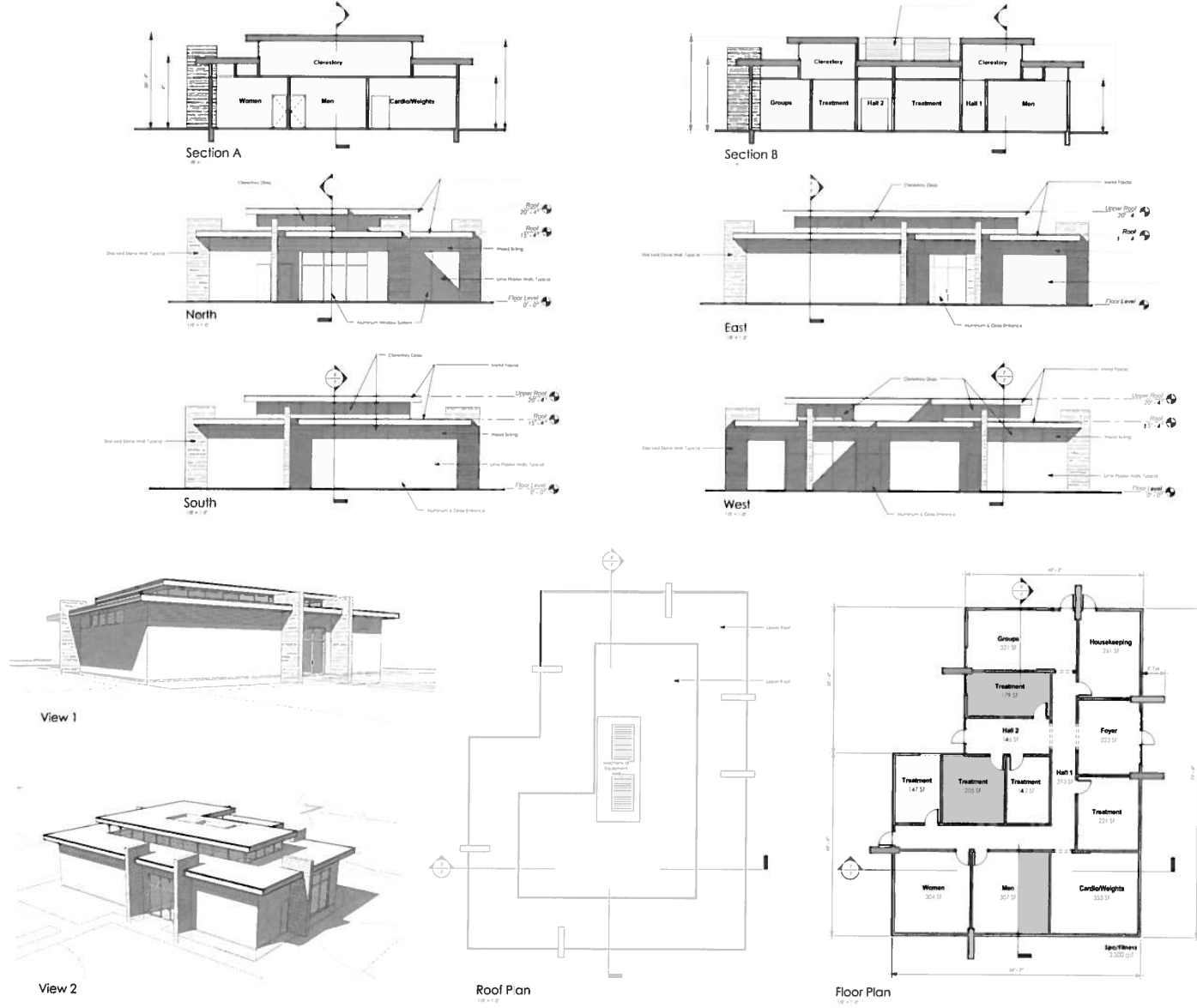
Revision

Description
Elevations and Section

Acacia

A5

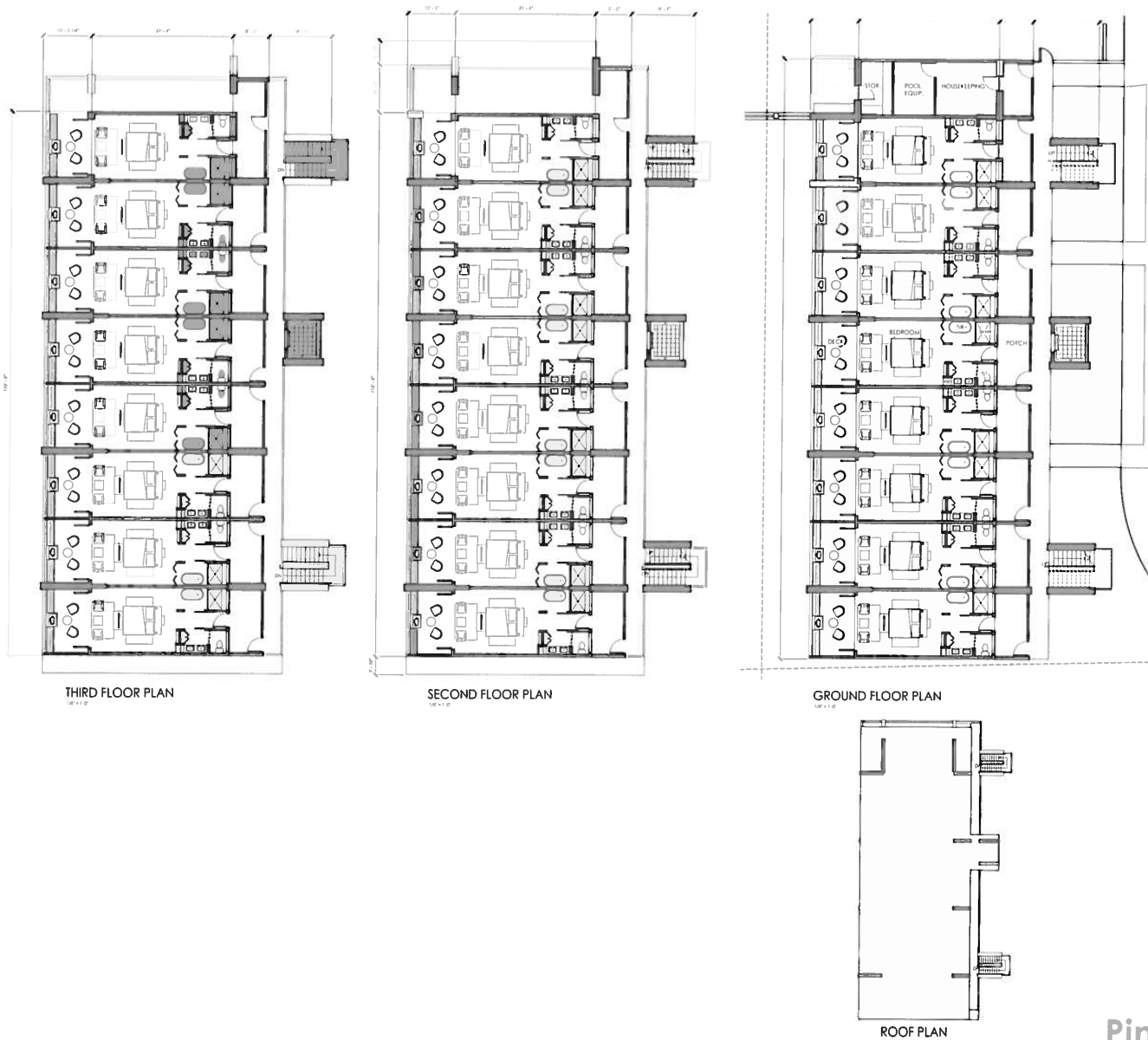
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Project
Project Name

Drawn By
108
Issue Date
11/18/2011
Revision
Description
Spa / Fitness

Spa / Fitness **A7**



The HR Group Architects
237 The Gray Wolf, Suite 201
Birmingham, AL 35203
www.hrgrouparchitects.com

Project
GRANDVIEW INN

PIKE NET BUILDING AREA

Level	Area
GROUND FLOOR	9513 SF
SECOND FLOOR	3113 SF
THIRD FLOOR	3113 SF
Grand Total	15739 SF

PIKE GROSS BUILDING AREA

Level	Area
GROUND FLOOR	11,275 SF
SECOND FLOOR	3,713 SF
THIRD FLOOR	3,713 SF
Grand Total	18,701 SF

Drawn By
JCH

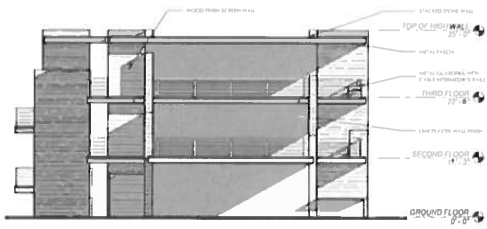
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11/18/11

Revision

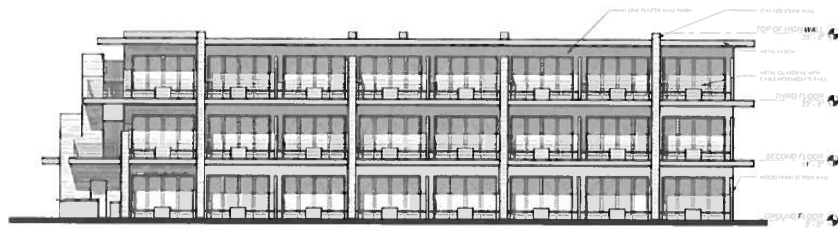
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FLOOR PLAN AND ROOF
PLANS - PIKE

Pine **A8**

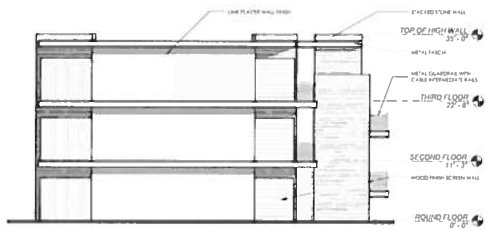
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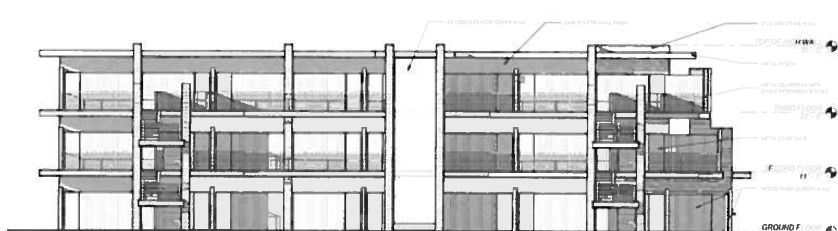
NORTH ELEVATION
1/8\"/>



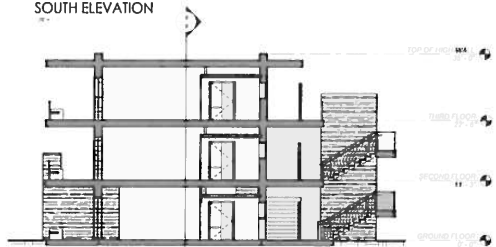
WEST ELEVATION
1/8\"/>



SOUTH ELEVATION
1/8\"/>



EAST ELEVATION
1/8\"/>



BUILDING SECTION A
1/8\"/>



BUILDING SECTION B
1/8\"/>



3D View 1



3D View 2



The HR Group Architects
227 West 10th Street, Suite 210
Des Moines, IA 50319
515.261.4555
www.hrarchitects.com

Project
GRANDVIEW INN

Drawn By
AUTOR

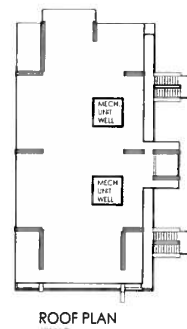
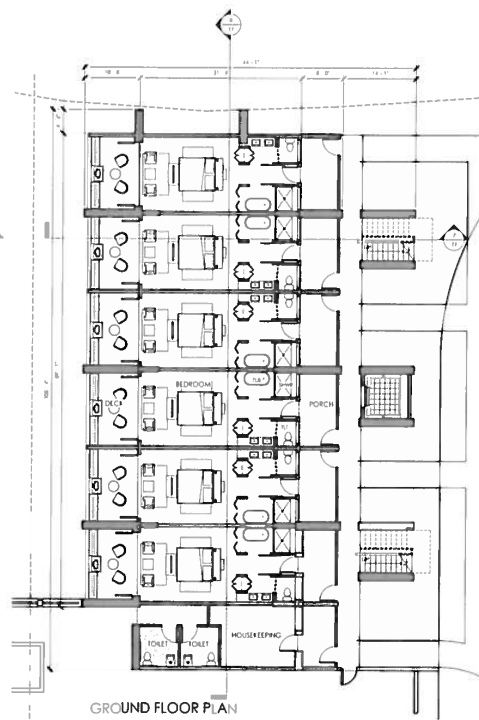
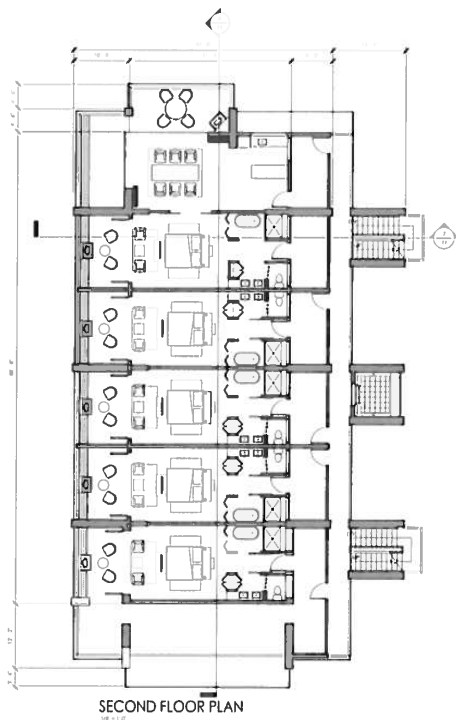
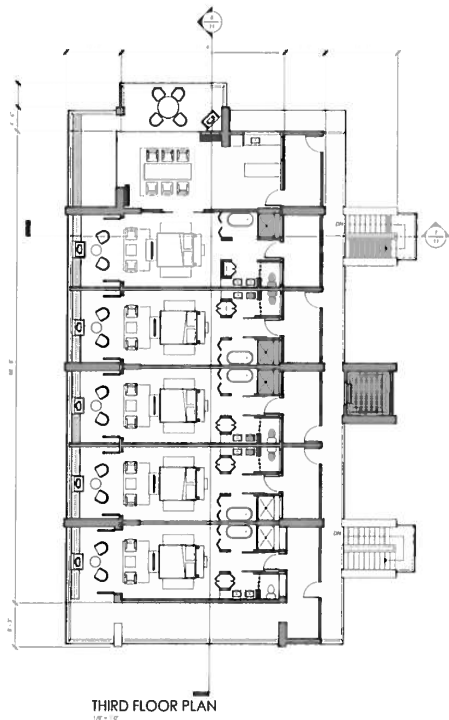
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11/18/11

Revision

Description
3D ELEVATIONS
BUILDING SECTION AND
PERSPECTIVES - P16

Pine A9

11/14/2011 12:30 PM
P16
C:\MSR\Arch\H000001\000\Grandview Inn\Grandview Inn - Issues - P16.dwg



Project
GRANDVIEW INN

LAUREL NET BUILDING AREA	
Level	Area
GROUND FLOOR	2881 SF
SECOND FLOOR	3421 SF
THIRD FLOOR	3421 SF
Grand Total	9723 SF

LAUREL GROSS BUILDING AREA	
Level	Area
GROUND FLOOR	1282 SF
SECOND FLOOR	2418 SF
THIRD FLOOR	2418 SF
Grand Total	6118 SF

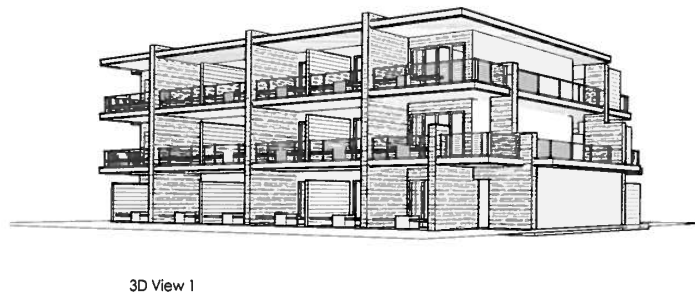
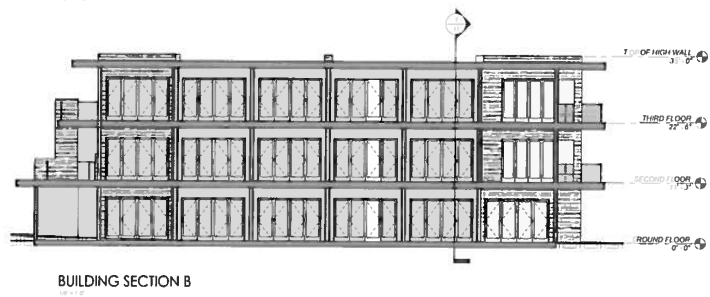
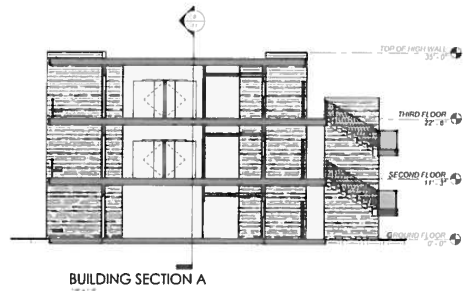
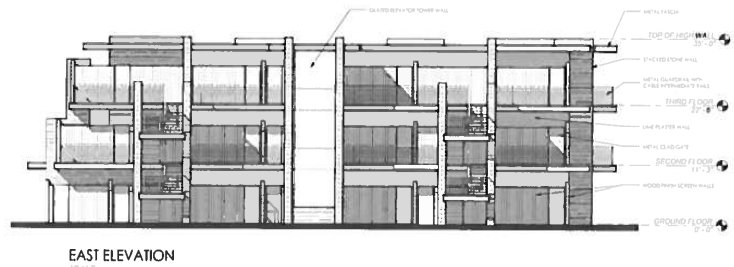
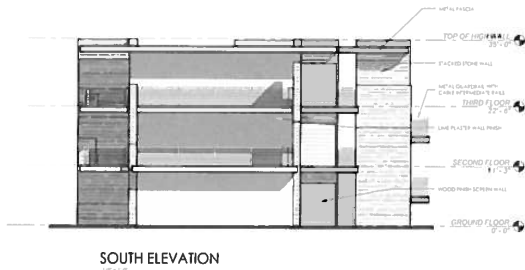
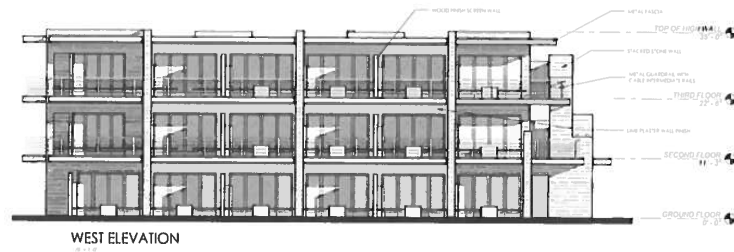
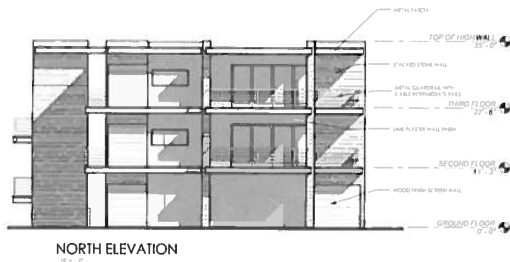
Drawn By

Issue Date

Revision

Description
FLOOR PLAN AND ROOF
PLANS - LAUREL

A10

Project
GRANDVIEW INN

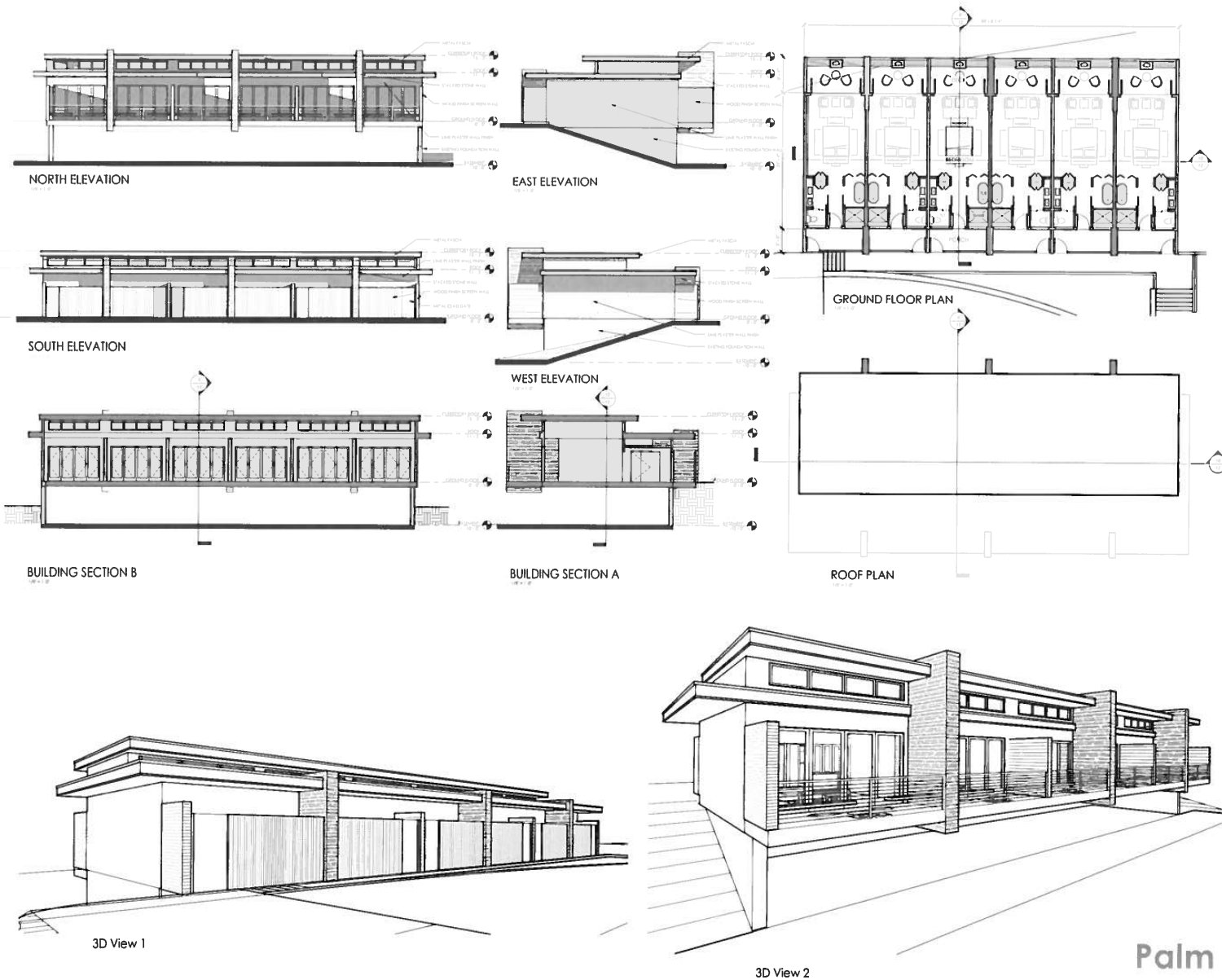
Drawn By
Author

Issue Date
11/18/11

Revision

Description
EXTERIOR ELEVATIONS,
BUILDING SECTIONS, AND
PERSPECTIVES - LAUREL

A11



Project
GRANDVIEW INN

PALM A12 BUILDING AREA
Level: Ground Floor
Ground Area: 2,000 SF

PALM A12 BUILDING AREA
Level: Roof
Ground Area: 2,000 SF

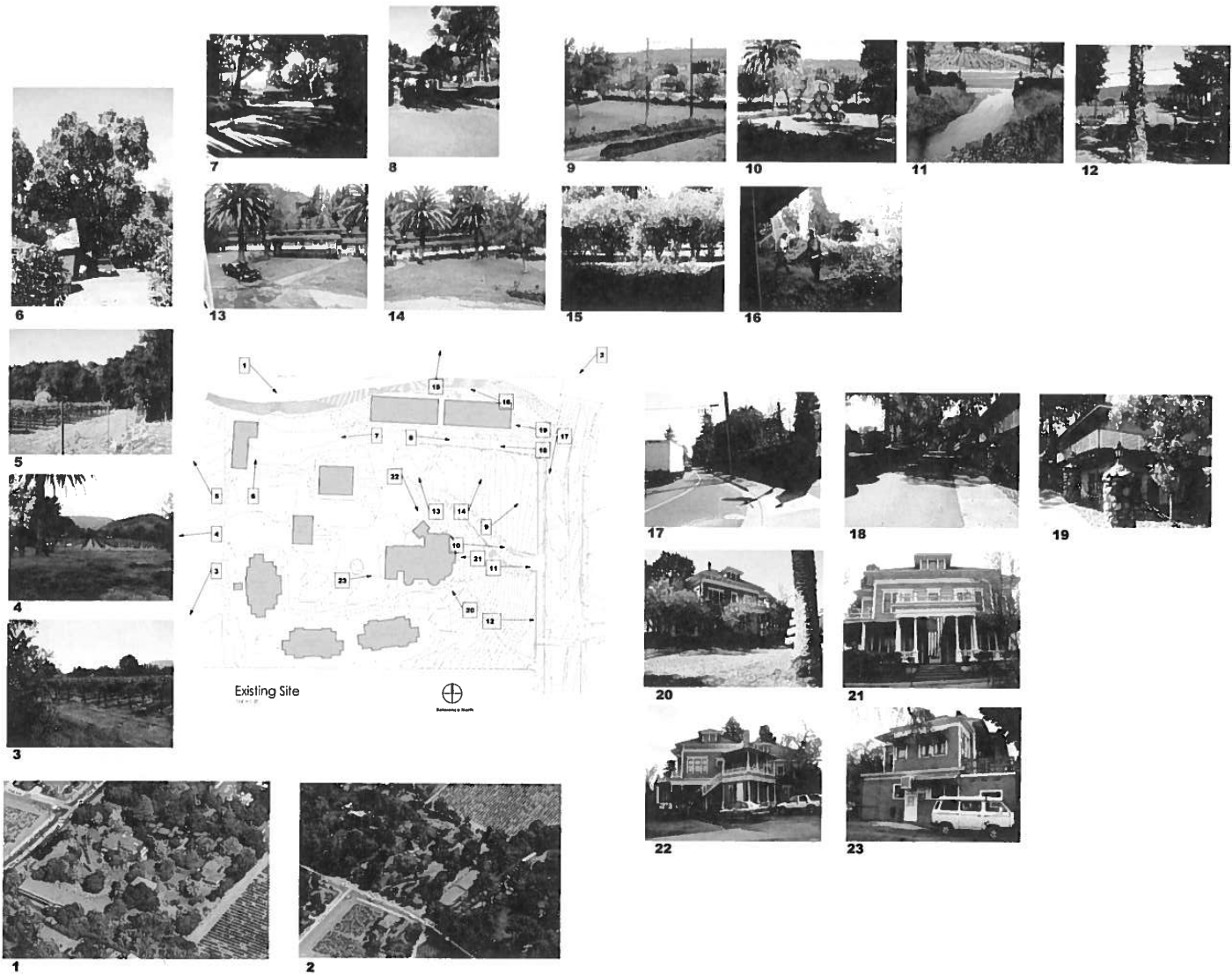
Drawn By
JSA

Issue Date
11/18/11

Revision

Description
FLOOR PLANS, EXTERIOR
ELEVATIONS AND
PERSPECTIVES, PALM

Palm **A12**



The
HR
Group
ARCHITECTS

The HR Group Architects
2011 1st Street, Suite 201
San Francisco, CA 94102
415.775.4000
www.hrarchitects.com

Project
Grandview Inn

Drawn By
Author
Issue Date
11/18/2011
Revision

Description
Site Photos

A13

11/18/2011 12:39:54
C:\Users\Gordon\Documents\HR\Grandview - photos.dwg
Plot

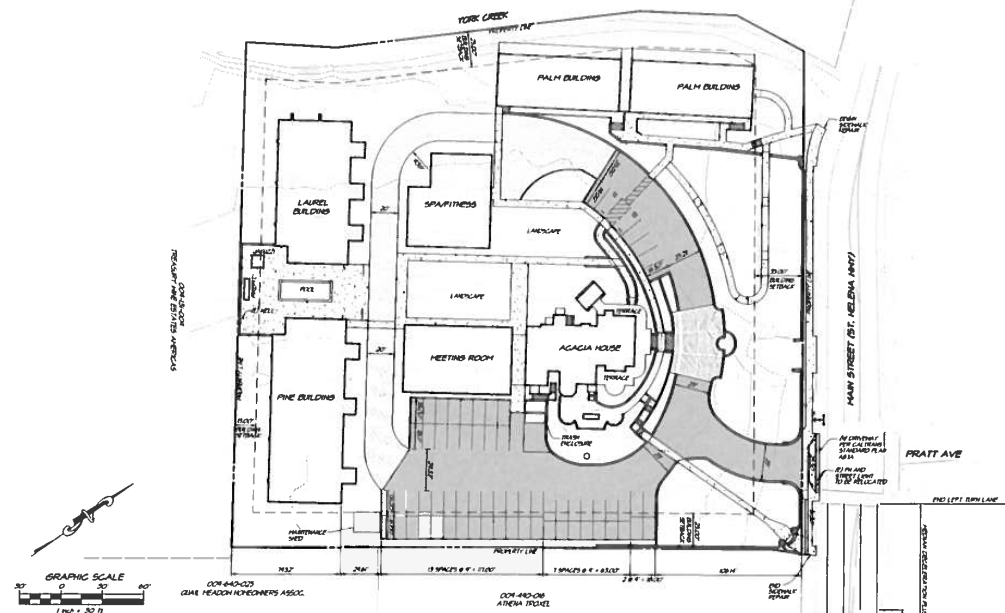
VICINITY MAP
NO SCALE

OWNER	RESCOR HEATH
OWNER ADDRESS	4300 WINTER HAVEN, SUITE A BULD WINTER CA 92083
CONTACT	TERRY HEDGECOCK
SITE ADDRESS	501 MAIN ST ST HELENA CA 94754
CITY ENGINEER	REGISTRATION OFFICE & ASSOC. 200 PEARSON STREET AMAL CA 94504 ALLEN LAMB TEL 415-733-3329
CONTACT	CLIFF HEDGECOCK
APPL	2-81
PARCEL AREA	2.81
EXISTING USE	MOBILE
PROPOSED USE	MOBILE
EXISTING ZONING	SC
PROPOSED ZONING	SC

THE FIGURES SHOWN HEREIN ARE BASED UPON AERIAL PHOTOGRAPHS. THE INFORMATION SHOULD BE CONSIDERED APPROXIMATE.

BENCHMARK: STANDARD TABLET IN FIRST STEP
ST. HELENA POST OFFICE STAMPED: 4-17-1941
ELEVATION = 2830' (ABOVE MSL)

CHRG-1	SITE AND LAYOUT PLAN
CHRG-2	NOTES
CHRG-3	GRADING PLAN
CHRG-4	UTILITY PLAN



EXISTING	PROPOSED
STATION DRAIN LINE	STATION DRAIN LINE
SANITARY SERVICE LINE	SANITARY SERVICE LINE
WATER LINE	WATER SERVICE LINE
SANITARY SERVICE MANHOLE	FREE AND WATER SERVICE LINE
STATION DRAIN MANHOLE	SANITARY SERVICE MANHOLE
MANHOLE	STATION DRAIN MANHOLE
FREE HYDRANT	WATER VALVE
WATER VALVE	DRAIN PILE
EX FREE TO REMAIN	AREA DRAIN
PERCE	EARTH SHAUL
JOINT PILE IN GUT	CLEANANCE PER 1/2" PER 1/2" DIA. TO 3/4"
CONCRETE LINE	PER HYDRANT AND VALVE PER 1/2" PER 1/2" DIA. NO EX
CONCRETE DRAIN LINE	
EX FREE TO REMAIN	

[illegible]

**CALL USA
BEFORE EXCAVATING**



48 HOURS IN ADVANCE
1 (800) 227-2600



REMARKED UPON THE DIRECTION OF

Received 10 May 2006; accepted 10 May 2006

PRELIMINARY NOT FOR CONSTRUCTION

**GRAND VIEW INN
SITE AND LAYOUT PLAN
ST. HELENA
CALIFORNIA**

DATE		NOV 03 2007	
ENTERED	FILED		
DELETED	FILED		
CHECKED	FILED		
ACCR. NO. 4-1000000			
SHEET NO DRC-1			

[illegible]

ALL BREACHES & VIOLATIONS MUST BE IDENTIFIED IN ACCORDANCE WITH THE REQUIREMENTS IN THE SPECIFICATIONS AND THE CONTRACT DOCUMENTS AND REPORTED TO THE ARIZONA CALIFORNIA DESIGN CENTER

VIOLATIONS REPORT MUST INCLUDE:

- 1. PROJECT NUMBER
- 2. PROJECT NAME
- 3. VIOLATION NUMBER SHALL BE ASSIGNED IN AT LEAST ONE (1) DAY IN ADVANCE OF COMMENCEMENT OF CORRECTIVE ACTION AND MUST BE IDENTIFIED AND REPORTED BY THE VIOLATION NUMBERING METHODOLOGY
- 4. SITE SHALL BE VISUALLY VERIFIED BY THE CONTRACTOR TO DETERMINE THE EXTENT OF CLEANUP
- 5. CORRECTIVE ACTION SHALL BE COMPLETED WITHIN 10 BUSINESS DAYS OF THE VIOLATION
- 6. SITE SHOWN AS IDENTIFIED IN THE VIOLATIONS REPORT SHALL BE SUPERVISED AREA IN A LIMITED-ACCESS AREAS CONTRACTOR SHALL CALL OUTLINE ANY LIMITED-ACCESS CONTRACTOR
- 7. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL OUTLINE ANY LIMITED-ACCESS AREAS AT LEAST 10 BUSINESS DAYS BEFORE THE VIOLATION OCCURS
- 8. CONTRACTOR SHALL CORRECT ALL BREACHING OPERATIONS IN SUCH A MANNER AS TO PRECLUDE ANY LOSS OF TIME AND RELATED CHARGES TO REOPENING OPERATIONS, SUPPLEMENTAL MATERIALS, AND/OR REPAIRS TO THE PROJECT
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF INVESTIGATION, CORRECTION AND DEFENSE RELATED TO AND BEYOND ACHIEVING, IF THE COSTS CORRECTED OR REOPENING ARE DETERMINED BY THE PROJECT MANAGER TO BE THE RESPONSIBILITY OF THE CONTRACTOR, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTIVE ACTION MEASURES AND COSTS

- 1 CONTRACTOR SHALL PROVIDE INTERIOR REBARBED TO CEMENTED JOINTS IN REQUESTS AS APPROVED BY THE CITY ENGINEER.
- 2 CONTRACTOR TO PROVIDE HANDRAIL 40 FEET OF BUILDING.
- 3 CONTRACTOR SHALL PROVIDE 100' OF 4" X 6" YELLOW PINE OR EQUIV. STUDS TO BE PLACED ALONG WITH THE HANDRAILS. CONTRACTOR SHALL PROVIDE 100' OF 4" X 6" YELLOW PINE OR EQUIV. STUDS TO BE PLACED ALONG WITH THE HANDRAILS. CONTRACTOR SHALL PROVIDE 100' OF 4" X 6" YELLOW PINE OR EQUIV. STUDS TO BE PLACED ALONG WITH THE HANDRAILS. CONTRACTOR SHALL PROVIDE 100' OF 4" X 6" YELLOW PINE OR EQUIV. STUDS TO BE PLACED ALONG WITH THE HANDRAILS.
- 4 ALL MATERIALS, SUBMITTALS AND CONTRACTOR DETAILS SHALL COMPLY TO CITY OF ST. LOUIS. STANDARD SPECIFICATIONS FOR PUBLIC WORKS. AND ARE INCLUDING ALL MATERIALS, SUBMITTALS IN ALL REQUESTS AND SPECIAL PROVISIONS.

SIGM CHAIN NOTES

- 1 PRIOR TO THE START OF WORK AND DURING THE WORK, THE CONTRACTOR SHALL OBTAIN PERMITS FROM THE CITY OF ST. LOUIS TO OBTAIN AND LOCATE THE SIGM CHAIN TO BE SETTED 40 FEET IN ADVANCE OF EXCAVATION AND LOCATION.
- 2 A MINIMUM VERTICAL CLEARANCE OF 10 FEET SHALL BE MAINTAINED AT SIGM CHAIN AND SIGNED OFF BY THE CITY ENGINEER.
- 3 ALL PRIVATE OR SIGM CHAIN DEEPEN AND FITTINGS SHALL BE SET BY THE SIGM CHAIN ENGINEER AND SIGNED OFF BY THE CITY ENGINEER. THE ENGINEER OF SIGM CHAIN ENGINEER SHALL BE THE ONLY ONE TO SIGN OFF ON THE SIGM CHAIN ENGINEER.

GENERAL NOTES:

1. IMPROVEMENTS ON THE SITE SHALL BE LIMITED TO THE AREA 4.36-0.10 IN THE PLAN.
2. CHANGES TO THIS PROVISION AND SEVENTH CONTINGENCY PLAN BY THE EFFECTIVE FIELD CONTRACTOR SHALL BE IN ACCORD WITH THE APPLICABLE LAWS AT THE DISCRETION OF THE CITY.
3. THE CONTRACTOR SHALL MAINTAIN ALL CONTROLS TO PREVENT ANY IMPACTS ON THE HEALTH PRODUCTIONS OF THE FISH AND SEVENTH CONTINGENCY PLAN AND ALSO THEIR CONTINGENCY PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE FISH AND CONTINGENCY PLAN.
4. SEVENTH MAINTENANCE PLAN SHALL BE MAINTAINED AND BEING MAINTAINED BY THE EFFECTIVE CONTRACTOR. ALL WORK SHALL BE COMPLETED BY THE EFFECTIVE CONTRACTOR.

MAINTENANCE NOTES:

1. FISH AND SEVENTH MAINTENANCE PLAN SHALL BE MAINTAINED BY THE EFFECTIVE CONTRACTOR. ALL WORK SHALL BE COMPLETED BY THE EFFECTIVE CONTRACTOR. ALL WORK SHALL BE COMPLETED BY THE EFFECTIVE CONTRACTOR.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE FISH AND SEVENTH CONTINGENCY PLAN AND ALSO THEIR CONTINGENCY PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE FISH AND CONTINGENCY PLAN.
3. SEVENTH MAINTENANCE PLAN SHALL BE MAINTAINED AND BEING MAINTAINED BY THE EFFECTIVE CONTRACTOR. ALL WORK SHALL BE COMPLETED BY THE EFFECTIVE CONTRACTOR.
4. SEVENTH MAINTENANCE PLAN SHALL BE MAINTAINED AND BEING MAINTAINED BY THE EFFECTIVE CONTRACTOR. ALL WORK SHALL BE COMPLETED BY THE EFFECTIVE CONTRACTOR.

[illegible]

WATER NOTES

- ON-SITE DOMESTIC WATER MAINS SHALL BE 8" SCH 40 P.V.C.
- ON-SITE FIRE PROTECTION WATER MAINS SHALL BE 6" SCH 40 200 P.V.C.
- ALL WATER IMPROVEMENTS SHALL BE INSTALLED PER ST. HELM PA. STANDARD SPEC.

4. CITY SHALL ALLOW A CONNECTION TO THE EXISTING WATER TREATMENT PLANT AS FOLLOWS:

A. CITY STANDARD FIRE SERVICE ASSESS FIFTEEN (15) MIN. GRAB WITH CITY STANDARD DOUBLE DETECTION CABLE VALVE (4" INCH) TO SERVICE EACH (4" INCH) AUTOMATIC FIRE PROTECTION SYSTEM AND GRADE-PROTECTED FIRE EXTINGUISHERS.

THE CONNECTION SHALL BE CITY SERVICE THE SITE, WITH THE EXACT LOCATION AND INSTALLATION DETAILS OF CONNECTION. CITY IS WATER SUPPLY IF THE FIRE SERVICE TO CONFORM TO CITY OF ST. HELENA STANDARDS AND BE APPROVED BY THE CITY OF ST. HELENA DIRECTOR OF PUBLIC WORKS.

1. CITY MAINTENANCE RESPONSIBILITY SHALL END AT THE VALVE COUPLER FLANGE OF THE INLET VALVE ON EACH OF THE REQUIRED DELETED DETECTOR VALVES

2. FOLLOWING RECEIPT OF BOTH APPROVED REQUESTED AGENCY, OWNER SHALL GIVE CITY SEVENTY-TWO (72) HOURS NOTICE TO EACH COMMUNICATIONS DIVISION AND TEST PER THE SERVICE AND MAINTENANCE CONTRACT

3. A PUBLIC INSPECTION AND MONITORING PRELIMINARY TEST OF THE SERVICE SHALL BE PERFORMED AND SATISFACTORY PASSED PRIOR TO CITY'S ACTIVATING THE SERVICE

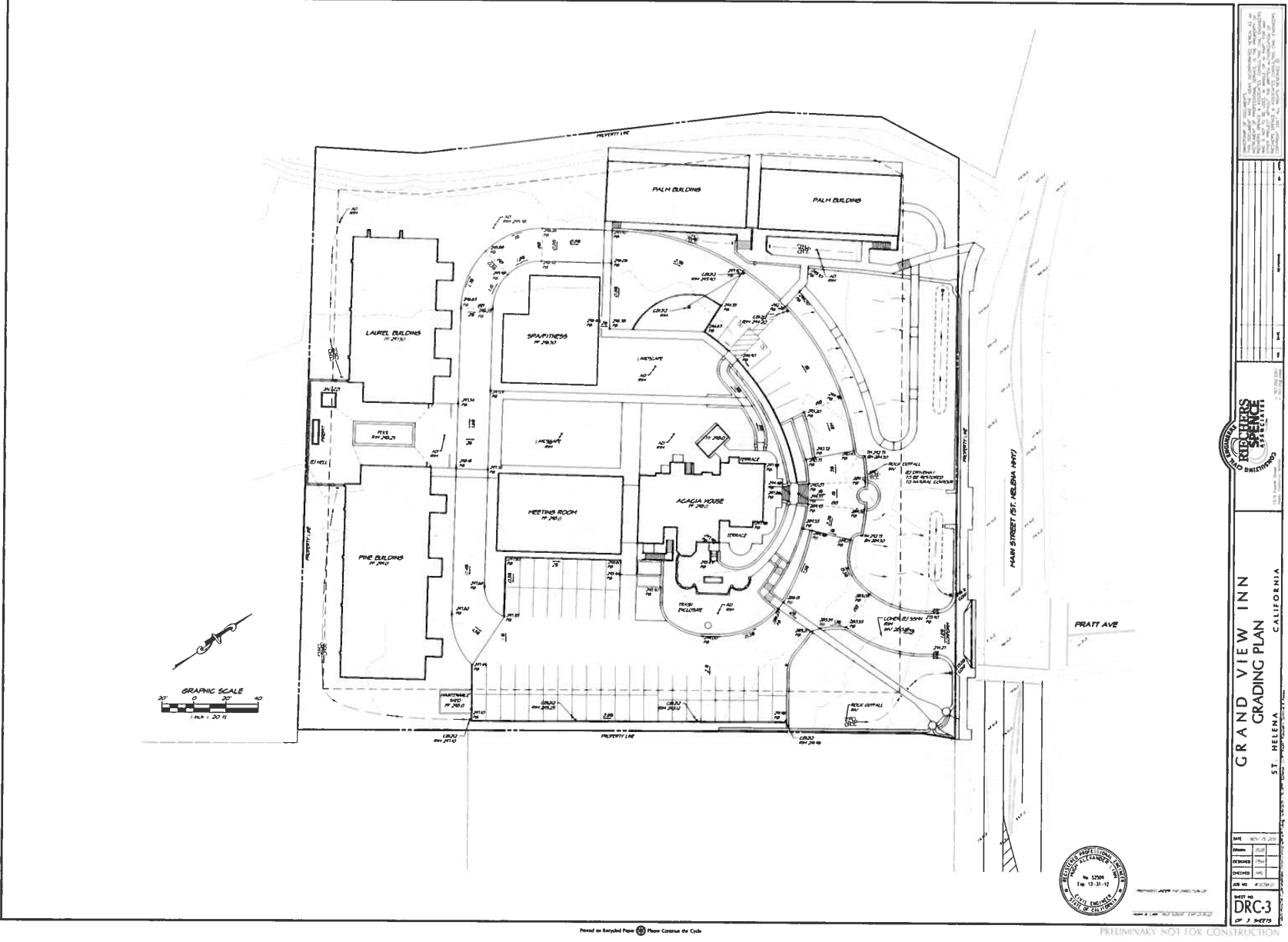
4. OWNER SHALL PERFORM A SECOND MONITORING PRELIMINARY TEST ONE (1) YEAR AFTER THE ORIGINAL TEST AND SUBMIT THE RESULTS TO CITY

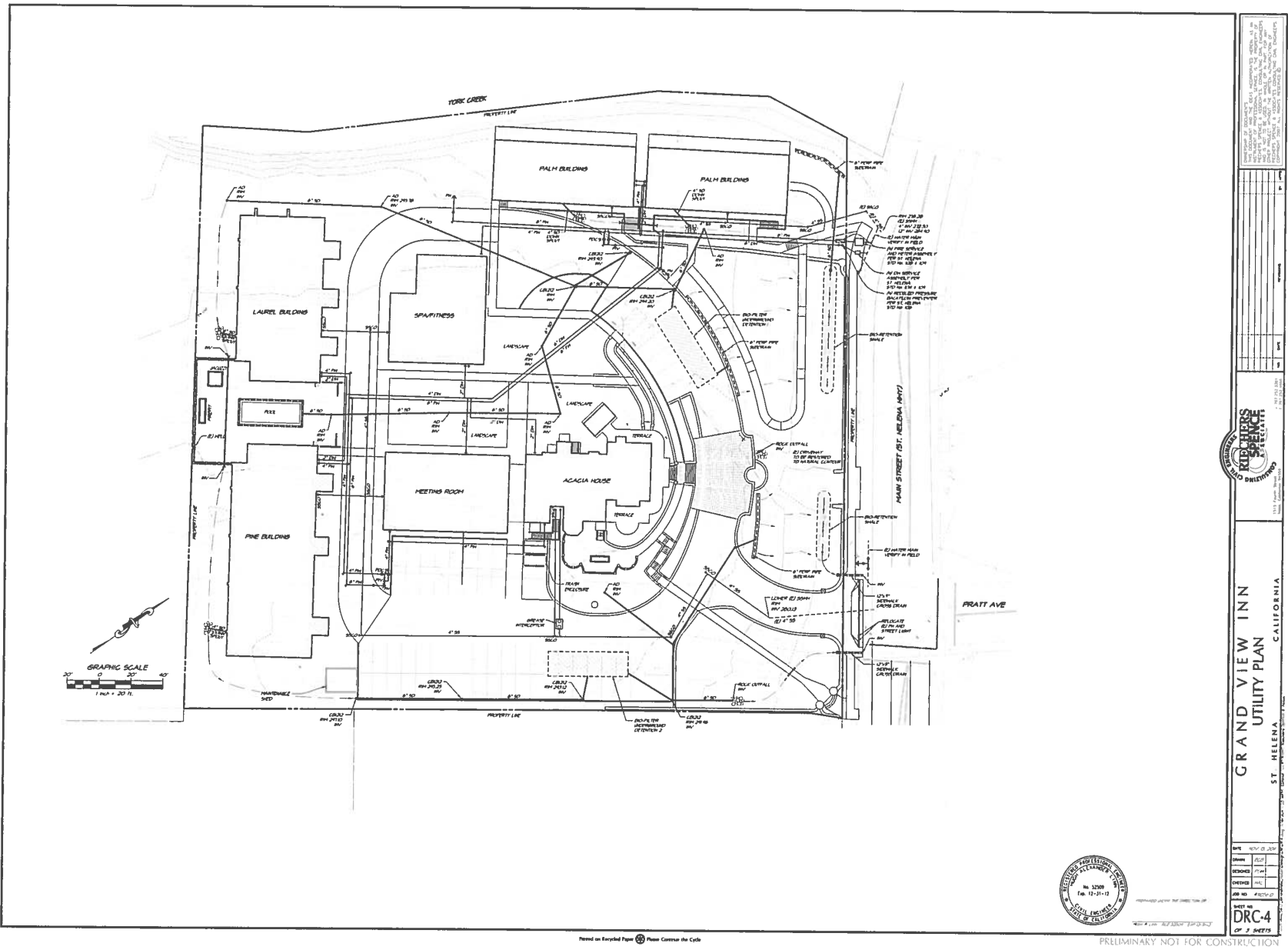
5. OWNER SHALL MAINTAIN THE PRIVATE FIRE SERVICE IN ACCORDANCE WITH THE NEXT CURRENT EDITION OF THE NFPA 969 AND THE CITY CODE AND HAVE INSPECTION BY CITY

6. THE PRIVATE FIRE SERVICE SHALL ONLY BE USED BY AUTHORIZED FIRE PERSONNEL PROVIDED BY CITY

7. ALL HELDING PERSONNEL AND REGA OTHER PERSONS GRANTED SPECIFIC PERMISSION TO EXIST ON THE PROPERTY SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY AND THE CITY SHALL BE RESPONSIBLE FOR THE PROTECTION SYSTEM FIRE SERVICE AND FLAMING GAS DETECTOR

[illegible][illegible]







Jonathan Plant & Assoc., Inc. P.O. Box 1167, St. Helena, CA 94759-1167 Email: jpa@jonathanplant.com

Existing Vegetation Plan

November 16, 2011

Scale: 1 = Not at all, 2 = Somewhat, 3 = Moderately, 4 = Very much.

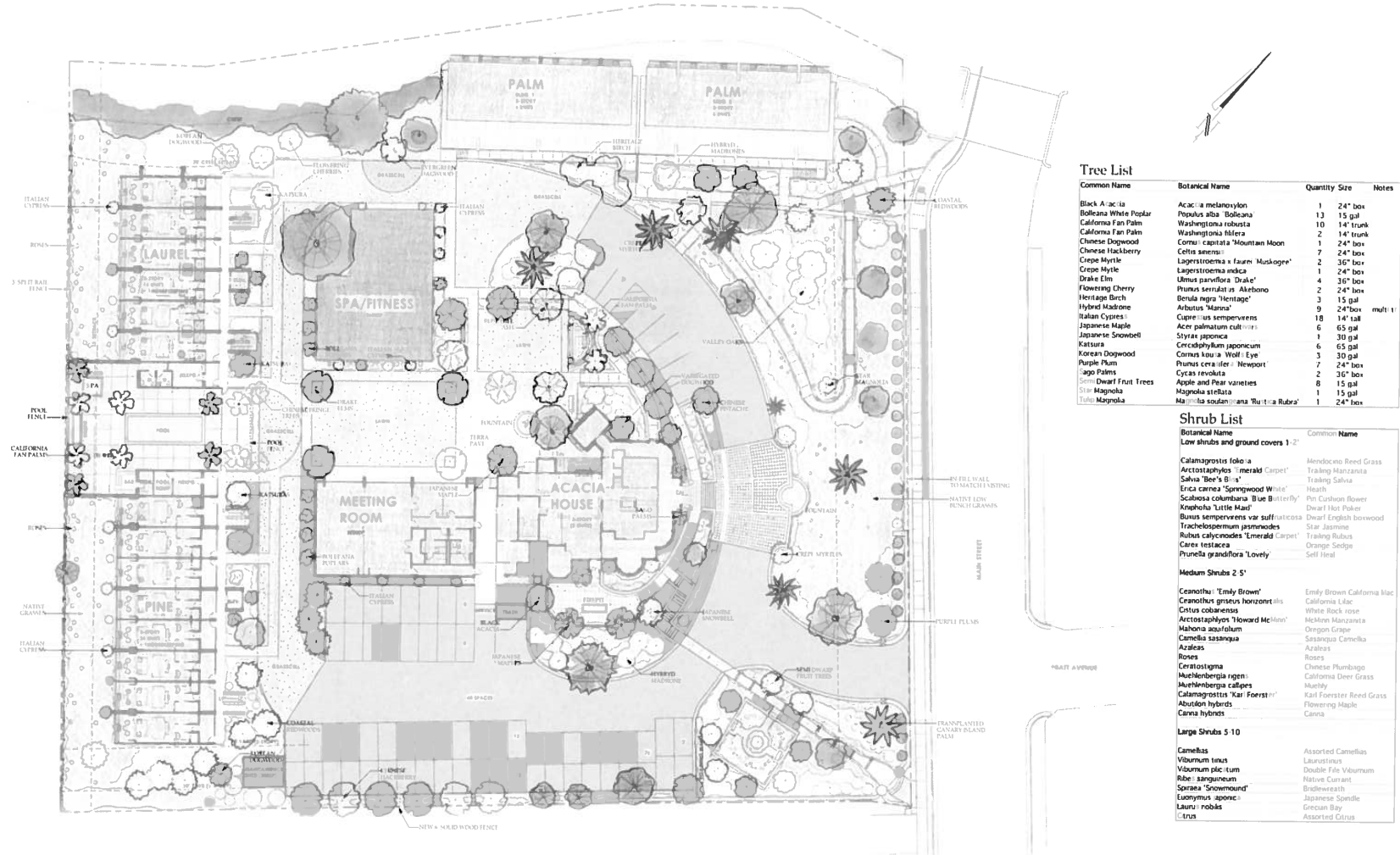
Grandview Inn

Jonathan Plant & Assoc., Inc. P.O. Box 1167 St. Helena, CA 94759 Email: jpa@jonathanplant.com

Schematic Landscape Plan

November 16, 2011

Scale 1" = 20' 0"



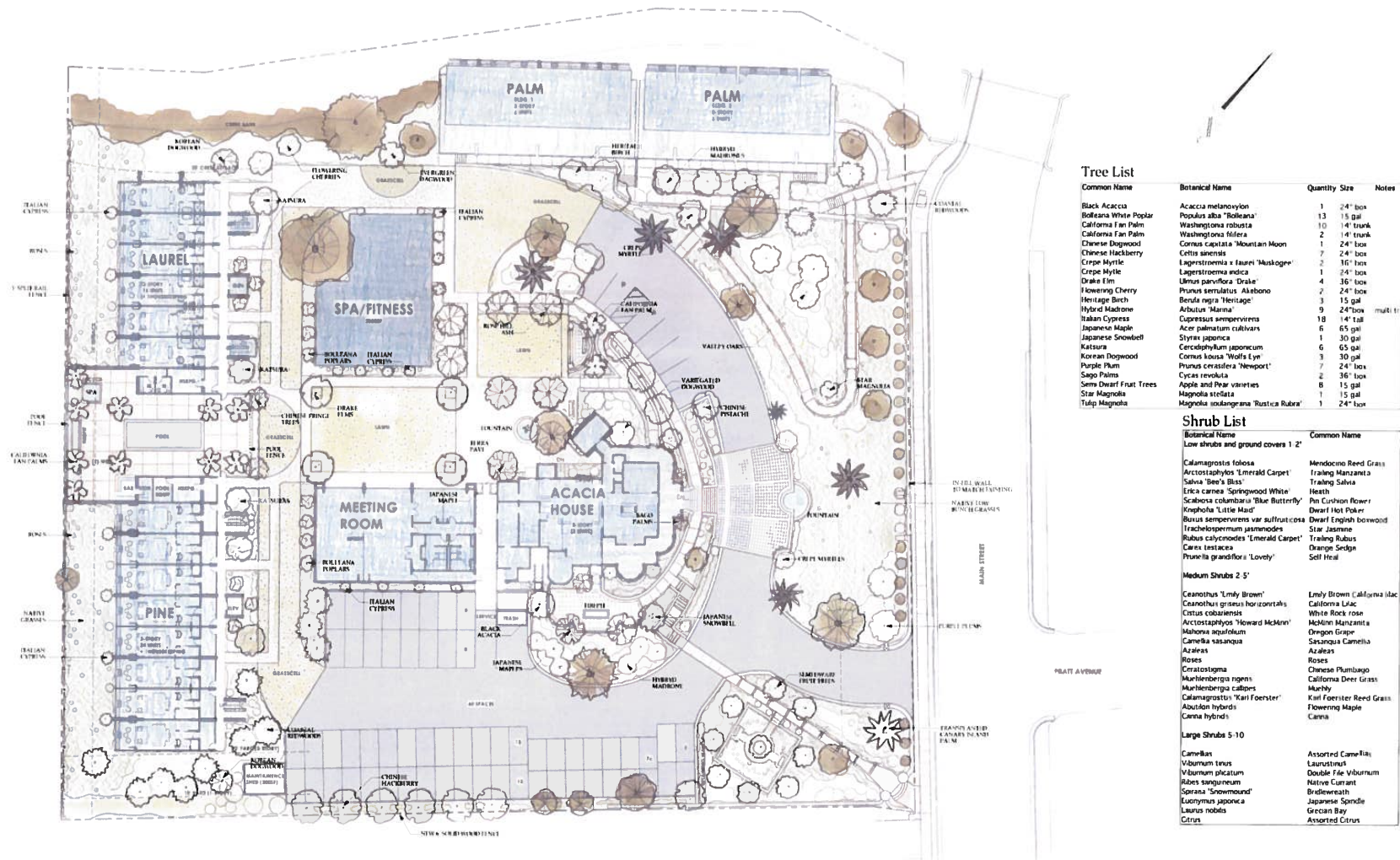
Grandview Inn

Jonathan Plant & Assoc., Inc. P.O. Box 1167, St Helena, CA 707.963.8313 Email: jpa@jathanplant.com

Schematic Landscape Plan

November 16, 2011

Scale: 1" = 20' - 0"





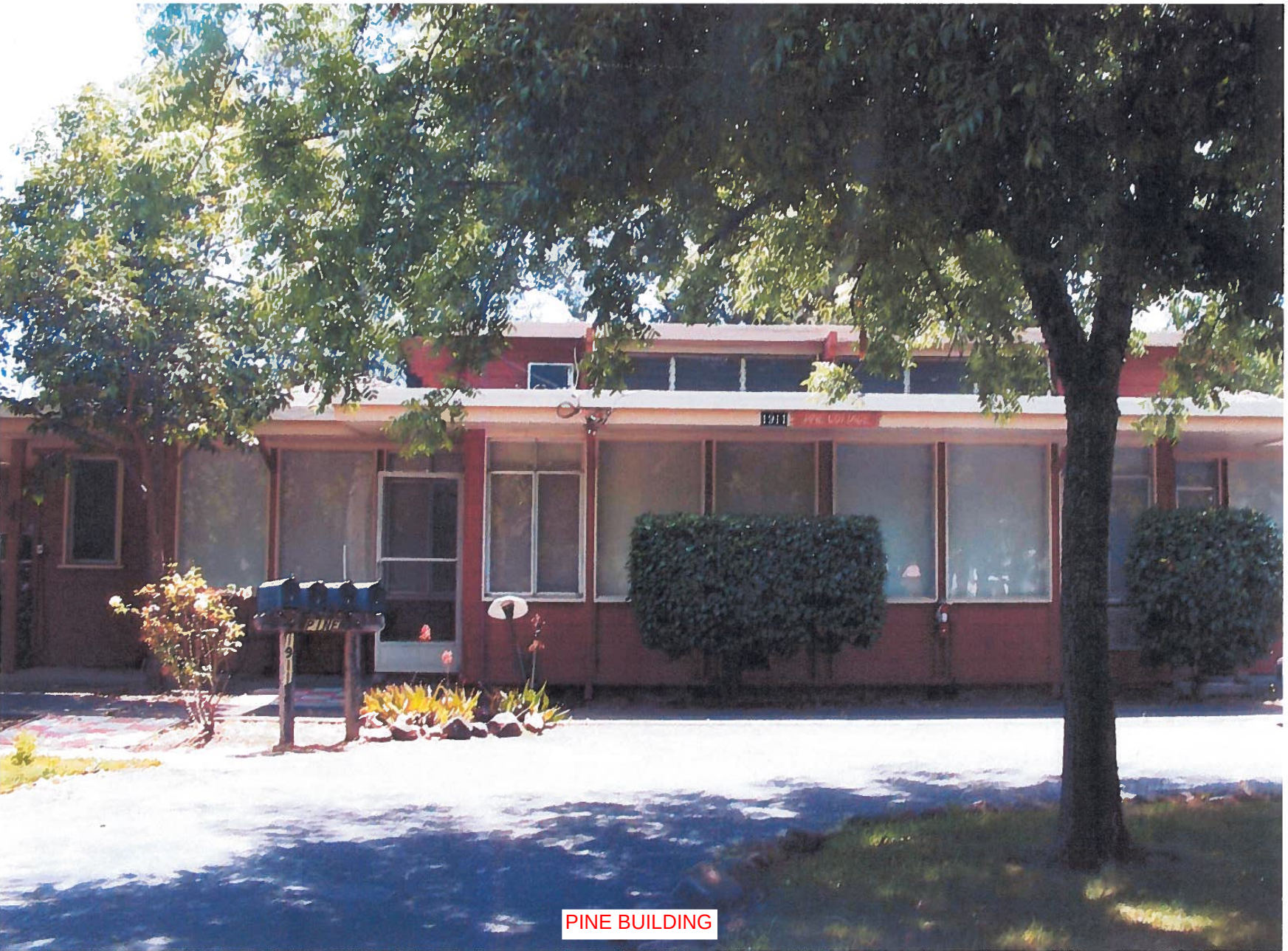
ACACIA HOUSE



OAK BUILDING



PALM BUILDING



PINE BUILDING



REDWOOD BUILDING



WALNUT BUILDING

CITY OF ST. HELENA

RESOLUTION 2012-20

**APPROVING DESIGN REVIEW, A DEMOLITION PERMIT, & USE PERMIT
AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT (2010-19) FOR AN
INCREASE TO THE REGULATED FOOD AND BEVERAGE ESTABLISHMENTS
INVENTORY TO ALLOW FOR A NEW 40-SEAT RESTAURANT AT THE
GRANDVIEW HOTEL LOCATED AT 1915 MAIN STREET**

PROPERTY OWNER: Grandview Hotel Investors, LLC

APN: 009-490-009

Recital

1. A Use Permit Amendment to a previously approved Use Permit (2010-19) was submitted by the owners, Grandview Hotel Investors, LLC, of the Grandview property located at 1915 Main Street.
2. The current entitlements allow for the conversion and renovation of the site containing the historic Acacia House and adjacent buildings to 57 hotel rooms. While the number of total rooms on the site (57) will not change, the owners propose to remove additional, non-historic buildings beyond what was approved in 2010 to be replaced with new buildings designed to reinforce the historic components of the Acacia House.
3. The historic Acacia House will be returned to its prominence on the site and will be renovated and converted to five guest rooms, restaurant, reception area, common areas for guests, and space for business operations. A change to the previously approved project includes the expansion of the approved food service within the Acacia house to include a 40-seat restaurant that will be jointly used by both guests and the public.
4. Other changes include:
 - Palm Building – A two-story replacement building for Palm building will contain 12 guest rooms on the upper floor with storage functions located on the lower floor. The replacement Palm building will be located in the same footprint of the existing building;
 - Pine Building – A three-story replacement building for Pine will contain 24 guest rooms;
 - Walnut building - A 3,500 square foot meeting & conference Room and a 3,500 square foot spa/fitness center. (A 1,178 square foot spa was previously approved in 2006);
 - New Laurel Building - Approved in 2006 for 10 rooms and will expand to 16 guest rooms;
 - Demolition of the Oak & Redwood buildings for the relocation of the parking into this area along the south property line; and
 - A new 40-seat restaurant to serve the guests and public along with a request for an increase to the Regulated Food and Beverage Establishments Inventory.

- Rather than distributing the parking areas throughout the site as originally approved, the revised site plan includes the parking in one area along the south property line. Valet parking for both hotel and restaurant guests will be available 24 hours per day. Arriving guests will be dropped off at the porte-cochere with valets relocating the vehicles to the south side parking area.
5. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on the applicant's proposal on February 7, 2012 reviewing the public record, including all application submittal materials, letters submitted regarding the proposal and staff reports, opening a public hearing to receive testimony from the applicant and interested persons, and deliberating on the project and recommended approval to the City Council.
 6. The City Council of the City of St. Helena, State of California, held a noticed public hearing for this project on February 28, 2012 and which was continued to March 27, 2012.

Resolution

- A. The Planning Commission considered and recommended that the City Council find that the prior Negative Declaration adopted for the project is adequate for analysis of the environmental impacts and as pursuant to Section 15162 of the CEQA Guidelines which states that where a Negative Declaration has been prepared, no additional CEQA review is required unless there are substantial changes to the project.
- B. The City Council hereby amends the Regulated Food and Beverage Establishments Inventory by increasing number of restaurant from 34 to 35 restaurants and a Use Permit Amendment for establishment of a new 40-seat restaurant within the Grandview Hotel.
- C. The City Council makes the following Conditional Use Permit findings, contained in Zoning Ordinance Section 17.168.050, to support the motion to approve a Use Permit Amendment to the previously approved 57-room hotel on the subject parcel:
 1. That, as conditioned and with the recommended mitigations place, the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
 2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
 3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
 4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
 5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
 6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
 8. That the proposed use would not be in conflict with the City's General Plan.
 9. That the proposed use would not be injurious to public health, safety, or welfare.
 10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
 11. That, as demonstrated on a detailed plan submitted by the applicant to include up to 65 off-street parking spaces, adequate off-street parking to accommodate the long term parking needs of residents, employees and customers is available.
 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.
- D. The City Council approves the Design Review subject to the applicable Design Criteria contained in Zoning Ordinance Section 17.164.030. for construction of the following:
1. Palm Building – A two-story replacement building for Palm building will contain 12 guest rooms on the upper floor with storage functions located on the lower floor. The replacement Palm building will be located in the same footprint of the existing building;
 2. Pine Building – A three-story replacement building for Pine will contain 24 guest rooms;
 3. Walnut building - A 3,500 square foot meeting & conference room and a separate 3,500 square foot spa/fitness center. (A 1,178 square foot spa was previously approved in 2006); and
 4. New Laurel Building - Approved in 2006 for 10 rooms and will expand to 16 guest rooms.
- E. The City Council approves the Demolition Permit to remove five existing non-historic structures (Pine, Palm, Walnut, Oak & Redwood buildings) on the site, as provided for in Zoning Ordinance Section 17.164.050(E), and subject to the following:
1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.
 2. That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood.
- F. The City Council approves the project entitlements, as identified herein, subject to compliance with the following conditions. This project shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the approval. The conditions noted below are particularly pertinent to this action and shall not be construed to permit violation of other laws and policies not so listed.
1. This approval shall be vested within one (1) year from the date of action. A building permit for the use allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.

2. This approval is valid for this use only. New approvals must be applied for upon any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. Any request for an extension of the terms of this approval must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. Compliance with all permit conditions shall occur in accordance with specific regulations, but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless against any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with this permit, minor modifications may be approved by the Planning Director.
8. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and the benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
10. Prior to submittal of a building permit application, all plan sheets shall be revised to be consistent with the City's approval and coordinated with the civil and landscaping plans.
11. Construction shall be in compliance with plans reviewed and approved by the City on March 27, 2012, to comply with the applicable conditions provided herein and the associated adopted mitigation measures.
12. Resolution 2010-91, accepting a New Water Use Agreement dated August 24, 2010 for 1915 Main Street was adopted. Prior to issuance of building permits, the owner/applicant shall be required to enter into a new Water Use Agreement with the City of St. Helena which

limits water use at the property to 65 gallons of water per room per day (approximately 3,705 gallons per day). The property shall utilize well water for all landscape irrigation.

13. The hotel project shall be designed for all feasible water conservation technology. Consistent with St. Helena Municipal Code Article IV, Water Conservation Section 18.44, New Development, the applicant shall be required to retrofit existing dwellings prior to receiving a certificate of occupancy. Retrofits must be completed prior to issuance of certificate of occupancy.
14. Prior to issuance of building permit, the applicant shall be required to obtain approval of the Napa County Department of Environmental Management for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by Napa County DEM prior to issuance of any building permits for said areas. An annual food permit will be required.
15. As part of the construction documents for a building permit application, the applicant shall submit a detailed landscaping plan for review and approval prior to the issuance of any building permits. This plan shall include details and specifications for other landscaping features and detailed irrigation plans, planting details, such as location, number and sizes of the plant materials, and the specifications for planting. Street trees shall be reviewed for approval by the City prior to submitting an application to Caltrans, where required as part of an encroachment permit application.
16. The applicant shall install the landscape irrigation lines in accordance with reclaimed water standards, in consideration of the future reclaimed water lines.
17. The landscape plan shall depict trees to be protected, removed, and replaced and shall be consistent with the State of California's Water Efficient Landscape Ordinance (WELO) and approved by the Planning Director before issuance of a building permit. (PW)
18. Plant materials shall be purchased from a source that verifies they have been inspected for glassy winged sharpshooter to ensure that they will not contribute to the spread of Pierce's disease to the surrounding vineyards.
19. Unless otherwise provided in the Arborists Report for the project, each tree or group of trees to be preserved within the vicinity of the construction site shall be protected by enclosure with a six (6) foot chain link fence prior to grading or movement of heavy equipment. The minimum distance of the fence from the tree shall be at the drip line, but may be extended an additional 10' to include the root zone which shall be determined by the project or City Arborist. Fencing shall remain in place until such time as the Building Inspector is assured the trees are no longer in danger of construction damage.
20. Unless otherwise provided in the Arborists Report for the project, the following activities are prohibited under the drip line of protected trees unless authorized by the Planning Director under the advice of the City Arborist or project arborist:

- a. Change in the amount of irrigation provided to the protected tree from that which was provided prior to the commencement of construction activity.
 - b. Trench, grade or pave into the drip line of a protected tree.
 - c. Change the grade elevation by more than 6" within the drip line of the tree and for a distance of 30' outward from the drip line of the tree.
 - d. Park or operate any motor vehicle within the drip line area of a protected tree, except within designated parking areas.
 - e. Place or store any equipment or construction materials within the drip line area of the tree.
 - f. Attach any signs, ropes, cables or any other items to the tree.
 - g. Cut or trim any branch of the tree for temporary construction purposes.
 - h. Place or allow flowing into or over the root zone area of any tree any oil, fuel, concrete mix, paint, solvent, plaster or other deleterious substance.
21. The applicant shall be required to fully implement the recommendations of the City's arborist, as provided in the preliminary report submitted to City dated 8/8/05 and 10/24/05. A final report shall be prepared and submitted by the arborist as part of the building permit application and approved by the City prior to receiving a grading or building permit authorizing site work or construction on the site.
 22. Prior to receiving a building permit authorizing construction on the site, the applicant shall provide and receive approval of an exterior lighting plan. Exterior lighting shall be designed to direct illumination downward or shielded to prevent glare onto the driveway, public roadway and adjacent properties.
 23. The applicant shall provide for the enclosed storage of trash and separated recyclable materials and shall be included on the building permit submittal. Should the area designated for trash storage prove insufficient to accommodate approved uses on the site, the applicant agrees to provide alternative means (e.g. expanded facilities, more frequent collection, etc.) to address this issue.
 24. Pursuant to Napa County Landmarks recommendation, the entire project shall adhere to the Secretary of Interior Standards; the historic windows in the Acacia house shall be retained and repaired; any new additions or buildings shall be mindful, respectful of their historic setting and environment; and that appropriate architectural proportions with attention to scale and intensity of use be considered.
 25. The applicant shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structure. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dBA. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dBA. These measures could include replacement, relocation, removal or shielding of the equipment.

26. The applicant and/or construction manager shall notify all contractors and subcontractors that no trespassing is allowed on adjoining properties.
27. This property adjoins an agricultural district. There exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
28. In compliance with Title 25, Housing and Community Development law, a manager, janitor, housekeeper or other responsible person shall be on premises 24 hours per day, seven days per week.
29. The applicant shall be responsible for compliance with all mitigations measures adopted as part of this project and listed in the Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) dated August 2010 adopted as part of this permit.
30. No signs shall be installed without approval of a Sign Permit, as required by the City's Sign Ordinance.
31. The applicant shall be required to construct and maintain a solid six foot fence with two feet of lattice at the property line adjacent to the south neighbors where the existing chain link fence with wood slats and existing wood fence are presently located. This fence will provide for additional privacy between properties where elevated outdoor decks facing the south at the Oak and Redwood Cottages and raised terrace will be used by guests and could affect the privacy of the adjoining neighbors. The design and location of this fence shall be shown on the construction drawings presented as part of the building permit application submittal.
32. The swimming pool area shall be posted "Quiet Hours – 10:00 P.M. to 8:00 A.M."
33. Complete plans for the swimming pool and/or spa must be submitted to Napa County Department of Environmental Management for review and approval prior to approval of building permits. An annual pool permit will be required.
34. Events conducted on the site shall be limited to no more than 100 persons in attendance, except for up to three events in a given year that may have up to 125 persons in attendance. No more than one event shall be conducted on the site each month. Valet parking or shuttle service shall be provided for all events that include guests not otherwise registered at the inn since parking is not provided on the site to accommodate demand beyond the spaces needed for operation of the inn and residential uses. Amplified music for the events shall be limited to no more than a total of three events in a given year, and only when the City and neighbors are notified in advance of such events and the music ceases at 10:00 p.m.
35. Serving of beer and wine and operation of a wine bar, all beer and wine sales, use and consumption shall be in compliance with a license issued by Alcoholic Beverage Control.

36. The applicant shall be responsible for relocation of the historic street light presently located within the area of the proposed new driveway. To the extent that this historic street light may be located to the north of the new driveway to avoid conflicts with the adjacent residential driveway south of the project site, this alternative is preferred.

Public Works:

37. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements. Improvements shall conform to the requirements previously approved as Resolution 2010-91 including any items agreed to in those public hearings.
38. The improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those items agreed to in public hearings, those improvements as stated in the mitigations for the Negative Declaration of Resolution 2010-91, the requirements of the 2010-91 conditions of approval, the requirements of these conditions and those improvements required by any codes in effect at the time of plan submittal.
39. The applicant shall construct all on- and off-site improvements in accordance with improvement plans and supporting calculations and documentation that are prepared by a registered Civil Engineer and reviewed and approved by the City of St. Helena Public Works Department and Caltrans, where applicable. The improvement plans shall included detailed designs for all on- and off-site utilities, if applicable, water, sewer, grading, drainage, erosion control and paving. The plans and calculations must be approved by the City Engineer and Caltrans, where applicable, prior to issuance of a building permit.
40. The applicant shall be required to obtain an encroachment permit from the California Department of Transportation (Caltrans) for improvements on Main Street/State Highway 29 prior to receiving a grading or building permit authorizing site work or construction activities on the site. All conditions required by Caltrans shall be incorporated into the project and to the extent that the project is changed as a result of such conditions, the developer may be required to seek additional review by the City. The Caltrans encroachment permit and approved plans shall be submitted to Public Works prior to grading or building permit issuance.
41. The developer shall install at the developer's expense other infrastructure improvements as determined by hydrology analyses, etc, to include relocation of existing utilities and infrastructure facilities and connections, improved drainage facilities and other improvements as shown in the Highway 29 Specific Plan or as amended by the City Engineer.

42. Any request for reimbursement of public improvements shall be made pursuant to procedures in Chapter 17.176.
43. The applicant shall submit a geotechnical report with the submittal of the improvement plans. The improvement plans shall be reviewed and approved by the geotechnical engineer.
44. The applicant shall submit a drainage and hydrology analysis for the project impact, including downstream erosion potential, to the City of St. Helena Public Works Department with the Improvement Plan submittal in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of said improvement plan submittal. If inadequate downstream drainage facilities are found to exist, a program to either upgrade existing facilities or construct new drainage facilities on the west side of Main Street/Highway 29, consistent with the Specific Plan and the City of St. Helena Storm Drain Master Plan, shall be identified. The developer may be required to install stabilization at the outlet on the east side of Main Street for erosion control. On-site stormwater detention/retention/infiltration facilities are encouraged and may be required in accordance with current City, County and State law.
45. Stormwater treatment shall be designed and constructed in accordance with State of California standards to provide the necessary retention volume and infiltration surface area for the stormwater run-off for a 2 year 24 hour storm event. The release of the difference between the pre- and post-developed flows will be metered so as not to exceed the peak of the pre-developed flows for the 10-50-100 year storm events. The storm drain size shall be in accordance with the City of St. Helena Master Storm Drain Plan and the Highway 29 Corridor Specific Plan, or as amended by the City Engineer. The system to detain the post-developed flows will be designed in accordance with City standards and all current federal, state and county codes governing such improvements.
46. Modification to the York Creek stream bank shall require submission of plans and approval by the City Engineer along with California State agencies such as the Department of Fish and Game and the Regional State Water Resources Board, and where required, the Army Corps of Engineers prior to improvement plan approval.
47. The developer shall underground any on-site existing local-serving overhead utility lines per St. Helena Municipal Code. The cost of undergrounding shall be the responsibility of project developers.
48. Project water usage shall conform to the water use agreement as approved as Resolution 2010-91 of 3705 gallons per day maximum for the project. All landscape irrigation water will be served via an on-site water well. Pool water shall be trucked in.
49. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.

50. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
51. To ensure that adequate fire truck access and circulation exists, no grading or building permits shall be issued until the site improvement plans are submitted and approved by the City Public Works and Fire Departments incorporating ladder truck turning templates and vertical profiles on the driveway access.
52. Hydrant locations to be approved by the Fire Department. Provide and coordinate the location with the Fire Department for an additional Fire Hydrant fronting the Acacia House. The original fire sprinkler system design for the Acacia House shall meet current fire standards. After review of the angle of Departure Design, provide the following:
 - a. Confirm the source of where the Fire Truck Turn specifications and angle of departure were obtained from;
 - b. Provide a minimum of 1' clearance between lower orientations of fire truck and road surface;
 - c. Provide Fire Flow calculations for site and assure that 6" main is sufficient for demand;
 - d. Assume the 4" fire water mains serving multiple buildings are providing sufficient
53. Fire hydrants along the project frontage in the public right of way may be required by the Fire Department/Fire Marshall to be installed at the developer's expense.
54. If applicable, the Applicant shall indicate in writing to the City of St. Helena the disposition of all existing water well(s) within the parcel(s) (Chapter 13.16 St. Helena Municipal Code). If one or more wells are to be abandoned, or abandoned and have not been properly destroyed, the Applicant shall provide the City with a true and correct copy of a Permit approved by the Napa County Department of Environmental Management for destruction of the well(s) in conformance with the applicable State of California Water Well Standards as well as confirmation of such destruction in the form of a true and correct copy of the State of California Department of Water Resources Form-188 filed by the Applicant's contractor for each such destruction.
55. Where applicable, existing wells must be properly protected from potential contamination. Any well that is not destroyed must be properly protected and approved backflow prevention devices installed according to the City Water Specifications.
56. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards and shall include the addition of a grease interceptor for food/beverage service activities.
57. Any existing on-site septic systems must be demolished in accordance with the County Department of Environmental Management (DEM) guidelines prior to any clearing, grubbing or grading.

58. The applicant shall be required to mitigate the increase in wastewater generation on the downstream sewer system by constructing a new 6" force main with a 10" containment pipe from the Crinella Pump Station to the existing sewer system at Railroad and Fulton Avenues (approximately 1210 linear feet) at the developer's expense.
59. The applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
60. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Department within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
61. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. These areas shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
62. The applicant shall install the landscape irrigation lines in accordance with reclaimed water standards, in consideration of the future reclaimed water lines.
63. All property lines adjoining public streets shall have a 10-foot Public Utility Easement; recorded deeds shall be submitted to the City Engineer prior to issuance of a building permit.
64. Deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per Caltrans and City specifications, extent to be determined by the Public Works Department.
65. Existing streets being cut by new services will require edge grinding and an A.C. overlay per Caltrans and City standards, extent to be determined by the Public Works Department.
66. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

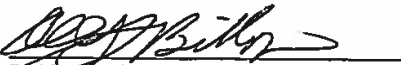
Approved at a Regular Meeting of the St. Helena City Council on March 27, 2012 by the following vote:

AYES: Councilmembers Sanchez, White, Crull, Nevero, Mayor Britton

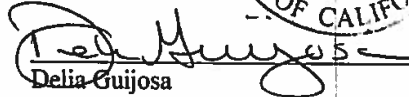
NOES: None

ABSENT: None

APPROVED:


Delford Britton
Mayor

ATTEST:


Delia Guijosa
City Clerk



CITY OF ST. HELENA

RESOLUTION NO. 2010-91

**RESCINDING RESOLUTION 2007-73 ACCEPTING A WATER USE AGREEMENT
AND REQUIRES A NEW WATER USE AGREEMENT TO NOT ALLOW
MUNICIPAL WATER USE TO EXCEED 3,705 GALLONS PER DAY, OR
APPROXIMATELY 1,352,325 GALLONS PER YEAR, AND TO REQUIRE AN
ON-SITE WELL FOR LANDSCAPE IRRIGATION**

PROPERTY OWNER: 1915 Main Street Associates, LLC APN: 009-490-009

Recital

1. On May 23, 2006 the St. Helena City Council approved entitlements to convert the *3.38 acre Grandview property containing multi-family apartments into a mixed-use commercial inn and residential project containing a 35-room inn with 22 studio apartments. One of the mitigation measures required that the studio apartments were to be rented as affordable units to qualified tenants.
2. A Use Permit Amendment application was submitted by the owners, 1915 Main Street Associates, and new project applicants, Jeff Feeney and Todd White on April 16, 2010. The requested amendment was to allow a project revision to increase the number of hotel rooms to 57 and to eliminate the 22 studio apartments. An enhanced Housing Impact fee to the City of St. Helena Housing Trust Fund would be made to supplement the construction of affordable housing at another site.
3. The applicant's proposal is also subject to review under the California Environmental Quality Act (CEQA). An Initial Study was prepared on the proposed project and an Environmental Checklist was utilized to focus the Initial Study on the environmental factors that may be impacted or further impacted by implementation of the proposed project. The comment period on the proposed Mitigated Negative Declaration was May 27 – June 27, 2010.
4. The Planning Commission of the City of St. Helena, State of California, held noticed public hearings on the applicant's proposal on June 15, July 6, and August 3, 2010 reviewing the public record, including all application submittal materials, letters submitted regarding the proposal and staff reports, opening a public hearing to receive testimony from the applicant and interested persons, and deliberating on the project before making its determination to deny the application by adopting Findings of Denial.
5. The applicant appealed the Planning Commission decision to deny the project to the City Council. The City Council public hearing on the appeal was heard on August 24, 2010.

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Resolution

NOW, THEREFORE, the City Council for the City of St. Helena resolves as follows:

- A. The City Council found that the mitigation measures as reviewed and approved by the applicant are adequate and Adopted Resolution 2010-88 Rescinding Resolution 2006-63 and Adopting a Negative Declaration and Mitigation Monitoring and Reporting Program for Grandview Inn.
- B. The City Council made the following motions to approve the project:
- Waived first reading and approved Ordinance Rescinding Ordinance 2006-4 and Approving a Zoning Ordinance Map Amendment to Change the Zoning Designation from SC:PD:HP: Service Commercial with Planned Development and Historic Preservation Overlay to SC:HP Service Commercial with Historic Preservation Overlay for the Grandview Inn.
 - Adopted Resolution 2010-89 Rescinding Resolution 2006-65 and Approving a Use Permit Amendment to Increase the Hotel, Motel, and B&B Inventory Cap from 307 to 329 Rooms to allow a 57 Room Inn at Grandview, to eliminate the requirement for 22 on site affordable apartments; to reduce the number of required parking spaces to 57; and to increase the number of guests allowed at events at the Grandview Inn.
- C. The City Council hereby Rescinds Resolution 2007-73 Accepting a Water Use Agreement and requires a new water use agreement to not to allow municipal water use to exceed 3,705 gallons per day, or approximately 1,352,325 gallons per year, and to require an on-site well for landscape irrigation.

Approved at a Regular Meeting of the St. Helena City Council on August 24, 2010 by the following vote:

AYES: Councilmembers Crull, Schoch, Mayor Britton
NOES: Councilmember Sanchez
ABSENT: None
ABSTAIN: Councilmember Sklar



APPROVED:


 Delford Britton
 Mayor

ATTEST:


 Delia Guijosa
 City Clerk



CITY OF ST. HELENA

RESOLUTION NO. 2010-89

**RESCINDING RESOLUTION 2006-65 AND
APPROVING A USE PERMIT AMENDMENT TO INCREASE THE HOTEL, MOTEL
AND B& B INVENTORY CAP FROM 307 TO 329 ROOMS TO ALLOW A 57 ROOM
INN AT GRANDVIEW LOCATED AT 1915 MAIN STREET**

PROPERTY OWNER: 1915 Main Street Associates, LLC APN: 009-490-009

Recital

1. On May 23, 2006 the St. Helena City Council approved entitlements to convert the ⁴3.38 acre Grandview property containing multi-family apartments into a mixed-use commercial inn and residential project containing a 35-room inn with 22 studio apartments. One of the mitigation measures required that the studio apartments were to be rented as affordable units to qualified tenants. The Acacia House, which was originally constructed at the turn of the 20th century as an estate home and was converted into a country inn in 1911, will be restored to its historic use to include a reception area, common areas for guests, a remodeled commercial kitchen and space for business operations (i.e. office, storage, housekeeping, etc.). Two existing buildings on the site would be demolished to accommodate the proposal.
2. The approval also included modifications to the traffic circulation including consolidating and relocating the existing driveway entrances to a single driveway that aligns with the intersection of Main Street and Pratt Avenue and installing a dedicated left-turn lane for northbound traffic on Main Street to allow for efficient movement of vehicles. Approximately 20 curbside parking spaces on Main Street will be eliminated south of the intersection at Pratt Avenue to accommodate the new left-hand turn lane. As proposed in the revised application submittal materials, up to 65 off-street parking spaces will be located on the site to accommodate the proposed inn and residential uses.
3. A Use Permit Amendment application was submitted by the owners, 1915 Main Street Associates, and new project applicants, Jeff Feeney and Todd White on April 16, 2010. The requested amendment was to allow a project revision to increase the number of hotel rooms to 57 and to eliminate the 22 studio apartments. An enhanced Housing Impact fee to the City of St. Helena Housing Trust Fund would be made to supplement the construction of affordable housing at another site.
4. Approval of the revised project would require the following actions:
 - Rescind Resolution 2006-63 and Adopt Negative Declaration for the project as reviewed and approved by the applicant to include the recommended mitigation measures identified in the Initial Study, including the elimination of the requirement for 22 affordable apartments on the site.

- C. The City Council makes the following findings to support a reduction in housing density at the site pursuant to Government Code section 65863.
1. The reduction is consistent with the adopted general plan, including the housing element. The property site is designated Service Commercial in the General Plan.
 2. The remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The 2009 City of St. Helena Housing Element Update and Housing Needs Assessment, Table 39: Available Land Inventory Summary identifies 12 Key Opportunity Sites that are undeveloped and designated for housing. These sites have a housing unit capacity of between 307 – 924 units, and a “realistic capacity” of 344 units. Table 40 identifies 27 other sites that are underutilized and have a possible capacity of 329 – 747 additional housing units. The Regional Housing Needs Allocation for 2007-2014 is 121 housing units; therefore there are adequate sites to accommodate St. Helena’s share of the regional housing need.
- D. Conditional Use Permit findings, contained in Zoning Ordinance Section 17.168.050, to support the motion to approve a Use Permit to allow the proposed 57-room inn on the subject parcel:
1. That, as conditioned and with the recommended mitigations place, the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
 2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
 3. That the proposed use would not generate traffic noise in excess of the “normally acceptable” range identified in the General Plan.
 4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
 5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
 6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
 7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
 8. That the proposed use would not be in conflict with the City's General Plan.
 9. That the proposed use would not be injurious to public health, safety, or welfare.
 10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
 11. That, as demonstrated on a detailed plan submitted by the applicant to include up to 65 off-street parking spaces, adequate off-street parking to accommodate the long term parking needs of residents, employees and customers is available.
 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

6. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless against any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with this permit, minor modifications may be approved by the Planning Director.
8. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and the benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
10. Prior to submittal of a building permit application, all plan sheets shall be revised to be consistent with the City's approval and coordinated with the civil and landscaping plans.
11. Construction shall be in compliance with plans reviewed and approved by the City on May 23, 2006, as amended to comply with the applicable conditions provided herein and the associated adopted mitigation measures.
12. Resolution 2007-73, approving a Water Agreement at 1915 Main Street shall be rescinded. Prior to issuance of building permits, the owner/applicant shall be required to enter into a new Water Use Agreement with the City of St. Helena which limits water use at the property to 65 gallons of water per room per day (approximately 3,705 gallons per day). The property shall utilize well water for all landscape irrigation.
13. The hotel project shall be designed for all feasible water conservation technology. Consistent with St. Helena Municipal Code Article IV, Water Conservation Section 18.44, New Development, the applicant shall be required to retrofit existing dwellings prior to receiving a certificate of occupancy. Retrofits must be completed prior to issuance of certificate of occupancy.
14. Prior to issuance of building permit, the applicant shall be required to obtain approval of the Napa County Department of Environmental Management for the commercial kitchen. Installation and maintenance of the grease trap system shall be verified and quarterly reports presented to the City in a form acceptable to the City Engineer. Reports shall be submitted not less than 30 days following each maintenance event providing the details of such maintenance.
15. As part of the construction documents for a building permit application, the applicant shall submit a detailed landscaping plan for review and approval prior to the issuance of any building permits. This plan shall include details and specifications for other

22. Prior to receiving a building permit authorizing construction on the site, the applicant shall provide and receive approval of an exterior lighting plan. Exterior lighting shall be designed to direct illumination downward or shielded to prevent glare onto the driveway, public roadway and adjacent properties.
23. The applicant shall provide for the enclosed storage of trash and separated recyclable materials. Should the area designated for trash storage prove insufficient to accommodate approved uses on the site, the applicant agrees to provide alternative means (e.g. expanded facilities, more frequent collection, etc.) to address this issue.
24. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. These areas shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. (PW)
25. The applicant shall submit manufacturer information pertaining to the noise generation of any mechanical equipment that is proposed to be located on the exterior of the structure. The information will help the building official determine whether the ambient noise level at any property line will be increased by more than 5 dBA. If it is determined that the noise level will be increased by more than this amount, appropriate measures shall be imposed to reduce the increase in the ambient noise level to less than 5 dBA. These measures could include replacement, relocation, removal or shielding of the equipment.
26. The applicant and/or construction manager shall notify all contractors and subcontractors that no trespassing is allowed on adjoining properties.
27. This property adjoins an agricultural district. There exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
28. In compliance with Title 25, Housing and Community Development law, a manager, janitor, housekeeper or other responsible person shall be on premises 24 hours per day, seven days per week.
29. The applicant shall be responsible for compliance with all mitigations measures adopted as part of this project and listed in the Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) dated August 2010 adopted as part of the this permit.
30. No signs shall be installed without approval of a Sign Permit, as required by the City's Sign Ordinance.

of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

36. The improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, those improvements as stated in the mitigations for the Negative Declaration, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.
37. The applicant shall construct all on- and off-site improvements in accordance with improvement plans and supporting calculations and documentation that are prepared by a registered Civil Engineer and reviewed and approved by the City of St. Helena Public Works Department and Caltrans, where applicable. The improvement plans shall included detailed designs for all on- and off-site utilities, if applicable, water, sewer, grading, drainage, erosion control and paving. The plans and calculations must be approved by the City Engineer and Caltrans, where applicable, prior to issuance of a building permit.
38. The applicant shall be required to obtain an encroachment permit from the California Department of Transportation (Caltrans) for improvements on Main Street/State Highway 29 prior to receiving a grading or building permit authorizing site work or construction activities on the site. All conditions required by Caltrans shall be incorporated into the project and to the extent that the project is changed as a result of such conditions, the developer may be required to seek additional review by the City. The Caltrans encroachment permit and approved plans shall be submitted to Public Works prior to grading or building permit issuance.
39. The developer shall install at the developer's expense other infrastructure improvements as determined by hydrology analyses, etc, to include relocation of existing utilities and infrastructure facilities and connections, improved drainage facilities and other improvements as shown in the Highway 29 Specific Plan or as amended by the City Engineer.
40. Any request for reimbursement of public improvements shall be made pursuant to procedures in Chapter 17.176.
41. The applicant shall submit a geotechnical report with the submittal of the improvement plans. The improvement plans shall be reviewed and approved by the geotechnical engineer.
42. The applicant shall submit a drainage and hydrology analysis for the project impact, including downstream erosion potential, to the City of St. Helena Public Works Department with the Improvement Plan submittal in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of said improvement plan submittal. If inadequate downstream drainage facilities are found to exist, a program to

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Municipal Code). If one or more wells are to be abandoned, or abandoned and have not been properly destroyed, the Applicant shall provide the City with a true and correct copy of a Permit approved by the Napa County Department of Environmental Management for destruction of the well(s) in conformance with the applicable State of California Water Well Standards as well as confirmation of such destruction in the form of a true and correct copy of the State of California Department of Water Resources Form-188 filed by the Applicant's contractor for each such destruction.

51. Where applicable, existing wells must be properly protected from potential contamination. Any well that is not destroyed must be properly protected and an approved backflow prevention device installed according to the City Water Specifications.
52. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards.
53. Any existing on-site septic systems must be demolished in accordance with the County Department of Environmental Management (DEM) guidelines prior to any clearing, grubbing or grading on any parcel.
54. All property lines adjoining public streets shall have a 10-foot Public Utility Easement; recorded deeds shall be submitted to the City Engineer prior to issuance of a building permit.
55. Deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per Caltrans and City specifications, extent to be determined by the Public Works Department.
56. Existing streets being cut by new services will require edge grinding and an A.C. overlay per Caltrans and City standards, extent to be determined by the Public Works Department.
57. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

Approved at a Regular Meeting of the St. Helena City Council on August 24, 2010 by the following vote:

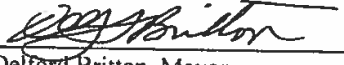
AYES: Councilmembers Crull, Schoch, Mayor Britton

NOES: Councilmember Sanchez

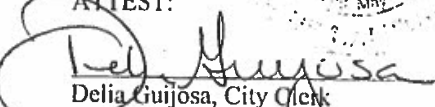
ABSENT: None

ABSTAIN: Councilmember Sklar

APPROVED:


Delford Britton, Mayor

ATTEST:


Delia Guijosa, City Clerk



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CITY OF ST. HELENA

RESOLUTION NO. 2010-88

**RESCINDING RESOLUTION 2006-63 AND ADOPTING A NEGATIVE
DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM
FOR GRANDVIEW INN LOCATED AT 1915 MAIN STREET**

PROPERTY OWNER: Grandview Investors

APN: 009-490-009

Recitals

1. On May 23, 2006 the St. Helena City Council approved entitlements to convert the ~3.38 acre Grandview property containing multi-family apartments into a mixed-use commercial inn and residential project containing a 35-room inn with 22 studio apartments. One of the mitigation measures required that the studio apartments were to be rented as affordable units to qualified tenants. The Acacia House, which was originally constructed at the turn of the 20th century as an estate home and was converted into a country inn in 1911, will be restored to its historic use to include a reception area, common areas for guests, a remodeled commercial kitchen and space for business operations (i.e. office, storage, housekeeping, etc.). Two existing buildings on the site would be demolished to accommodate the proposal.
2. The approval also included modifications to the traffic circulation including consolidating and relocating the existing driveway entrances to a single driveway that aligns with the intersection of Main Street and Pratt Avenue and installing a dedicated left-turn lane for northbound traffic on Main Street to allow for efficient movement of vehicles. Approximately 20 curbside parking spaces on Main Street will be eliminated south of the intersection at Pratt Avenue to accommodate the new left-hand turn lane. As proposed in the revised application submittal materials, up to 65 off-street parking spaces will be located on the site to accommodate the proposed inn and residential uses.
3. A Use Permit Amendment application was submitted by the owners, 1915 Main Street Associates, and new project applicants, Jeff Feeney and Todd White on April 16, 2010. The requested amendment was to allow a project revision to increase the number of hotel rooms to 57 and to eliminate the 22 studio apartments. An enhanced Housing Impact fee to the City of St. Helena Housing Trust Fund would be made to supplement the construction of affordable housing at another site. Approval of the revised project would require the following actions:
 - Rescind Resolution 2006-63 and Adopt Negative Declaration for the project as reviewed and approved by the applicant to include the recommended mitigation measures identified in the Initial Study, including the elimination of the requirement for 22 affordable apartments on the site.
 - Rescind Ordinance 2006-4, and Adopt a Zoning Ordinance Map Amendment to SC:HP: Service Commercial with Historic Preservation Overlay for the Grandview Inn to allow a 57 room inn.

- Amend the Hotel, Motel and B&B Inventory to allow an additional 22 rooms at the Grandview Inn and to increase the overall cap from 307 rooms to 329 rooms.
 - Approve a Use Permit Amendment to eliminate the requirement for 22 affordable apartments; to reduce the number of required parking spaces to 57; and to increase the number of guests allowed at events at the Grandview Inn.
 - Rescind Resolution 2007-72, Accepting a Regulatory Agreement to Ensure Affordable Housing.
4. The applicant's proposal is subject to review of the California Environmental Quality Act (CEQA). CEQA does not have a process for amending a Negative Declaration after the project has been approved. Therefore the proposed modifications to the Grandview project were reviewed in an Initial Study, dated May 27, 2010. A Notice of Negative Declaration has been prepared and posted for the period of May 27 – June 27, 2010.
 5. The Planning Commission of the City of St. Helena, State of California, held noticed public hearings on the applicant's proposal on June 15, July 6, and August 3, 2010 reviewing the public record, including all application submittal materials, letters submitted regarding the proposal and staff reports, opening a public hearing to receive testimony from the applicant and interested persons, and deliberating on the project before making its recommendation to the City Council to deny the application.
 6. The City Council held a noticed public hearing on August 24, 2010.

Resolution

NOW, THEREFORE, the City Council for the City of St. Helena resolves as follows:

- A. The City Council hereby finds that the project is subject to CEQA and adopts a Mitigated Negative Declaration, including the recommended mitigation measures attached to the Initial Study and Mitigation Monitoring and Reporting Program (MMRP). The Mitigated Negative Declaration prepared for this project and circulated in compliance with the requirements of CEQA establishes that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project in the form of mitigation measures have been adopted.
- B. The City Council finds that all potentially significant impacts have been addressed by the application of mitigations measures, and all impacts have been reduced to a less than significant level.
- C. The City Council finds that the mitigation measures agreed to by the applicant reduce the potentially significant impact of loss of housing and loss of a housing site to a less than significant impact. These mitigation measures include a contribution of \$750,000 to the

Housing Impact Fund in lieu of providing twenty-two (22) affordable housing units on site. The Council finds that this mitigation is adequate for the following reasons:

1. The project as approved in 2006 is unlikely to be built as financing was not found. Without financing, the renovation of the historic Acacia House may not be feasible and the property may fall into disrepair.
2. The Palmer/Sixth Street Properties vs. City of Los Angeles case, which is now law, makes it highly unlikely that the City will be able to preserve restricted rents after the initial occupancy of the apartments. The Palmer case found that the State's Costa Hawkins statute, that allows all rent controlled units to move to market upon vacancy, overrides restrictions that the city would put on the continued affordability of this privately owned housing development.
3. The Council finds that the acceptance of money that can be used to finance affordable rental housing is of great benefit to the City. The Housing Trust Fund can be used to provide affordable rental housing that will be controlled by the City or by a not for profit housing group whose primary purpose is to provide affordable housing. This housing would not be subject to the Costa Hawkins statute.

D. The City Council understands that the applicant has agreed to incorporate the mitigation measures into his project.

E. The Mitigated Negative Declaration, which constitutes the record of proceedings on which the City Council's decision is based, will be kept on file for public review at the City of St. Helena Planning Department.

Approved at a Regular Meeting of the St. Helena City Council on August 24, 2010 by the following vote:

AYES: Councilmembers Crull, Schoch, Mayor Britton

NOES: Councilmember Sanchez

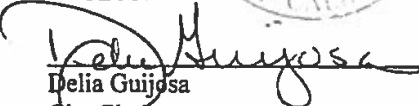
ABSENT: None

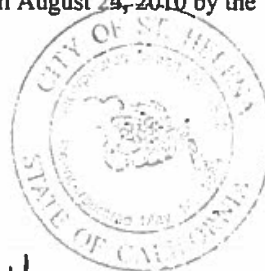
ABSTAIN: Councilmember Sklar

APPROVED:


Delford Britton
Mayor

ATTEST:


Delia Guijosa
City Clerk



**MITIGATION AND MONITORING REPORTING PROGRAM
FOR THE GRANDVIEW PROJECT
August 2010**

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
I. AESTHETICS				
1. The applicant shall be required to prepare a lighting plan for review and approval by the Planning Commission prior to receipt of a building permit authorizing construction on the site. This lighting plan shall identify the type and placement of all exterior light fixtures on the site. Unless otherwise approved by the Planning Commission, all exterior lighting shall be designed to be directed downward or shielded to prevent glare visible from adjacent properties and the public right-of-way.	The City shall approve the lighting plan prior to receipt of a building permit.	Planning	Building Permit Issuance	
II. AGRICULTURAL RESOURCES				
NO MITIGATIONS				
III. AIR QUALITY				
1. To mitigate impacts related to GHG emissions from the built environment, the building construction and remodeling shall be done in compliance with the California Green Building Code and other Green Building practices that have been adopted by the City of St. Helena at the time of submittal of building permit.	City shall review construction drawings.	Building	Plan Check	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
2. To mitigate impacts related to GHG emissions from transportation, the hotel management shall provide hybrid or electric vehicle shuttle transportation between the hotel and destinations within a minimum 3 mile radius of the hotel.	Applicant shall submit schedule	Planning	Prior to occupancy	
3. All grading and construction equipment shall be shut down when not in use to ensure the project's contribution to maintaining existing ambient air quality within the vicinity of the project site and to avoid unnecessarily exposing people in the area to odors and fumes associated with such equipment.	City shall inspect construction activities.	Building	Project Construction	
4. Grading and excavation activities shall not occur during windy periods to avoid unnecessary exportation of dust and similar materials that can degrade air quality.	City shall inspect construction activities.	Building	Project Construction	
5. Exposed soil surfaces shall be sprinkled at least twice daily with non-potable water to retard dust and disturbed areas shall be fully landscaped upon completion of the project.	City shall inspect construction activities.	Building	Project Construction	
6. Demolition materials and solid waste, including broken asphalt and concrete, soils stockpiles, steel, wood and metal scraps materials, domestic waste, and similar materials, shall be properly managed to prevent the accumulation of dust or similar materials that can degrade air quality. The site shall be cleaned daily and such materials shall be properly placed in dumpsters or removed from the project site and placed in a licensed landfill facility.	City shall inspect construction activities.	Building	Project Construction	
7. To the extent practicable, reusable materials shall be recycled.	City shall inspect construction activities.	Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
8. Grinding of broken asphalt, concrete, wood or other materials on the site prior to their removal shall be prohibited to avoid degrading the ambient air quality in the area.	City shall inspect construction activities.	Building	Project Construction	
9. The collection of materials, such as construction debris and loose dirt, within the public right-of-way adjacent to the site shall be prohibited.	City shall inspect construction activities.	Building	Project Construction	
10. Although the exporting of excavated materials from the site is not anticipated as a part of this project, where this could occur trucks shall maintain adequate freeboard and shall be covered when leaving the site to minimize release of materials into the air.	City shall inspect construction activities.	Building	Project Construction	
11. Hydroseeding or other non-toxic soil stabilizers shall be applied to construction areas that remain inactive for a period of 10 days or more to reduce the accumulation of dust particles in the air.	City shall inspect construction activities.	Building	Project Construction	
12. The property owner shall comply with the requirements of BAAQMD Regulation 11, Rule 2 and the City's Demolition Permit requirements, which require that prior to commencing removing structures on the site approved for demolition, the property owner shall obtain all necessary permits BAAQMD permits.	Prior to building permit issuance.	Public Works/Building	Demolition or Building Permit Issuance	
IV. BIOLOGICAL RESOURCES				
I. Any modifications to the bank of York Creek shall require submission of plans for review and approval by the City Engineer and the California Department of Fish and Game, and where required by the Army Corps of Engineers.	City shall review and approve plans prior to issuance of a grading or Building Permit.	Planning/Public Works	Grading or Building Permit Issuance	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
2. The incorporation of the grading and drainage plan shall be subject to review and approval by the Public Works Director prior to issuance of a grading or building permit on the site.	City shall review and approve plans prior to issuance of a grading or Building Permit.	Public Works	Grading or Building Permit Issuance	
3. Since construction activity will result in the disturbance of one (1) acre or more total land area, the project applicant and/or developer shall obtain all required permits from the California Regional Water Quality Control Board prior to grading of construction activity.	City shall review and approve plans prior to issuance of a grading or Building Permit.	Public Works	Grading or Building Permit Issuance	
4. Developer shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to storm water as stipulated in the Clean Water Act. Developer shall meet the requirements of the National Pollutant Discharge Elimination System ("NPDES") permit in effect prior to completion of project construction for storm water discharges from the municipal storm water system operated by the City of St. Helena. Developer shall comply with the Storm Water Pollution Mitigation Plan ("SWPMP") submitted by Developer as part of its application as (modified and) approved by the Director of Public Works.	City shall review and approve plans prior to issuance of a grading or Building Permit.	Public Works	Grading or Building Permit Issuance through Project Construction	
5. To protect water quality, appropriate best management practices (BMPs) shall be incorporated into the design of the project to the maximum extent practicable, including the measures identified below: a. Trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage. b. Commercial Kitchen Grease Control: Kitchens associated with food service facilities must be	City shall review and approve plans prior to issuance of a grading or Building Permit.	(a) Public Works for design and (b) Building for inspection	Grading or Building Permit Issuance through Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
designed with contained area for cleaning mats, containers and sinks connected to a sanitary sewer. Grease must be collected in a contained area and removed regularly in conformance with the City of St. Helena Municipal code (Section 13.24.100). c. Outdoor Storage Controls: All materials that could cause water pollution (oils, fuels, solvents, coolants, pool chemicals) and/or other chemicals stored outdoors in containers must be protected from drainage by secondary containment structures such as berms and roofs. Bulk material stored outdoors must also be protected from drainage with berms and covers. Process equipment stored outdoors must be inspected for proper function and leaks and stored on impervious surfaces with cover. Storage areas must implement a regular approved program of sweeping, and litter control and a spill cleanup plan. Amounts of chemicals stored shall be regulated by the Fire Department. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site. d. Efficient irrigation, appropriate landscape design and property maintenance shall be implemented to reduce irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides and pesticides. e. Parking Lot and Driveway Sweeping: The collection of materials, such as construction debris and dirt shall be prohibited within the public right-of-way adjacent to the site and shall				

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
be monitored on a regular basis and cleaned with water sweepers when material is present to avoid degrading the ambient air quality in the area. Such materials shall not be washed down into the storm water system. A parking lot and driveway sweeping program shall be implemented that at a minimum provides for sweeping immediately prior to October 1, and once during the storm season (October 1st to May 1st) and shall include the following: • sweep, collect, and dispose of debris and trash in a property container; • do not sweep debris onto City streets or into catch basins; • use dry methods of sweeping and vacuuming to clean parking lots and driveways rather than hosing, pressure washing or steam cleaning; • if water is used for cleaning, collect wash water and dispose of as a hazardous waste or place on site where it can evaporate; and • catch basins in parking lots and driveways shall be cleaned every 6 to 12 months, or whenever a sump, if located on the site, is half full.				
6. Developer shall record a plan for long-term private maintenance acceptable to the Director of Public Works and the City Attorney for any structural storm water pollution removal devices or treatment control BMP incorporated as part of the project. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections,	City shall review and approve plans prior to issuance of a grading or Building Permit.	Public Works	Grading or Building Permit Issuance through Project Construction and Post-Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
maintenance procedures for the detention system, including monitoring and documentation of annual report to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final map or issuance of a building permit, whichever comes first.				
7. Permanent erosion control measures shall be placed on all slopes. Until permanent vegetation can be established, temporary erosion control measures shall be implemented through the first winter. The project applicant shall prepare and implement an erosion and sediment control program using approved and appropriately applied BMPs. Unless otherwise approved by the City, the project application shall ensure that grading or excavation activities shall be limited to the period between April 1 and October 15. The project applicant shall provide an erosion and sediment control plan and a schedule for implementation of the approved measures to the City Engineer for approval. No such grading or excavation shall be performed except in accordance with the approved plan and schedule.	City shall review and approve plans prior to issuance of a Building Permit.	Public Works/Building	Building Permit Issuance through Project Construction	
8. All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.	City shall review and approve plans prior to issuance of a Building Permit and City shall inspect construction activities.	Public Works	Building Permit Issuance and Project Construction	
9. Demolition materials and solid waste, including broken asphalt and concrete, soils stockpiles, steel, wood and metal scraps, domestic waste, and similar materials, shall be properly managed to prevent	City shall inspect construction activities.	Public Works	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
the accumulation of dust or similar materials that can degrade water quality. The site shall be cleaned daily and such materials shall be properly placed in dumpsters or removed from the project site and placed in a licensed landfill facility.				
10. Consistent with the applicant's revised submittal, the retaining wall shown on the plans located between the Laurel Cottage and Palm Buildings shall either be eliminated or relocated completely outside of the creek bank.	City shall inspect construction activities.	Building Inspector and Public Works	Project Construction	
V. CULTURAL RESOURCES				
1. The applicant shall comply with all recommendations contained in the Architectural Resources Group (ARG) Historic Resources Assessment (August 2005) for the Grandview property as part of development of the project site.	City shall inspect construction activities.	Planning/ Building	Project Construction	
2. In the event that previously unknown paleontological artifacts or archeological materials or objects are unearthed during excavation or grading, all work in the discovery area shall be immediately halted pursuant to CEQA Guidelines 15064.5 (5)(c) and (f) and barricades installed surrounding the area until a qualified archeologist approved by the City is consulted to evaluate the material or object and determine avoidance measures to lessen the impacts in accordance with State and Federal guidelines. The developer shall comply with all mitigation recommendations of the qualified archeologist prior to commencing work in the discovery area and shall be responsible for all costs associated with these activities.	City shall inspect construction activities.	Planning/ Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
VI. GEOLOGY AND SOILS				
1. A Soils Investigation/Geotechnical Report prepared by the developer's representative shall be prepared and accepted as complete by the City, and the improvement plans for construction on the site shall incorporate all design and construction criteria specified in the report. The project geotechnical engineer shall approve and sign the improvement plans as conforming to his/her recommendations prior to final approval, assume responsibility for inspection of the work, and certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with his/her recommendations.	City shall review and approve plans prior to issuance of a Building Permit and City shall inspect construction activities.	Public Works/Building	Grading or Building Permit Issuance and Project Construction	
2. The incorporation of the final grading and drainage plan shall be subject to review and approval by the Public Works Director prior to issuance of a grading or building permit on the site. All project-related grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the approved plan.	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Public Works/Building	Grading or Building Permit Issuance and Project Construction	
3. Storm water runoff on the site should be directed to a subsurface or a properly surfaced in-street storm drainage system to avoid runoff of topsoil and soil erosion.	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Public Works	Submittal of first improvement plans and Project Construction	
4. All construction activities shall meet the Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.).	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
5. Permanent erosion control measures shall be placed on all slopes. Until permanent vegetation can be established, temporary erosion control measures shall be implemented through the first winter. The project applicant shall prepare and implement an erosion and sediment control program using approved and appropriately applied BMPs.	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Public Works/Building	Grading or Building permit issuance and Project Construction	
6. Unless otherwise approve by the City, the project application shall ensure that grading or excavation activities shall be limited to the period between April 1 and October 15. No such grading or excavation shall be performed except in accordance with the approved plan and schedule. Modifications to the construction time frame may be imposed/approved by the City based on weather and site conditions.	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Public Works/Building	Grading or Building permit issuance and Project Construction	
VII. HAZARDS AND HAZARDOUS MATERIALS				
1. No hazardous materials (e.g. fuel, oil, paints and solvents, fertilizer, growth inhibitors, etc.) shall be stored on the site without first providing a plan to the City and receiving approval of said plan by the City, which includes, but is not limited to, identification of the type of materials, their intended use during construction, a schedule for use on the site, and the method of enclosed storage in areas that are not susceptible to infiltration by water.	City shall inspect construction activities.	Building/Public Works	Project Construction	
2. In the event of a hazardous spill both the City's Fire Department and the State Office of Emergency Service (OES) shall be contacted.	City shall inspect construction activities.	Building/Fire Department	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
VIII. HYDROLOGY AND WATER QUALITY				
1. To insure adequate drainage control, the Developer of any project which introduces new impervious surfaces (i.e. roof, driveways, patios, etc.) that will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan for review and approval by the City Engineer, which shall reduce the increase in storm water runoff resulting from the project.	Prior to issuance of a Grading or Building Permit.	Public Works	Grading or Building Permit Issuance	
2. Given the potential for flooding in the basement level of the Palm Buildings, use of this area shall be limited to non-residential space such as storage, mechanical equipment and laundry facilities. No storage of materials or equipment shall be permitted outside of the building on the basement level. Essential mechanical equipment in the basement area to be flood proofed since the building is being remodeled and a flood could affect its habitability.	City shall inspect construction activities.	Building	Project Construction	
3. The Developer shall file a Notice of Intent (NOI) with the California Regional Water Quality Control Board ("SWRCB") prior to any grading or construction activity and shall provide the City with a copy of the signed NOI from the SWRCB and a copy of the project storm water pollution prevention plan (SWPPP).	Prior to issuance of a Grading or Building Permit	Public Works	Grading or Building Permit	
4. The Developer shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.	City shall inspect construction activities.	Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
5. All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site.	City shall inspect construction activities.	Building	Project Construction	
6. All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.	City shall inspect construction activities.	Building/	Project Construction	
7. Developer shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to storm water as stipulated in the Clean Water Act. Developer shall meet the requirements of the National Pollutant Discharge Elimination System ("NPDES") permit in effect prior to completion of project construction for storm water discharges from the municipal storm water system operated by the City of St. Helena. Developer shall comply with the Storm Water Pollution Mitigation Plan ("SWPMP") submitted by Developer as part of its application as (modified and) approved by the Public Works Director.	City shall review and approve plans prior to issuance of Grading or Building Permit and City shall inspect construction activities.	Public Works/Building	Grading or Building Permit issuance and Project Construction	
8. Developer shall mark all new storm drain inlets with permanent markings, which state "No Dumping—Flows to River." This work shall be shown on improvement plans.	City shall review and approve plans prior to issuance of Building Permit and City shall inspect construction activities.	Public Works/Building	Building Permit issuance and Project Construction	
9. Developer shall record a plan for long-term private maintenance of	Prior to Grading or Building Permit	Public Works	Grading or Building	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
any structural storm water pollution removal devices or treatment control BMP incorporated as part of the project, acceptable to the Public Works Director. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections, maintenance procedures for the detention system, including monitoring and documentation of annual report to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final map or issuance of a building permit, whichever comes first.	Issuance		permit issuance	
10. As a basis for preparing a SWPMP, it is recommended that the developer review and utilize where applicable "Start at the Source," which is a design guidance manual for storm water quality protection prepared for the San Francisco Bay Areas Storm Water Management Agencies Association. To protect water quality, appropriate best management practices (BMPs) shall be incorporated in the design of the project, including the measures identified below: a. Trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage. b. Kitchen Grease Control: Kitchens associated with food service facilities must be designed with contained area for cleaning mats, containers and sinks connected to a sanitary sewer. Grease must be collected in a contained area and removed regularly in conformance with the City of St. Helena Municipal Code (Section 13.24.100). c. Outdoor Storage Controls: Oils, fuels, solvents, coolants, pool chemicals, and or other chemicals stored outdoors in containers must be protected from drainage by secondary containment structures such as berms and roofs. Bulk material stored outdoors must also be protected from	City shall inspect construction activities.	Public Works/Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
drainage with berms and covers. Process equipment stored outdoors must be inspected for proper function and leaks and stored on impervious surfaces with cover. Storage areas must implement a regular approved program of sweeping, and litter control and a spill cleanup plan. Amounts of chemicals stored shall be regulated by the Fire Department. d. Efficient irrigation, appropriate landscape design and property maintenance shall be implemented to reduce irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides and pesticides. e. Parking Lot and Driveway Sweeping: A parking lot and driveway sweeping program shall be implemented that at a minimum provides for sweeping immediately prior to October 1, and once during the storm season (October 1st to May 1st). Sweep, collect, and dispose of debris and trash in a property container. Do not sweep debris onto City streets or into catch basins. Use dry methods of sweeping and vacuuming to clean parking lots and driveways rather than hosing, pressure washing or steam cleaning. If water is used for cleaning, collect wash water and dispose of as a hazardous waste or place on site where it can evaporate. Catch basins in parking lots and driveways shall be cleaned every 6 to 12 months, or whenever debris is collected which could affect their use.				
11. Drainage facilities shall be designed as required by adopted City standards.	Prior to Grading or Building Permit issuance and the City shall inspect construction activities.	Building/Public Works	Prior to Grading or Building Permit and throughout Project Construction	
12. Demolition materials and solid waste, including broken asphalt and concrete, soils stockpiles, steel, wood and metal scraps, domestic waste, and similar materials, shall be properly managed to prevent the accumulation of dust or similar materials that can degrade water	City shall inspect construction activities.	Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
quality. The site shall be cleaned daily and such materials shall be properly placed in dumpsters or removed from the project site and placed in a licensed landfill facility.				
13. The collection of materials, such as construction debris and dirt, within the public right-of-way adjacent to the site on Main Street shall be prohibited.	City shall inspect construction activities.	Building	Project Construction	
14. Hydroseeding or other non-toxic soil stabilizers shall be applied to construction areas that remain inactive for a period of 10 days or more to reduce the accumulation of dust particles in the air.	City shall inspect construction activities.	Building	Project Construction	
IX. LAND USE AND PLANNING				
NO MITIGATIONS				
X. MINERAL RESOURCES				
NO MITIGATIONS				
XI. NOISE				
I. To reduce disturbance of residents in the project vicinity, construction activities, which generate noise that can be heard at the	City shall inspect construction activities.	Building	Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
property line of any parcel of real property within the City limits, shall be limited to between the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of equipment and removal of debris associated with the demolition of this structure shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.				
2. Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.	City shall inspect construction activities.	Building	Project Construction	
3. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.	City shall inspect construction activities.	Building	Project Construction	
4. Grading and construction equipment shall be shut down when not in use.	City shall inspect construction activities.	Building	Project Construction	
XII. POPULATION AND HOUSING				
1. The owner/applicant shall pay a housing impact fee of	Building shall notify Planning of	Planning/	Prior to issuance of	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
approximately \$40,000 (the exact amount shall be calculated at the time of issuance building permit) to mitigate the housing impact of the jobs that are generated by the hotel use.	permit submittal	Building	building permits.	
2. To mitigate the loss of 22 affordable studio apartments that were to be located on-site, the owner/ applicant shall make a \$750,000 contribution to the City of St. Helena Housing Trust Fund prior to issuance of building permits for the project. The preference is that the contribution be earmarked for a not for profit housing developer who has an approved project to build affordable housing in St. Helena	Building shall notify Planning of permit submittal.	Planning	Prior to issuance of building permits.	
3. To mitigate the impact upon lower income households that will be displaced by the loss of the rental housing at Grandview, the owner/applicant shall provide relocation assistance equal to three months rent to any tenant household that is living in any unit at Grandview the time of submittal for building permits.	Details to be agreed upon with staff and owner shall show verification of payments.	Planning	Prior to issuance of building permits.	
XIII. PUBLIC SERVICES				
NO MITIGATIONS				
XIV. RECREATION				
NO MITIGATIONS				
XV. TRANSPORTATION/TRAFFIC				
I. All required public frontage and street improvements shall be	City shall review and approve plans	Public Works	Prior to Grading or	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
designed and built in accordance with an approval by the City of St. Helena Public Works Department.	prior to issuance of a Grading or Building Permit and City shall inspect construction activities.		Building permit issuance and Project Construction	
2. To mitigate the impact of the traffic generated by the land use at 1915 Main Street (Grandview Inn) on the intersection of Main Street and Pratt Avenue, the applicant shall enter into a deferred improvement agreement with the City that would require future participation of the design and installation of a traffic signal at the intersection of Pratt Avenue and Main Street, should one be necessary and constructed in the future.	City shall review and approve plans prior to issuance of a Grading or Building Permit.	Public Works	Prior to Grading or Building Permit issuance	
3. The improvements identified in the Crane Transportation Group Traffic Impact Report (November 2003) and Addendum (February 2005) are determined to be accepted in this Initial Study and shall be implemented as part of the project prior to receipt of a final permit.	City shall review and approve plans prior to issuance of a Grading or Building Permit and ensure installation prior to final inspection	Public Works/Planning	Shown on the plans prior to Grading or Building Permit issuance and at final inspection	
4. The applicant shall provide no less than 57 parking spaces on the site based on a minimum of 1 space/inn room and 1 space/residential unit with two extra spaces, the final location of which shall be reviewed for their compliance with the dimensional requirements of the City's parking ordinance and for their potential impact on trees, as determined by the Planning Director and the City's Consulting Arborist. All parking shall be shown on the construction plans proposed as part of the building permit application and approved by the City prior to issuance of the permit.	City shall review and approve plans prior to issuance of a Grading or Building Permit and ensure installation prior to final inspection	Planning	Shown on the plans prior to Grading or Building Permit issuance and at final inspection	
5. To minimize an impacts resulting from vehicles associated with construction activities on the site, including trucks hauling fill materials, a Traffic Control Plan will be required, subject to	City shall review and approve plans prior to issuance of Building Permit	Public Works/ Building	Grading or Building permit issuance and throughout project	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
approval by the City, prior to issuance of a building or grading permit.			construction	
XVI. UTILITIES AND SERVICE SYSTEMS				
1. Prior to construction within existing roadway areas, the property owner shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such systems.	City shall review and approve plans prior to issuance of a Grading or Building Permit.	Public Works/Building	Prior to Grading or Building Permit Issuance	
2. Water and energy conservation measures shall be incorporated into project design and construction in accordance with applicable codes and ordinances.	City shall review and approve plans prior to issuance of Building Permit.	Building	Prior to Building Permit Issuance	
3. The project shall be connected to the City's potable water and sanitary sewer services in conformance with City standards and specifications.	City shall review and approve plans prior to issuance of Building Permit	Building	Building Permit Issuance	
4. The project shall be designed and built in accordance with the City standards regarding the adequate conveyance of storm waters.	City shall review and approve plans prior to issuance of a Grading or Building Permit	Public Works/Building	Grading or Building permit issuance and Project Construction	
5. All faucets in sinks and lavatories, including showerheads, faucets and toilets, shall be equipped with faucet water conserving fixtures.	City shall review and approve plans prior to issuance of Building Permit	Building	Building permit issuance and Project Construction	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
6. During the construction / demolition/renovation period of the project, the property owner shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Developer transports project waste. If the property owner transports the project's waste, property owner shall use the appropriate landfill for the service area in which the project is located.	City shall inspect construction activities.	Building	Project Construction	
7. The property owner shall provide for the source separation of wood waste for recycling. The property owner shall use the franchised garbage hauler for the service area in which it is located for collection of such wood waste, unless the property owner transports such wood waste to a location where wood waste is recycled.	City shall inspect construction activities.	Building	Project Construction	
8. The property owner shall submit to, and receive approval from the Building Official of a source reduction plan that meets the City's requirements.	City shall review and approve plans prior to issuance of Building Permit	Building	Building permit issuance	
9. A recycling/solid waste enclosure shall be provided in accordance with City standards for all common solid waste facilities.	City shall review and approve plans prior to issuance of Building Permit and the City shall inspect construction activities.	Building	Building permit issuance and throughout project construction	
10. The applicant shall be required to pay all water and sewer impact fees associated with any increase in water use or the generation of wastewater treatment demand on the City's facilities.	City shall review and approve plans prior to issuance of Grading or Building Permit	Building	Prior to grading or building permit	

MITIGATION MEASURE	METHOD OF MONITORING/REPORTING	VERIFYING DEPARTMENT	TIME OF COMPLIANCE	INT. DATE
11. The applicant shall be required to mitigate the increase in wastewater generation on the downstream sewer system by constructing a new 6" force main with 10" containment pipe from Crinella pump station to existing sewer system at intersection of Railroad Avenue and Fulton Avenue (1,210 linear feet) at the developer's expense.	City shall review and approve plans prior to issuance of a Grading or Building Permit	Public Works	Prior to grading or building permit	
XVII. Mandatory Findings of Significance.				
NO MITIGATIONS				

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2016-013

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A USE PERMIT TO ADD BREWERY OPERATIONS AS
AN ACCESSORY USE TO THE LAS ALCOBAS HOTEL ON A 3.83 ACRE PARCEL IN
THE SERVICE COMMERCIAL ZONING DISTRICT. LOCATED AT LOCATED AT 1915
MAIN STREET (APN 009-490-009)**

PROPERTY OWNER: Spring Mountain Hotel

APN: (009-490-009)

Recitals

A. Whereas, Spring Mountain Hotel LLC submitted an application for a Use Permit to add 'Brewery' operations as an accessory use to the Las Alcobas Hotel on a 3.83 acre parcel located at 1915 Main Street (APN 009-490-009) in the Service Commercial Zoning District; and

B. Whereas, the Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on April 19, 2016.

C. Now, therefore let it be found that, the Planning Commission approves the requested Use Permit on the following basis:

Resolution

A. The Planning Commission hereby finds that Mitigated Negative Declaration (and subsequent addenda) for the Spring Mountain Hotel project fully analyzes and mitigates the impacts of this project as required under the California Environmental Quality Act (CEQA).

B. The Planning Commission makes the following Use Permit findings pursuant to Municipal Code Section 17.168.050 to support the motion to approve the Use Permit

- 1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that brewing activities are limited to occur less than once per month and the most odor producing activities (the creation of the wort) is proposed to occur off-site.**
- 2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses in that the brewery land use is an accessory to the hotel and restaurant use and is not anticipated to generate significant increases in noise, traffic or other external activities on-site.**

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan in that the brewery land use is an accessory to the hotel and restaurant use, is proposed to occur completely within the existing structures and is not a noise generating activity.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection given that the most water intensive elements of the brewery use (creation of the wort) are proposed to occur off-site and the project has identified the on-site brewery activities will generate minimal impacts to the use an provision of City infrastructure and services.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location in that all site circulation is preserved by the proposed addition of brewery activities.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed brewery use will add an additional element of economic activity to the approved hotel and restaurant as well as facilitate acquisition of a Type 75 Liquor License for the restaurant.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located in that the project analysis did not identify any previously unanticipated impacts, the brewery use is proposed as a secondary land use to the hotel and restaurant and the Service Commercial Zoning District is intended for these types of commercial uses.
8. That the proposed use would not be in conflict with the City's General Plan in that the use implements the intentions and allowances of the Service Commercial designation.
9. That the proposed use would not be injurious to public health, safety, or welfare as no impacts to public health, safety or welfare were identified by the addition of an accessory brewery land use, with a maximum capacity of 7-barrells and housed completely within an existing structure.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that Brewery land uses are only permitted in commercially designated properties, require Use Permit approval and are reviewed on a case-by-case basis subject to the constraints of each site and the specific operational characteristics proposed with each application.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and

business owners and customers is available in that all required parking for the proposed and approved uses on the site is provided in the subject property.

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use given the improvements required and made to facilitate the hotel and restaurant uses, the limited brewing operations proposed by the project and the findings and analysis identified in the traffic report for the hotel and restaurant.

C. Now therefore be it further resolved that, the Use Permit for the above described project is granted subject to compliance with all applicable provisions of the Zoning Code subject to each of the following conditions. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of the Use Permit decision or these approvals shall expire; provided however that the approved Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
2. This permit is valid for this use only. New permits must be applied for any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.
3. The Use Permit and Design Review shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.
4. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.
6. Compliance with all permit conditions shall be clearly identified on all plans submitted for building permit approval, shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such

claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

8. Provided they are in general compliance with the approved Use Permit, minor modifications found to be in substantial conformance with the approved use may be approved by the Planning Director.
9. This Use Permit and Design Review shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.
11. Construction documents shall be in compliance with approved plans and exhibits.
12. Construction activities and business operation shall be in compliance with all mitigation measures adopted in the Negative Declaration.
13. The capacity of the brewery equipment installed at the project site is limited to a maximum of seven-barrels (or approximately 310 gallons) at any one time.
14. All brewing equipment, activities and storage are required to occur completely within the existing buildings on the project site.
15. No bottling, distribution or off-site sales or brewed beer are permitted with this action. Brewing activities are accessory to the approved hotel and restaurant use and all beer brewed on the project site is intended to be produced and consumed onsite.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
17. The applicant shall incorporate water conservation practices into the proposed project per the Water Use Report prepared by Bryan Jackson of Delta Consulting & Engineering, dated January 22, 2016. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises.
18. Water usage for brewing operations shall be limited to 3,350 gallons per year.

19. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
20. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
21. An encroachment permit shall be required for any work performed in the public right of way.
22. The applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharged. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
23. All wastewater lines of the proposed use must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards. Wastewater shall not contain beer production byproducts. A sewer sampling manhole shall be installed at or near the unit cleanout per City Sewer Standards.
24. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.20, Sewer Service System, of the St. Helena Municipal Code.
25. Apply for and obtain a Wastewater Discharge Permit from the Department of Public Works as specified in St Helena Municipal Code Section 13.24.50. The permit conditions will require:

Wastewater is required to achieve the following discharge limits for the following constituents and characteristics:

Constituent or Characteristic	Maximum Allowable Concentration (mg/L)
pH	6.0 < pH < 9.0
BOD	250
TSS	250
FOG	40

- All residual solid "by product" produced from the brewing process shall be captured and disposed of prior to discharge as specified in the Wastewater Generation Report prepared by Delta Engineering & Consulting Engineers, dated January 29, 2016.
- Wastewater with a pH less than 6.0 or greater than 9.0 shall be held in an onsite tank. This wastewater shall only be released after receiving approval to

discharge from the wastewater treatment plant operator. Release of said wastewater shall then be limited to the periods from of 6:00 am to 9:00 am and from 5:00 pm to 8:00 pm. The flow rate of the release or discharge shall then not exceed 10 gpm.

- At the owner's expense, sampling and discharge water quality analysis shall be performed once a year for the above listed constituents and/or characteristics after brewing operations by a California-certified laboratory under chain of custody documents. Such reports shall be submitted to the City by the following month.
- The owner shall notify the City and take immediate corrective action upon receipt of any laboratory report or other information indicating that the concentration of any constituent listed in the table above exceeded the maximum concentration. Failure to take immediate corrective actions may result in enforcement actions as provided under the St. Helena Municipal Code or other applicable law.
- The City shall have the right to randomly sample and test the discharge for the above listed constituents. Owner agrees to reimburse the City for the cost of such testing. The sampling manhole shall be accessible at all times. The City shall have the right to inspect all parts of the system at any time during normal business hours.

Fire Department Conditions of Approval

26. Installation of approved interior fire sprinkler system is required.
27. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary. Fire resistant construction of interior walls shall be determined by type of occupancy.

Building Department Conditions of Approval

28. A building permit is required for all construction, demolition and/or change of use on site. The building permit application package may require a geotechnical report, and shall be reviewed and approved by the Building Official prior to issuance of a building permit.
29. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall

occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

I HEREBY CERTIFY that the foregoing Use Permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on April 19, 2016, by the following roll call vote:

AYES: *Commissioners Koberstein, Sweeney, Monnette, Kistner, Chair Parker*
NOES: *None*
ABSENT: *None*
ABSTAIN: *None*

APPROVED:

ATTEST:



Sarah Parker
Chair, Planning Commission



Noah Housh,
Planning and Community
Improvement Director

CITY OF ST. HELENA CITY COUNCIL RESOLUTION 2015-24

APPROVING A REQUEST BY GUNEET BAYWA TO INCREASE THE TOTAL NUMBER OF HOTEL ROOMS ALLOWED WITHIN THE CITY OF ST HELENA FROM 329 ROOMS TO 342 ROOMS, AN INCREASE OF 13 ROOMS, AND APPROVING A USE PERMIT AND DESIGN REVIEW APPLICATION, FILE NO. PL14-037, TO ALLOW THIRTEEN (13) ADDITIONAL HOTEL ROOMS, ALONG WITH RELATED PARKING AND ASSOCIATED SITE PLAN MODIFICATIONS, TO THE PREVIOUSLY APPROVED PLANS FOR THE GRANDVIEW/LAS ALCOBAS HOTEL LOCATED AT 1915 MAIN STREET, APN 009-400-009

WHEREAS, an application was submitted by Guneet Bajwa on behalf of the Las Alcobas Hotel (also known as the Grandview Hotel) to increase upper limit on the total number of hotel rooms allowed in the City by 13 rooms, along with a Use Permit and Design Review application to add a total of thirteen (13) new hotel rooms to the fifty seven (57) rooms already approved, for a total of seventy (70) hotel rooms at 1915 Main Street in the SC: Service Commercial district, and

WHEREAS, an Addendum to a previously adopted Mitigated Negative Declaration was prepared for the project pursuant to the California Environmental Quality Act ("CEQA"), and

WHEREAS, the Planning Commission on February 17, 2015 recommended to the City Council approval of the applicant's requests by a 5-0 vote

WHEREAS, the City Council of the City of St. Helena, State of California, held a noticed public hearing on March 10, 2015, and considered all comments presented at the public hearing

Resolution

NOW, THEREFORE, BE IT RESOLVED that the City Council find that the Addendum to the previously approved Mitigated Negative Declaration adopted for the project as adequate to address the environmental impacts of the project, that the Addendum demonstrates that the present revisions to the project create no substantial new or different adverse environmental impacts, and that no further or additional environmental review is required by CEQA, and

BE IT FURTHER RESOLVED that pursuant to St. Helena Municipal Code ("SHMC") 17.52.030 section the City Council hereby approves an increase in the number of permitted hotel rooms in the City from 329 rooms to 342 rooms, an increase of 13 rooms, and

BE IT FURTHER RESOLVED that the City Council hereby makes the following Use Permit findings required by SHMC section 17.168.050:

1. That, as conditioned and with the recommended mitigations place, the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

Conditions of approval required with this project in conjunction with City ordinances regulating construction related impacts, and light and glare, address any such impacts. The lighting plan for the project requires that all lighting be directed downwards and shielded so as to prevent any glare from the site impacting adjacent properties and streets (Condition #22, City Council Resolution 2010-89)

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

The adding of 13 hotel rooms will not increase the project's ambient noise level. Conditions have been added requiring that the ambient noise level at the property line be increased by no more than 5dba. Mitigation measures of the project (Noise mitigation measures 1-4) require that all construction equipment contain state of the art noise suppression equipment.

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

The addition of 13 hotel rooms will increase peak hour traffic by 6 vehicles hour, which is well within the capacity of Hwy 29. This small increase in traffic will not create a discernable increase in traffic related noise above current ambient noise levels on Hwy 29.

4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

The water analysis prepared for this project documents that the increase in 13 hotel rooms will not increase the projects total water/ sewer demand due to use of low flow fixtures. No added public services to serve the site will be required. A condition of approval (Condition #9 of the engineering conditions) is proposed that requires the applicant to install approximately 1200 lineal feet of 6 inch force main in order to upgrade the City's sewer system to allow the project to hook up to sewer service.

5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

The plan is designed to handle the very small incremental increase in traffic due to the addition of 13 hotel rooms. The current driveways leading to and from Hwy 29 are sufficiently large to accommodate the small incremental increase in project traffic.

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

The added hotel rooms will result in an increase in the number of tourists and others staying in St Helena, which will enhance local businesses. The projected

Transient Occupancy Tax (TOT) from the added 13 rooms is projected to bring to the City \$250,000 to \$300,000 in new revenue annually which will enhance the City's General Fund.

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

A 57 room hotel has already been approved for the site, which is compatible with the addition of 13 hotel rooms. The addition of 13 new hotel rooms requires an amended Use Permit, which is being requested as part of this application process.

8. That the proposed use would not be in conflict with the City's General Plan.

Hotel rooms are allowed in the General Plan Service Commercial Zoning District.

9. That the proposed use would not be injurious to public health, safety, or welfare.

The addition of 13 hotel rooms will not impact the public health safety and welfare, as documented by the fact that the environmental analysis prepared for this project, which includes the 2010 Mitigated Negative Declaration and the subsequent Addendum, conclude that with the proposed mitigation measures and conditions of approval, will not create significant impacts on the City, its residents, and the environment, and will therefore the proposed project will not impact the City's public health , safety , and welfare.

10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.

The addition of 13 hotel rooms will not set a precedent that would be detrimental to the City. Adding more hotel rooms to existing projects is typically more efficient and effective way to increase TOT creates fewer impacts than building a new hotel, therefore adding 13 rooms sets a desirable precedent for the City.

11. That, as demonstrated on a detailed plan submitted by the applicant to include up to 70 off-street parking spaces, adequate off-street parking to accommodate the long term parking needs of residents, employees and customers is available.

A total of 13 parking spaces are proposed to be added which meets City requirements. As a result there will be sufficient parking to accommodate the demands of the added 13 hotel rooms on site.

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

The access to the additional 13 rooms is Hwy 29. The capacity of Hwy 29 greatly exceeds the small incremental increase in traffic created by the 13 added rooms.

In addition, the improvements currently being implemented by CALTRANS for Hwy 29 will further enhance the capacity of Hwy 29.

BE IT FURTHER RESOLVED the City Council finds and determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030:

1. Consistency and compatibility with applicable elements of the general plan;
Addressed under Use Permit Findings
2. Compatibility of design with the immediate environment of the site;
The design of the 13 rooms will match the already approved design.
2. Relationship of the design to the site;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint.
3. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The design of the added 13 rooms is the same as the already approved project
4. Whether the design promotes harmonious transition in scale and character in areas between different designated land use;
The design of the 13 rooms will match the already approved design
5. Compatibility with future construction both on and off the site;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The design of the 13 rooms will match the already approved design
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
The only additional landscaping this is proposed adds to screen the site from neighboring uses
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;

The added 13 rooms does not change the site plan, therefore does not impact access.

13. Whether natural features are appropriately preserved and integrated with the project;

The added 13 rooms does not change the site plan, and therefore has no impact on natural features.

14. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;

The design of the 13 rooms will match the already approved design

15. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;

The design of the 13 rooms will match the already approved design

16. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;

Conditions of approval require appropriate site landscaping

16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;

The addition of 13 rooms does not impact the site landscaping

17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.

The project will meet Title 24 and all State require green construction standards

BE IT FURTHER RESOLVED the City Council hereby approves the Use Permit and Design Review applications for the above-described project subject to the following conditions of approval. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit/Design Review shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

OAK #4810-8033-1554 v1

2. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
3. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
4. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
5. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
6. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
7. Construction shall be in compliance with plans submitted and reviewed and approved by the City Council on March 10, 2015, except as modified herein. The Planning Director may authorize minor modifications to the approved plans.
8. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
9. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall

occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits

10. That all conditions of the previous August 2010 Use Permit for the 57 room Las Alcabas Project shall be complied with, unless such a condition explicitly conflicts with a condition of approval contained in this resolution, in which case the Condition of approval in this resolution shall take precedence.
11. That all requirements of the Addendum prepared for the previous Negative Declaration be complied with.

Public Works Conditions

1. Approval of this project shall be subject to the requirements of, and designed and constructed in accordance with the most current version of municipal codes, and all current federal, state and county codes governing such improvements at the time of improvement plan submittal.
2. The improvement plans shall include all grading, hardscape, landscape, drainage and utilities as shown on the Design Review package as well as those agreed to in public hearings and those required by the municipal codes.
3. The developer shall construct all on and offsite improvements in accordance with improvement plans and supporting calculations and documentation that are prepared by a registered Civil Engineer and reviewed and approved by the City of St. Helena Public Works Department. The improvement plans shall include detailed designs for all on and off site utilities, water, sewer, grading, drainage, erosion control and paving. The improvement plans and calculations must be approved by the City Engineer prior to the approval of the Final Map.
4. An encroachment permit shall be required for any work performed in the public right of way.
5. No added drainage from new hardscape, roofs or pool improvements shall be allowed to leave the site; improvement plans shall show how drainage will be treated/infiltrated on site and at the property lines to prevent inundation of neighboring properties. 10-year and 100-year storm event overflow site drainage shall be directed in to an existing storm drain or gutter through City standard undersidewalk drains or infiltration pit where applicable. If needed, a system to detain the post-developed flows shall be designed in accordance with City/County/State standards at the direction of the City Engineer.

6. Stormwater treatment shall be designed and constructed in accordance with St. Helena Development Manual Stormwater Standards and the State of California standards for the stormwater run-off for 85th percentile storm event.
7. The developer shall repair all public improvements that are damage by the construction process in accordance with the City of St. Helena Water/Sewer/Street/Storm Drain/Sidewalk Standards.
8. New and existing private water and sewer lines shall be shown on the site improvement plans.
9. That prior to occupancy the developer shall mitigate the increase in waste water generation on the downstream sewer system by constructing a new six (6) inch force main with a ten (10) inch containment pipe from the Crinella Pump Station to the existing sewer system at Railroad and Fulton Avenues (approximately 1210 lineal feet) at the developer's expense. A reimbursement district shall be established by the City that includes those properties that benefit from the extension of the six (6) inch force main required by this Condition. Properties that connect to the City's sewer system that benefit from the construction of this force main, shall reimburse the Developer of the Las Alcabas project in proportion to their relative. The boundaries, requirements, and provisions of this reimbursement district shall be determined by the City Engineer. Cost of the formation of such a district shall be borne by the Developer.

Planning Department Conditions

1. That prior to the issuance of building permits for the additional thirteen (13) hotel rooms the Developer shall pay in full to the City a Housing Mitigation Fee in the amount of \$300,000. This housing mitigation fee of \$300,000 is over and above the amount of the Housing Mitigation Fee paid by the Developer (\$750,000) for the first 57 rooms of the project.
2. In consideration of the lost mature Oak Tree on the property, the Developer is required to plant three (3) additional 36" box oak trees (two at SW corner and one at NE corner of property), and upsize five (5) additional oak trees (from 24" to 36" box size). In addition, the Developer shall install the landscaping as described in Exhibit #1 (attached) to this Resolution as agreed to by the Quail Meadow HOA and the applicant in order to provide sufficient tree screening for the Quail Meadow property to protect their privacy and buffer the view of the hotel from the Quail Meadow residents. The landscape plan depicting the tree planning necessary to offset the removal of the lost mature oak tree, and depicting the landscaping necessary to screen the Quail Meadows Development as described in Exhibit #1, is subject to the review and approval of the Planning Director. All such trees and landscaping shall be installed prior to occupancy of the site.

I HEREBY CERTIFY that the foregoing increase to the total number of hotel rooms allowed in the City by 13 rooms and the Use Permit and Design Review was duly approved by the City Council of the City of St. Helena at a regular meeting of said City Council held on March 10, 2015 by the following roll call vote:

Mayor Galbraith:	<u>Yes</u>
Vice Mayor White:	<u>Yes</u>
Councilmember Crull:	<u>Absent</u>
Councilmember Dohring:	<u>Yes</u>
Councilmember Pitts:	<u>Yes</u>

APPROVED:

Alan Galbraith
Alan Galbraith, Mayor

ATTEST:

Cindy Black
Cindy Black, City Clerk



EXHIBIT #1

DESCRIPTION OF LANDSCAPE SCREEN PLANTING AGREED TO BY REPRESENTATIVES OF THE QUAIL MEADOWS HOMEOWNERS ASSOCIATION AND THE OWNERS OF THE LAS ALCOBAS/GRANDVIEW PROJECT March 10, 2015

As mitigation for sight and privacy issues at Quail Meadows Home Owners Association created by the Las Alcobas Project, Las Alcobas agrees to purchase, transport and install trees and plants according to the conceptual plan developed by CECWest dated March 3, 2015, with the following changes:

- 1) Three Arbutus Unedo are to be deleted. In exchange for the two shown between 1842 and 1840, there will be one Cork Oak, approximately 20 feet tall. This tree has been tagged at **Main Street Trees in Napa** in exchange for the one shown at 1844, please see item #2 below.
- 2) Two Dwarf Southern Magnolias are deleted. In exchange for these and one of the Arbutus noted above, they will be substituted by one of the following selected by homeowner at 1844:
 - a. Three mature Magnolias
 - b. Three mature trees of another species not yet identified
 - c. Two mature olive trees, approximately 12 feet tall
- 3) Two field grown olives to be substituted with one 100 year old large olive, approximately 18 feet tall. This tree has been tagged at **The Olive Tree Farm in Sonoma**.
- 4) One Coast Live Oak at 1840 is deleted. In exchange there will be one Cork Oak, approximately 16 feet tall. This tree has been tagged at **Main Street Trees in Napa**.
- 5) Approximately eight Coast Redwoods on Las Alcobas property, at the intersecting corner of their property, QMHOA and Beringer Vineyard, will be of at least 24" box size, or approximately 12 feet tall. It is understood that these will be planted on different time frame than the trees at QMHOA.
- 6) One Laurel 15 gallon plant at 1850 to remain as per plan.

In addition, Las Alcobas agrees to plant these trees as quickly as possible, making arrangements to transport them via Beringer Vineyards access. Irrigation changes will be made to the QMHOA water system adequate to maintain the trees. Trees will be protected by gopher netting and guaranteed by Nursery for problems with trees not associated with lack of water or proper maintenance. Las Alcobas will remove Beringer fencing as required and replace as needed when project completed.



Living Rivers Council

LRC
2945 Atlas Peak Rd.
Napa, California, 94559
(707) 255-7434
(707) 259-1097 fax

cmalan@earth@gmail.com

icarenapa.org

August 13, 2017

To: St. Helena Planning Commission
Re: Las Alcobas Pedestrian Bridge, Mitigated Negative Declaration, MND, fails the California Environmental Quality Act, CEQA

The Napa River watershed is a local, state and national treasure because it is a biological hot spot on the planet. This special watershed encompasses both a Mediterranean climate to the east that meets the coastal temperate rain forest climate to the west. Additionally there are numerous micro-climates that is the foundation for the rise of a world class wine industry. These climates and soils support rich and complex aquatic and terrestrial habitats that support a high diversity in both flora and fauna. Unfortunately, many of these precious habitats are being lost one project at a time including by this walking bridge.

LRC does recognize that this project will do some restoration, however, it is at the loss initially removing 144 feet of riparian vegetation, including 8 trees. Trees provide critical shade for delicate stream habitats by preventing warming of the water where aquatic animals are sensitive to temperature changes which can cause a dead zone for aquatic species.

The consultant for this project attempted to mitigate for these species impacted by this project; Steelhead trout, Western Pond Turtle, Foothill yellow-legged frog, riparian woodcut, bats, common aquatic and terrestrial species and nesting birds.

However, the MND failed to recognize that the Napa River watershed is critical habitat for the endangered California Freshwater Shrimp, CFWS, known to be within 1/2 mile of York Creek. Also, Red-legged Frog, RLF, are listed as threatened and are known to be in this area too.

The current draft Stream Bed Alteration Permit application submitted to the Department of Fish and Wildlife, does not include pre-project surveys for CFWS or RLF. (See attachment 1 below)

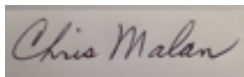
Anytime a project could harm endangered or threatened species, the applicant must have a biological opinion process with resource agencies and a possible Take Permit application for killing or harming endangered or threatened

species. This MND does not include protections for the these endangered and threatened species.

The MND can not be approved because it fails to identify and discuss that endangered CFWS and threatened RLF are known to be present, which are fatal flaws of the MND. An Environmental Impact Report, EIR, is required when there are significant environmental impacts.

Living Rivers Council recommends that the St. Helena Planning Commission reject the MND and require that the applicant do an EIR to make sure all environmental impacts and alternatives to this project are identified and discussed.

Thank You,

A handwritten signature in cursive script that reads "Chris Malan". The signature is written in dark ink on a light-colored, slightly textured background.

Chris Malan
Manager
Living Rivers Council
LRC

Attachment 1

California Freshwater Shrimp



MND States this:**Avoidance and Minimization Measures:**

The project applicant, Guneet Bajwa, has applied for a Streambed Alteration Agreement (Notification No. 1600- 2016-0346-R3) with the California Department of Fish and Wildlife (CDFW). The draft Streambed Alteration Agreement (January 23, 2017) identifies measures to be implemented by the applicant to avoid or minimize adverse impacts to the following fish and wildlife resources that may be present within the York Creek riparian corridor:

- ☒ Steelhead trout (*Oncorhynchus mykiss*)
- ☒ Western pond turtle (*Clemmys marmorata*)
- ☒ Foothill yellow-legged frog (*Rana boylei*)
- ☒ Riparian woodrat (*Neotoma fuscipes riparia*)
- ☒ Bat roosts (various species)
- ☒ Common aquatic and terrestrial species
- ☒ Nesting birds

Some of the key avoidance and minimization measures described in the draft Streambed Alteration Agreement include:

- ☒ Confine work within the stream/riparian corridor to the period June 15 to October 15. (Revegetation work using hand tools is not confined to this time period.)
- ☒ Avoid work in the portion of the streambed where flowing water is present or anticipated.
- ☒ Provide training sessions for work personnel to identify any sensitive species which may be in the area.
- ☒ Establish temporary construction fencing or flagging to identify the agreed limits of disturbance within the stream area.
- ☒ Place bridge at sufficient height above the stream to allow maximum flows and debris generated during a 100-year storm to pass beneath unrestricted.
- ☒ Locate bridge abutments outside the stream banks.
- ☒ Install scour protection materials so that they are properly aligned within the channel and otherwise engineered, installed and maintained, to assure resistance to washout, and erosion of the stream bed, stream banks and/or fill.
- ☒ Conduct a focused survey for active bird nests if grading, excavation or other project-related activities are scheduled during the typical nesting season of protected raptors and migratory birds (typically February 1 to August 31).
- ☒ Survey project area for indications of bat habitat by a qualified bat biologist prior to commencement of construction.
- ☒ Survey the project area by a qualified biologist for presence of special-status species that may be present within 48 hours prior to construction.
- ☒ Suspend work and notify CDFW if special-status species or listed species encountered during project construction.

JUNE 2017 P A G E | 5 LAS ALCOBAS PEDESTRIAN BRIDGE

☒ Visually check all sections of construction materials for the presence of wildlife sheltering within them prior to the pipe sections being placed and attached together, or have the ends capped while stored on site so as to prevent wildlife from entering.

☒ At the end of each work day, an escape ramp shall be placed at each end of any constructed open trench to allow animals that may have become entrapped in the trench to climb out overnight.



Wildlife Research Associates

Trish and Greg Tatarián

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August 15, 2017

Lilly Bianco - Contract Planner
City of St. Helena
1480 Main Street
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(707) 968-2748
LBianco@cityofsthelena.org

Response to Comments - Living Rivers Council (August 13, 2017)

The following are our responses to the comments made by Chris Malan, Manager, Living Rivers Council on August 13, 2017 regarding the adequacy of the environmental review for the Las Alcobas Bridge Crossing.

Comment: The MND failed to recognize that the Napa River watershed is critical habitat for the endangered California Freshwater Shrimp, CFWS, known to be within 1/2 mile of York Creek.

Response: The Napa River Watershed encompasses a basin of 426 square miles and yes, California freshwater shrimp (*Syncaris pacifica*) occurs within this watershed. However, York Creek, a small drainage within the Napa River Watershed, drains a watershed of approximately 4.4 square miles.

The California Natural Diversity Data Base is run by the California Department of Fish and Wildlife. New occurrence data is submitted by researchers and biological consultants daily. There is potential that since 2016, when the original analysis was conducted, there could be new recorded occurrence for California freshwater shrimp. However, a run of the BIOS portion of the CNDDB reveals no new occurrences of California freshwater shrimp within ½ mile of the project site. No California freshwater shrimp have been reported in York Creek.

The site is not suitable for freshwater shrimp, a species that occurs in Marin, Sonoma and Napa counties in slow moving freshwater streams with perennial pools. Their main habitat components are low gradient (less than 1 percent) stream reaches, away from the main current, along the edges of 1 to 4 feet (0.3 to 1.2 meter) deep stream pools (USFWS 2011). A study in Marin County of the species habitat requirements found that the species is most likely to occur in relatively slow water current velocities, with bottom substrates dominated by sand, and moderate amounts of overhanging vegetation, emergent vegetation, and fine roots (USFWS 2011). The species typically inhabits quiet portions of tree-lined streams with underwater vegetation and exposed tree roots. In times of heavy discharge accompanying storm events, they avoid excessive flows by clinging to fine root material beneath undercut stream banks where velocities are reduced (USFWS 2011). York Creek has no undercut banks that provide this habitat component. During the summer dry season, the species is often associated with submerged vegetation and vegetation that hangs into the water (USFWS 2011). None of the above identified habitat occurs in this portion of York Creek. As a result, California freshwater shrimp are not likely to occur in the project area.

California Certified Small Business Enterprise #0026331

The Streambed Alteration Agreement states the following:

Condition 2.4 No Work in Live Stream. No work in the portion of the streambed where flowing water is present or anticipated during the term of this agreement.

Comment: Red-legged Frog, RLF, are listed as threatened and are known to be in this area too.

Response: A run of the BIOS portion of the CNDDDB reveals no new occurrences of California red-legged frog (*Rana draytonii*) within 1 mile of the project site.

This species typically inhabits aquatic habitat in a stream where depths are sufficient to allow for escape from predators, primarily raccoons (*Procyon lotor*), in an urban environment. These depths are typically 0.5-1 feet, beyond the reach of raccoon paws. There is potential for California red-legged frog to occur in streams the size of York Creek when sufficient structure occurs in the creek, under which the animals can hide. There is insufficient structure in York Creek at the project site for California red-legged frog to escape predation. As a result, California red-legged frog are not expected to occur in the project area.

Comment: The current draft Stream Bed Alteration Permit application submitted to the Department of Fish and Wildlife, does not include pre-project surveys for CFWS or RLF.

Response: The Streambed Alteration Agreement states the following:

Condition 2.22 Special-Status Wildlife Surveys. Within 48 hours prior to construction, a CDFW approved Qualified Biologist shall survey the project area at the appropriate time of day for presence of special-status species that may be present. If any special-status species are found, CDFW reserves the right provide additional provisions to this Agreement designed to protect special-status species.

Although not stated specifically, this condition does include a pre-construction survey (pre-project survey) for special-status species. No suitable habitat for California freshwater shrimp occurs in this portion of York Creek. There have been no reported occurrences of California red-legged frog within 1 mile of the project area. However, measures to protect individual foothill yellow-legged frog (*Rana boylei*) will protect individual California red-legged frog.

In addition, the following condition in the Streambed Alteration Agreement will protect individuals: Condition 2.23 Special Status Species Encountered During Work. If Permittee encounters special-status species or listed species during the Project Activity, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with the CDFW prior to re-initiating the activity.

Regards,

Trish Tatarian

References

United States Fish and Wildlife (USFWS). 2011. California Freshwater Shrimp (*Syncaris pacifica*) 5-year review: Summary and Evaluation. Sacramento Fish and Wildlife Office, Sacramento, California. 27 pp.

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

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*Making Conservation
a California Way of Life*

August 14, 2017

SCH # 2017062045

GTS # 04-NAP-2017-00064

NAP-029-29.292

Ms. Lilly Bianco
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Las Alcobas Pedestrian Bridge Project

Dear Ms. Bianco:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Las Alcobas Pedestrian Bridge Project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans' *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the June 2017 Mitigated Negative Declaration (MND).

Project Understanding

This project includes the installation of a pedestrian bridge across York Creek connecting the existing Las Alcobas Hotel and Beringer Winery. The project includes a Riparian Habitat Restoration Plan. The project consists of the construction of a pedestrian bridge over a 10-foot wide section of York Creek between 1915 Main Street and 2000 Main Street. The proposed bridge design is approximately 10 feet wide and 65 feet long and will be supported by abutment mat foundations on either side of the creek (12 x 5.5 feet). The project also includes habitat restoration activities within York Creek.

Lead Agency

As the Lead Agency, The City of St. Helena is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully

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Ms. Bianco, City of St. Helena
 August 14, 2017
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discussed for all proposed mitigation measures.

Cultural Resources

As noted in Section 5.5 Cultural Resources and in Appendix D, the project area is highly sensitive for archaeological sites and only 30 percent of the project area has been previously studied. Given this, to comply with Section 15064.5 of the CEQA Guidelines, we recommend that the City of Saint Helena conduct a cultural resource technical study that at a minimum includes a field survey of the project area by a qualified archaeologist and qualified architectural historian, a geoarchaeological analysis, and possibly subsurface testing to identify buried resources. All cultural resources identified within the project area must be evaluated for significance. Mitigation Measures, such as CUL-1, cannot be substituted for adequate identification and evaluation efforts during the environmental review process.

If an encroachment permit is needed for work within Caltrans right-of-way, we may require that cultural resource technical studies be prepared in compliance with CEQA, Public Resources Code (PRC) 5024, and the Caltrans Standard Environmental Reference (SER) Chapter 2 (<http://www.dot.ca.gov/ser/vol2/vol2.htm>). Should ground-disturbing activities take place within Caltrans right-of-way and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the SER, all construction within 60 feet of the find shall cease and the Caltrans District 4 Office of Cultural Resource Studies (OCRS) shall be immediately contacted at (510) 622-1673.

Biology Impacts

The project should include, in the best management practices (BMP) section, language that prohibits the use of BMP items that contain mono-filament mesh netting, and that fiber rolls, fiber blanket and erosion control netting will be coir fiber based. This is to protect listed species (frogs, fish, etc.) and to prevent netting from washing into the creek. These are conditions that Caltrans is seeing in Biological Opinions and California Department of Fish and Wildlife Section 1600 permits.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information. <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

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Ms. Bianco, City of St. Helena
August 14, 2017
Page 3

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jake Freedman at 510-286-5518 or jake.freedman@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse



Report to the City Council
Council Meeting of October 10, 2017

Agenda Section: New Business

Subject: Consideration and proposed adoption of 1) a resolution approving the Road Maintenance and Rehabilitation Account Project List (FY 17/18) , 2) a resolution designating Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79 and authorizing \$192,500 in FY 18/19 Gas Tax, \$40,000 FY 18/19 SB 1 funding, \$77,500 in FY 18/19 General Fund resources to the Project, and 3) designating two Councilmembers to participate in the development of the Five-Year street rehabilitation and preventative maintenance Capital Improvement Plan (CIP)

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Reviewed By:

Approved By: Mark Prestwich, City Manager

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill (SB) 1, the Road Repair and Accountability Act of 2017. SB 1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years. Beginning November 1, 2017, the State Controller (Controller) will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA).

A percentage of the new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads

system. The adopted FY 17/18 Operations Budget includes an anticipated RMRA revenue to the City for FY 17/18 in the amount of \$40,893, with future years anticipated to grow to approximately \$116,020 annually. The difference is that the revenue collection for FY 17/18 does not start until November 1, 2017 and will start being deposited in mid-January 2018. The recommended action will ensure the City receives these revenues as anticipated.

Prior to receiving an apportionment of RMRA funds in FY 17/18, the City is required to submit to the California Transportation Commission a list of projects proposed to be funded by October 16, 2017. The list of projects proposed to be funded with these funds shall include:

- A description of the project;
- The location of each proposed project;
- A proposed schedule for the project's completion; and
- The estimated useful life of the improvement.

On September 26, 2017, City Council requested to continue this item and directed staff to add Kennedy Court, El Bonita Avenue and La Quinta Way to the SB 1 list for repairs in FY 17/18 and remove Railroad Avenue. Additionally, Staff was directed to provide a summary of all planned street improvement/maintenance projects for FY 17/18, noting that the City has appropriated additional General Fund resources for annual street repairs.

DISCUSSION

Staff has made the requested modifications to the SB 1 list and the funding will be transferred to the following projects:

- Pavement Restoration Project R18-79: City staff did not identify a specific street for the FY 17/18 Pavement Restoration Project R18-79 prior to adoption, but per Council direction, City staff will designate Kennedy Court, La Quinta Way and El Bonita Avenue as the proposed rehabilitation project for this year.
- Oak Avenue Storm Drain Repair R18-82: The Oak Avenue Storm Drain Repair R18-82 came up very recently and is eligible for RMRA funding. The storm drain and street repairs on Oak Avenue between the vicinity of Spring Street to Mitchell Drive need to take place immediately and the RMRA funds can offset additional unknown costs.

The adopted project list will not limit the flexibility of the City to fund projects in accordance with local needs and priorities so long as the projects are consistent with SB 1 and adopted by City Council.

Kennedy Court, La Quinta Way and El Bonita Avenue

Staff was also directed to identify a funding strategy to accelerate required repairs to Kennedy Court, La Quinta Way and El Bonita Avenue. The cumulative cost of this project is approximately \$600,000, which exceeds the appropriated FY 17/18 street

maintenance funding to the Pavement Restoration Project R18-79. However, it is possible to span the funding over two fiscal years to ensure this project commences construction within the current fiscal year (construction is anticipated to cross into FY 18/19). The following table summarizes the sources and timing of project funding identified in the attached resolution.

FY 17/18:	\$250,000 General Fund
	\$ 40,000 SB 1
FY 18/19:	\$192,500 Gas Tax
	\$ 40,000 SB 1
	<u>\$ 77,500 General Fund</u>
	\$600,000

Five-Year Street Rehabilitation and Preventative Maintenance Capital Improvement Plan (CIP)

City staff is currently conducting a citywide inspection and assessment of the street pavement infrastructure. Because streets that are repaired when they are in good condition will cost significantly less over their lifetime than streets that are allowed to deteriorate to a poor condition (and are then in need of reconstruction), the resulting CIP will be critical to ensuring the efficient use of City street maintenance funds. While the resulting plan will provide guidance to these investments, staff is requesting the City Council designate two members to assist with the selection and prioritization of future repairs/preventive street maintenance. In the interim, staff recommends that Council approve the RMRA Project List and respective streets noted above for FY 17/18 in order to meet the October 16 deadline.

FISCAL IMPACT

On August 8, 2017, City Council adopted the 2017-2022 Five-Year Capital Improvement Plan and 2017/2018 Annual Budget which includes the Pavement Restoration Project R18-79 in the amount of \$300,000. On September 26, 2017, City Council adopted a resolution to create the Oak Avenue Storm Drain Repair R18-82 project and transfer gas tax funds to the project budget.

The adopted FY 17/18 Capital Improvements Plan Budget includes \$295,000 in General Funds (\$250,000 Pavement, \$45,000 ADA Transition Plan) for City streets. In order to be compliant with receiving the RMRA funds, the City is required to provide an annual General Fund maintenance of effort (MOE) towards streets in the amount of \$314,571. The MOE amount is based on the City's average General Fund spending effort in fiscal years 08/09, 09/10, and 10/11.

RECOMMENDED ACTION

Adopt 1) a resolution approving the Road Maintenance and Rehabilitation Account Project List (FY 17/18), 2) a resolution designating Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79 and authorizing \$192,500 in FY 18/19 Gas Tax, \$40,000 FY 18/19 SB 1 funding, and

\$77,500 General Fund resources in FY 18/19 to the Project, and 3) designating two Councilmembers to participate in the development of the Five-Year street rehabilitation and preventative maintenance Capital Improvement Plan (CIP).

ATTACHMENTS

[Attch1 Final LSR Program Reporting Guidelines](#)

[Attch2 RMRA MOE](#)

[Attch3 2017-18 LSR Project List rev](#)

[Attch4 RMRA Project List RESO](#)

[Attch5 Reso Street List for CIP R18-79](#)

**THE ROAD REPAIR AND
ACCOUNTABILITY ACT OF 2017**

**2017 LOCAL STREETS AND ROADS
FUNDING**

ANNUAL REPORTING GUIDELINES

August 2017

California Transportation Commission



2017 LOCAL STREETS AND ROADS FUNDING ANNUAL REPORTING GUIDELINES

Adopted by the California Transportation Commission on
August 16, 2017

Pursuant to California Streets and Highways Code Section 2034

Commissioners

Bob Alvarado – Chair
Fran Inman – Vice Chair
Yvonne B. Burke
Lucetta Dunn
James Earp
James C. Ghielmetti
Carl Guardino
Christine Kehoe
James Madaffer
Joseph Tavaglione

Senator Jim Beall – Ex Officio
Assembly Member Jim Frazier– Ex Officio

Susan Bransen – Executive Director

**CALIFORNIA TRANSPORTATION COMMISSION
THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

ANNUAL REPORTING GUIDELINES FOR LOCAL STREETS AND ROADS FUNDING

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I. Introduction

1. Background and Purpose of Reporting Guidelines

On April 28, 2017 the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

Beginning November 1, 2017, the State Controller (Controller) will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system. For a detailed breakdown of RMRA funding sources and the disbursement of funding please see Sections 5 and 6 of these guidelines.

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, in order to be eligible for RMRA funding, statute requires cities and counties to provide basic annual RMRA project reporting to the California Transportation Commission (Commission).

These guidelines describe the general policies and procedures for carrying out the annual RMRA project reporting requirements for cities and counties and other statutory objectives as outlined in Section 2 below. The guidelines were developed in consultation with state, regional, and local government entities and other transportation stakeholders.

The Commission may amend these guidelines after first giving notice of the proposed amendments. In order to provide clear and timely guidance, it is the Commission's policy that a reasonable effort be made to amend the guidelines prior to the due date for project lists or the Commission may extend the deadline for project list submission in order to facilitate compliance with the amended guidelines.

2. Program Objectives and Statutory Requirements

Streets and Highways Code (SHC) Section 2032.5(a) articulates the general intent of the legislation that recipients of RMRA funding be held accountable for the efficient investment of public funds to maintain local streets and roads and are accountable to the people through performance goals that are tracked and reported.

Pursuant to SHC Section 2030(a), the objective of the Local Streets and Roads Program is to address deferred maintenance on the local streets and roads system through the prioritization and delivery of basic road maintenance and rehabilitation projects as well as critical safety projects.

Cities and counties receiving RMRA funds must comply with all relevant federal and state laws, regulations, policies, and procedures. The main requirements for the program are codified in SHC Sections 2034, 2036, 2037, and 2038 and include the following:

California Transportation Commission
2017 Local Streets and Roads Funding Program
Annual Reporting Guidelines

August 2017

- Prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds. All projects proposed to receive funding must be included in a city or county budget that is adopted by the applicable city council or county board of supervisors at a regular public meeting [SHC 2034(a)(1)].
- The list of projects must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement [SHC 2034(a)(1)]. Further guidance regarding the scope, content, and submittal process for project lists prepared by cities and counties is provided in Sections 9-10.
- The project list does not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities so long as the projects are consistent with RMRA priorities as outlined in SHC 2030(b) [SHC 2034(a)(1)].
- The Commission will report to the Controller the cities and counties that have submitted a list of projects as described in SHC 2034(a)(1) and that are therefore eligible to receive an apportionment of RMRA funds for the applicable fiscal year [SHC 2034(a)(2)].
- The Controller, upon receipt of the report from the Commission, shall apportion RMRA funds to eligible cities and counties pursuant to SHC 2032(h) [SHC 2034(a)(2)].
- For each fiscal year in which RMRA funds are received and expended, cities and counties must submit documentation to the Commission that includes a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement [SHC 2034(b)]. Further guidance regarding the scope, content, and submittal process for program expenditure reports is provided in Sections 12-13.
- A city or county receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city's or county's general fund [SHC 2036]. Monitoring and enforcement of the maintenance of effort requirement for RMRA funds will be carried out by the Controller and is addressed in more detail in Section 15.
- A city or county may spend its apportionment of RMRA funds on transportation priorities other than priorities outlined in SHC 2030(b) if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80 [SHC 2037].
- By July 1, 2023, cities and counties receiving RMRA funds must follow guidelines developed by the California Workforce Development Board (Board) that address participation and investment in, or partnership with, new or existing pre-apprenticeship training programs [SHC 2038]. Further information regarding the forthcoming Board Guidelines and future Board-sponsored grant opportunities is available in Section 16.

3. Program Roles and Responsibilities

Below is a general outline of the roles and responsibilities of recipient cities/counties, the Commission, the Controller, and the California Workforce Development Board, in carrying out the program's statutory requirements, as well as activities the Commission will undertake to meet the legislative intent of SB 1:

Recipient Cities/Counties:

- Develop and submit a list of projects to the Commission each fiscal year.
- Develop and submit a project expenditure report to the Commission each fiscal year.
- Comply with all requirements including reporting requirements for RMRA funding.

Commission:

- Provide technical assistance to cities and counties in the preparation of project lists and reports.
- Receive project lists from cities and counties each fiscal year.
- Provide a comprehensive list to the Controller each fiscal year of cities and counties eligible to receive RMRA apportionments.
- Receive program expenditure reports from cities and counties each fiscal year and provide aggregated statewide information regarding use of RMRA funds to the Legislature and the public (e.g. the Commission's Annual Report to the Legislature and a SB 1 Accountability Website).

Controller:

- Receive list of cities and counties eligible for RMRA apportionments each fiscal year from the Commission.
- Apportion RMRA funds to cities and counties.
- Oversee Maintenance of Effort and other requirements for RMRA funds including reporting required pursuant to SHC 2151.

California Workforce Development Board:

- Pursuant to SHC 2038, establish a pre-apprenticeship development and training grant program beginning January 1, 2019 that local public agencies receiving RMRA funds are eligible to apply for or partner with other entities to apply for.
- Pursuant to SHC 2038, develop guidelines for public agencies receiving RMRA funds to participate, invest in, or partner with, new or existing pre-apprenticeship training programs. Local public agencies receiving RMRA funds must follow the guidelines by no later than July 1, 2023.

4. Program Schedule

The following schedule lists the major milestones for the development of the 2017 Local Streets and Roads Funding Annual Reporting Guidelines, initial submittal of project lists, and transmittal of eligibility list to the Controller. See Appendix C for a more detailed program schedule.

Draft Guidelines Circulated for Public Review	June 19 – July 10, 2017
Commission Adoption of Guidelines	August 16-17, 2017
Technical Assistance and Outreach to Cities/Counties	August 18 – October 16, 2017
Project Lists due to Commission	October 16 , 2017
Commission Adopts List of Eligible Cities and Counties	December 6-7 , 2017
Commission Submits List to Controller	December 6-7, 2017
Controller FY 17-18 Apportionments Begin	Mid-January 2018

II. Funding

5. Source

The State of California imposes per-gallon excise taxes on gasoline and diesel fuel, sales taxes on diesel fuel, and registration taxes on motor vehicles and dedicates these revenues to transportation purposes. Portions of these revenues flow to cities and counties through the Highway Users Tax Account (HUTA) and the newly established RMRA created by SB 1.

The Local Streets and Roads Funding Program administered by the Commission in partnership with the Controller is supported by RMRA funding which includes portions of revenues pursuant to SHC 2031 from the following sources:

- An additional 12 cent per gallon increase to the gasoline excise tax effective November 1, 2017.
- An additional 20 cent per gallon increase to the diesel fuel excise tax effective November 1, 2017.
- An additional vehicle registration tax called the “Transportation Improvement Fee” with rates based on the value of the motor vehicle effective January 1, 2018.
- An additional \$100 vehicle registration tax on zero emissions (ZEV) vehicles of model year 2020 or later effective July 1, 2020.
- Annual rate increases to these taxes beginning on July 1, 2020 (July 1, 2021 for the ZEV fee) and every July 1st thereafter equal to the change in the California Consumer Price Index (CPI).

SHC 2032(h)(2) specifies that 50 percent of the balance of revenues deposited into the RMRA, after certain funding is set aside for various programs, will be continuously appropriated for apportionment to cities and counties by the Controller pursuant to the formula in SHC Section 2103(a)(3)(C)(i) and (ii).

6. Estimation and Disbursement of Funds

While neither, the Commission nor the State Controller's Office prepare formal estimates of RMRA funds, the Department of Finance (DOF) estimates the total amount of funding that will be deposited into the RMRA annually. The California State Association of Counties and the League of California Cities use this information from DOF to develop city and county level estimates of RMRA funds which are available here:

California State Association of Counties

<http://www.counties.org/sb-1-road-repair-and-accountability-act-2017>

League of California Cities

<http://www.californiacityfinance.com/>

Each fiscal year, upon receipt of a list of cities and counties that are eligible to receive an apportionment of RMRA funds pursuant to SHC 2032(h)(2) from the Commission, the Controller is required to apportion RMRA funds to eligible cities and counties consistent with the formula outlined in SHC Section 2103(a)(3)(C)(i) and (ii). It is expected that the Controller will continuously apportion RMRA funds on a monthly basis to eligible cities and counties using a process and system similar to that of HUTA apportionments. RMRA funding is continuously apportioned and is not provided on a reimbursement basis.

The Commission does not approve project lists and provide authorization to proceed with RMRA funded projects. The Commission receives project lists, determines they are complete and meet basic statutory requirements outlined in SHC 2034 and then approves and submits a statewide list to the Controller of cities and counties that are eligible to begin receiving monthly RMRA funding apportionments.

III. Eligibility and Program Priorities

7. Eligible Recipients

Eligible recipients of RMRA funding apportionments include cities and counties that have prepared and submitted a project list to the Commission pursuant to SHC Section 2034(a)(1) and that have been included in a list of eligible entities submitted by the Commission to the Controller pursuant to SHC Section 2034(a)(2).

Recipients of RMRA apportionments must comply with all relevant federal and state laws, regulations, policies, and procedures.

8. Program Priorities and Example Projects

Pursuant to SHC Section 2030(a), RMRA funds made available for the Local Streets and Roads Funding Program shall be prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects.

SHC Section 2030(b)(1) provides a number of example projects and uses for RMRA funding that include, but are not limited to, the following:

- Road Maintenance and Rehabilitation
- Safety Projects

- Railroad Grade Separations
- Complete Streets Components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project)
- Traffic Control Devices

SHC Section 2030(b)(2) states that funds made available by the program may also be used to satisfy a match requirement in order to obtain state or federal funds for projects authorized by this subdivision.

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible (as deemed by cities and counties). These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.
- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC Section 2030 if the city's or county's average Pavement Condition Index (PCI) meets or exceeds 80.

IV. Project List Submittal

9. Content and Format of Project List

Pursuant to SHC Section 2034(a)(1), prior to receiving an apportionment of RMRA funds from the State Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds pursuant to an adopted city or county budget, which may include pertinent budget amendments.

Listed below are the specific statutory criteria for the content of the project list along with additional guidance provided to help ensure a consistent statewide format and to facilitate accountability and transparency within the Local Streets and Roads Program.

a.) Included in an Adopted Budget

All proposed projects must be included in a city or county budget that is adopted by the applicable city council or county board of supervisors at a regular public meeting.

To ensure transparency and to meet the intent of SHC Section 2034(a)(1) "included in a city or county budget" can mean either of the following:

- a.) A specific list of projects proposed for RMRA funding adopted as part of the city/county's regular operating or capital improvement budget, at a regular public meeting; or
- b.) A specific list of projects proposed for RMRA funding amended into the city/county's regular operating or capital improvement budget, at a regular public meeting.

Documentation of Inclusion in an Adopted Budget

A city or county must provide a public record which illustrates that projects proposed for RMRA funding through the Local Streets and Roads Program have been included in an adopted city or county operating budget. Examples of an acceptable public record include:

- a.) An excerpt from the city/county's regular operating or capital improvement budget including the relevant list of projects and an adopting resolution;
- b.) An excerpt from the city/county's regular operating or capital improvement budget including the relevant list of projects and meeting minutes documenting approval at a regular public meeting.
- c.) An excerpt from the city/county's amended operating or capital improvement budget including the relevant list of projects, or the staff report specifying the projects to be included, as well as an adopting resolution or meeting minutes documenting approval at a regular public meeting.

Submittal of electronic copies of the relevant excerpts from an operating budget (or amendment) and support documentation (i.e. resolution or minutes) is encouraged. Support documentation requirements are further discussed in Appendix A.

b.) List of Projects – Content

Pursuant to SHC 2034(a)(1), the project list must include a description and the location of each proposed project, a proposed schedule for each project's completion, and the estimated useful life of the improvement. The project list is intended to cover, at a minimum, the applicable fiscal year. Cities and counties may include project information for future fiscal years but are expected to update the project list as needed every fiscal year prior to submittal to the Commission.

Development and Content

The Commission recognizes the inherent diversity of road maintenance and rehabilitation needs among the approximately 540 jurisdictions across the state that may utilize Local Streets and Roads Program funding.

Given the emphasis SB 1 places on accountability and transparency in delivering California's transportation programs, cities and counties are encouraged to clearly articulate how these funds are being utilized through the development of a robust project list.

To promote statewide consistency in the content and format of project information submitted to the Commission, and to facilitate transparency within the Local Streets and Roads Funding Program, the following guidance is provided regarding the key components of the project list. Please note that project lists included in a city or county budget should, at a minimum, include the elements mandated by statute: description, location, schedule for completion and useful life. Cities and counties should include more detailed project information as described below in the project list submitted to the Commission.

For further assistance, Appendix A has been developed to outline project list content and format.

Project Description

The list must include a project description for each proposed project. The city/county is encouraged to provide a brief non-technical description (up to 5 sentences) written so that the main objectives of the project can be clearly and easily understood by the public.

The level of detail provided will vary depending upon the nature of the project; however, it is highly encouraged that the project description contain a minimum level of detail needed for the public to understand what is being done and why it is a critical or high-priority need.

Project Location

The list must include a project location for each proposed project. The city/county is encouraged to provide project location information that, at a minimum, would allow the public to clearly understand where within the community the project is being undertaken. For example, providing specific street names where improvements are being undertaken and specifying project termini when possible are preferable to more general information such as “various” or “south-west side of city/county”. If project-specific geolocation data is available, it is highly encouraged to be included in the project list submitted to the Commission.

Proposed Schedule for Completion

The list must include a completion schedule for each proposed project. The city/county is encouraged to provide a high-level timeline that provides a clear picture to the public of when a project is reasonably expected to be completed. The proposed schedule for completion should clearly articulate if a project will take multiple years to complete.

Estimated Useful Life

The list must include an estimated useful life for each proposed project. The city/county is encouraged to provide information regarding the estimated useful life of the project that is clear, understandable, and based on industry-standards for the project materials and design, where applicable.

Technology, Climate Change, and Complete Streets Considerations

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible. These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.

- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Cities and counties are encouraged to consider all of the above for implementation, to the extent possible, cost-effective, and feasible, in the design and development of projects for RMRA funding.

To meet the intent of SHC 2032.5(a) as outlined in Section 2 of these Guidelines, in addition to the statutory requirements outlined in Section 10, the standard forms developed by the Commission will allow cities and counties to report on the inclusion of these elements.

Other Statutory Considerations for Project Lists

Pursuant to SHC Section 2034(a)(1), the project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b). After submittal of the project list to the Commission, in the event a city or county elects to make changes to the project list pursuant to the statutory provision noted above, formal notification of the Commission is not required. However, standard reporting forms will provide an opportunity for jurisdictions to annually communicate such changes to the Commission as part of the regular reporting process.

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC 2030(b) if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80. This provision however, does not eliminate the requirement for cities and counties to prepare and submit a list of projects or the requirement to consider technology, climate change, and complete streets elements to the extent possible, cost-effective and feasible, in the design and development of projects for RMRA funding.

In the event a city or county will spend its apportionment of RMRA funds on transportation priorities other than those outlined in Section 8 of these guidelines and pursuant to SHC 2037, cities and counties are encouraged to work with its respective Regional Transportation Planning Agency or Metropolitan Planning Organization to ensure that projects are included in the applicable Regional Transportation Plan.

c.) List of Projects – Standard Format

Please note that project lists included in a city or county budget should, at a minimum, include the elements mandated by statute: description, location, schedule for completion and useful life elements. Cities and counties should include more detailed project information in the project list submitted to the Commission.

To promote statewide consistency of project information submitted to the Commission, a standard project list format is under development and is further explained in Appendix A.

For the initial submittal of project lists in 2017, cities and counties are required to use the standard form available. The form will be provided by the Commission to cities and counties at the earliest opportunity after adoption of the guidelines.

The Commission intends to make available an online platform so that cities and counties can quickly and easily enter project list information and upload support documentation online.

10. Process and Schedule for Project List Submittal

A city or county must submit a project list and support documentation by **October 16, 2017** to the Commission. All materials should be provided electronically to: ctc@dot.ca.gov. In the event a jurisdiction wishes to submit a hard copy please contact the program manager at:

Eric Thronson, Deputy Director
 California Transportation Commission
Eric.Thronson@dot.ca.gov
 (916) 654-7179

11. Commission Submittal of Eligible Entities to the State Controller's Office

Pursuant to SHC Section 2034(a), a city or county must submit a project list to the Commission to be eligible for the receipt of RMRA funds, and the Commission must report to the Controller the jurisdictions that are eligible to receive funding. Upon receipt of project lists and support documentation, Commission staff will review submittals to ensure they are complete. Once a project list submittal has been received and deemed complete by staff, the city or county will be added to a list of jurisdictions eligible to receive RMRA funding for that fiscal year as required by SHC Section 2034(a)(2). All project lists and support documentation submitted by cities and counties will be posted to the Commission's website.

The list of eligible cities and counties will be brought forward for Commission consideration at a regularly scheduled meeting where staff will request Commission direction to transmit the list to the Controller. Upon direction of the Commission, staff will transmit the list to the Controller pursuant to SHC Section 2034(a)(2) and the cities and counties included on the list will be deemed eligible to receive RMRA apportionments for that fiscal year pursuant to SHC Section 2034 (a)(1). Upon receipt of the list from the Commission, the Controller is expected to apportion funds to the cities and counties included on the list pursuant to SHC Sections 2034(a)(2) and 2032(h). In the event a city or county does not provide a complete project list and support documentation for Commission consideration and eligibility designation pursuant to deadlines established by these guidelines, cities and counties are expected to work cooperatively with Commission staff to provide any missing information as soon as possible. Once completed information is provided, Commission action to establish eligibility will be taken at the next earliest opportunity.

V. Project Expenditure Reporting and Auditing

12. Scope of Completed and In-Progress Project Expenditure Report

Pursuant to SHC Section 2034(b), for each fiscal year in which an apportionment of RMRA funds is received and upon expenditure of funds, cities and counties must submit documentation to the Commission pertaining to the expenditure of those funds that includes: a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement. The project expenditure reporting process will also provide an opportunity for cities and counties to report on the progress and expenditures associated with multi-year projects that are not yet complete.

Listed below are the specific statutory criteria for the content of the completed project expenditure report along with additional guidance provided to help ensure a consistent statewide format and to facilitate accountability and transparency within the Local Streets and Roads Program.

a.) Completed and In-Progress Project Expenditure Report – Content

Development and Content

Given the emphasis SB 1 places on accountability and transparency in delivering California's transportation programs, it is vitally important that cities and counties clearly articulate the public benefit of these funds through the development of a robust project expenditure report.

To promote statewide consistency in the content and format of project expenditure information submitted and to facilitate transparency and robust reporting within the Local Streets and Roads Funding Program, the following guidance is provided regarding the key components of the completed project expenditure report. Additionally, Appendix B has been developed to provide an example of project expenditure report content and format.

The project expenditure report must cover the full fiscal year and include projects that have completed construction and are fully operational. The standard form will also provide an opportunity for cities and counties to report on the progress and expenditures associated with multi-year projects that are not yet complete.

Project Description

The report must include a project description for each completed and in-progress project. The city/county is encouraged to provide a brief non-technical description (up to 5 sentences) written so that the main objectives of the project can be clearly and easily understood by the public.

The level of detail provided will vary depending upon the nature of the project; however, it is highly encouraged that the project description contain a minimum level of detail needed for the public to understand exactly what work was completed or will be completed in the future.

Project Location

The report must include a project location for each completed and in-progress project. The city/county is required to provide project location information that, at a minimum, would allow the public to clearly understand where within the community the project was or will be constructed. For example, specific street names where improvements were undertaken

and project termini should be specified. If project-specific geolocation data is available, it is highly encouraged to be included.

The Amount of Funds Expended and the Project Completion Date

The report must include the amount of RMRA funds expended on the project and its date of completion or expected date of completion. For the purposes of the project expenditure report, a project is considered complete when it is operational/open to traffic. Construction contract close-out is not required to be complete.

Estimated Useful Life

The report must include an estimated useful life for each proposed project. The city/county is encouraged to provide information regarding the estimated useful life of the project that is clear, understandable, and based on industry-standards for the project materials and design, where applicable.

Technology, Climate Change, and Complete Streets Considerations

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible. These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.
- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Cities and counties are encouraged to consider all of the above for implementation, to the extent possible, cost-effective and feasible, in the design and development of projects for RMRA funding. In the event that completed projects contain technology, climate change, and complete streets considerations pursuant to SHC 2030(c)-(f). Standard reporting forms developed by the Commission will allow, cities and counties to report on the inclusion of these elements in RMRA-funded projects.

Standard reporting forms developed by the Commission will also provide space for supplementary information to be provided regarding the benefits of RMRA funded projects. Cities and counties should consider providing additional information in the proposed project list as appropriate in order to clearly communicate how RMRA funding is being effectively put to use.

Other Statutory Considerations for Project Expenditure Reports

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC Section 2030(b) if the city's or county's average Pavement Condition Index (PCI) meets or exceeds 80. This provision, however, does not eliminate the requirement for cities and counties to prepare and submit a completed project expenditure report or the requirement to consider technology, climate change, and complete streets elements to the extent possible, cost-effective and feasible, in the design and development of projects for RMRA funding.

b.) Project Expenditure Report – Standard Format

To promote statewide consistency of project information submitted, a standard completed and in-progress project expenditure report format has been developed and is further explained in Appendix B.

For the initial submittal of project expenditure reports in 2017, cities and counties are required to use the standard form available. The form will be provided by the Commission to cities and counties at the earliest opportunity after adoption of the guidelines.

The Commission intends to make available an online platform so that cities and counties can quickly and easily enter completed and in-progress project information online.

13. Process and Schedule for Project Expenditure Report Submittal

Completed Project Reports must be developed and submitted to the Commission according to the statutory requirements of SHC Section 2034(b) as outlined above in Section 12.

A city or county must submit a Completed and In-Progress Project Report by **October 1, 2018** and October 1st of each subsequent year to the Commission. All materials should be provided electronically to ctc@dot.ca.gov. In the event a jurisdiction wishes to submit a hard copy please contact the program manager at:

Eric Thronson, Deputy Director
 California Transportation Commission
Eric.Thronson@dot.ca.gov
 (916) 654-7179

14. Commission Reporting of Project Information Received

In order to meet the requirements of SB 1 which include accountability and transparency in the delivery of California's transportation programs, it is vitally important that the Commission clearly communicate the public benefits achieved by RMRA funds. The Commission intends to articulate these benefits through the development of an SB 1 accountability website and through other reporting mechanisms such as the Commission's Annual Report to the Legislature.

Upon receipt of project expenditure reports, Commission staff will review submittals to ensure they are complete. If any critical project information is missing (i.e. SHC 2034(b) requirements such as project description, location, date of completion, expenditures, and useful life of improvement) Commission staff will notify city/county staff to complete for resubmittal within 10 working days.

All completed project expenditure reports submitted by cities and counties will be posted to the Commission's SB 1 Accountability website. The Commission will also analyze the completed project expenditure reports provided by cities and counties and aggregate the project information to provide both statewide and city/county level summary information such as the number, type, and location of RMRA funded projects. This information will also be provided on the Commission's SB 1 Accountability website by December 1st each year, and included in the Commission's Annual Report to the Legislature which is delivered to the Legislature by December 15th each year.

In the event a city or county does not provide a project expenditure report by the deadline requested (October 1st each year) to allow for Commission analysis and inclusion on the SB 1 accountability website and in the Annual Report to the Legislature, absence of the report will be noted on the website, in the Annual Report, and may be reported to the State Controller.

15.State Controller Expenditure Reporting and Maintenance of Effort Monitoring

This section provides general information regarding the detailed expenditure reporting and maintenance of effort requirements that cities and counties are responsible for demonstrating to the State Controller's Office. It is important to note that the Commission has no oversight or authority regarding these provisions. Specific guidance should be sought from the State Controller's Office in these areas.

In addition to the RMRA completed project reporting requirements outlined in SHC Section 2034(b), SHC Section 2151 requires each city and county to file an annual report of expenditures for street or road purposes with the State Controller's Office. SHC Section 2153 imposes a mandatory duty on the State Controller's Office to ensure that the annual streets and roads expenditure reports are adequate and accurate. Additional information regarding the preparation of the annual streets and roads expenditure report is available online in the [Guidelines Relating to Gas Tax Expenditures for Cities and Counties](#) prepared and maintained by the State Controller's Office. These Guidelines were last updated in August 2015 and are anticipated to be updated again to address new accountability provisions of SB 1.

Expenditure authority for RMRA funding is governed by Article XIX of the California Constitution as well as Chapter 2 (commencing with Section 2030) of Division 3 of the SHC.

RMRA funds received should be deposited as follows in order to avoid the commingling of those funds with other local funds:

- a.) In the case of a city, into the city account that is designated for the receipt of state funds allocated for local streets and roads.
- b.) In the case of a county, into the county road fund.
- c.) In the case of a city and county, into a local account that is designated for the receipt of state funds allocated for local streets and roads.

RMRA funds are subject to audit by the Controller pursuant to Government Code Section 12410 and SHC Section 2153. Pursuant to SHC 2036, a city or county receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city's or county's general fund. Monitoring and enforcement of the MOE requirement for RMRA funds will be carried out by the Controller.

MOE requirements are fully articulated in statute as follows:

Streets and Highways Code Section 2036

(a) cities and counties shall maintain their existing commitment of local funds for street, road, and highway purposes in order to remain eligible for RMRA funding apportionment.

(b) In order to receive an allocation or apportionment pursuant to Section 2032, the city or county shall annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as reported to the Controller pursuant to Section 2151. For purposes of this subdivision, in calculating a city's or county's annual general fund expenditures and its average general fund expenditures for the 2009–10, 2010–11, and 2011–12 fiscal years, any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund. One-time allocations that have been expended for street and highway purposes, but which may not be available on an ongoing basis, including revenue provided under the Teeter Plan Bond Law of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code), may not be considered when calculating a city's or county's annual general fund expenditures.

(c) For any city incorporated after July 1, 2009, the Controller shall calculate an annual average expenditure for the period between July 1, 2009, and December 31, 2015, inclusive, that the city was incorporated.

(d) For purposes of subdivision (b), the Controller may request fiscal data from cities and counties in addition to data provided pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12 fiscal years. Each city and county shall furnish the data to the Controller not later than 120 days after receiving the request. The Controller may withhold payment to cities and counties that do not comply with the request for information or that provide incomplete data.

(e) The Controller may perform audits to ensure compliance with subdivision (b) when deemed necessary. Any city or county that has not complied with subdivision (b) shall reimburse the state for the funds it received during that fiscal year. Any funds returned as a result of a failure to comply with subdivision (b) shall be reapportioned to the other counties and cities whose expenditures are in compliance.

(f) If a city or county fails to comply with the requirements of subdivision (b) in a particular fiscal year, the city or county may expend during that fiscal year and the following fiscal year a total amount that is not less than the total amount required to be expended for those fiscal years for purposes of complying with subdivision (b).

16. Workforce Development Requirements and Project Signage

Pursuant to SHC Section 2038, by July 1, 2023, cities and counties receiving RMRA funds must follow guidelines developed by the California Workforce Development Board that address participation & investment in, or partnership with, new or existing pre-apprenticeship training programs. Cities and Counties receiving RMRA funds will also be eligible to compete for funding from the Board's pre-apprenticeship development and training grant program that includes a focus on outreach to women, minority participants, underrepresented subgroups, formerly incarcerated individuals, and local residents to access training and employment opportunities. Upon California Workforce Development Board adoption of guidelines and grant funding opportunities in this area, the Commission will update the Local Streets and Roads Program Reporting Guidelines to incorporate this information by reference.

To demonstrate to the public that RMRA funds are being put to work, cities and counties should consider including project funding information signage, where feasible and cost-effective, stating that the project was made possible by SB 1 – The Road Repair and Accountability Act of 2017.

Appendix A – Local Streets and Roads Project List Form

To promote statewide consistency in the content and format of project information submitted to the Commission, and to facilitate transparency within the Local Streets and Roads Funding Program, Appendix A provides the general outline of a standard Project List form that is under development for cities and counties to use in submitting the proposed list of projects to the Commission. This will be an electronic form with a series of drop-down menus, check-boxes, and fillable fields.

For the initial submittal of project lists in 2017, cities and counties are required to use the standard form once available. The form will be provided by the Commission to cities and counties at the earliest opportunity after adoption of the guidelines. The Commission intends to make available an online platform so that cities and counties can quickly and easily enter project list information and upload support documentation online.

Please note that project lists included in a city or county budget should include, at a minimum, the elements mandated by statute: description, location, schedule for completion and useful life elements, while the form below includes more detailed project information.

The nature/type of information that will be included in the standard form is outlined below:

General Info:

- City and County Name
- Project Lead and Department Contact Information
- Legislative District(s)
- Jurisdiction's Average Network PCI and date/year of measurement
- Fiscal Year
- Supplementary Information¹ (a place for the city/county to report how RMRA projects were identified as a priority, how they demonstrate an efficient investment of public funds, and any additional benefits of the projects).

Proposed Project A

Description:

- Brief description (up to 5 sentences) written in a non-technical way that is understandable to the public and which includes some quantifiable measurement about the project (e.g. replace 5 culverts, repave/resurface 2 miles of road, restripe 1 mile of bike lanes, etc.)
- Have city/county check boxes specifying the type of project it is based on RMRA priorities or "other" and the inclusion of additional Technology, Climate Change and Complete Streets elements (SHC 2030). Space will be provided for cities and counties to provide an optional narrative description of the additional elements and check boxes for why additional elements may not have been included i.e. feasibility.
- Local/Regional project number (if applicable)

^{2,3} Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

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Location:

- Should be as specific as possible (i.e. street names and project termini) and geolocation information should be provided if available²

Proposed Schedule for Completion:

- Anticipated construction year

Estimated Useful Life:

- Should be clear, understandable, and based on industry-standards as applicable.

Support Documentation

- Electronic Copy of excerpt from City/County's Adopted Budget or Budget Amendment including proposed list of projects, or the staff report specifying the projects to be included in a budget amendment
- Adopting resolution or meeting minutes to document budget/amendment approval
- Additional information regarding support documentation is available in Section 10 of the guidelines

Project Flexibility

Pursuant to SHC Section 2034(a)(1), this project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b).

^{2,3} Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

Appendix B - Local Streets and Roads Project Expenditure Report Form

To promote statewide consistency in the content and format of project expenditure information submitted to the Commission, and to facilitate transparency within the Local Streets and Roads Funding Program, Appendix B provides the general outline of a standard Project Expenditure Report form that is under development for cities and counties to use. This will be an electronic form with a series of drop-down menus, check-boxes, and fillable fields.

For the initial submittal of project expenditure reports to the Commission in 2018, cities and counties are required to use the standard form once available. The form will be provided by the Commission to cities and counties at the earliest opportunity after adoption of the guidelines.

The Commission intends to make available an online platform so that cities and counties can quickly and easily enter project expenditure information online.

The nature/type of information that will be included in the standard form is outlined below:

General Info:

- City/County Name
- Project Lead and Department Contact Information
- Legislative District(s)
- Jurisdiction's Average Network PCI and year/date of measurement.
- Total Funds Apportioned during the Fiscal Year
- Supplementary Information³ (a spot for the city/county to report how RMRA projects were identified as a priority, how they demonstrate an efficient investment of public funds, and any additional benefits of the projects).

Completed or In Progress Project A

Description:

- Brief description (up to 5 sentences) written in a non-technical way that is understandable to the public and which includes some quantifiable measurement about the project (e.g. replace 5 culverts, repave/resurface 2 miles of road, restripe 1 mile of bike lanes, etc.)
- Have city/county check boxes specifying the type of project it is based on RMRA priorities or "other" and the inclusion of additional Technology, Climate Change and Complete Streets elements (SHC 2034). Space will be provided for cities and counties to provide an optional narrative description of the additional elements and check boxes for why additional elements may not have been included i.e. feasibility.
- Local/Regional project number (if applicable)
- Space will be provided for cities and counties to identify any project list changes resulting from the flexibility afforded by SHC 2034(a)(1) such as projects added, deleted, or replaced if applicable.

^{3,4} Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

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Location:

- Must be as specific as possible (i.e. street names and project termini) and geolocation information is highly encouraged to be provided if available⁴

Amount of Funds Expended:

- Enter the amount of RMRA funds expended on the project and the total project cost
- Enter the amount and type of other funds expended on the project

Completion Date:

- Drop down menu to select the month and year that the project is complete/operational etc.
- Place to enter status update on multi-year projects and expected completion date

Estimated Useful Life:

- Should be clear, understandable, and based on industry-standards as applicable.

Signage:

- Provide a place to report on the inclusion of project funding information signage, if applicable

^{3,4} Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

Appendix C – Local Streets and Roads Program Schedule

FY 17-18	
Adoption of Final Guidelines Call for Project Lists	August 16-17, 2017
Technical Assistance and Outreach to Cities/Counties	August 18 – October 16, 2017
Project Lists due to Commission	October 16, 2017
Commission Adopts List of Eligible Cities and Counties	December 6-7, 2017
Commission Submits List to Controller	December 6-7, 2017
Controller FY 17-18 Apportionments Begin	Mid-January 2018
Completed Project Report Submitted to Commission for 2017 - 2018 Fiscal Year	October 1, 2018
Commission Posts Statewide LSR Program Accountability Information Online	December 1, 2018
FY 18-19	
Guidelines Update as Needed	TBD
Call for Project Lists	TBD ⁵
Commission Review, Approval & Adoption of List of Eligible Cities and Counties	TBD ⁶
Commission Submits Final List to Controller	July 1, 2018
Controller FY 18-19 Apportionments Begin	Mid-September 2018
Completed Project Report Submitted to Commission for 2018 - 2019 Fiscal Year	October 1, 2019
Commission Posts Statewide LSR Program Accountability Information Online	December 1, 2019

^{5,6} The Commission is working with city and county representatives to develop a schedule for FY 18-19 that accommodates city and county budgeting processes; statutory clarification may be needed in this area.

City General Fund Maintenance of Effort (MOE) Initial Estimates For Receipt of Road Maintenance and Rehabilitation Account (RMRA) Funds Under the Road Repair and Accountability Act of 2017 (SB1 Beall)

The Road Repair and Accountability Act of 2017 (SB1 Beall) includes a substantial boost in Local Streets and Roads Funding over the Highway Users Tax Account allocations that cities and counties have been receiving. The Act establishes a new “Road Maintenance and Rehabilitation Account (RMRA) in the state treasury and allocates amounts to cities and counties from that account based on statutory formulas.¹

RMRA Maintenance of Effort [Streets and Highways Code Sec 2036]

The Road Repair and Accountability Act contains a local agency maintenance of effort (MOE) requirement that applies to funds allocated through the RMRA. The Act states that the MOE requirement is to ensure that these new roads funds do not supplant existing levels of city and county general revenue spending on streets and roads. The MOE for the receipt of RMRA funds state that a city or county must maintain general fund spending for street, road, and highway purposes at no less than average of 2009–10, 2010–11, and 2011–12 years. In making this calculation certain one-time funds may be excluded. A city or county that fails to comply in a particular year may make it up with in additional expenditures in the following year.

The Act provides that the State Controller may perform audits to ensure compliance with these MOE rules. If the State Controller determines that a city or county has not met it’s MOE, the agency will be required to reimburse the state for the funds it received during that fiscal year. However, a city or county that fails to comply in a particular fiscal year may expend during that fiscal year and the following fiscal year a total amount that is sufficient to comply. Any funds withheld or returned as a result of a failure to comply will be reapportioned to the other counties and cities whose expenditures are in compliance.

2036. (a) Cities and counties shall maintain their existing commitment of local funds for street, road, and highway purposes in order to remain eligible for an allocation or apportionment of funds pursuant to Section 2032.

(b) In order to receive an allocation or apportionment pursuant to Section 2032, the city or county shall annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as reported to the Controller pursuant to Section 2151. For purposes of this subdivision, in calculating a city’s or county’s annual general fund expenditures and its average general fund expenditures for the 2009–10, 2010–11, and 2011–12 fiscal years, any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund. One-time allocations that have been expended for street and highway purposes, but which may not be available on an ongoing basis, including revenue provided under the Teeter Plan Bond Law of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code), may not be considered when calculating a city’s or county’s annual general fund expenditures.

¹ For more information, see “Local Streets and Roads Funding FAQ – with Estimates for 2016-17, 2017-18 and FY2018-19” here: <http://californiacityfinance.com/LSR1704.pdf>

(c) For any city incorporated after July 1, 2009, the Controller shall calculate an annual average expenditure for the period between July 1, 2009, and December 31, 2015, inclusive, that the city was incorporated.

(d) For purposes of subdivision (b), the Controller may request fiscal data from cities and counties in addition to data provided pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12 fiscal years. Each city and county shall furnish the data to the Controller not later than 120 days after receiving the request. The Controller may withhold payment to cities and counties that do not comply with the request for information or that provide incomplete data.

(e) The Controller may perform audits to ensure compliance with subdivision (b) when deemed necessary. Any city or county that has not complied with subdivision (b) shall reimburse the state for the funds it received during that fiscal year. Any funds withheld or returned as a result of a failure to comply with subdivision (b) shall be reapportioned to the other counties and cities whose expenditures are in compliance.

(f) If a city or county fails to comply with the requirements of subdivision (b) in a particular fiscal year, the city or county may expend during that fiscal year and the following fiscal year a total amount that is not less than the total amount required to be expended for those fiscal years for purposes of complying with subdivision (b).

Initial Draft Estimated RMRA MOE Requirements – UPDATED - 7 AUGUST 2017

These estimates are based on figures reported by each city in the annual streets expenditure reports in Table 5 under “Expenditures by Source” titled “Discretionary.” That is the numbers for your city upon which the MOE is based were **reported by your city**. See http://www.sco.ca.gov/ard_locrep_streets.html These numbers align with the definition in the statute that stipulates: “any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund.”

The State Controller’s Office is computing MOE requirements based on the SCO interpretation of SB1. These will be the official MOE figures. To assist cities with budgeting and in anticipation of those SCO estimates, we have pulled the data from SCO reports per statute and computed initial estimated MOE requirements for every city. If you have questions or concerns, please contact me.

Frequently Asked Questions Regarding the RMRA MOE

1. Can I use my CIP and Operational Costs to meet my MOE requirement?

The MOE requirement is for a minimum amount of spending of discretionary revenues on streets and roads. CIP, maintenance and operation expenditures if for streets and roads all qualify if funding is from discretionary general fund.

2. Why is my MOE number so high?

The MOE calculation is specified in statute which is quoted in my cover memo. The numbers upon which the MOE is based are those reported BY YOUR CITY to the SCO in the annual streets and roads report.

3. What do I do if I think my number is too high?

We expect the SCO will provide a process to a) have certain one time expenditures in those years eliminated from the MOE calculation pursuant to the statute and b) correct any errors in the reported numbers on which the MOE is based. Because the figures in the Annual SCO Streets and Roads reports were submitted and certified as correct by your city staff, you will need to provide a solid case if you now believe they were reported in error.

4. Where can I find my latest MOE estimate?

Our initial unofficial MOE estimates are at http://www.californiacityfinance.com/RMRA_MOEstim1708.pdf. These calculations are our unofficial calculations adhering to direction in the law. We are awaiting official initial MOE calculations from the SCO.

5. The discretionary spending on streets and roads reported in 2009-10, 2010-11, and 2011-12 includes items that I don't think are allowable expenditures under SB1. Shouldn't these amounts be excluded from the MOE calculation?

No. RMRA use definitions do not apply to the MOE or to spending to meet the MOE. The law (SB1 Streets and Highways Code Sec 2036) says the MOE is determined by "a city's or county's annual ... average general fund expenditures for the 2009-10, 2010-11, and 2011-12 fiscal years...." General Fund Expenditures, for this purpose, is defined as "any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes...." This spending definition does not necessarily match the prescribed uses of RMRA funding.

Accordingly, the annual discretionary general fund spending to meet this MOE requirement does not have to be spent only on RMRA qualifying expenses but is, like the MOE, to be "any unrestricted funds that the city or county (expends) at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes...."

6. Who do I talk with to get my City's MOE corrected?

The California State Controller's Office (SCO) has the authority for the determination and oversight of the MOE and the proper use of RMRA funds. We expect SCO will provide a process for establishing MOE amounts and additional guidance on the RMRA soon.

7. RMRA revenues will not begin flowing until 2018. This first year of SB1 will not provide a full year of funding. So, is the MOE prorated for FY2017-18?

Regarding the MOE requirement, it doesn't matter how much you might receive from the RMRA in FY2017-18 or any other year. To receive any RMRA funds in a year you must satisfy the MOE in the fiscal year. That is, in order to receive any RMRA funds in FY2017-18 then you must expend on streets and roads, general revenues of at least the average of your 2009-10, 2010-11, and 2011-12 fiscal years amounts in FY2017-18. There is no provision in the law for any proration.

8. How is this going to work with other transportation funding MOEs?

There has not been another statewide transportation funding MOE since the Proposition 42 MOE expired with the Fuel Tax swap in 2010. Some county transportation measures have MOE requirements and the particulars of those vary and may differ from the SB1 MOE. Meeting one MOE does not necessarily satisfy meeting another.

mjgc

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹

revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

ALAMEDA COUNTY

ALAMEDA	1,817,166	1,519,569	1,635,157	1,657,297	1,657,297
ALBANY	0	1,635	1,100,543	367,393	367,393
BERKELEY	3,664,974	2,608,499	4,130,381	3,467,951	3,467,951
DUBLIN	1,289,800	1,189,071	1,209,090	1,229,320	1,229,320
EMERYVILLE	3,648,993	2,022,540	2,055,182	2,575,572	2,575,572
FREMONT	6,803,092	7,132,286	6,693,269	6,876,216	6,876,216
HAYWARD	1,139,351	3,871,846	3,692,880	2,901,359	2,901,359
LIVERMORE	5,821,398	4,253,390	5,192,011	5,088,933	5,088,933
NEWARK	3,383,991	2,430,828	3,271,477	3,028,765	3,028,765
OAKLAND	10,956,731	2,008,164	3,143,420	5,369,438	5,369,438
PIEDMONT	909,635	935,620	992,282	945,846	945,846
PLEASANTON	7,627,227	6,813,745	6,629,726	7,023,566	7,023,566
SAN LEANDRO	4,291,323	2,676,131	2,414,034	3,127,163	3,127,163
UNION CITY	513,336	488,585	131,004	377,642	377,642

ALPINE COUNTY

AMADOR COUNTY

AMADOR	0	60	0	20	20
IONE	0	0	0	0	0
JACKSON	211,866	198,660	196,265	202,264	202,264
PLYMOUTH	69,623	59,785	62,229	63,879	63,879
SUTTER CREEK	59,903	83,677	150,750	98,110	98,110

BUTTE COUNTY

BIGGS	18,335	42,662	82,751	47,916	47,916
CHICO	200,000	(500,000) ²	0	66,667 ²	66,667
GRIDLEY	268,450	244,045	223,964	245,486	245,486
OROVILLE	602,456	334,702	321,720	419,626	419,626
PARADISE	4,384	104,884	0	36,423	36,423

CALAVERAS COUNTY

ANGELS CAMP	0	0	4,904	1,635	1,635
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COLUSA COUNTY

COLUSA	419,141	337,428	247,276	334,615	334,615
WILLIAMS	0	0	0	0	0

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹

revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes						
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.	

CONTRA COSTA COUNTY

ANTIOCH	2,417,682	1,575,381	1,875,381	1,956,148	1,956,148
BRENTWOOD	2,017,096	3,096,154	1,454,125	2,189,125	2,189,125
CLAYTON	0	0	0	0	0
CONCORD	4,167,882	3,896,046	2,608,143	3,557,357	3,557,357
DANVILLE	980,000	1,804,890	0	928,297	928,297
EL CERRITO	0	469,895	60,053	176,649	176,649
HERCULES	424,976	308,750	195,336	309,687	309,687
LAFAYETTE	538,160	1,137,045	1,151,013	942,073	942,073
MARTINEZ	1,697,622	1,586,339	1,542,581	1,608,847	1,608,847
MORAGA	458,808	404,252	0	287,687	287,687
OAKLEY	13,770	44,905	568,102	208,926	208,926
ORINDA	787,678	780,302	1,193,244	920,408	920,408
PINOLE	173,063	156,564	83,930	137,852	137,852
PITTSBURG	220,325	227,292	150,780	199,466	199,466
PLEASANT HILL	841,972	1,109,112	1,239,733	1,063,606	1,063,606
RICHMOND	0	4,160,798	5,760,486	3,307,095	3,307,095
SAN PABLO	659,155	296,194	439,473	464,941	464,941
SAN RAMON	1,022,558	161,185	451,901	545,215	545,215
WALNUT CREEK	3,959,699	3,286,107	3,565,758	3,603,855	3,603,855

DEL NORTE COUNTY

CRESCENT CITY	251,808	0	273,314	175,041	175,041
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EL DORADO COUNTY

PLACERVILLE	600,221	405,623	426,044	477,296	477,296
SOUTH LAKE TAHOE	2,433,597	2,218,073	1,543,976	2,065,215	2,065,215

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹

revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

FRESNO COUNTY

CLOVIS	2,286,601	2,137,226	2,214,879	2,212,902	2,212,902
COALINGA	0	0	0	0	0
FIREBAUGH	0	0	0	0	0
FOWLER	17,036	208,347	14,598	79,994	79,994
FRESNO	6,844,300	573,700	6,761	2,474,920	2,474,920
HURON	0	223,367	(222,367)	74,456	74,456
KERMAN	26,600	34,000	0	20,200	20,200
KINGSBURG	0	0	0	0	0
MENDOTA	0	0	0	0	0
ORANGE COVE	0	0	0	0	0
PARLIER	0	0	0	0	0
REEDLEY	247,591	143,569	124,022	171,727	171,727
SANGER	99,950	19,519	0	39,823	39,823
SAN JOAQUIN	0	0	0	0	0
SELMA	1,030,961	963,341	78,022	690,775	690,775

GLENN COUNTY

ORLAND	90,538	64,252	83,310	79,367	79,367
WILLOWS	201,764	213,873	193,336	202,991	202,991

HUMBOLDT COUNTY

ARCATA	878,098	1,545,729	2,291,103	1,571,643	1,571,643
BLUE LAKE	710	215	11,483	4,136	4,136
EUREKA	879,200	657,994	1,094,430	877,208	877,208
FERNDALE	56,902	44,899	24,123	41,975	41,975
FORTUNA	184,100	320,656	319,748	274,835	274,835
RIO DELL	0	0	0	0	0
TRINIDAD	56,579	96,579	139,458	97,539	97,539

IMPERIAL COUNTY

BRAWLEY	0	0	0	0	0
CALEXICO	1,119,648	812,293	704,137	878,693	878,693
CALIPATRIA	0	0	0	0	0
EL CENTRO	407	128,361	407	43,058	43,058
HOLTVILLE	0	0	0	0	0
IMPERIAL	11,114	231,667	8,500	83,760	83,760
WESTMORLAND	0	0	0	0	0

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹
revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

INYO COUNTY

BISHOP	269,505	235,994	232,266	245,922	245,922
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KERN COUNTY

ARVIN	106,365	0	0	35,455	35,455
BAKERSFIELD	15,351,175	18,407,230	16,078,698	16,612,368	16,612,368
CALIFORNIA CITY	73,263	34,364	195,851	101,159	101,159
DELANO	528,533	429,307	209,209	389,016	389,016
MARICOPA	31,533	0	0	10,511	10,511
MCFARLAND	40,000	98,624	0	46,208	46,208
RIDGECREST	517,908	60,208	60,935	213,017	213,017
SHAFTER	1,424,758	1,524,770	2,282,625	1,744,051	1,744,051
TAFT	1,020,557	642,652	875,346	846,185	846,185
TEHACHAPI	394,808	515,722	483,619	464,716	464,716
WASCO	99,423	179,869	350,836	210,043	210,043

KINGS COUNTY

AVENAL	0	0	0	0	0
CORCORAN	0	0	0	0	0
HANFORD	1,804,199	2,200,842	2,207,838	2,070,960	2,070,960
LEMOORE	494,265	406,001	239,080	379,782	379,782

LAKE COUNTY

CLEARLAKE	0	123,646	132,905	85,517	85,517
LAKEPORT	489,318	529,482	670,310	563,037	563,037

LASSEN COUNTY

SUSANVILLE	308,765	255,586	105,094	223,148	223,148
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LOS ANGELES COUNTY

AGOURA HILLS	956,157	1,005,281	996,816	986,085	986,085
ALHAMBRA	306,927	296,910	708,718	437,518	437,518
ARCADIA	1,913,984	1,854,062	2,278,187	2,015,411	2,015,411
ARTESIA	1,125	0	742,357	247,827	247,827
AVALON	105,457	168,729	255,435	176,540	176,540
AZUSA	780,344	483,711	71,016	445,024	445,024
BALDWIN PARK	361,398	285,677	222,774	289,950	289,950
BELL	434,798	125,778	284,516	281,697	281,697
BELLFLOWER	2,727,428	2,775,505	2,962,153	2,821,695	2,821,695
BELL GARDENS	557,383	461,203	344,629	454,405	454,405
BEVERLY HILLS	12,874,051	19,540,509	7,456,168	13,290,243	13,290,243
BRADBURY	0	0	0	0	0

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹
revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
	FY2009-10	FY2010-11	FY2011-12	Average	Adjustment
RMRA M.O.E.					
BURBANK	11,955,090	10,949,610	7,336,836	10,080,512	10,080,512
CALABASAS	797,343	778,817	522,170	699,443	699,443
CARSON	6,916,410	6,335,704	4,328,117	5,860,077	5,860,077
CERRITOS	3,608,889	704,349	837,764	1,717,001	1,717,001
CLAREMONT	1,454,356	242,188	203,631	633,392	633,392
COMMERCE	3,190,948	1,592,024	1,627,264	2,136,745	2,136,745
COMPTON	829,833	818,986	640,261	763,027	763,027
COVINA	953,689	819,275	1,408,049	1,060,338	1,060,338
CUDAHY	0	0	0	0	0
CULVER CITY	4,167,397	3,728,639	3,709,842	3,868,626	3,868,626
DIAMOND BAR	681,816	421,352	299,935	467,701	467,701
DOWNEY	1,812,186	1,361,623	1,548,399	1,574,069	1,574,069
DUARTE	591,412	394,713	533,792	506,639	506,639
EL MONTE	410,071	814,913	161,822	462,269	462,269
EL SEGUNDO	5,177,586	2,254,312	2,551,368	3,327,755	3,327,755
GARDENA	1,193,667	1,099,753	1,063,621	1,119,014	1,119,014
GLENDALE	9,081,387	8,522,517	8,085,954	8,563,286	8,563,286
GLENDORA	1,720,466	1,626,701	1,050,239	1,465,802	1,465,802
HAWAIIAN GARDENS	147,624	433,266	400,238	327,043	327,043
HAWTHORNE	0	0	0	0	0
HERMOSA BEACH	3,380,115	3,586,813	2,162,351	3,043,093	3,043,093
HIDDEN HILLS	27,472	45,144	39,469	37,362	37,362
HUNTINGTON PARK	1,191,582	1,179,006	1,041,999	1,137,529	1,137,529
INDUSTRY	6,509,389	10,920,173	2,364,583	6,598,048	6,598,048
INGLEWOOD	1,147,915	769,482	1,040,571	985,989	985,989
IRWINDALE	690,386	348,110	482,197	506,898	506,898
LA CANADA FLINTRIDGE	2,202,159	2,173,240	3,185,572	2,520,324	2,520,324
LA HABRA HEIGHTS	78,124	92,148	51,737	74,003	74,003
LAKEWOOD	4,495,301	4,909,682	5,129,413	4,844,799	4,844,799
LA MIRADA	2,717,321	1,504,007	5,390,861	3,204,063	3,204,063
LANCASTER	1,355,922	251,259	3,600,057	1,735,746	1,735,746
LA PUENTE	0	0	0	0	0
LA VERNE	2,449,828	1,390,038	978,452	1,606,106	1,606,106
LAWDALE	240,074	297,073	313,756	283,634	283,634
LOMITA	108,983	204,404	529,884	281,090	281,090
LONG BEACH	17,266,404	13,332,842	14,718,886	15,106,044	15,106,044
LOS ANGELES	268,428,548	234,218,950	227,232,488	243,293,329	243,293,329

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹
revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

LYNWOOD	690,943	1,069,090	239,750	666,594	666,594
MALIBU	1,570,959	1,589,493	1,603,012	1,587,821	1,587,821
MANHATTAN BEACH	3,800,614	4,283,738	4,582,318	4,222,223	4,222,223
MAYWOOD	318	5,723	288,209	98,083	98,083
MONROVIA	1,670,715	579,787	(219,343) ²	750,167 ²	750,167
MONTEBELLO	1,028,926	2,183,626	4,101,819	2,438,124	2,438,124
MONTEREY PARK	1,375,769	2,868,247	852,184	1,698,733	1,698,733
NORWALK	2,961,198	3,126,844	3,097,526	3,061,856	3,061,856
PALMDALE	7,207,726	3,252,531	2,708,944	4,389,734	4,389,734
PALOS VERDES ESTATES	232,685	208,813	235,654	225,717	225,717
PARAMOUNT	709,398	507,778	619,790	612,322	612,322
PASADENA	3,391,198	4,098,719	8,685,000	5,391,639	5,391,639
PICO RIVERA	2,804,728	1,525,974	1,563,133	1,964,612	1,964,612
POMONA	3,443,306	2,684,809	2,773,505	2,967,207	2,967,207
RANCHO PALOS VERDES	1,915,139	2,132,626	1,389,643	1,812,469	1,812,469
REDONDO BEACH	2,685,065	2,014,566	1,393,607	2,031,079	2,031,079
ROLLING HILLS ⁽²⁾					
ROLLING HILLS ESTATES	245,742	262,218	429,249	312,403	312,403
ROSEMEAD	161,229	8,088	0	56,439	56,439
SAN DIMAS	2,063,869	2,926,431	2,398,471	2,462,924	2,462,924
SAN FERNANDO	349,463	41,713	208,286	199,821	199,821
SAN GABRIEL	1,428,104	1,236,396	1,414,819	1,359,773	1,359,773
SAN MARINO	2,808,488	2,618,345	2,061,737	2,496,190	2,496,190
SANTA CLARITA	3,977,890	2,681,167	3,626,073	3,428,377	3,428,377
SANTA FE SPRINGS	2,539,594	2,616,256	2,805,331	2,653,727	2,653,727
SANTA MONICA	15,407,478	12,321,512	23,382,752	17,037,247	17,037,247
SIERRA MADRE	160,704	146,406	148,388	151,833	151,833
SIGNAL HILL	2,165,291	1,892,342	1,462,885	1,840,173	1,840,173
SOUTH EL MONTE	4,453	0	0	1,484	1,484
SOUTH GATE	1,864,513	1,139,588	927,575	1,310,559	1,310,559
SOUTH PASADENA	2,211,601	1,146,122	1,472,480	1,610,068	1,610,068
TEMPLE CITY	108,754	104,971	101,705	105,143	105,143
TORRANCE	12,671,207	11,975,231	11,532,040	12,059,493	12,059,493
VERNON	789,165	616,736	1,084,827	830,243	830,243
WALNUT	427,897	449,317	461,108	446,107	446,107
WEST COVINA	655,146	446,279	600,020	567,148	567,148
WEST HOLLYWOOD	1,663,083	1,786,338	1,254,234	1,567,885	1,567,885

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WESTLAKE VILLAGE	1,896,954	445,573	406,851	916,459	916,459
WHITTIER	3,291,161	3,540,982	3,190,556	3,340,900	3,340,900
MADERA COUNTY					
CHOWCHILLA	43,506	0	0	14,502	14,502
MADERA	260,628	121,158	212,755	198,180	198,180
MARIN COUNTY					
BELVEDERE	442,476	365,733	463,072	423,760	423,760
CORTE MADERA	1,665,313	2,604,247	1,722,747	1,997,436	1,997,436
FAIRFAX	499,871	507,240	272,251	426,454	426,454
LARKSPUR	1,129,598	1,125,382	948,999	1,067,993	1,067,993
MILL VALLEY	1,530,604	970,048	1,186,390	1,229,014	1,229,014
NOVATO	2,922,113	2,180,893	2,311,164	2,471,390	2,471,390
ROSS	410,353	227,259	390,396	342,669	342,669
SAN ANSELMO	610,326	812,227	771,124	731,226	731,226
SAN RAFAEL	3,286,015	2,131,621	3,516,476	2,978,037	2,978,037
SAUSALITO	1,268,822	416,372	759,721	814,972	814,972
TIBURON	998,306	779,340	777,617	851,754	851,754
MARIPOSA COUNTY					
MENDOCINO COUNTY					
FORT BRAGG	163,112	127,916	(214,877) ²	97,009 ²	97,009
POINT ARENA	35,143	39,596	19,392	31,377	31,377
UKIAH	1,015,454	1,018,434	938,535	990,808	990,808
WILLITS	339,912	248,148	286,361	291,474	291,474
MERCED COUNTY					
ATWATER	332,849	341,145	192,298	288,764	288,764
DOS PALOS	289,260	217,149	122,779	209,729	209,729
GUSTINE	0	0	0	0	0
LIVINGSTON	0	0	0	0	0
LOS BANOS	865,482	555,964	0	473,815	473,815
MERCED	6,413,988	762,439	623,995	2,600,141	2,600,141
MODOC COUNTY					
ALTURAS	159,978	418,965	200,869	259,937	259,937
MONO COUNTY					
MAMMOTH LAKES	2,188,565	3,451,879	2,432,446	2,690,963	2,690,963

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MONTEREY COUNTY

CARMEL-BY-THE-SEA	482,699	870,129	318,316	557,048	557,048
DEL REY OAKS	50,083	50,083	(3,660) ²	33,389 ²	33,389
GONZALES	0	0	0	0	0
GREENFIELD	0	0	0	0	0
KING CITY	3,757	1,976	2,056	2,596	2,596
MARINA	262,149	201,648	495,396	319,731	319,731
MONTEREY	5,169,965	4,683,315	3,466,513	4,439,931	4,439,931
PACIFIC GROVE	326,756	396,862	720,604	481,407	481,407
SALINAS	2,566,632	2,012,218	2,022,712	2,200,521	2,200,521
SAND CITY	536,176	428,197	470,280	478,218	478,218
SEASIDE	321,933	450,000	133,952	301,962	301,962
SOLEDAD	0	2,065	38,904	13,656	13,656

NAPA COUNTY

AMERICAN CANYON	457,021	571,052	451,046	493,040	493,040
CALISTOGA	244,564	447,910	128,796	273,757	273,757
NAPA	3,330,763	5,449,318	3,652,302	4,144,128	4,144,128
SAINT HELENA	284,378	376,263	283,073	314,571	314,571
YOUNTVILLE	941,139	325,101	419,045	561,762	561,762

NEVADA COUNTY

GRASS VALLEY	910,649	995,548	961,755	955,984	955,984
NEVADA CITY	366,447	279,414	250,984	298,948	298,948
TRUCKEE	3,517,946	3,942,314	3,579,115	3,679,792	3,679,792

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ORANGE COUNTY

ALISO VIEJO	392,545	385,492	8,622	262,220	262,220
ANAHEIM	22,543,428	15,141,040	15,562,104	17,748,857	17,748,857
BREA	1,343,161	1,205,851	1,356,635	1,301,882	1,301,882
BUENA PARK	4,818,959	4,609,964	4,321,859	4,583,594	4,583,594
COSTA MESA	6,324,674	6,298,168	6,334,994	6,319,279	6,319,279
CYPRESS	6,634,618	8,021,830	9,617,722	8,091,390	8,091,390
DANA POINT	6,452,565	4,176,300	4,745,582	5,124,816	5,124,816
FOUNTAIN VALLEY	4,469,975	3,304,608	3,592,118	3,788,900	3,788,900
FULLERTON	2,315,518	2,124,267	1,988,991	2,142,925	2,142,925
GARDEN GROVE	4,825,510	3,931,859	4,263,722	4,340,364	4,340,364
HUNTINGTON BEACH	8,190,597	6,350,941	7,705,371	7,415,636	7,415,636
IRVINE	19,806,503	18,517,112	18,599,848	18,974,488	18,974,488
LAGUNA BEACH	2,498,189	2,120,813	2,186,030	2,268,344	2,268,344
LAGUNA HILLS	1,738,942	1,721,975	1,662,965	1,707,961	1,707,961
LAGUNA NIGUEL	5,624,297	4,955,035	5,010,908	5,196,747	5,196,747
LAGUNA WOODS	156,715	178,749	167,145	167,536	167,536
LA HABRA	2,024,870	2,194,407	1,944,219	2,054,499	2,054,499
LAKE FOREST	3,363,634	4,954,663	7,440,553	5,252,950	5,252,950
LA PALMA	675,628	669,660	702,444	682,577	682,577
LOS ALAMITOS	647,315	402,094	442,447	497,285	497,285
MISSION VIEJO	3,489,970	5,242,822	6,398,197	5,043,663	5,043,663
NEWPORT BEACH	13,756,884	12,846,504	12,623,532	13,075,640	13,075,640
ORANGE	3,068,536	2,813,823	3,127,497	3,003,285	3,003,285
PLACENTIA	717,757	1,058,594	707,690	828,014	828,014
RANCHO SANTA MARGARI	350,000	350,000	350,000	350,000	350,000
SAN CLEMENTE	5,555,466	4,849,073	4,878,925	5,094,488	5,094,488
SAN JUAN CAPISTRANO	1,871,804	1,845,703	1,753,210	1,823,572	1,823,572
SANTA ANA	4,018,974	3,209,849	5,213,933	4,147,585	4,147,585
SEAL BEACH	4,509,128	5,697,609	1,775,397	3,994,045	3,994,045
STANTON	505,311	169,808	0	225,040	225,040
TUSTIN	4,734,458	5,888,281	6,918,786	5,847,175	5,847,175
VILLA PARK	1,965,258	1,972,153	1,094,534	1,677,315	1,677,315
WESTMINSTER	2,105,380	2,031,851	2,668,697	2,268,643	2,268,643
YORBA LINDA	2,281,209	2,254,158	2,194,251	2,243,206	2,243,206

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PLACER COUNTY

AUBURN	618,097	552,860	307,564	492,840	492,840
COLFAX	0	0	1,176	392	392
LINCOLN	0	0	0	0	0
LOOMIS	0	0	0	0	0
ROCKLIN	161,531	513,070	628,776	434,459	434,459
ROSEVILLE	4,262,137	6,038,474	6,835,903	5,712,171	5,712,171

PLUMAS COUNTY

PORTOLA	146,671	184,184	128,542	153,132	153,132
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RIVERSIDE COUNTY

BANNING	316,181	38,587	133,164	162,644	162,644
BEAUMONT	0	586,825	1,552,970	713,265	713,265
BLTYHE	261,196	1,076,032	445,295	594,174	594,174
CALIMESA	77,232	64,501	0	47,244	47,244
CANYON LAKE	41,009	26,318	25,798	31,042	31,042
CATHEDRAL CITY	1,033,190	574,077	1,080,111	895,793	895,793
COACHELLA	1,802,424	2,375,264	1,929,366	2,035,685	2,035,685
CORONA	3,424,971	2,989,106	2,986,573	3,133,550	3,133,550
DESERT HOT SPRINGS	435,933	369,337	370,783	392,018	392,018
EASTVALE (inc. 1 Oct 2010)	n/a	see notes below	see notes below	59,787 ⁴	59,787
HEMET	18,924	0	0	9,462	9,462
INDIAN WELLS	1,075,582	1,115,139	3,318,722	1,836,481	1,836,481
INDIO	4,648,594	2,075,668	2,383,136	3,035,799	3,035,799
JURUPA VALLEY (inc. 1 July 2	n/a	see notes below	see notes below	0 ⁴	0
LAKE ELSINORE	1,198,185	1,367,576	1,165,691	1,243,817	1,243,817
LA QUINTA	2,798,095	1,031,556	1,590,929	1,806,860	1,806,860
MENIFEE	0	0	0	0	0
MORENO VALLEY	1,600,807	1,506,617	2,119,479	1,742,301	1,742,301
MURRIETA	785,317	1,510,212	1,660,517	1,318,682	1,318,682
NORCO	78,660	26,269	12,036	38,988	38,988
PALM DESERT	5,346,951	4,688,794	4,566,328	4,867,358	4,867,358
PALM SPRINGS	4,243,162	4,274,880	4,578,581	4,365,541	4,365,541
PERRIS	235,180	907,323	307,663	483,389	483,389
RANCHO MIRAGE	1,815,441	3,458,223	3,506,707	2,926,790	2,926,790
RIVERSIDE	18,039,443	17,447,014	17,333,720	17,606,726	17,606,726
SAN JACINTO	543,637	735,080	730,303	669,673	669,673
TEMECULA	3,228,915	2,875,767	2,854,016	2,986,233	2,986,233

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	FY2009-10	FY2010-11	FY2011-12	Average	Adjustment
RMRA M.O.E.					
WILDOMAR	0	197,300	0	65,767	65,767
SACRAMENTO COUNTY					
CITRUS HEIGHTS	0	11,310	0	3,770	3,770
ELK GROVE	0	0	0	0	0
FOLSOM	1,473,865	2,277,959	442,926	1,398,250	1,398,250
GALT	0	0	0	0	0
ISLETON	50,190	0	0	16,730	16,730
RANCHO CORDOVA	747,343	720,065	2,194,804	1,220,737	1,220,737
SACRAMENTO	7,449,889	1,433,525	1,005,704	3,296,373	3,296,373
SAN BENITO COUNTY					
HOLLISTER	458,122	60,920	99,852	206,298	206,298
SAN JUAN BAUTISTA	0	0	0	0	0
SAN BERNARDINO COUNTY					
ADELANTO	339,193	472,925	248,691	353,603	353,603
APPLE VALLEY	0	0	0	0	0
BARSTOW	2,484,667	2,654,695	3,795,185	2,978,182	2,978,182
BIG BEAR LAKE	3,034,548	1,305,417	2,165,150	2,168,372	2,168,372
CHINO	55,318	56,835	21,232	44,462	44,462
CHINO HILLS	268,179	93,919	163,462	175,187	175,187
COLTON	1,311,329	97,071	87,163	498,521	498,521
FONTANA	9,846,854	3,699,217	2,575,569	5,373,880	5,373,880
GRAND TERRACE	58,467	0	0	19,489	19,489
HESPERIA	680,722	506,594	479,895	555,737	555,737
HIGHLAND	217,535	217,535	0	145,023	145,023
LOMA LINDA	757,135	372,208	96,426	408,590	408,590
MONTCLAIR	1,501,863	1,055,294	1,197,408	1,251,522	1,251,522
NEEDLES	0	0	0	0	0
ONTARIO	5,459,508	5,716,882	6,770,777	5,982,389	5,982,389
RANCHO CUCAMONGA	4,233,742	3,321,146	5,431,084	4,328,657	4,328,657
REDLANDS	1,485,613	878,358	1,098,413	1,154,128	1,154,128
RIALTO	839,950	18,397	998,174	618,840	618,840
SAN BERNARDINO	745,909	1,388,089	1,367,734	1,167,244	1,167,244
TWENTYNINE PALMS	50,265	34,045	104,590	64,967	64,967
UPLAND	1,770,339	1,911,541	3,160,014	2,280,631	2,280,631
VICTORVILLE	1,345,727	1,579,487	268,273	1,064,496	1,064,496
YUCAIPA	2,093,399	1,429,872	682,027	1,401,766	1,401,766
YUCCA VALLEY	136,216	213,532	684,360	344,703	344,703

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SAN DIEGO COUNTY

CARLSBAD	7,768,758	8,643,205	9,484,234	8,632,066	8,632,066
CHULA VISTA	4,284,581	4,845,643	4,416,013	4,515,412	4,515,412
CORONADO	1,130,992	1,467,113	1,298,946	1,299,017	1,299,017
DEL MAR	557,690	439,548	546,371	514,536	514,536
EL CAJON	2,562,928	1,961,613	1,710,408	2,078,316	2,078,316
ENCINITAS	2,983,335	4,715,373	6,504,348	4,734,352	4,734,352
ESCONDIDO	5,534,227	4,750,613	4,903,832	5,062,891	5,062,891
IMPERIAL BEACH	283,836	279,745	249,164	270,915	270,915
LA MESA	2,815,965	3,050,420	3,140,439	3,002,275	3,002,275
LEMON GROVE	247,142	271,524	386,339	301,668	301,668
NATIONAL CITY	2,073,854	4,280,361	1,878,084	2,744,100	2,744,100
OCEANSIDE	1,621,465	1,986,767	3,064,757	2,224,330	2,224,330
POWAY	1,378,976	1,477,763	1,309,212	1,388,650	1,388,650
SAN DIEGO	32,013,564	34,525,926	23,510,641	30,016,710	30,016,710
SAN MARCOS	5,277,365	5,499,837	5,594,791	5,457,331	5,457,331
SANTEE	720,361	641,629	788,451	716,814	716,814
SOLANA BEACH	716,800	1,020,641	934,373	890,605	890,605
VISTA	3,263,167	3,338,145	2,712,790	3,104,701	3,104,701

SAN FRANCISCO COUNT

SAN FRANCISCO	34,060,774	30,858,152	27,153,357	30,690,761	30,690,761
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SAN JOAQUIN COUNTY

ESCALON	485,821	225,909	238,194	316,641	316,641
LATHROP	66,760	0	0	22,253	22,253
LODI	1,129,948	1,382,113	1,063,781	1,191,947	1,191,947
MANTECA	1,513,358	1,090,716	768,606	1,124,227	1,124,227
RIPON	263,839	(1,523,972) ²	0	87,946 ²	87,946
STOCKTON	2,722,388	0	(18,097,962) ²	907,463 ²	907,463
TRACY	367,397	671,756	433,812	490,988	490,988

SAN LUIS OBISPO COUN

ARROYO GRANDE	1,337,039	1,313,030	1,645,843	1,431,971	1,431,971
ATASCADERO	117,080	687,596	38,160	280,945	280,945
EL PASO DE ROBLES	1,263,548	1,317,288	771,728	1,117,521	1,117,521
GROVER BEACH	0	0	0	0	0
MORRO BAY	189,087	307,516	402,324	299,642	299,642
PISMO BEACH	488,414	540,340	647,868	558,874	558,874
SAN LUIS OBISPO	7,398,079	7,549,275	9,858,855	8,268,736	8,268,736

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SAN MATEO COUNTY

ATHERTON	1,075,865	1,212,259	899,134	1,062,419	1,062,419
BELMONT	1,196,905	1,043,314	185,181	808,467	808,467
BRISBANE	588,741	570,931	583,646	581,106	581,106
BURLINGAME	3,214,265	2,929,395	3,663,028	3,268,896	3,268,896
COLMA	1,781,976	1,366,174	1,227,421	1,458,524	1,458,524
DALY CITY	1,000,332	992,832	1,066,693	1,019,952	1,019,952
EAST PALO ALTO	0	0	192,040	64,013	64,013
FOSTER CITY	722,700	402,256	747,596	624,184	624,184
HALF MOON BAY	794,639	273,097	1,632,951	900,229	900,229
HILLSBOROUGH	1,202,601	1,000,490	888,905	1,030,665	1,030,665
MENLO PARK	4,534,894	3,939,987	2,270,802	3,581,894	3,581,894
MILLBRAE	0	0	0	0	0
PACIFICA	989,904	1,049,391	679,430	906,242	906,242
PORTOLA VALLEY	430,666	308,227	298,799	345,897	345,897
REDWOOD CITY	9,559,696	8,167,391	8,079,182	8,602,090	8,602,090
SAN BRUNO	491,000	492,615	449,103	477,573	477,573
SAN CARLOS	434,449	449,212	734,364	539,342	539,342
SAN MATEO	3,102,059	7,299,897	1,476,173	3,959,376	3,959,376
SOUTH SAN FRANCISCO	2,696,742	1,726,553	1,542,899	1,988,731	1,988,731
WOODSIDE	551,419	536,005	500,000	529,141	529,141

SANTA BARBARA COUN

BUELLTON	44,843	123,346	126,470	98,220	98,220
CARPINTERIA	291,354	126,184	319,459	245,666	245,666
GOLETA	698,506	724,174	705,871	709,517	709,517
GUADALUPE	5,820	5,310	0	3,710	3,710
LOMPOC	393,783	392,139	1,710,135	832,019	832,019
SANTA BARBARA	6,150,746	6,739,901	6,619,640	6,503,429	6,503,429
SANTA MARIA	3,693,021	1,670,769	4,080,539	3,148,110	3,148,110
SOLVANG	437,202	222,114	371,070	343,462	343,462

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FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

SANTA CLARA COUNTY

CAMPBELL	3,717,163	158,052	164,017	1,346,411	1,346,411
CUPERTINO	4,508,687	4,973,044	5,061,090	4,847,607	4,847,607
GILROY	1,157,263	1,035,537	1,429,121	1,207,307	1,207,307
LOS ALTOS	1,713,054	900,761	3,290,808	1,968,208	1,968,208
LOS ALTOS HILLS	1,835,280	1,602,571	1,609,247	1,682,366	1,682,366
LOS GATOS	3,664,544	3,577,175	3,974,855	3,738,858	3,738,858
MILPITAS	1,624,068	2,123,909	1,688,912	1,812,296	1,812,296
MONTE SERENO	2,089	531	10,046	4,222	4,222
MORGAN HILL	164,213	781,186	1,054,701	666,700	666,700
MOUNTAIN VIEW	2,682,067	2,046,834	2,150,759	2,293,220	2,293,220
PALO ALTO	7,875,495	10,427,085	10,023,114	9,441,898	9,441,898
SAN JOSE	23,028,116	16,574,888	14,420,537	18,007,847	18,007,847
SANTA CLARA	10,117,863	9,321,717	8,833,115	9,424,232	9,424,232
SARATOGA	1,740,219	2,625,413	725,475	1,697,036	1,697,036
SUNNYVALE	9,358,635	8,143,695	9,206,239	8,902,856	8,902,856

SANTA CRUZ COUNTY

CAPITOLA	1,293,942	948,821	934,395	1,059,053	1,059,053
SANTA CRUZ	2,914,473	2,639,804	2,808,666	2,787,648	2,787,648
SCOTTS VALLEY	338,260	265,213	273,147	292,207	292,207
WATSONVILLE	1,100,944	1,013,529	1,034,286	1,049,586	1,049,586

SHASTA COUNTY

ANDERSON	0	0	0	0	0
REDDING	1,011,254	783,216	2,924,866	1,573,112	1,573,112
SHASTA LAKE	0	19,320	202,095	73,805	73,805

SIERRA COUNTY

LOYALTON	21,968	18,308	26,975	22,417	22,417
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SISKIYOU COUNTY

DORRIS	24,053	20,965	17,567	20,862	20,862
DUNSMUIR	140,334	140,682	124,826	135,281	135,281
ETNA	54,937	47,795	47,348	50,027	50,027
FORT JONES	0	22,517	5,302	9,273	9,273
MONTAGUE	0	0	0	0	0
MOUNT SHASTA	439,864	399,153	436,894	425,304	425,304
TULELAKE	0	0	0	0	0
WEED	352,743	280,764	278,106	303,871	303,871
YREKA	521,174	460,001	282,466	421,214	421,214

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹
revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

SOLANO COUNTY

BENICIA	1,857,969	1,679,980	1,479,646	1,672,532	1,672,532
DIXON	1,179,516	848,315	673,682	900,504	900,504
FAIRFIELD	8,766,267	3,894,180	3,872,451	5,510,966	5,510,966
RIO VISTA	217,366	99,953	118,291	145,203	145,203
SUISUN CITY	30,621	0	0	10,207	10,207
VACAVILLE	2,522,502	1,569,382	1,571,808	1,887,897	1,887,897
VALLEJO	985,323	1,040,209	369,330	798,287	798,287

SONOMA COUNTY

CLOVERDALE	156,010	5,169	293,365	151,515	151,515
COTATI	60,115	51,040	31,544	47,566	47,566
HEALDSBURG	0	0	0	0	0
PETALUMA	7,322,338	993,999	495,748	2,937,362	2,937,362
ROHNERT PARK	1,025,979	828,585	981,407	945,324	945,324
SANTA ROSA	6,468,129	8,800,507	5,678,335	6,982,324	6,982,324
SEBASTOPOL	245,648	129,744	159,486	178,293	178,293
SONOMA	404,756	347,232	0	250,663	250,663
WINDSOR	724,561	1,797,156	2,696,772	1,739,496	1,739,496

STANISLAUS COUNTY

CERES	0	0	0	0	0
HUGHSON	136,680	132,119	189,270	152,690	152,690
MODESTO	3,530,841	959,975	1,812,175	2,100,997	2,100,997
NEWMAN	0	0	219,381	73,127	73,127
OAKDALE	153,977	60,722	0	71,566	71,566
PATTERSON	572,796	481,166	501,794	518,585	518,585
RIVERBANK	336,919	134,230	180,178	217,109	217,109
TURLOCK	0	0	0	0	0
WATERFORD	0	147,216	25,913	57,710	57,710

SUTTER COUNTY

LIVE OAK	3,923	3,923	3,923	3,923	3,923
YUBA CITY	0	0	0	0	0

TEHAMA COUNTY

CORNING	232,529	185,640	285,173	234,447	234,447
RED BLUFF	495,197	293,275	525,779	438,084	438,084
TEHAMA	3,601	1,102	430	1,711	1,711

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹
revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes					
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.

TRINITY COUNTY TULARE COUNTY

DINUBA	57,000	70,000	120,000	82,333	82,333
EXETER	637,515	58,441	83,984	259,980	259,980
FARMERSVILLE	0	0	0	0	0
LINDSAY	154,202	397,100	(758,524) ²	183,767 ²	183,767
PORTERVILLE	1,182,108	850,182	1,248,670	1,093,653	1,093,653
TULARE	1,752,448	2,255,760	695,425	1,567,878	1,567,878
VISALIA	2,699,377	2,631,980	2,413,037	2,581,465	2,581,465
WOODLAKE	24,478	0	0	8,159	8,159

TUOLUMNE COUNTY

SONORA	459,266	383,799	344,989	396,018	396,018
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VENTURA COUNTY

CAMARILLO	5,331,295	4,979,260	3,428,772	4,579,776	4,579,776
FILLMORE	(185,162) ²	156,008	0	52,003 ²	52,003
MOORPARK	242	119,733	160,815	93,597	93,597
OJAI	102,182	29,086	186,093	105,787	105,787
OXNARD	5,213,999	5,498,706	3,773,725	4,828,810	4,828,810
PORT HUENEME	1,146,207	1,068,356	1,088,406	1,100,990	1,100,990
SAN BUENAVENTURA	4,813,188	4,566,749	5,082,875	4,820,937	4,820,937
SANTA PAULA	60,816	27,770	22,770	37,119	37,119
SIMI VALLEY	5,381,507	3,247,812	2,800,262	3,809,860	3,809,860
THOUSAND OAKS	5,375,524	5,741,951	5,756,860	5,624,778	5,624,778

YOLO COUNTY

DAVIS	2,204,650	2,280,231	1,980,047	2,154,976	2,154,976
WEST SACRAMENTO	932,681	1,166,477	336,459	811,872	811,872
WINTERS	0	0	0	0	0
WOODLAND	637,225	1,588,429	2,400,473	1,542,042	1,542,042

YUBA COUNTY

MARYSVILLE	424,889	441,426	724,393	530,236	530,236
WHEATLAND	1,700	0	0	567	567

Statewide Total	\$ 1,232,281,068	\$ 1,103,010,080	\$ 1,059,032,801	\$ 1,138,746,213	\$ 1,138,746,213
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Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Hwys Code Sec 2036 ¹

revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes						
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.	

Notes:

1. "In order to receive an allocation or apportionment pursuant to Section 2032, the city or county shall annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009-10, 2010-11, and 2011-12 fiscal years, as reported to the Controller pursuant to Section 2151. For purposes of this subdivision, in calculating a city's or county's annual general fund expenditures and its average general fund expenditures for the 2009-10, 2010-11, and 2011-12 fiscal years, any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund. One-time allocations that have been expended for street and highway purposes, but which may not be available on an ongoing basis, including revenue provided under the Teeter Plan Bond Law of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code), may not be considered when calculating a city's or county's annual general fund expenditures." - Streets and Highways Code Sec 2036(b)

Source data: SCO Annual Streets and Roads Reports at http://www.sco.ca.gov/ard_locrep_streets.html Table 5 "Discretionary." Also See Table 3.

2. Assumes negative values treated as zero expenditures for that year.

3. Although RMRA funds do not begin flowing until after January 2018, the full MOE is required for FY2017-18 and subsequent years.

4. "For any city incorporated after July 1, 2009, the Controller shall calculate an annual average expenditure for the period between July 1, 2009, and December 31, 2015, inclusive, that the city was incorporated." - Streets and Highways Code Sec 2036(c) Two cities, Eastvale (1 Oct 2010) and Jurupa Valley (1 July 2011), incorporated after July 1, 2009.

	<u>2010-11*</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>7thru12.'15*</u>	<u>MOE</u>
Eastvale	16,270	41,471	88,331	58,525	64,231	45,052	59,787
monthly	1,808	3,456	7,361	4,877	5,353	7,509	
mo's in calc	9	12	12	12	12	6	
		<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16*</u>	<u>MOE</u>
Jurupa Valley		-	-	-	-	-	-

Senate Bill (SB) 1 Proposed Project List Form**Local Streets and Roads Program**

Agency Name:		Agency Contact:
St Helena		Erica Ahmann Smithies
		(707) 968-2629
LoCode:	5051	esmithies@cityofsthelena.org

FY
17/18

Summary of Proposed Project List

Project No.	Project Title	Project Description	Project Location	Estimated Completion Date (mm/dd/yyyy)		Estimated Useful Life (# of yrs)	
				Pre-Construction	Construction	Min.	Max.
PP01	Pavement Restoration Project	Overlay 0.41 miles, upgrade curb ramps and striping	Kennedy Court, El Bonita, and La Quinta	05/2018	06/2018	7	15
PP02	Oak Street Storm Drain Repair	Replace storm drain, backfill trenches, and repair the	Oak Street between Mitchell Drive and	10/2017	11/2017	7	50
PP03							
PP04							
PP05							
PP06							
PP07							
PP08							
PP09							
PP10							
PP11							
PP12							
PP13							
PP14							
PP15							
PP16							
PP17							
PP18							
PP19							
PP20							
PP21							
PP22							
PP23							
PP24							
PP25							

CITY OF ST. HELENA

RESOLUTION NO. 2017-

**APPROVING THE ROAD MAINTENANCE AND REHABILITATION
ACCOUNT PROJECT LIST (FY 2017/18)**

RECITALS

- A. Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and
- B. SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and
- C. The City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and
- D. The City, will receive an estimated \$40,893 in RMRA funding in Fiscal Year 2017-18 from SB 1; and
- E. Prior to receiving an apportionment of RMRA funds in FY 17/18, the City is required to submit to the California Transportation Commission a list of projects proposed to be funded by October 16, 2017; and
- F. Staff has recommended that the FY 17/18 RMRA funds be utilized for the Pavement Restoration Project R18-79 and Oak Avenue Storm Drain Repair R18-82; and

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

- 1. Finds the Road Maintenance and Rehabilitation Account Project List to be exempt from the California Environmental Quality Act pursuant to CEQA section 15301, Existing Facilities Class 1 which exempts the operation, repair, maintenance, and permitting of existing facilities involving negligible or no expansion of use including publicly owned utilities; and
- 2. Approves the following Road Maintenance and Rehabilitation Account Project List for FY 17-18:
 - a. Pavement Restoration Project R18-79
Location: Kennedy Court, El Bonita and La Quinta Way
Description: Overlay, Curb Ramps and Restriping

Estimated Useful life: 7-15 years

Estimated Project Completion: July 2018

b. Oak Avenue Storm Drain Repair R18-82

Location: Oak Street from Spring Street to Mitchell Drive

Description: Storm Drain Replacement and Street Repair

Estimated Useful life: 7-50 years

Estimated Project Completion: November 2017

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council held on October 10, 2017 by the following roll call vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Ellsworth:

Councilmember Koberstein:

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

CITY OF ST. HELENA

RESOLUTION NO. 2017-

Resolution (1) Designating Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79 and (2) Authorizing Budget Transfers of \$310,000 in FY 18/19 to the Project

RECITALS

- A. City staff did not identify a specific street repair list for the FY 17/18 Pavement Restoration Project R18-79 prior to adoption of the Five-Year Capital Improvement Plan (CIP) on August 8, 2017; and
- B. On September 26, 2017, City Council directed City staff to designate Kennedy Court, La Quinta Way and El Bonita Avenue streets sections for the proposed rehabilitation project for FY 17/18; and
- C. The cumulative cost of this project is approximately \$600,000, which exceeds the \$300,000 appropriated to the Pavement Restoration Project R18-79 in FY 17/18; and
- D. City Council directed City staff to identify a funding strategy to accelerate pavement repairs to Kennedy Court, La Quinta Way and El Bonita Avenue in FY 17/18; and
- E. In addition to the FY 17/18 appropriations, City staff recommends the following FY 18/19 appropriations: \$192,500 in FY 18/19 Gas Tax, \$40,000 FY 18/19 SB 1 funds, and \$77,500 of FY 18/19 General Fund resources to the Pavement Restoration Project R18-79 as the project is anticipated to span fiscal years.

RESOLUTION

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

- 1. Finds the repair of Kennedy Court, La Quinta Way and El Bonita Avenue as the FY 17/18 Pavement Restoration Project R18-79 to be exempt from the California Environmental Quality Act pursuant to CEQA section 15301, Existing Facilities Class 1 which exempts the operation, repair, maintenance, and permitting of existing facilities involving negligible or no expansion of use including publically owned utilities; and
- 2. Designates Kennedy Court, La Quinta Way and El Bonita Avenue street sections for the FY 17/18 Pavement Restoration Project R18-79; and
- 3. Authorizes the Finance Director to make the following budget transfers:

- a. Transfer \$77,500 in FY 18/19 General Funds to CIP R18-79
- b. Transfer \$40,000 in FY 18/19 SB 1 Funding to CIP R18-79
- c. Transfer \$192,500 in FY 18/19 Gas Tax to CIP R18-79

Approved at a Regular Meeting of the St. Helena City Council on October 10, 2017, by the following vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk