



City of St. Helena
Special Joint City Council and Planning
Commission Meeting
Special Joint Meeting
Wednesday, December 7, 2022 @ 5:00 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 four minutes.

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofstheleena.org. The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://stheleena.civicweb.net/portal/>.

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

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

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1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPTION OF THE AGENDA
4. ROLL CALL
Mayor: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members: Anna Chouteau, Eric Hall and Lester Hardy

Chair: John Ponte, Vice Chair: Autumn Anderson, Commissioners: Rosaura Segura, Marika Rothfeld and Chris Warner

5. PUBLIC FORUM:
Under California law, public comments at special meetings are limited to subjects on the agenda only. Therefore public comment will take place during consideration of the item. Each person's comments shall be limited to 4 minutes.

6. NEW BUSINESS

- 6.1. Comprehensive Zoning Code Update-Public Meeting #3

5 - 154

CEQA Determination: CEQA will be completed before formal adoption.
Prepared By: Maya DeRosa, Community Development Director
Recommendation:

Receive report and provide feedback to staff on options for next steps as noted in the staff report discussion.

[Staff Report - Pdf](#)

[Proposed Zoning Map Changes Based on GP Change Areas](#)

[Proposed Zoning Map Changes for LR-1A to LR](#)

- [1. Public Comment.Connie Min](#)
 - [2. Public Comment.Connie Min](#)
 - [3. Public Comment.Debra Dommen](#)
 - [4. Public Comment.Robert Torres](#)
 - [5. Public Comment.Jerry Hyde](#)
 - [6. Public Comment.Connie Wilson](#)
 - [7. Public Comment.Susan Kenward](#)
 - [8. Public Comment.Dan Hale](#)
 - [9. Public Comment.Poly Ogden](#)
 - [10. Public Comment.OTSH](#)
 - [11. Public Comment.Grace Kistner](#)
 - [12. Public Comment.Sherri Kelly](#)
 - [13. Public Comment.Michael Caldarola](#)
 - [14. Public Comment.Madelyn Chandler](#)
 - [15. Public Comment. Engine Real Estate](#)
 - [16. Public Comment. Joshua Birch](#)
 - [17. Public Comment. Celine Birch](#)
 - [18. Public Comment. Jeff Whitehead](#)
 - [19. Public Comment. Dave Killoran](#)
 - [20. Public Comment. Doug Shafer](#)
 - [21. Public Comment. Alan Torrigino](#)
 - [22. Public Comment. Dick Humphries](#)
 - [23. Public Comment. Stefanie Humphries](#)
 - [24. Public Comment. Pamela Smithers](#)
 - [25. Public Comment. Jennifer Waddell](#)
 - [26. Public Comment. Antonio Castellucci](#)
 - [27. Public Comment. Elaine DeMan](#)
 - [28. Public Comment. Joe Berchtold](#)
 - [29. Public Comment. Dan Hale](#)
 - [30. Public Comment. Joshua Park](#)
 - [31. Public Comment. Chuck Covell](#)
- [LWC PPT Presentation](#)

7. ADJOURNMENT

The next Regular City Council meeting is scheduled for December 13, 2022, at 6:00 p.m.

This agenda was posted at City Hall, 1572 Railroad Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on December 2, 2022.



Cindy Tzaopoulos, 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.



Report to the City Council
Special Joint City Council and Planning
Commission Meeting - 07 Dec 2022

Agenda Section: **NEW BUSINESS**

Subject: **Comprehensive Zoning Code Update-Public Meeting #3**

CEQA Determination: **CEQA will be completed before formal adoption.**

Prepared By: Maya DeRosa, Community Development Director

Reviewed By: April Mitts, Assistant City Manager

Approved By: Anil Comelo, City Manager

BACKGROUND

On June 2019, the City of St. Helena adopted a new General Plan. The comprehensive update to the 1993 General Plan included a number of implementation actions which indicated a new zoning ordinance would be needed to bring the zoning into compliance with the new General Plan. The City hired the consulting firm of Lisa Wise Consulting in December 2019 to lead the code update effort.

On May 5, 2020, the City held a joint City Council and Planning Commission Special meeting to discuss a summary of the stakeholder input received in February and March of 2020. Key issues that were discussed include:

- Discretionary Review Process: there is a lack of predictability for applicants; Design Review findings need to be less subjective.
- Housing: there is a need for more creative housing types, density and strategic infill.
- Neighborhood Character: new residential rebuilds are out of context with neighborhood scale and mass; floor area ratio (FAR) should be reduced; design review findings are unclear.
- Downtown: the list of permitted uses in the downtown should be expanded to create economic stimulus.
- Format: the current use-based format of the code should be maintained instead of switching to a form based code.

Some key objectives of this work effort by the City include a more user friendly code, clear standards attracting high quality development, addressing current legislation and ensuring that new development is compatible with neighborhood character. Following the May 5, 2020 meeting, the consultant compiled a Recommendations Memo which was presented to the Planning Commission at meeting on August 24, 2020. A meeting with a group of Downtown Stakeholders occurred on June 23, 2021 to solicit feedback on constraints with the current code and additional uses that should be added to the code, particularly in the CB, Central Business District. As a result of this input, the new code now includes a broader array of permissible uses including creative maker spaces, brewpubs and public markets (see Table 17.17.020).

The City Council created a three-member Zoning Code Subcommittee (Council members Hardy and Hall and Chair Ponte) to work with staff and the consultant in the review of the draft code and provide feedback prior to release to the public. The Subcommittee conducted 12 meetings starting on March 10, 2021 and concluding on August 30, 2022.

What Does the Updated Zoning Code Accomplish?

- Economic development tool
 - Promotes highest and best use on Main Street
 - Design standards create certainty for builders
 - Expanded list of active uses including public market, brewpubs, amphitheater, maker uses
 - Allows formula retail by right (up to 4) in the Service Commercial (SC) District and adds specific use permit findings to create more certainty for retailers in the CB and MU districts
 - Eliminates parking in lieu fee burden downtown (Parking Exemption Overlay) and waives all on-site parking requirements
- Streamlines permit process by introducing staff level review processes (Minor Use Permit and Minor Design Review) and moving many uses previously a Use Permit to a Permitted Use (staff approval)
- Eliminates arbitrary Major Design Review findings
- Adds illustrated parking design standards (previously not part of the zoning code)
- Facilitates Multi-family development
 - Adds Objective Design Standards
 - Ministerial Review
 - Reduces parking requirements so more land can be for housing
- Adds Lighting and Illumination Standards
- State law compliant
 - Implements ministerial review consistent with SB 330
 - Updated Affordable Housing chapter to be compliant with state density bonus law
 - Amended Sign Code to be content neutral

- Climate Action
 - Includes standards for bicycle parking, EV chargers
 - Updated Xeriscape standards
 - Adds solar energy standards
- Ease of use
 - Compare development standards across different zones on one page
 - Compare uses across different zones on one page
 - Adds illustrated development standards diagrams to support code standard
 - Enhanced graphics in sign code
 - Illustrated rules of measurement

How Does the Updated Zoning Code Align with Housing Needs, Reduce Cost, Adding Diversity of Uses and Increase Density?

- Expanded small lot standards with illustrated diagrams on acceptable lot layouts
- Added Single Room Occupancy Uses (permitted by right in MU district)
- Added Live/Work land use
- Created new zoning district "Mixed Use" which allows for residential development up to 20 units/acre in areas previously not designated for this increased density
- Eliminated covered parking requirement
- Updated Planned Development Overlay provides clarification of what development standards should be included

Public Outreach on Public Review Draft Zoning Code

The Public Review Draft of the new zoning code was released on October 18, 2022. The first of three proposed public meetings to receive comments was held on October 26th as a special joint City Council and Planning Commission meeting (Meeting #1). The focused discussion topics of that meeting were sections of the code pertaining to review authority, new permit processes and residential development and design standards. Comments were received from the City Council, Planning Commission and members of the public and are noted in the attached comment tracking table.

On November 16, 2022, a second public meeting was held as a special joint City Council and Planning Commission meeting (Meeting #2). The focus areas of that meeting were the non-residential uses and standards, Winery District changes, short-term rental ordinance amendments, and formula business regulations. Similar to meeting #1, comments were received from the City Council, Planning Commission and members of the public and are noted in the attached comment tracking table.

Some of the comments received at the last public meeting included : (Please see Attachment 1, comment tracker, for full detailed list of comments)

- Explore allowing formula restaurants
- Non-conforming comment-Dan Hale
- Explore maximizing height in CB and MU
- Commercial parking ratio too limiting for small lots
- Eliminate CUP for tanks in W District
- Small Winery -eliminate requirement for owner to live onsite
- Small Winery -allow grape source to be within City limits, not limited to on-site grapes
- Re-study limitations on materials
- STR revisions proposed by City Attorney (Attachment 2)
- Extend TUP approval for up to 2 years
- Confirm CB setbacks and where measured
- Provide feedback on the Downtown Stakeholders meeting and what feedback was and was not included in the code (see Attachment 3)

DISCUSSION

1. Parking Standards-Changes (Chapter 17.26)

The Zoning Code Update process was an opportunity to revisit all the current parking standards and update standards that would result in more development flexibility and less barriers for applicants. Key changes are summarized below:

- Residential
 - Removed covered parking requirement
 - Reduced Multi-family parking requirement (3 or more dwellings)
 - Adds Mixed Use parking standard
 - Adds SRO parking standard
- Commercial
 - Added Winery tasting Room
 - Amends hotel parking requirement to also include parking for employees at one space per three employees
 - Changes parking for wineries as follows:
 - Denotes it applies to both large and small wineries
 - Instead of requiring parking be determined by the Planning Commission, dependent upon winery capacity, number of employees (including seasonal employees) and accessory uses (visitors, assembly and entertainment areas, and retail sales area); new standard is 1 space per 4 tasting or tour visitors plus one space per 1,000 SF of floor area.
- Other
 - Adds standard for offsite parking joint use agreement when within 300 feet of site

- Incorporates parking design standards (previously in Public Works Manual) into the code for ease of use
- Adds EV Charging station requirements to new development based on the number of parking spaces required
- Adds bicycle parking requirements

2. **Signage regulations-Changes and Reed v Town of Gilbert (17.27)**

The most significant revision to the sign code as part of the zoning code update pertains to the US Supreme Court case, *Reed v Town of Gilbert* (2015), which rules that a City may not define a sign by its content anymore and all signs must be content neutral. Therefore sign codes now can only regulate the design, area, material and where the sign is located.

In response to the new legal requirements, the purpose statement has been updated, the sign definitions have been expanded, the applicability section has been updated. The Administrative Sign Permit has been renamed “Minor Sign Permit” and remains a staff approved permit. The “Planning Commission Sign Permit” has been renamed “Major Sign Permit” and remains a Planning Commission discretionary review and approval.

A new section “General Standards for All Signs” has been added and includes signage graphics and rules of measurement for a variety of sign types. The “Standards for Permanent Signs” includes height and area maximums by zoning district in addition to noting which signs are allowed in each zoning district. The “Standards for Temporary Signs” allows for A-frame or Upright signs, vertical banner signs, wall banners signs, window signs and yard signs. Key changes to this section include eliminating realtor and political signs as a defined type of sign. All temporary signs with commercial messages are prohibited in all residential zones, except that temporary signs with commercial messages advertising the lease or sale of real property is allowed in residential zones. Real estate signs are allowed to ensure that residences are not left vacant for extended periods of time. Other commercial signs are not allowed in residential zones as the intent of residential zones is to preserve the residential character of these zones.

3. **Affordable Housing Changes (17.29 and 17.30)**

The zoning code includes two key chapters that define the affordable housing regulations in the City. Those are primarily related to Density Bonus and Impact Fees/Inclusionary Housing Ordinance. The Housing Authority of Napa and the City Attorney provided review and recommended changes to these two chapters.

Density Bonus (Chapter 17.29):

Regarding Density Bonus, the purpose of these regulations is to encourage the development of housing affordable to all segments of the community and to provide

incentives to defray the costs of providing affordable housing for very low, low, and moderate income households in the City.

It important to note that if a developer requests a concession/incentive, the City has to grant it, unless the City can show that the concession/incentive will have a specific, adverse impact on health and safety.

Key updates to the Density Bonus Chapter include:

- Updates to bring current ordinance into compliance with State Density Bonus Law
- Expands applicability section to now include units designated for transitional foster youth, disabled veterans or homeless or units designated for student housing according to prescribed income targets
- Adds new section 17.25.060, Affordable Housing Concessions or Incentives

Affordable Housing Program (Chapter 17.30)

This chapter of the zoning code establishes an affordable housing program, housing impact fees on developers of non-residential projects, inclusionary housing requirements and alternative means of compliance.

Key updates to this Chapter include:

- Adds specific additional uses that are exempt from the housing impact fee requirement (17.30.020 A) to include child care facilities of 6 or less; non-profit organizations and schools; public library, art galleries, museums, public parking lot, public works facilities, community assembly uses and wineries, large and small.
- Expands the inclusionary requirement (17.30.030 A) with regulations on project phasing and clarifies that Accessory Dwelling Units (ADUs) may not be counted as dwelling units for the purposes of counting the number of affordable units
- Adds dwelling units less than 850 square feet to the list of projects exempt from inclusionary housing requirements
- Updates Section titled “Basic Requirements for Owner-Occupied and Rental Affordable Units” (now Section 17.30.030 (H) including but not limited to:
 - The criteria is not subject to Planning Commission approval
 - Deletes arbitrary phrases such as “good quality and are consistent with contemporary standards for new housing” when comparing the quality of market rate units to affordable units and replaces with “comparable quality and comply with applicable base and overlay zone objective standards.”
- Increases the term of the continued affordability of units from 30 years to 45 years (Section 17.30.030 (I)).
- Removes requirement that affordable units must be dispersed throughout a residential development as received feedback that this is an impediment to building housing in the City
- Clarifies that the affordable units shall receive a Certificate of Occupancy at the same time as the market rate units

4. Parking Exemption District Overlay (17.21.030)

Currently the zoning code chapter titled “Parking Impact Overlay” (Section 17.104) provides standards for parking requirements for development within this Overlay Area, which generally follows the boundaries of the CB zoning district. No change to the boundaries of this district are proposed. However, the City received feedback as part of stakeholder interviews that the requirement to pay in in-lieu fee based on the number of parking spaces required was economically difficult in the COVID business recovery environment and an impediment to attracting new businesses downtown. Also at a City Council meeting on March 22, 2022, staff brought forth a proposal to eliminate both the parking requirements onsite and also the in-lieu fee that was not been adjusted since 1999 as part of the proposed code changes. There was unanimous support from the City Council to make these changes rename the district from Parking Impact District Overlay to Parking Exemption District. The new code proposes that as part of a future Comprehensive Parking Study post code adoption, to re-assess the parking needs downtown and based on the parking need, establish an updated in-lieu parking fee. The Parking Exemption District boundaries are noted in Attachment 4.

5. Historic Preservation Overlay (17. 21.040)

As historic preservation takes place at the local government level, the ordinance is the most important tool in developing and implementing a successful preservation program.

The current zoning code includes a Historic Preservation Overlay and identifies a few properties listed on the National Register of Historic Places. While the current code does identify regulations for listing properties and findings for approval of changes, it does not implement the General Plan policy to create a preservation ordinance, including clear regulations for how to treat exterior changes to a historic property. Additionally the current regulations do not recognize the significant number of historic properties listed as part of the 2019 General Plan Appendix A.

Some of the key General Plan policies that this revised HP Overlay ordinance implements includes:

- Creating a preservation ordinance
- Creating a Local Register of properties (Attachment 5)

The key changes proposed as part of the amendments to the HP Overlay include:

- Updated purpose statement
- Updated applicability section
- Creates a Local Register with 239 listings based on the properties included in General Plan Appendix A (and updated in 2022 to remove any properties that have been demolished or significantly altered based on building permits issued since 2006 (date of last survey))

- Creates a new HP Overlay noted on the proposed zoning map that correlates with the properties listed in the proposed Local Register (See Attachment 6)
- Adds criteria for types of projects and review process
- Identifies regulations for changes pertaining to exterior modifications, additions and new construction that are consistent with nationally recognized standards known as “The Secretary of Interior’s Standards”.

Below are the proposed regulations for review of properties within the Historic Preservation Overlay (17. 21.040 D 5) :

Review for Compliance.

- a. Rehabilitation projects that do not expand the existing building or structure and which are consistent with the standards of the Historic Preservation Overlay may be approved administratively by the Community Development Department.
- b. Rehabilitation projects which are inconsistent with the standards of the Historic Preservation Overlay require Design Review by the Planning Commission, as established in Section 17.05.070, Major Design Review.
- c. All new construction or additions that are visible from the public right-of-way or more than a 25 percent increase of the existing floor area of the primary structure require Major Design Review by the Planning Commission, as established in Section 17.05.070, Major Design Review.

Regarding the historic designation process, Chapter 17.10, Historic Designation, in the Part II zoning code, includes regulations for both designating local historic resources and local districts.

Public Outreach

In November 2022 the City created a website for the HP Overlay regulations (<https://www.cityofstlhelena.org/planning/page/historic-preservation-overlay>) and sent letters to the properties noted in the proposed Local Register regarding the status of the property listing being added to the HP Overlay District. The letter included an invitation to attend a November 30th informal meeting hosted by City staff to learn more about the HP Overlay regulations. Those letter notifications also included an invitation to attend the 12/7 public meeting where all the Overlay Districts would be topics for discussion. The November 30th meeting was attended by six property owners. Some of the comments received were interest in if the City still has a Mills Act incentive program; what was the criteria for being listed and one property owner wanted to know if possible to opt out of being included in the Local Register. Staff is researching whether there is still a Mills Act program in place. Regarding requests to be removed from the proposed Local Register, the historic significance of the building should be considered but ultimately the City Council may make the final adjustments to the Local Register at the time of code adoption.

6. Planned Development (PD) Overlay (17. 21. 050)

The purpose of the Planned Development District is to preserve and/or create distinctive, high quality single or mixed -use developments that meet or exceed the goals of the General Plan. Through utilizing this overlay, it provides greater flexibility in the design of the developments than is otherwise possible through the strict application of the zoning regulations and promotes innovation, creativity and design excellence. The amendments to the Planned Development (PD) Overlay include:

- Expands Purpose Statement
- Supplements and clarifies application requirements
- Expands and clarifies the necessary standards that are to be included in a PD District
- Updates the Required Findings
- Includes who may initiate a PD district
- Outlines the Preliminary Review process and Review Procedures

7. Zoning Map Amendments

The 2019 General Plan identified a number of parcels that had an amended land use designation. Many of these involved changing the land use designation to Mixed Use. As part of this Zoning Code Update, staff has identified 55 parcels with map amendments for General Plan consistency and three parcels with mapping error clean up (See Attachment 7). The property owners were mailed notification of this proposed change the week of November 28, 2022 and invited to attend the 12/7 public meeting.

Items from 10/26 and 11/16 Public Meetings for Discussion at 12/7 Meeting

- CB and MU Height Increase: Recommendation-address as part of Downtown Master Plan work in 2023
- Requiring a CUP for new tanks in Winery District: Recommendation-no change
- A-20 zone: Recommendation- less than 2 acres, add 35% maximum second story and 25% maximum lot coverage
- Extend Temporary Use Permit term from one year to two years: Recommendation-make change
- Non-conforming code comment from Dan Hale : Recommendation-Discuss and Planning Commission make recommendation to City Council
- Small Winery ordinance-remove requirement to have owner live onsite and allow grape source to be from within St. Helena: Recommendation-make change
- Prohibited Materials: Recommendation to address on a case by case basis through a Minor Modification process in Design Review
- CB Front setbacks on Oak and proposed staff/LWC addition to include Adams Street in CB setbacks list, see Recommendations in Comment Tracker
- Update/reduce commercial Parking ratios outside of the Parking Exemption District: Recommendation-address as part of Downtown Master Plan work in 2023 along with comprehensive parking study

Next Steps and Options

Staff appreciates the public comment and feedback from both the City Council and Planning Commission during the past two public meetings. We find that most of the items from meetings 1 and 2 have been addressed as noted in the Comment Tracker and those that are beyond the scope of this code update can be prioritized by the City Council at an adoption hearing or directed to be included in the Downtown Master Plan work effort which the City desires to begin post the code adoption. Additionally, since the November 16th meeting, the Community Development Director has met with many of the members of public who have submitted public comment. Staff has identified the following two options as next steps:

Option 1: Direct staff and LWC to schedule a follow up public meeting in Jan-Feb 2023 to review and discuss comments received at the 12/7 public meeting and provide recommendations on how to address in the public review draft. (Note this option can be pursued without a contract amendment as LWC recommends that we utilize one of the two public hearings budgeted for both Planning Commission and City Council with an assumption that two public hearings per decision making body is not needed.)

Option 2: Direct staff and LWC to: 1) make the recommended changes to the public review draft noted in the Comment Tracker (unless otherwise directed at the 12/7 meeting) 2) prepare the CEQA document; and 3) proceed with adoption hearings for Planning Commission and City Council in 2023, noting follow up tasks for prioritization.

RECOMMENDED ACTION

Receive report and provide feedback to staff on options for next steps as noted in the staff report discussion.

ATTACHMENTS

[Attachment 1-Comment Tracker portrait updated](#)

[Attachment 2-STR Ordinance Changes Discussed at 11-16-2022](#)

[Attachment 5-Proposed Local Register](#)

[Attachment 3=Downtown Stakeholders Meeting and code changes 11-20222](#)

[Attachment 4-Parking Exemption Overlay PRD ZoningMap](#)

[Attachment 6- HP Map 110922](#)

[Attachment 7- ZoningMap](#)

[Attachment 8-Use Permits 2020-2022](#)



City of St. Helena - Zoning Code Update

Tracking Public Comments - City Council/Planning Commission Work Sessions

Updated: November 30, 2022

	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
Work Session #1, October 26, 2022					
1	Daniel Hale (email)	Table 17.16.030 diagram shows minimum garage setback in MR of 10' but diagram shows that setback from front of lot. Needs reconciliation. Update Fig. 17.16.030 (in two locations)	17.16.030	LWC to update graphic	
2	Daniel Hale (email)	Why has FAR as a concept has been removed as a method to determine the allowed square footage on each lot? Determined instead by allowed footprint on main floor + allowed second floor as defined by a 10' step back from front facade and 5' step back from both side and rear facades?	Chapter 17.16	Early public feedback in the Code update process expressed concern that new homes were utilizing the maximum FAR and producing new residences that were large and out of scale with surrounding residential character. There are other methods to limit the size of new homes, and establishing a maximum footprint size for the primary structure is one of the new standards proposed. Please also refer to General Plan policy CD3.1 which specifically states building envelope sizes should be limited in residential neighborhoods.	
3	Daniel Hale (email)	Include an introduction that describes the key items that have changed from the old code to the PRD. Explain what sections changed and why.	--	Addressed in staff reports from City staff-see October 26, 2022 report.	
4	Daniel Hale (email)	Detailed comparison of new floor area allowances to actual lots in town Include an introduction - why is FAR no longer used? Why the shift in allowable floor area in LR areas compared to MR areas?	Chapter 17.16	See comment # in row 7: The LR 1A zone was combined with the LR zone and to ensure that the proposed primary footprint limit was appropriate for the current LR zone, it was determined a sliding scale based on lot size would be appropriate for the current neighborhood character.	
5	Daniel Hale (email)	Questioning the transparency requirements in the design standards. How will this produce more successful buildings?	17.16.040, etc.	Good urban design in established neighborhoods creates a rhythm of entrances that are visible from the street. This design standard addresses that design principle.	
6	Daniel Hale (email)	Similarly, why the mandated setbacks for second stories?	17.16.040, etc.	Setbacks for second stories: The Draft Code generally carries forward existing standards. Step-backs for second stories: In order to help reduce massing of new second story construction, a step back from the first story is a common design principle. See also General Plan policy CD3.2 regarding incorporating the use of stepbacks.	
7	Daniel Hale (email)	Questioning the bans on certain material/finish choices.	17.16.040, etc. 17.11.010	Palettes were determined in collaboration with the subcommittee and also selected based on finishes that support design excellence while allowing for architectural expression. If specific additions or deletions to the palette are requested, commenter may identify. LWC/staff recommend allowing flexibility in material choice through a Minor Modification (Section 17.11.010)	
8	Daniel Hale (email)	ZC needs a comprehensive rethinking - it is a large step backwards	--	Comment noted.	
9	Joe McGrath (email)	It should be made very clear that Design Review is not a discretionary review for entitled "by-right" projects. Design Review, in this case, is to <u>shape</u> a project in the interest of all stakeholders and the community, not a determination if an entitled, by-right project can be built or not.	17.05.070 and - 080	If a new single family project meets objective standards, does it still have Major Design Review? Yes, please see Section 17.05.070.B which lists that a new single-family home is included in the applicability criteria for Major Design Review.	

10	Joe McGrath (email)	It appears that the intent of this draft is to streamline applications that meet design guidelines which allows them to forego Major Design Review in some instances. This is a noble cause and I am full support. However, the document would be much more clear and use a process outline with "if, then" type process flow	17.05.070 and - 080	Multi-family projects which meet the objective standards are not subject to Major Design Review. As stated above, the City may still require Major Design Review for new single family homes, which the community wanted to remain discretionary, but with more specific and objective criteria. City may develop flow charts as desired.	
11	Joe McGrath (email)	It is critical to getting Design Guidelines right. It is very difficult to do architecture by numbers, and we should be skeptical of quantitative values in relation to <u>aesthetic</u> design features	17.05.070 and - 080	State legislation requires cities eliminate subjective standards and only use "objective design standards". Design standards are objective if they are measurable, verifiable and knowable to all parties prior to project submittal. For this reason many of the new design standards added to the code have added numerical standards in order to meet the new criteria.	
12	Joe McGrath (email)	New multi-family residential is not identified under 17.05.070.C Applicability. Is this an omission? or is this indicating that if Design Standards are met and application is compliant to all other codes, that an application can forego Major Design Review? This process flow needs to be clarified	17.05.070.C	If a MF project does not meet objective standards, is there a discretionary process? No, it must comply. LWC to add new MFR to Minor Design Review in 17.08.080.	
13	Joe McGrath (email)	This is an onerous and expensive requirement for upper floors of multi-family. This would equate to a 10' x 12' balcony. Many jurisdictions require private exterior space on exterior units, but much smaller square footage (closer to 50 SF). This requirement should be reconsidered as it will cost out market based multi-family solutions and preclude modular construction solutions	17.16.030 Development Standards Private Open Space	LWC will reduce exterior open space to 80 sq ft for MR and 60 sq ft for HR	
14	Joe McGrath (email)	Separation of windows - This requirement for multi-family residential could preclude cost-effective solutions such as modular construction that may likely have mirrored units opposite of each other. 12' seems an onerous distance. This requirement should also be contained with the opposing window/facade distance. For example, if the opposing façade is > 8', then the windows can be opposite. (I have strived on my projects to have window fenestrations on two planes of a room. This requirement may entice developers to remove a window on one facade.	17.16.040.A.3b. 12' separation of windows	This is also a function of the required setbacks and stepbacks. E.g. MR side setback is 15 feet on each lot (total 30 feet). And there is an additional 5 foot setback for each second story. No change to the standard recommended.	
15	Joe McGrath (email)	4:12 is by far the most common roof slope. Is this standard eliminating 1:12-4:12 pitches? I see no public benefit of this requirement. 3:12 and less pitches on 2-story buildings are likely not visible from ground level.	17.16.040.A.5.b. Flat Roofs of Roof >= 5:12 pitch	Intent is to prohibit shallow pitches. Recommend reducing min from 5:12 to 4:12 and updating the Draft Code.	
16	Joe McGrath (email)	Why? Attic venting cupolas would violate this guideline. These features are in the historic architectural vernacular of Napa Valley	17.16.040.A.5.c. Min 6' ridgeline for shingle roof	OK to delete standard.	
17	Joe McGrath (email)	The market effectively requires and desires a 9' apartment ceiling. Volumetric modular construction has a higher stack height than conventional construction since the floor and ceiling assemblies on stacked units are not integral like conventional construction. There are benefits to this with respect to both firewall separation between units as well as sound attenuation. However, the stack height of one floor of a modular unit is between 10'6" and 11'. If you stack a second story module over the first, it may likely exceed the 20' second floor plate height. It is unclear what the public benefit of this requirement is? The structure is already limited by overall height restrictions	17.16.040.A.5.c Second Floor Plate not to exceed 20 ft	Recommendation is to increase the plate height to 22 feet which is a more typical standard and it will ensure lower construction costs. A Minor Modification is also an option for projects that need more flexibility. (Requires edit to text and the illustration).	
18	Joe McGrath (email)	This is an overreach on the part of the Zoning Code. For example, corrugated metal siding is not only a popular design aesthetic, it has been used throughout Napa Valley history as a barn siding and fits within the architectural vernacular of our agrarian past and present. It is also fire-retardant and cost-effective. I can comprehend a code based on siding reflectivity, but to exclude a material class (particularly corrugated) outright is overreach	17.16.040.6a Prohibited Siding Materials	Clarify that corrugated metal is "siding" and allow an exception to be used for multi-family HR and A-20 properties, i.e. allow corrugated metal as siding for HR and A-20. But not for LR and MR, etc. in the SFR zones.	Check in/confirm with CC/PC. City staff agreed as follows (email 11/04/22): Single-family and multi-family zones - corrugated metal to be used as a roof material only. Agricultural zones - corrugated metal may be used as a roof material or as a siding material on a building's exterior wall.

19	Joe McGrath (email)	Vertical and Horizontal undulation of building massing is important to urban scale and context. Putting specific numbers on this is challenging and somewhat architecture by numbers. There are urban settings (Georgian London for example) that work well with very poor massing - if looking at it strictly by numbers. In that instance, building articulation makes up for single plane massing. We should scrutinize every numeric value we put in aesthetic design standards	17.16.040.A.1.a 18" vertical offset every three units	With the passing of SB 330, cities may no longer use subjective standards in zoning codes as part of new regulations. Instead, new regulations must be objective which is why many of the new zoning code design standards include numeric values.	
20	Joe McGrath (email)	Please clarify - internal or external?	17.16.040.C.1.L 200' CU FT of storage space	LWC to edit to allow the storage to be located within a building or external to the building i.e. in a carport or on a balcony.	LWC recommends not overregulating - the storage could be internal to the unit or external.
21	Joe McGrath (email)	These requirements are already covered by CBC and redundant	17.16.040.A.12 Sustainable and Energy Efficiency.	LWC to delete from the Code.	
22	Joe McGrath (email)	These requirements are already covered by CBC and redundant	17.16.040.C.6 Universal Design	LWC to delete from the Code.	
23	Joe McGrath (email)	Include the requirements for a complete Design Review Application in the ZC.	Chapter 17.05 - Major and Minor Design Review	Consistent with the rest of the code LWC does not recommend adding these to the ZC - include the requirements on the application form	
24	Dohring/Warner (CC/PC)	Add a requirement for hearing notice for Director decisions so adjacent or surrounding properties are aware of a new application	Chapter 17.05 - Director decisions	There are limited staff resources to notify surrounding properties of non-discretionary applications. No change is recommended.	
25	Dohring (CC)	"accessory structures" are only defined as ADU's ? Otherwise garages attached or un attached are included in the allowed "footprint"? Removed is 200 sf exemption for garages?		LWC will repeat the Section 17.22.030 definition of Accessory Structure in Chapter 17.32.	
26	Dohring (CC)	Review text "denial language without leave to amend"; text missing?	17.04.160, page 14	LWC to review and edit	
27	Dohring (CC)	Global edit: change "he/she" to "they"	Global edit	LWC to review and edit	
28	Dohring (CC)	Clarify in the Code that CCRs are not enforced by the City	--	Recommend no action.	
29	Daniel Hale (email with additional comments)	Need to test standards - concern with changes to FAR	Chapter 17.16	LWC submitted examples of buildout scenarios of one and two stories in all residential zones for subcommittee consideration.	
30	Joe McGrath (email letter to CC)	Include more to ensure housing can be affordable in St. H. Review standards to ensure no unforeseen costs.	--	Comment noted. Density bonus law allows concessions to help remove regulation obstacles that make housing projects more expensive. Most development costs are driven by land costs, labor, and materials.	
31	Joe McGrath (email letter to CC)	Concern with the 120 sf open space requirement for MFR (thought this meant balconies)	17.16.040, etc.	See comment #13	
32	Joe McGrath (email letter to CC)	Why was roof-pitch changed?	17.16.040, etc.	See comment #15	
33	Kelly Wheaton	Concern that water neutrality is not included in the ZC	--	Recommend no action. Chapter 13.12 of SHMC is the Water Efficiency Ordinance and new development must comply with this ordinance even though it is not in the zoning ordinance. https://www.codepublishing.com/CA/StHelena/I/StHelena13/StHelena1312.html#13.12	
34	Gary Rose (citizen)	Include water conservation in the ZC	--	Recommend no action. See response above.	
35	Gary Rose (citizen)	Add more precise cross-references to Codes referred to in the ZC, e.g. subdivision ordinance and hyperlinks	Global edit	Online code publisher to provide all requested hyperlinks	
36	Mariana ? (citizen)	Include live links	--	Online code publisher to provide all requested hyperlinks	
37	Greg ? (planning consultant)	Important to reduce entitlement costs to keep housing affordable Will submit additional written comments	--	Comment noted. The proposed code allows for more types of uses and alterations to be reviewed ministerially which reduces costs. Application costs are based on the Master Fee Schedule, adopted by City Council and not germane to the Zoning Code update.	

38	Pam Smithers (email)	Regarding a cathedral type roof which is not technically a second story, please confirm how this relates to the plate height standards in the code?	Section 17.34.030	Paragraph C clearly states that any height <u>above 25 ft</u> clear is considered 2 stories. Mostly in MR. Therefore, if the cathedral ceiling/2-story volume is over 25 feet it would be considered a second story and does not meet the requirement for a 10 foot setback on the front. Essentially, then based on the standard in 17.16.040.A.2 which requires a second story setback, this would not be allowed. No edit recommended.	
39	Wheaton - email	In A-20, code provides max. 35% lot coverage, which includes accessory structures. Why is the same as lot coverage in LR? For lots >2 acres, lot coverage is 0.5 acre of non-ag use, i.e. 25% of 2 acres and 10% of 20 acres. Preferred. Reconsider because the 35% standard allows too much building area.	Table 17.19.030	Recommend Amend Table 17.19.030 max lot coverage of 25% for A-20 lots less than 2 acres .	
40	Wheaton - email	Also A-20: Max. ground level floor area excludes accessory structures. No limitation on underground square footage, no limitation on second story. Why are there no second story limitations? Recommend align stds. For A-20 for parcels < 2 acres with current standards for parcels > 2 acres.	Table 17.19.030	Recommend add 35% max for second story floor area for lots less than 2 acre A-20 lots	
41	Wheaton - email	Need to state maximum allowable gfa for all zoning areas - including basements	Table 17.19.030	Typically underground spaces are excluded from zoning development standards as they do not impact building massing. No change recommended.	Add to list to discuss with CC/PC.
42	Work Session #2, November 16, 2022				
43	Debra Dommen (email)	Definition of "wine production". The change to include "all bottled wine received on the premises during the same year" can result in double counting. Wineries produce wine through fermentation and blending with bulk wine, as reflected in the beginning of the definition. However, some wineries bottle their wine offsite and may be stored elsewhere for a period of time. If wine from a different vintage is brought back to the winery for sale or storage it very likely will be a different vintage that was accounted for in a different year and has nothing to do with production. This should be removed. I suggest the adoption of the County's definition of production as it has been in use since 2005 and has worked well. I have attached it for your convenience.	Chapter 17.32, P 22	The proposed definition was derived from Napa County. Discussion at 11/16/22 public meeting recommended no change to the definition.	
44	Debra Dommen (email)	"Requiring the construction of new tanks to have a conditional use permit approval". There are many reasons that may require a winery to add additional tanks that has no relation to increasing production. One example would be the need to have additional or larger tanks to do blends before bottling. Requiring a conditional use permit to address minor changes in the way you make wine is extreme. Other jurisdictions view tanks more as equipment with use permits being required only upon a change in the intensity of permitted winery production. In fact, the County of Napa recently adopted a ministerial Administrative Use Permit process that takes less time, money and studies to address processes such as this that do not impact intensity of use.	Table 17.19.020	Staff recommends keeping the subcommittee recommendation to require a conditional use permit for new tanks.	
45	Debra Dommen (email)	Temporary advertising sign, including banners are currently excluded from any permitting process as long as they adhere to the time and frequency limitations. In the new code, these signs will now require a permit from the city, with the same time and frequency limitations as the current code. Beringer has utilized these types of signs for special events and sales for years and should not be subject to a new permitting process.	Section 17.27.080	The sign regulations were comprehensively updated to be content-neutral based on the US Supreme Court's 2015 <i>Reed v Town of Gilbert</i> decision. This resulted in substantial changes to the temporary signs provisions. A permit is only required for banner signs in all non-residential zones for all uses. No edits recommended.	

46	Patrick Rue (email)	The proposed zoning code is great, thank you for the thoughtful approach in planning for our city's future. I'd like to suggest a change to the definition of "Wine shop" from: "Wine shop. An establishment that purchases and sells wines from multiple wineries and distributors. Wines may be made in other counties in California, other states, or other countries. Incidental wine tastings may occur in wine shops. Wine shops are not owned by wineries and must possess a Type 20, 21, or 42 license from Alcoholic Beverage Control." - TO <u>Proposed:</u> "Wine shop. An establishment that purchases and sells wines from multiple wineries and distributors. Wines may be made in other counties in California, other states, or other countries. Beers sales may occur in wine shops. Incidental wine tastings may occur in wine shops. Wine shops must possess a Type 20, 21, or 42 license from Alcoholic Beverage Control." I hesitate to change the code to fit my own needs, but I assume that's partially what the code is for. I own a bottle shop in St. Helena that fits well into the definition of "Wine shop", except that I sell beer, and I hold two Type 02 licenses. Wine and beer manufacturers are permitted under California law to hold a Type 20 off-sale license.	Chapter 17.32, P28	Agreed - make this change. Wine shop. An establishment that purchases and sells wines from multiple wineries and distributors. Wines may be made in other counties in California, other states, or other countries. <u>Beer sales may occur in wine shops.</u> Incidental wine tastings may occur in wine shops. Wine shops must possess a Type 20, 21, or 42 license from Alcoholic Beverage Control.	
47	Connie Min (email)	I am writing as the family who owns the vacant lot at 905 Main Street, St Helena. It is the vacant 12,000 sq foot lot at the corner of Main and Charter. It is adjacent to the former Yao wine tasting room, Gott's (Taylor's Refresher), across from Charter Oak and Farmstead restaurants. I've been following the new zoning code updates with a lot of excitement and anticipation of developing our lot. I'm now writing to express my concern and objection about the non-residential commercial parking ratio in the draft and explain why I hope the city takes up this matter: 1. The parking ratio for retail remains at 1 parking space for 300 square feet of floor area for all lots however small or large. This ratio is truly a relic of outdated department store style development standards that created a sea of asphalt around a mall. It's many decades old and the subject of hundreds of studies that show that onerous off-street parking requirements have been a truly poor land use policy that makes development too costly in California, especially for smaller lots like ours. California has clearly woken up to this fact just recently - the governor passed bills that ban any parking minimums in high transit areas as well as infill lots in the state. There's a legislative push in Sacramento as well as local governments up and down the state to reform, if not ban, decades old parking ratios especially for lots that are not large. 2. I'm asking the city to create development standards in the new zoning code that recognize that the old parking ratio is not suitable for small lots such as ours. Our property is also outside the parking overly exemption district which means that the 1 parking space:300 sq feet ratio makes any development proposal too costly or unviable.	--	Staff and LWC have studied the retail/commercial parking requirements of other destination cities such as Healdsburg and Sonoma and find that the standard of 1 parking space per 300 SF of building area is typical parking standard. Ms. Min has been advised by the Community Development Director to submit a concept site plan for her site that shows her building and some on-site parking. Options for her to realize development include: 1) exploring an off-site parking agreement with the neighboring parcel off Charter Oak; and 2) bringing her development proposal to Planning Commission for a work session to get feedback on support for a parking variance before formally processing her application.	
48	Connie Min (email) continued	The city is seeking high quality formula retail to fill vacancies and add to sales tax revenues. I'm working very hard to place the kind of tenant on our lot that would revitalize St Helena as a retail destination over downtown Napa, Yountville, etc. The current parking ratio will make that impossible.	--	See previous comment in the row above	

49	Susan Kenward (email and public comments)	Our family has a vested interest in making sure St Helena succeeds. Please feel free to reach out to ask any questions.	Section 17.05.100.H.4	See the City Attorney's edits to this section as presented to PC/CC on 11/16/22, pasted here ~~(bold and strikeout)~~ that staff will incorporate into the revised code: 4. If the permit holder has a current business license, has rented their property on a short-term basis for an average of 60 days per year (as applicable), has been properly reporting and paying TOT, and has fewer than three ~~valid complaints or confirmed Code violations of the Code or of state or federal law related to Short-Term Rental Permits~~ filed over the prior two years, the Community Development Director may administratively approve the renewal, which shall be valid for an additional two years. ~~The Community Development Director has the discretion to determine whether a complaint is valid. If any all of these provisions is are not met,~~ the renewal shall be referred to the Planning Commission for action at a public hearing. The Community Development Director also has discretion to refer the renewal application to the Planning Commission for a decision pursuant to the process and standards set forth in Section D.	
50	Connie Min (email)	I'm reaching out to the city and LWC consultants after the Nov 16 joint meeting on the non-residential zoning code update. This is a follow up to topic of commercial parking in the new draft. I'm writing as part of the family that owns 905 Main Street - the vacant lot next to Vine Star and Gott's/Taylor's Refresher. Our lot is just under 12,000 sq ft and falls into the new mixed use district. We've followed for 2 years the community gathering process, the merchant input comments, etc. and the stated policy framework and goals by LWC in coming up with the draft. We've been waiting for the numbers. 1. The city's new policy of allowing high quality formula retail means that we can cast a much wider net for a brand name retailer. It means we can seek commercial tenants that have brands, recognition and financing to invest in St Helena. In light of this new policy, we are seeking destination retail and are exploring how to build to max FAR and floor area on our lot. - a multi story retail of at least 12,000-15,000 square feet plus any allowable mezzanine, rooftop space, etc. We know that if Yountville can lure Restoration Hardware and First Street Napa can pull in Lululemon, we can market St Helena to truly high end retailers.	--	Please see above response to Ms. Min's comments. Recommendation: This important topic of expanding the Parking Exemption Overlay District should be addressed comprehensively as part the City's proposed Downtown Master Plan and parking study work post code adoption in 2023.	
51	Connie Min (email) continued	The commercial parking ratio of 1 parking space: 300 square feet in the new zoning draft makes development not viable for smaller size lots like ours. As I described in a previous email, this ratio is decades old for department stores located in the middle of a sea of asphalt. It's so outdated that the CA state legislature has gone out of their way to throw it out entirely for infill development and some mixed use zoning (see 2022 legislation AB 2097 for example). The urban planners in LWC will immediately know what I mean by this. Outdated parking minimums have now been outright banned in small cities such as Culver City, Berkeley, etc.	--	See previous comment in the row above	

52	Steve Goldfarb (letter via email and public comments)	Details in letter on file; Two primary issues - eliminate the requirement for the property owner having to live on the site of a small winery in A-20 zone, and eliminate the proposed fruit source language; modify to allow any fruit from within St. Helena or the Napa Valley.	Section 17.22.230	PC/CC to provide direction whether to eliminate the requirement for the property owner to live on site of the small winery. Staff supports making this change. Modify the Code to allow the fruit source to be	
53	Joe McGrath (public comments)	We request that the city include our parcel in the parking exemption overlay district. Our lot is the smallest in the new MU district. In fact, the entire city block where Sunshine Foods is located is both in the MU district and the parking overlay district. That lot must be at least 30x the size of our property and they are not required to include onsite parking.	Table 17.11.010.A (Minor Modifications)	PC/CC to provide direction on whether to reduce the number of CUPS and instead allow more uses by right or with a MUP and the use of materials. Staff recommends making the below change regarding extending the TUP period for up to 2 years and evaluating the current proposed CUPS and MUPs in a work session with the City Council 18 months following code adoption. Regarding "Architecture by Numbers", in the 11/16 public meeting the City Attorney described the legal basis for objective standards in the code. Recommendation: To provide additional flexibility, Table 17.11.010.A will be updated to allow modification of building materials as a Minor Modification.	
54	Jeff Feeney (public comments)	I ask the planning dept to address parking for our lot before any adoption hearings. I've reached out to the planning dept. before and been advised that the code allows variances. I would like to strongly emphasize that we can't market to destination retailers or submit any applications based on promises of variances - variances require specific findings and expose us to litigation and unreliability.	--	The City is preparing a report on the number of CUPS issued and will attach that information to the staff report.	
55	Alex Mitchell (public comments)	Industrial uses - he owns a business and wants to expand; Code should be permissive to industrial uses. He will have more specific comments next meeting.	--	None at this time - waiting on more specific comments/direction.	
56	Candice ? (public comments)	Concern with the nonconforming industrial bulk materials use on the west side of St. Helena.	--	Important issue - but not specific to the updated Zoning Code	
57	L. Hardy	Question about the effect of front setbacks on Oak relative to the property line	Table 17.17.030	The Code proposes a maximum front setback on Oak Street of up to 8 feet. The front setback is measured from the property line, which here is the edge of the sidewalk. Staff has determined that there currently is no front setback standard for Adams Avenue. Recommendation: Add the same front setback standard as Oak Street (8 feet) to Adams Street to the Code.	
58	L. Hardy	Noted that the proposed City definition of wine production was essentially the same as the County; unclear that the proposed definition will create double counting Winery source issue - recommend within City of St. Helena	Section 17.22.230	See also comment in row #55	
59	L. Hardy	STRs - not inclined to add more language to define a confirmed violation	Section 17.05.100	Noted. No change recommended.	
60	L. Hardy	Grape source in Small Winery ordinance, supports amending to change grape source to be within City of St. Helena.	Section 17.22.230	Recommendation - change fruit source to City of St. Helena (see row #55)	
61	L. Hardy	Noted history of A-20 and if not carefully regulated could create conflicts with neighbors. Unconvinced residential requirement belongs as part of Small Winery ordinance.	Section 17.22.230	Noted. No change recommended.	
62	L. Hardy	Public notice is problematic with ministerial approvals.	Section 17.04.080	Noted. No change recommended.	
63	C. Warner	Treat STRs the same as any other enforcement issues	Section 17.05.100	Noted. No change recommended.	
64	C. Warner	Treasury Winery's banners-what is history on their permitting?	--	The City Council added an exclusion to the current zoning code to accommodate this need for Beringer and it allowed one temporary advertising sign (up to 60 SF) for a special business sale or promotional event, provided the sign is not displayed for more than 2 weeks at any time and not more than four times per year. However the new code this has changed - content neutral.	

65	C. Warner	Concern with the ban on formula restaurants - could preclude certain high-end restaurants where there are more than 10 in the nation. Need a clearer definition of Formula Business.	--	In a call with staff on 11/22/22, Mr. Walsh, City Attorney, noted the City could not add formula restaurants to the code without concurrently amending the General Plan as there are three specific policies that prohibit formula restaurants in the City. Recommendation: This important topic should be addressed after the adoption of the Zoning Code, perhaps as part the City's Downtown Master Plan work in 2023.	
66	J. Ponte	Remember purpose of A-20 zone - a reserve for expansion and growth	Chapter 17.19	Noted	
67	A. Chouteau	Primary reason for A-20 residence requirement is to slow growth -	Chapter 17.19	Noted	
68	A. Chouteau	Regarding Small Wineries, needs more information about whether to eliminate residential owner requirement. Source of fruit from other places outside of St. Helena OK	Section 17.22.230	See comment in row 55 regarding owner requirement in small winery ordinance. See comment in row #55 regarding grape source.	
69	A. Chouteau	STRs - supports Todd's edits. Need to be transparent about what a violation is on city website	17.05.100	See comment in row #53. Staff is preparing informational material on the STR website for how to file a complaint and what is a valid complaint.	
70	E. Hall	Support for Mr. S. Goldfarb's recommendations regarding changes to Small Winery ordinance.	Section 17.22.230	See comment in row #55	
71	P. Dohring	Regarding STR ordinance, need balance between predictability and flexibility. 25 STR limit appropriate. A grand compromise. Be as clear as possible defining a violation. Concern with subjectivity in Police reports. Don't make the neighbors the enforcers. Suggested a two step process.	17.05.100	Noted	
72	E. Hall	OK to increase height limits on Main Street - need more density in the core to minimize sprawl.	--	Recommendation: This important topic should be addressed after the adoption of the Zoning Code, as changing height limits should support the future vision for downtown as part the City's Downtown Master Plan work in 2023.	
73	A. Chouteau	Reconsider the restrictions on materials - be more flexible. Balance St. Helena's character with cost considerations.	17.11.010	Please see responses in rows 12, 23, and 56 regarding how staff proposes to allow more flexibility with materials in new construction.	
74	C. Warner	How does the code implement the Business Recovery Plan.	--	The Business Recovery Plan outlines that the City should explore relaxing the use permit process for formula retail in order to encourage more formula retailers. As outlined in the 11-16-2022 staff report, there are new regulations for formula business, including allowing up to four formula retail businesses by right in the Service Commercial District. Additionally there are now specific CUP findings for formula to make the discretionary use permit process in the CB and MU districts more objective.	
75	C. Warner	How does the code respond to the comments from the Downtown merchants. What changes were made and not made.	--	See attachment to December 7th staff report.	
76	C. Warner	Consider options for incentivizing affordable housing.	Chapter 17.29 and Chapter 17.30	Affordable housing is incentivized in the following ways: Chapter 17.29 Density Bonus; Chapter 17.30 Affordable Housing Program; eliminated the requirement for disbursement of affordable units in a project; and, generally streamlined the administrative procedures in Division II.	
77	L. Hardy	Reconsider the restrictions on formula businesses.	Section 17.04.080	See comment in row #65	

78	Daniel Hale (email)	Nonconforming structures. Attached below are sections of current and draft code relating to legal nonconforming structures and the rules that define alteration/expansion/ renovation/remodeling. Note the critical and material addition (in draft) of paragraph A (Expansion and enlargement/especially last sentence). Should this draft language be approved ANY legal non conforming property owner that considers or undertakes any sort of change (absorbed/remodeled into or made part of) without removal of existing (legal) non conformance areas. The last code revision placed a majority of our existing structures into some form of non conformance (setbacks/frontage requirements/lot sizes etc....) and also understand that the revised code (if approved) will also do the same (even recently constructed structures) will find themselves in the nonconforming category. "Nor shall any nonconforming building, structure or physical feature be absorbed, remodeled into or made part of, all or in part, any other building, structure or other physical feature unless all nonconforming portions, items or aspects are brought into conformance." I believe the magnitude of this change in approach/rule is one that materially effects and is an affront to every property owner in Saint Helena. I do not believe it should be considered as I believe it is an incorrect and unproductive approach. The existing code Section 17.140.040 and the new draft Section 17.09.050 was included in the email.	17.09.050	Recommended discussion topic for the Planning Commission and City Council in the joint work session on December 7th.	
79	Dan Hale (OTSH) email	1. Do these lines, letters and changes enhance or hinder the capacity of either public or private partners to create workforce housing opportunities from a practical standpoint?	--	yes, they enhance the ability of the City to create workforce housing opportunities.	
80		2. Do these proposed Zoning Code updates make possible solutions more or less costly... more or less cumbersome to accomplish?	--	The increased height allowances in HR zone and reduced parking requirements result in more housing that can be developed onsite.	
81		3. Where and how do density and designation changes in the draft zoning map/code draft create workforce housing opportunity spaces?	--	Other than parcels that are being re-zoned to MU, this project does not increase densities. The decision to increase densities would be studied in the next General Plan update. The zoning code is one of multiple tools that a developer uses for building housing. Other factors that determine feasibility are market forces of land cost, labor and materials, in addition to leveraging tax credits.	
82		4. Has the draft map fully considered the designations of City-owned properties and how those sites could best serve St. Helena's workforce housing needs?	--	The City Council is studying surplus properties and where it is most feasible to develop housing. After adoption of the Housing Element in 2023, the City will initiate a number of General Plan and/or zone changes to begin implementation of making certain sites available for housing.	
83		5. How and where does the Zoning Code Update actually empower, encourage and enable infill development opportunities?	--	The new code includes objective standards which creates more certainty for developers on what standards are required while also allowing multi-family development to have ministerial review if consistent with the standards.	
84		6. Where are references to State-related mandates aimed at furnishing solutions to workforce housing located that inform where and how those mandates override and/or are exempt from development standards and/or applicable fee structures?	Chapter 17.29 and Chapter 17.30	Please refer to the Density Bonus Chapter, 17.29.	
85		7. Where and how can we do more to actually create mechanisms that can then furnish real and varied workforce housing opportunities?	--	The City should continue to negotiate for workforce housing as part of development agreements for future hotel development.	
Work Session #3, December 7, 2022					

STR Ordinance Changes Discussed at 11/16/2022 Meeting:

The proposed paragraph 17.05.100(H)(4) with changes recommended by the city attorney's office

4. If the permit holder has a current business license, has rented their property on a short-term basis for an average of 60 days per year (as applicable), has been properly reporting and paying TOT, and has fewer than three ~~valid complaints~~ ~~or~~ confirmed ~~Code~~ violations of the Code or of state or federal law ~~related to Short-Term Rental Permits filed~~ over the prior two years, the Community Development Director may administratively approve the renewal, which shall be valid for an additional two years. ~~The Community Development Director has the discretion to determine whether a complaint is valid.~~ If any ~~all~~ of these provisions is ~~are~~ not met, the renewal shall be referred to the Planning Commission for action at a public hearing. The Community Development Director also has discretion to refer the renewal application to the Planning Commission for a decision pursuant to the process and standards set forth in Section D.

Proposed Local Register

Address/ Location	APN Name	National Register	California Register	Locally Designated	Contributor to a Historic District
2555 Main St	Burn & Wise Cellars, Greystone Cellars	L	L	L	
2800 Main st	Charles Krug Winery	L	L	L	
1216 Church St	Special Internal Revenue Bonded Warehouse	L		L	
1228 Spring St	William Tell Saloon and Hotel	L		L	HC
1255 Oak St (Oak @ Corner Tainter- no address)	St. Helena Catholic Church	L		L	
1345 Railroad Ave	Taylor Duckworth and Company FoundryBuilding	L		L	HC
1347 Railroad Ave					
1360 Oak St	St Helena Public Library	L		L	
1468- 1478 Railroad Ave	Crane-Ramos Sherry Factory	L		L	
2555 Main St	Greystone Cellars/Christian Brothers	L		L	
437 Main St	St Helena High School/V intage Hall	L		L	
1043 Charter Oak Ave					
1050 Charter Oak Ave	Frank Sciaronis Winery & Distillery	E		L	
1057 Main St	John Money's Planing Mill	E		L	
1200- 1204 Main St	Noble Building, Galleron Building	E		L	HC
1201 Main St	A. Goodman Building	E		L	HC
1207 Alexander Ct	Alexander Court	E		L	
1207 Alexander Ct	Frank L. Alexander House	E		L	
1231 Main St	David Building, Little Dress Factory	E		L	HC
1269 Allyn Ave	C.D. Mooney House	E		L	
1279 Allyn Ave		E		L	
1302- 1308 Main St	Hunt Building	E		L	HC
1305- 1309 Main St	Windsor Hotel, Hotel St Helena	E		L	HC
1310 Adams St	United Methodist Church of St Helena	E		L	
1313 Spring St	St Helena Native Sons of the Golden...	E		L	
1317 Allyn Ave	Dowdell House	E		L	
1325 Adams St	St Helena Elementary School	E		L	
1327- 1337 Main St	Richie Block	E		L	HC
1328 Main St	St. Helena Star Building	E		L	HC
1352 Main St	St. Helena loof Hall/Odd Fellows	E		L	HC
1354 Main St					
1381 Main St	KettleWell Building, V asconis Phar.	E		L	
1401 Hudson Ave	George Schonewald Estate	E		L	
1407 Kearney St	Walter Metzner House	E		L	
1420 Spring St	First Presbyterian Church of St Helena	E		L	
1445 Oak St	Klubescheidt House	E		L	
1467 Oak St	Dr. Davis House	E		L	
1508 Main St	Greenfield House	E		L	
1542 Spring St	Shy House	E		L	
1605 Spring Mountain Rd	Willian Bell House, Clark House	E		L	
1611 Adams St	George W. Schmidt House	E		L	
1637 Spring Mountain Rd	Gus J ursch House	E		L	
1651 Spring Mountain Rd	Mackinder - Baldwin House	E		L	

Proposed Local Register

Address/ Location	APN Name	National Register	California Register	Locally Designated	Contributor to a Historic District
1817 Main St	Fuller House	E		L	
1817 Main St	Fuller Place Tankhouse	E		L	
1902 Madrona Ave	Kraft House and Wine Cellar	E		L	
1915 Main St	V ann-Anderson House, St. Gothard's	E		L	
397 Main St	Dr. George Belden Crane House	E		L	
473 Main St	Old St. Helena High School/ Vintage Hall				
415 Dowdell Lane	J ames Dowdell House	E		L	
835 Mccorckle Ave	Mixon House	E		L	
921 Hunt Ave		E		L	
924 Pope St	Jacob Meily Winery, Signorelli Pla.	E		L	
957 Hunt Ave	D.O. Hunt house	E		L	
967 Charter Oak Ave		E		L	
738 Main St	Ives House, Bellani House	E			
741 McCorkle Ave					
741 Charter Oak Ave					
835 Charter Oak Ave	Napa V alley Olive Oil Manufactory	E			
1351 Main St	Bank of St Helena, Pastime Bar		L	L	HC
1572 Railroad Ave	Ranger's Residence		L		
1902 Madrona Ave	Kraft Wine Cellar		L		
1000 Hunt Avenue				L	
1000 Main Street				L	
1006 Pope Street				L	
1012 Pope Street				L	
1017 Charter Oak Avenue				L	
1017 Pope Street				L	
1024 Pope Street				L	
1025 Allison Avenue				L	
1028 Main Street				L	
1034 Pope Street				L	
1102 Edwards Street				L	
1104-1112 Adams St	Pritchard Building			L	HC
1114 Church Street				L	
1125 Pope Street				L	
1132 Church Street				L	
1133 Edwards St				L	
1136 Edwards Street				L	
1160 Edwards Street				L	
1161, 1153 Edwards Street				L	
1205 Main St	A. Goodman Building			L	HC
1212 Edwards Street				L	
1217 Edwards St	Ivy Loeber House			L	
1218 Main Street				L	
1219 Main St				L	HC

Proposed Local Register

Address/ Location	APN	Name	National Register	California Register	Locally Designated	Contributor to a Historic District
1220 Edwards Street					L	
1220 Madrona Street					L	
1227 Edwards Street					L	
1226- 1240 Spring Street						
1230 Stockton Street					L	
1234 Madrona Street					L	
1235- 1239 Main St					L	HC
1243 Main Street					L	
1244 Spring Street					L	
1248 Stockton Street					L	
1252 Allyn Avenue					L	
1257 Stockton Street					L	
1291 Madrona Street		American Legion Post			L	
1305 Stockton Street					L	
1314 Spring St		Grace Church, Grace Episcopal Church			L	
1326 Oak Avenue					L	
1325 Railroad Avenue						
1327 Railroad Avenue		Roma Hotel/Miramonte Hotel			L	
1329 Pine Street					L	
1329-1321 Allyn Avenue					L	
1330 Allyn Avenue					L	
1330 Pine Street					L	
1340 Pine Street					L	
1340 Tainter Street		St. Helena Catholic Church			L	
1341 Madrona Street					L	
1343 Spring St		Chiles House, First Baptist Church			L	
1347 Main St		Owen Wade Building/Smiths Pharmacy			L	HC
1354 Pine Street					L	
1362 Stockton Street					L	
1367 Main St					L	HC
1375 Main Street					L	
1410 Adams Street					L	
1413 Tainter Street					L	
1414 Main St		Wall House			L	
1417 Kearney Street					L	
1420 Stockton Street					L	
1421 Tainter Street					L	
1426 Kearney Street					L	
1427 Kearney Street					L	
1439 Kearney Street					L	
1451 Library Lane					L	
1454, 1455 Oak Avenue					L	
1457 Stockton Street					L	

Proposed Local Register

Address/ Location	APN	Name	National Register	California Register	Locally Designated	Contributor to a Historic District
1461 Main St		St. Helena Post Office			L	
1467 Kearney Street					L	
1478 Railroad Ave		Johnsons Depot Saloon, Babes Place			L	
1489 Kearney Street					L	
1505 Kearney Street					L	
1508 Spring Street					L	
1509 Tainter Street					L	
1512 Hudson Avenue					L	
1513 Tainter Street						
1513 Madrona Street					L	
1515 Main Street					L	
1518 Adams Street					L	
1523 Main Street					L	
1523 Spring Street					L	
1526 Spring St		Tilley House			L	
1530 Kearney Street					L	
1515 Railroad Ave		Boy Scout Hall			L	
1531 Spring St					L	
1537 Main Street					L	
1543 Kearney Street					L	
1545, 1549, 1553 Madrona Street					L	
1547 Main Street					L	
1548 Madrona Street					L	
1550 & 1558 Main Street					L	
1550 Railraad Avenue					L	
1551 Oak St		A. Forni House			L	
1552 Adams Street					L	
1556 Allyn Avenue					L	
1556 Tainter Street					L	
1570 Main Street					L	
1603 Main Street					L	
1615 Main Street					L	
1623 Spring Mountain Road					L	
1629 Main Street					L	
1635 Main Street					L	
1635 Spring Street					L	
1657 Stockton Street					L	
1702 Madrona Street					L	
1706 Adams Street					L	
1709 Spring Mountain Rd		Martinelli House			L	
1735 Spring St		John Kelly House, John Mitchell			L	
1758, 1764 Spring Street					L	
1817 Spring St		Schweinitzer House and Winery			L	

Proposed Local Register

Address/ Location	APN	Name	National Register	California Register	Locally Designated	Contributor to a Historic District
1830 & 1846 Main Street		Vance-Anderson House/St. Gothard's Inn			L	
1832 Sulphur Springs Avenue		Red cottage/Charlotte Chase Starr House			L	
1855 Main Street					L	
1902 Madrona Ave		Kraft House			L	
1933 Spring Street					L	
1944 Spring St		Methodist church Parsonage			L	
195 Main Street					L	
2070 Dean York Lane		Dean York House			L	
2252 Sulphur Springs Avenue		White cottage/Captain Chase House			L	
2610 Sulphur Springs Avenue					L	
330 Pratt Avenue					L	
376 Pratt Avenue					L	
458 Mills Lane					L	
514 Pratt Avenue					L	
609 McCorkle Avenue					L	
681 McCorkle Avenue					L	
825 Allison Avenue					L	
825 Fulton Lane					L	
831 Charter Oak Avenue					L	
834 Pope Street					L	
849 Charter Oak Avenue					L	
850 Hunt Avenue					L	
855 Pratt Avenue					L	
905 Charter Oak Avenue					L	
910 Allison Avenue					L	
916 Hunt Avenue					L	
917 Allison Avenue					L	
917 Charter Oak Avenue					L	
931 Charter Oak Avenue					L	
933 Main Street					L	
940 Hunt Avenue					L	
943 Charter Oak Avenue					L	
943 Pope Street					L	
945 Brown St					L	
951 Pope Street					L	
957 Charter Oak Ave					L	
1225- 1227 Main St						HC
1226- 1240 Spring St						HC
1269- 1299 Main St						HC
1310 Main St						HC
1312- 1314 Main St						HC
1313- 1317 Main St						HC
1316 Main St						HC

Proposed Local Register

Address/ Location	APN	Name	National Register	California Register	Locally Designated	Contributor to a Historic District
1320 Main St						HC
1321 Railroad Ave						HC
1332- 1342 Main St						HC
1339- 1341 Main St						HC
1339- 1345 Railroad Ave						
1346 Main St						HC
1350 Main St						HC
1355- 1357 Main St						HC
1371 Main St						HC
1379 Main St						HC
2000 Main St		Beringer Winery, Beringer Winery Circulation Routes, Beringer Winery Stone Wall, Distillery Building, Export Building, North House, Old Winery, Sherry Shack Complex, Tour Center, Beringer Brothers/ Los Hermanos Winery, Beringer Winery- Sisters' House, Rhine House/ Frederick Beringer, Elm Alley, Hudson House				BW

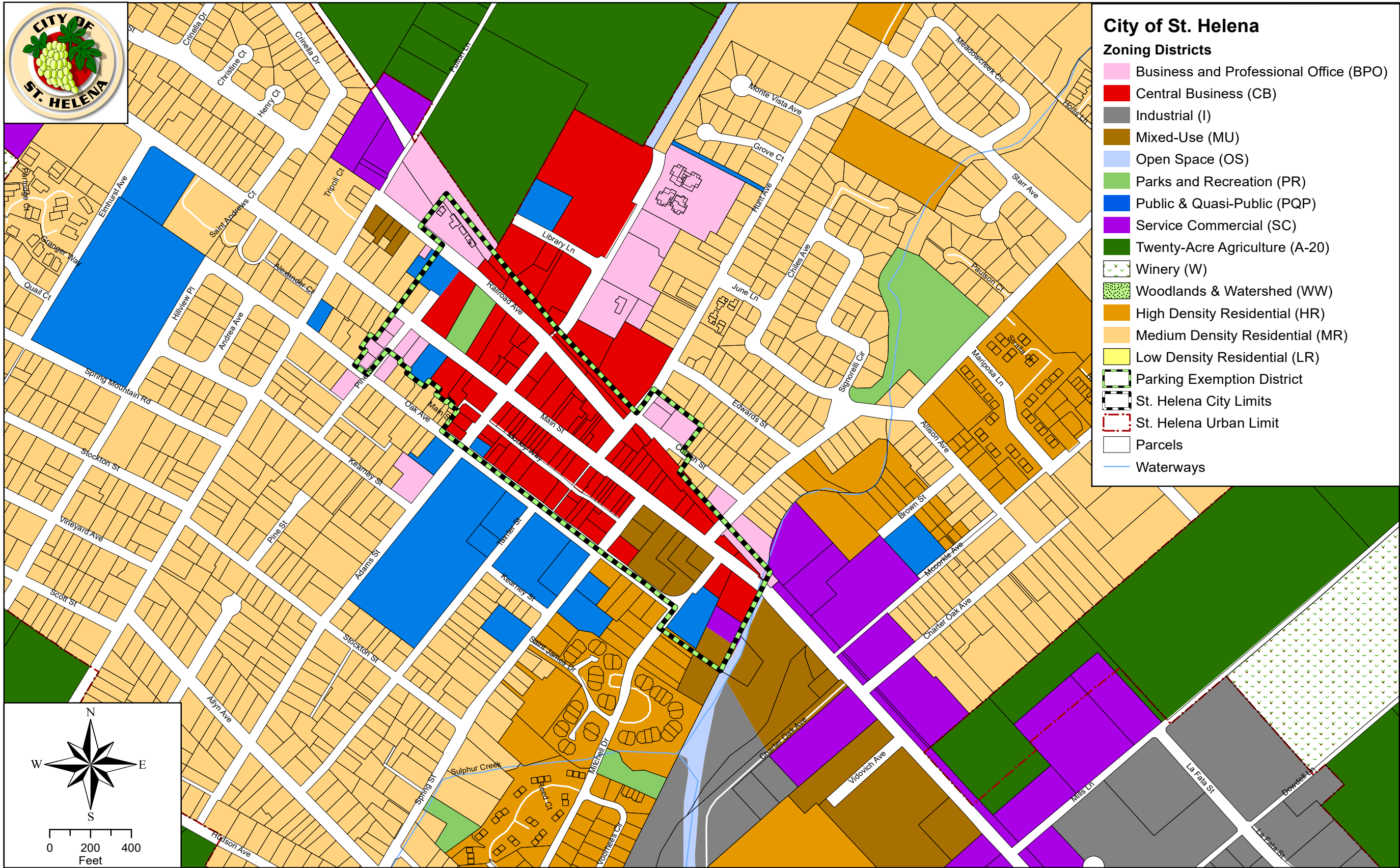
Sources: NWIC, 2018; City of St. Helena 1978 & 2006; Dyett & Bhatia, 2018

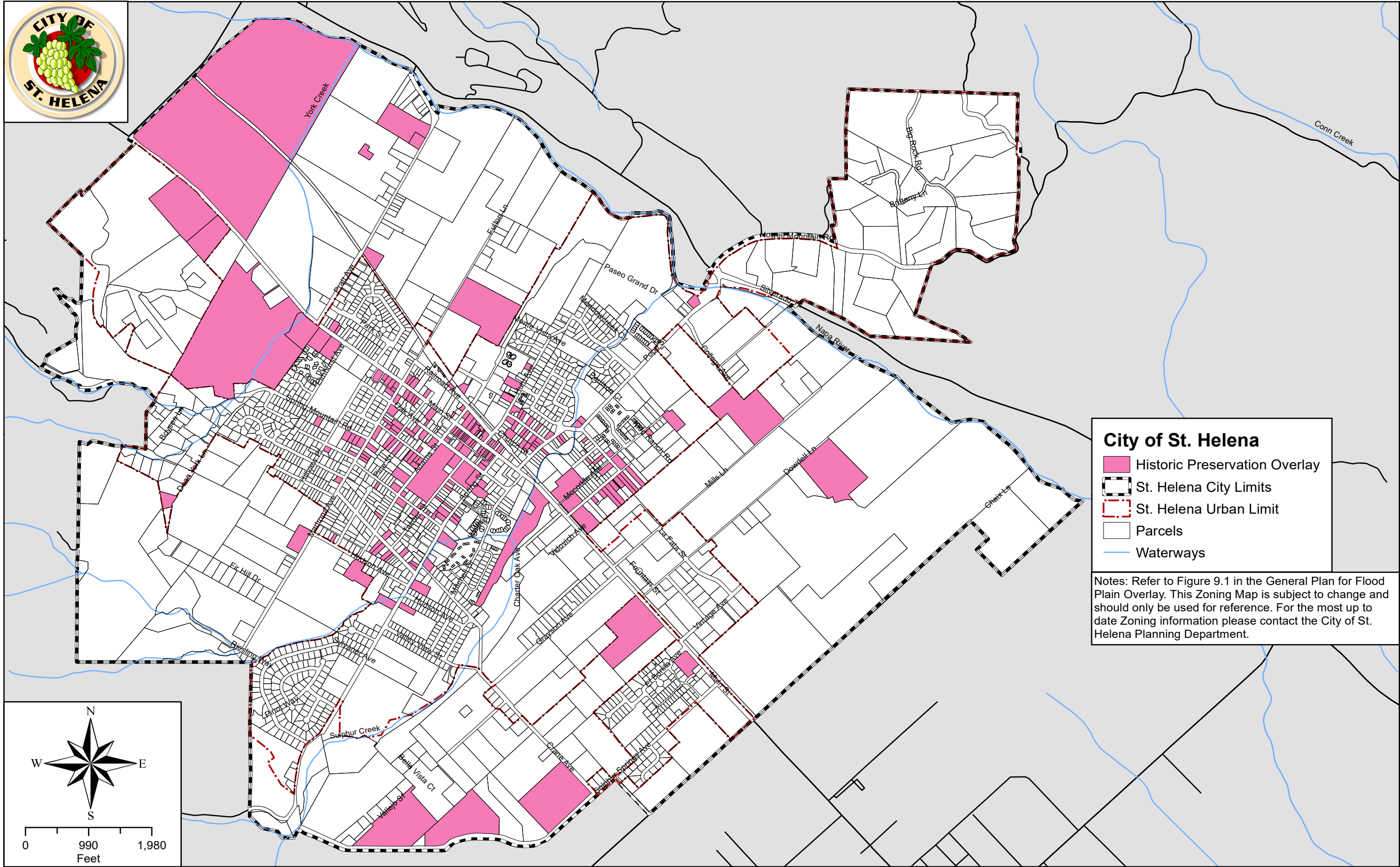
Key
E = Eligible
L = Listed
BW = Beringer Winery Historic District
HC = St. Helena Historic Commerical District
LDR = Lewelling "Deermount" Ranch

Downtown Stakeholders Meeting 6-23-2022

Zoning Code Feedback

Stakeholder Comment	City Response	
Build in flexibility in code	More CUPs have been moved to staff approvals and the list of possible uses has been expanded	
Winery Offices should be allowed in CB	This is not permitted, office is not highest use for Main Street.	
Recycling Center-eliminate in CB	Noted. Not permitted in CB.	
Massage establishment-concern as a stand along use on first floor Main St. Must be a CUP	Minor Use Permit, not allowed on first floor of Main St.	
Wine shop definition-expand to include beer sales	Noted and included in proposed code revision	
Art galleries-continue to make these a CUP	Noted and included in proposed code revision	
Upscale, diversified retail needed	The code cannot direct a certain brand or luxury type of retailer. Code has clarified and eased some of the formula retail requirements.	
Adult entertainment does not belong anywhere in City	No change to how this use is regulated is proposed.	
Need clarity on how use permit are approved for formula business. Would help to have specific set of findings for formula	Noted and code now includes specific findings for formula use permits, and allows formula business by right in the SC District.	
Eliminate the in lieu parking fee and require no parking in downtown	The new code proposes changing the Parking Impact District to a Parking Exemption District which would eliminate the in lieu parking fee and any new parking requirements until a comprehensive parking study is completed.	

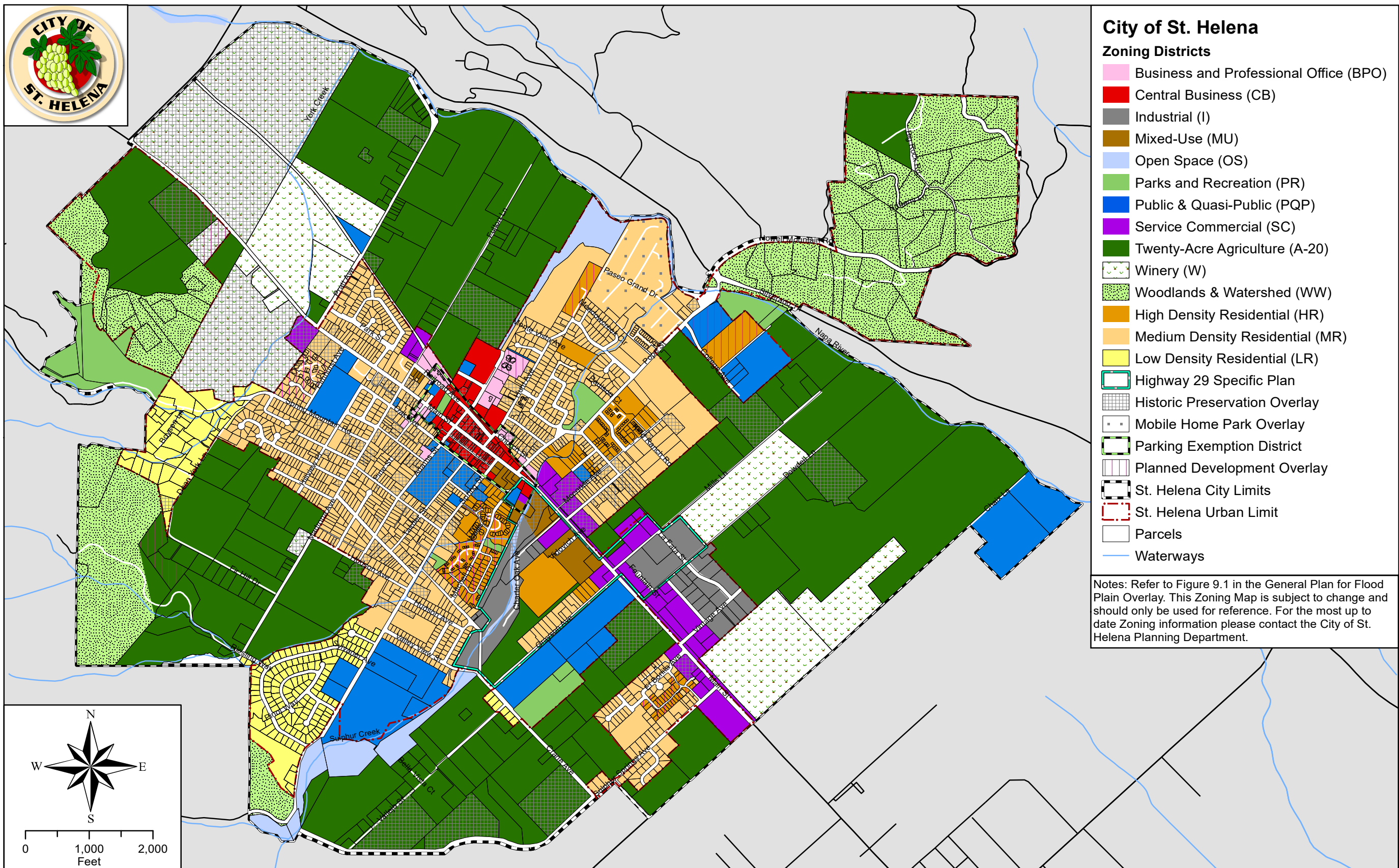




City of St. Helena

- Historic Preservation Overlay
- St. Helena City Limits
- St. Helena Urban Limit
- Parcels
- Waterways

Notes: Refer to Figure 9.1 in the General Plan for Flood Plain Overlay. This Zoning Map is subject to change and should only be used for reference. For the most up to date Zoning information please contact the City of St. Helena Planning Department.



Use Permits

1/1/20 - 1/1/22

Date Received	PL #	Address	Business Name	PC Action	PC Action Date
5/27/2020	PL20-015	963 Pope St.	OTSH Affordable Housing	Approved	11/19/2020
8/11/2020	PL20-038	1125 Crinella Dr.	Permit for a pool	Approved	12/1/2020
12/15/2020	PL20-050	995 Vintage Ave. Suite #108	Erosion Brewery	Approved	4/6/2021
1/13/2021	PL21-003	1309 Main St. Suite 5	Gregory Lang Gallery	Approved	6/15/2021
2/3/2021	PL21-004	1244 Spring St.	Lang & Reed	Approved	7/6/2021
5/11/2022	PL21-019	1400 Oak Ave. Suite B	Chris Phelps Wine	Approved	8/17/2021
5/7/2021	PL21-020	1020 Fulton Ln.	Fulton Distillery	Approved	7/20/2021
6/22/2021	PL21-028	1321 & 1325 Main St.	Orin Swift Cellars	Approved	1/25/2022
11/15/2021	PL21-046	1331 Main St.	Meuse Gallery	Approved	4/19/2022
12/10/2021	PL21-049	929 Main St.	929 Main Street, LLC	Approved	9/7/2022

Proposed Zoning Map Changes Based on General Plan Change Areas

	APN	ADDRESS	Existing Zoning	Proposed Zoning
1	009-150-006	Adams Street Property	Central Business / A-20	Central Business
2	009-261-001	1153 Main Street	Central Business	Mixed-use
3	009-261-017	1141 Main Street #A	Central Business	Mixed-use
4	009-261-016	1115 Main Street	Central Business	Mixed-use
5	009-261-014	1111 Main Street	Central Business	Mixed-use
6	009-261-006	1107 Main Street	Central Business	Mixed-use
7	009-261-007	1077 Main Street	Central Business	Mixed-use
8	009-262-005	1141 Oak Ave.	Medium Density Residential	High Density Residential
9	009-262-006	1133 Oak Ave.	Medium Density Residential	High Density Residential
10	009-262-007	1123 Oak Ave.	Medium Density Residential	High Density Residential
11	009-262-008	1111 Oak Ave.	Medium Density Residential	High Density Residential
12	009-262-009	1310 Mitchell Dr.	Medium Density Residential	High Density Residential
13	009-262-010	1318 Mitchell Dr.	Medium Density Residential	High Density Residential
14	009-262-011	1330 Mitchell Dr.	Medium Density Residential	High Density Residential
15	009-262-012	1340 Mitchell Dr.	Medium Density Residential	High Density Residential
16	009-263-014	n/a	Business Professional & Office / Service Commercial	Mixed-use
17	009-263-005	1301 Mitchell Dr.	Central Business	Public & Quasi Public
18	009-180-036	933 Main Street	Service Commercial	Mixed-use
19	009-263-007	945 Main Street	Service Commercial	Mixed-use
20	009-180-039	931 Main Street	Service Commercial	Mixed-use
21	009-180-038	929 Main Street	Service Commercial	Mixed-use
22	009-180-008	905 Main Street	Service Commercial	Mixed-use
23	009-180-040	709 Main Street	Service Commercial	Mixed-use
24	009-180-041	633 Main Street	Service Commercial	Mixed-use
25	009-180-042	641 Main Street	Service Commercial	Mixed-use
26	009-600-018	1637 Spring Street	High Density Residential	Medium Density Residential
27	009-600-019	1635 Spring Street	High Density Residential	Medium Density Residential
28	009-590-009	1563 Spring Street	High Density Residential	Medium Density Residential
29	009-590-008	1551 Spring Street	High Density Residential	Medium Density Residential
30	009-590-007	1531 Spring Street	High Density Residential	Medium Density Residential
31	009-590-006	1523 Spring Street	High Density Residential	Medium Density Residential
32	009-590-005	1505 Spring Street	High Density Residential	Medium Density Residential
33	009-590-004	1451 Spring Street	High Density Residential	Medium Density Residential
34	009-590-001	1437 Spring Street	High Density Residential	Medium Density Residential
35	009-590-002	1433 Spring Street	High Density Residential	Medium Density Residential
36	009-600-004	1711 Spring Street	High Density Residential	Medium Density Residential
37	009-180-016	1376 Grayson Ave.	Low Density Residential	Medium Density Residential
38	009-340-013	1400 Grayson Ave.	Low Density Residential	Medium Density Residential

	APN	ADDRESS	Existing Zoning	Proposed Zoning
39	009-340-012	1420 Grayson Ave.	Low Density Residential	Medium Density Residential
40	009-340-002	1434 Grayson Ave.	Low Density Residential	Medium Density Residential
41	009-340-004	1460 Grayson Ave.	Low Density Residential	Medium Density Residential
42	009-340-011	1476 Grayson Ave.	Low Density Residential	Medium Density Residential
43	009-340-005	1492 Grayson Ave.	Low Density Residential	Medium Density Residential
44	009-340-007	1540 Grayson Ave.	Low Density Residential	Medium Density Residential
45	009-340-008	1562 Grayson Ave.	Low Density Residential	Medium Density Residential
46	009-340-010	1590 Grayson Ave.	Low Density Residential	Medium Density Residential
47	009-340-009	1624 Grayson Ave.	Low Density Residential	Medium Density Residential
48	009-280-024	1644 Grayson Ave.	Low Density Residential	Medium Density Residential
49	009-391-020	2798 Spring Street	Woodlands and Watershed	Low Density Residential
50	009-030-056	Flood Control Parcel	Medium Density Residential	Open Space
51	009-192-007	1547 Railroad Ave.	Medium Density Residential	Mixed-use
52	009-192-006	1557 Railroad Ave.	Medium Density Residential	Mixed-use
53	009-192-004	1567 Railroad Ave.	Medium Density Residential	Mixed-use
54	009-192-003	1121 Fulton Ln.	Medium Density Residential	Mixed-use
55	009-211-016	1480 Main Street	Public and Quasi-Public	Central Business
Map Correction Properties:				
56	025-070-029	1501 Big Rock Rd.	Woodlands and Watershed	Twenty Acre Agriculture
57	009-131-044	2500 Spring Mountain Rd.	Woodlands and Watershed	Twenty Acre Agriculture
58	009-131-040	2491 Spring Mountain Rd.	Woodlands and Watershed	Twenty Acre Agriculture

Proposed Zoning Map Changes for LR-1A to LR

	APN	ADDRESS	Existing Zoning	Proposed Zoning
1	009-411-065	1600 Dean York Lane	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
2	009-690-009	2220 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
3	009-680-003	1700 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
4	009-680-018	1760 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
5	009-460-006	2140 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
6	009-680-005	2150 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
7	009-690-006	2120 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
8	009-680-012	Vacant Lot	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
9	009-680-023	1750 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
10	009-690-014	2175 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
11	009-690-019	1770 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
12	009-680-016	2269 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
13	009-680-009	2315 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
14	009-460-008	2010 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
15	009-680-024	1740 Dean York Lane	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
16	009-690-005	2080 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
17	009-690-015	2125 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
18	009-680-008	2300 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
19	009-690-008	2294 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
20	009-680-007	2260 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
21	009-690-010	2290 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
22	009-690-021	1780 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
23	009-680-010	2325 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
24	009-680-015	2265 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
25	009-690-007	2170 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
26	009-411-064	2080 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
27	009-690-001	2323 Spring Mountain Road	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
28	009-680-002	1690 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
29	009-680-017	2271 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
30	009-690-016	1970 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
31	009-680-021	1730 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
32	009-690-012	2245 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
33	009-680-014	2261 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
34	009-680-001	1704 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
35	009-680-011	2282 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
36	009-690-011	2285 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
37	009-690-002	2290 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
38	009-690-020	Vacant Lot	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
39	009-680-020	1720 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
40	009-690-013	2225 Palmer Dr	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
41	009-680-013	2286 Boyson Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
42	009-680-006	2200 Spring Mountain Rd	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
43	009-680-004	1710 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
44	009-460-007	2070 Dean York Ln	LR-1A: Low Density Residential One Acre Minimum	LR: Low Density Residential
			LR-1A: Low Density Residential One Acre Minimum / LR: Low Density Residential	
45	009-411-064	2080 Spring Mountain Rd	Density Residential	LR: Low Density Residential
			LR-1A: Low Density Residential One Acre Minimum / LR: Low Density Residential	
46	009-411-074	2010 Spring Mountain Rd	Density Residential	LR: Low Density Residential

Cindy Tzaopoulos

From: Connie M <minconnie@gmail.com>
Sent: Thursday, November 17, 2022 12:05 PM
To: Maya DeRosa; Public Comment
Subject: [External] Follow up comment for St Helena zoning code update after Nov 16 22 meeting

(Hi Maya, please forward to anyone within St Helena who is involved in the new draft process)

I'm reaching out to the city and LWC consultants after the Nov 16 joint meeting on the non-residential zoning code update. This is a follow up to topic of commercial parking in the new draft

I'm writing as part of the family that owns 905 Main Street - the vacant lot next to Vine Star and Gott's/Taylor's Refresher. Our lot is just under 12,000 sq ft and falls into the new mixed use district. We've followed for 2 years the community gathering process, the merchant input comments, etc. and the stated policy framework and goals by LWC in coming up with the draft. We've been waiting for the numbers.

Our immediate comments are below:

1. The city's new policy of allowing high quality formula retail means that we can cast a much wider net for a brand name retailer. It means we can seek commercial tenants that have brands, recognition and financing to invest in St Helena. In light of this new policy, we are seeking destination retail and are exploring how to build to max FAR and floor area on our lot. - a multi story retail of at least 12,000-15,000 square feet plus any allowable mezzanine, rooftop space, etc. We know that if Yountville can lure Restoration Hardware and First Street Napa can pull in Lululemon, we can market St Helena to truly high end retailers.

The commercial parking ratio of 1 parking space: 300 square feet in the new zoning draft makes development not viable for smaller size lots like ours. As I described in a previous email, this ratio is decades old for department stores located in the middle of a sea of asphalt. It's so outdated that the CA state legislature has gone out of their way to throw it out entirely for infill development and some mixed use zoning (see 2022 legislation AB 2097 for example). The urban planners in LWC will immediately know what I mean by this. Outdated parking minimums have now been outright banned in small cities such as Culver City, Berkeley, etc.

We request that the city include our parcel in the parking exemption overlay district. Our lot is the smallest in the new MU district. In fact, the entire city block where Sunshine Foods is located is both in the MU district and the parking overlay district. That lot must be at least 30x the size of our property and they are not required to include onsite parking.

I ask the planning dept to address parking for our lot before any adoption hearings. I've reached out to the planning dept. before and been advised that the code allows variances. I would like to strongly emphasize that we can't market to destination retailers or submit any applications based on promises of variances - variances require specific findings and expose us to litigation and unreliability.

This is the most pressing issue for us in the new draft and I hope that you reach out if you have any questions.

Thank you,
 Connie

December 1, 2022

Connie Min
905 Main Street
St Helena, CA
minconnie@gmail.com

To St Helena City Council and Planning Commission:

I'm writing in as part of the family controlling 905 Main Street, the vacant lot next to Vine Star and Gott's/Taylors at Main and Charter Oak. (My specific comments on tonight's topic on parking are attached at the end of this letter - please review) In addition to comments on parking in the new zoning draft, I wanted to submit comments on the overall goals of the new code in increasing residential and non-residential development in St Helena. My points are below:

- We hope the city prioritizes significantly reducing permit fees for new businesses in all districts in St Helena. A local real estate agent brought this issue up during the November 16, 2022 presentation and I wanted to emphasize that St Helena's high permit fees (and all other fees) are a serious barrier for all retailers.
- The stated goal of the zoning draft is to increase business investment in St Helena overall while recognizing the changed retail environment. In order for the city to attract national and regional formula retailers to fill downtown, the city has to offer larger storefronts with more visibility that target these retailers. St Helena's previous zoning code was for small mom and pop operators of shoe shops, soda fountain shops, etc. - those days are forever gone. I believe the new zoning code doesn't do enough to recognize this reality. Larger retailers also follow anchors like large hotels, office parks, significant residential populations, etc. I hope the city council and planning realize that we need to attract such anchors to have a successful downtown. This issue was briefly touched upon on November 16 during a very short discussion on downtown height limits, density, etc.

Walnut Creek is a great example of a thriving downtown core with a mix of local and national retailers. It's a phenomenal example of a downtown adapting to the new retail environment. As a result, there's almost zero vacancy. Model Bakery's newest location in

Walnut Creek is at almost 6,000 square feet with visible signage that would be prohibited in St Helena. Lululemon is at almost 6000 sq ft in First Street Napa and 13,000 sq ft in Walnut Creek. I urge the city to take more bold actions in zoning and look at Walnut Creek and First Street.

Our family has a vested interest in St Helena's success. We're appreciative of the opportunity to participate in this process.

Please don't hesitate to reach out.

Sincerely,
Connie Min

(the email below was sent to comments for upcoming December 7, 2022 meeting)

(Hi Maya, please forward to anyone within St Helena who is involved in the new draft process)

I'm reaching out to the city and LWC consultants after the Nov 16 joint meeting on the non-residential zoning code update. This is a follow up to topic of commercial parking in the new draft

I'm writing as part of the family that owns 905 Main Street - the vacant lot next to Vine Star and Gott's/Taylor's Refresher. Our lot is just under 12,000 sq ft and falls into the new mixed use district. We've followed for 2 years the community gathering process, the merchant input comments, etc. and the stated policy framework and goals by LWC in coming up with the draft. We've been waiting for the numbers.

Our immediate comments are below:

1. The city's new policy of allowing high quality formula retail means that we can cast a much wider net for a brand name retailer. It means we can seek commercial tenants that have brands, recognition and financing to invest in St Helena. In light of this new policy, we are seeking destination retail and are exploring how to build to max FAR and floor area on our lot. - a multi story retail of at least 12,000-15,000 square feet plus any allowable mezzanine, rooftop space, etc. We know that if Yountville can lure Restoration Hardware and First Street Napa can pull in Lululemon, we can market St Helena to truly high end retailers.

The commercial parking ratio of 1 parking space: 300 square feet in the new zoning draft makes development not viable for smaller size lots like ours. As I described in a previous email, this ratio is decades old for department stores located in the middle of a sea of asphalt. It's so outdated that the CA state legislature has gone out of their way to throw it out entirely for infill development and some mixed use zoning (see 2022 legislation AB 2097 for example). The urban planners in LWC will immediately know what I mean by this. Outdated parking minimums have now been outright banned in small cities such as Culver City, Berkeley, etc.

We request that the city include our parcel in the parking exemption overlay district. Our lot is the smallest in the new MU district. In fact, the entire city block where Sunshine Foods is located is both in the MU district and the parking overlay district. That lot must be at least 30x the size of our property and they are not required to include onsite parking.

I ask the planning dept to address parking for our lot before any adoption hearings. I've reached out to the planning dept. before and been advised that the code allows variances. I would like to strongly emphasize that we can't market to destination retailers or submit any applications based on promises of variances - variances require specific findings and expose us to litigation and unreliability.

This is the most pressing issue for us in the new draft and I hope that you reach out if you have any questions.

Thank you,
Connie



November 10, 2022

Maya DeRosa, AICP
Community Development Director
City of St. Helena, Planning Department
1480 Main Street
St. Helena, CA 94574

Dear Ms. DeRosa,

Treasury Wine Estates owns Beringer Vineyards in St. Helena and would like to offer the following comments regarding the Comprehensive Zoning Code Update:

1. "Requiring the construction of new tanks to have a conditional use permit approval". There are many reasons that may require a winery to add additional tanks that has no relation to increasing production. One example would be the need to have additional or larger tanks to do blends before bottling. Requiring a conditional use permit to address minor changes in the way you make wine is extreme. Other jurisdictions view tanks more as equipment with use permits being required only upon a change in the intensity of permitted winery production. In fact, the County of Napa recently adopted a ministerial Administrative Use Permit process that takes less time, money and studies to address processes such as this that do not impact intensity of use.
2. Definition of "wine production". The change to include "all bottled wine received on the premises during the same year" can result in double counting. Wineries produce wine through fermentation and blending with bulk wine, as reflected in the beginning of the definition. However, some wineries bottle their wine offsite and may be stored elsewhere for a period of time. If wine from a different vintage is brought back to the winery for sale or storage it very likely will be a different vintage that was accounted for in a different year and has nothing to do with production. This should be removed. I suggest the adoption of the County's definition of production as it has been in use since 2005 and has worked well. I have attached it for your convenience.
3. Temporary advertising sign, including banners are currently excluded from any permitting process as long as they adhere to the time and frequency limitations. In the new code, these signs will now require a permit from the city, with the same time and frequency limitations as

TREASURY WINE ESTATES
555 GATEWAY DRIVE
NAPA, CA 94558
WWW.TWEGLOBAL.COM





TREASURY
WINE ESTATES

the current code. Beringer has utilized these types of signs for special events and sales for years and should not be subject to a new permitting process.

As a general comment, we understand that Beringer's existing facilities, which have been the subject of extensive permitting in recent years, continue to be permitted under Beringer's previously approved use permits and design review permits. If you interpret the Comprehensive Zoning Code Update differently, we would like to discuss that topic further.

Thank you for your consideration of our comments, if you have any questions please feel free to contact me at (707) 259-4673 or via email at debra.dommen@tweglobal.com.

Sincerely,

Debra Dommen
VP, Government & Industry Affairs

TREASURY WINE ESTATES
555 GATEWAY DRIVE
NAPA, CA 94558
WWW.TWEGLOBAL.COM



TRINCHERO

Family Estates

DATE, 2022
1 December, 2022

Maya DeRosa
Planning & Building Director
City of St. Helena
Street
St. Helena, CA 945

Delivery via email to mderosa@cityofsthenena.org

RE: St. Helena Zoning Code Update – October 2022 Public Review Draft

Dear Ms. DeRosa:

Thank you for the opportunity to comment on the City of St. Helena's Zoning Code Update. Sutter Home has been a long-standing business in the City of St. Helena. Sutter Home's owners, the Trinchero family, have been involved in the City both as residents and as strong supporters of various City causes. The draft Zoning Code Update is an extensive document covering all aspects of the City's land use and development. Congratulations to the City on bringing this draft forward for public review and comment. Please accept our focused comments relating to Sutter Home's business.

Chapter 17.09 Nonconforming Uses - Sutter Home appreciates the draft legal nonconformity provisions in Chapter 17.09 of the Zoning Code Update. The new certificate of extent of legal nonconformity ("CLN") process provides a tool for the City to document the activities of existing businesses like Sutter Home's Main Street winery facility. For many years, Napa County has made good use of its CLN process, and we applaud the City for implementing its own CLN process. Sutter Home has two comments on the draft provisions that we believe will make the CLN process stronger and more efficient.

First, direct non-residential CLN applications to the Community Development Director rather than the Planning Commission. This would match Napa County's successful CLN process, which is decided by its Zoning Administrator.¹ This could be accomplished simply by striking the phrase "For residential projects" from the first sentence in §17.09.030(F)(3)(b). While the City Planning Commission is accustomed to reviewing new development applications and taking in public comment, a Planning Commission hearing is less suited to sifting through documentation of existing uses and structures. Making an adjudicative decision on existing rights through a CLN is different than reviewing proposed future development. Review of CLN applications with extensive histories would take an excessive amount of the Commission's limited time. As an alternative to decision-making by the Community Development Director, the City could utilize a hearing officer process.

¹ Napa County Code §18.132.050.

Second, the CLN process should give great weight to previously issued City permits and allow reasonable inferences from those permits on approved activities. Over time, the City's permitting files, review materials, and general records have grown much more detailed. The applicant bears the burden of proof, but the standard of proof cannot assume that permits issued decades ago will have the same level of detailed documentation as more modern permits. When reviewing evidence in relation to a CLN application, the standard of proof should include a presumption that previously issued permits were validly issued and that those permits were intended to allow for activities that could reasonably occur within approved structures.

Large Winery Definition – This definition describes permitted activities including “warehousing and shipping of wine produced on the premises”.² This limited scope of shipping and receiving wine contrasts with the definition of wine production, which includes shipping and receiving of bulk wine.³ Because wineries frequently ship and receive bulk wine that may be blended, refermented, barrel aged or bottled, having harmonious definitions for this activity is important. Therefore, we recommend that the “produced on the premises” language in the Large Winery definition be stricken and that the City of St. Helena utilize the Napa County definition of winery production.

In addition, the comments provided above, Sutter Home agrees with the comments of Treasury Wine estates in Debra Dommen's letter dated November 10, 2022. We are happy to discuss any questions you might have, and we look forward to being involved in the ordinance update process as it moves toward City Council adoption. Thank you for your consideration.

Respectfully,



Robert Torres
Principal, Vice-Chairman & Director
Trinchero Family Estates

cc: Anil Comelo, City Manager

² Zoning Code Update - October 2022 Public Review Draft Part V, page 35.

³ Zoning Code Update - October 2022 Public Review Draft Part V, page 22.

Cindy Tzaopoulos

From: Jerry Hyde <jerry@jerryhyde.com>
Sent: Friday, December 2, 2022 1:38 PM
To: Cindy Tzaopoulos
Cc: Maya DeRosa; Paul Dohring; Geoff Ellsworth
Subject: RE: [External] Proposed STR Municipal Code Changes

December 2, 2022

Please add this correspondence to your staff report regarding the proposed changes to the STR MC.

Attention: St. Helena Planning Department, and City Council

The requirements of the current STR Code were created on the basis of serious, broad-based debate and public input.

Even with the current system, mitigating impacts on nearby neighbors can be a problem, but there are at least mechanisms to deal with them when the City takes them seriously.

The proposed changes will negate the enforcement and review provisions we all agreed to, and they should therefore BE REJECTED.

KEEP THE CURRENT STR CODE IN PLACE, as it was and remains the will of all who participated in the process, which occurred before the arrival of our current Planning Director.

Sincerely,

Jerry Hyde
1518 Adams Street
St. Helena

Cindy Tzaopoulos

From: Maya DeRosa
Sent: Friday, December 2, 2022 4:32 PM
To: Cindy Tzaopoulos
Subject: FW: [External] Proposed changes to STR Municipal Code

Hi Cindy, looks like this did one not get posted.

MAYA DEROSA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
 City of St. Helena | Community Development Department
 1572 Railroad Avenue | St. Helena, CA 94574
 Direct: (707) 967-2783 | mderosa@cityofsthelelena.org | <http://cityofsthelelena.org/planning>



From: Connie Wilson <clw1956@comcast.net>
Sent: Monday, November 28, 2022 9:06 AM
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelelena.org>
Cc: Maya DeRosa <MDeRosa@cityofsthelelena.org>; John Ponte <JPonte@cityofsthelelena.org>; Paul Dohring <PDohring@cityofsthelelena.org>; Geoff Ellsworth <GEllsworth@cityofsthelelena.org>
Subject: [External] Proposed changes to STR Municipal Code

Dear City of St. Helena Planning Department and Council members,

I respectfully ask you to reconsider the proposed changes to the Short Term Rental Municipal Code, which were discussed during the joint City meeting on November 16. These “minor” adjustments are anything but, and will weaken the enforcement of STR rules in St. Helena. It is imperative that the considerations of the city’s citizens should be foremost in maintaining existing rules.

In 2016 I was very much involved during the evaluations of the revised STR Ordinance. I experienced a two-year battle with a neighbor who continued to rent her house as an illegal STR, despite frequent warnings from City staff. Only when the City conducted a sting did the illegal activity stop, and a hefty fine was paid by the owner. It was up to me to continually make the City aware of the illegal rental, loud noise, increased limo traffic and parking problems. Thankfully today, citizens have the tools to issue complaints with expectations that the incidents will be investigated. If the proposed changes to the STR Ordinance are implemented, citizens will have little to no peer review of their concerns. I disagree with allowing only the Planning Director the sole discretion to determine if neighbors’ complaints are valid.

In 2016 the citizens of St. Helena were relieved with the protections of the STR Ordinance for the right to safe and quiet neighborhoods. Please do not change the enforcements in the original ordinance.

Thank you for your consideration.

Connie Wilson
 St. Helena

I

To Saint Helena City Council and Planning Commission,

I have attached a copy of my opinion piece that appeared in the December 1, 2022, edition of the St. Helena Star for your review. Thank you.

I would like to give a few more comments concerning changes and additions to the short-term code (STR).

In my opinion, the actual changes that need to be incorporated are missing from the proposed changes. As the code reads now, if a neighbor of a STR sends in three complaints to the Planning Director, the neighbor must then wait until the offending STR comes up for renewal before going before the Planning Commission for review.

In my case, this was over a year. During this time the offending STR continued to disturb the neighbors. To benefit our neighborhoods, there needs to be added a way for neighbor to address the offending STR immediately once three offenses occur. And they *should not* be required to pay \$1600 to the city to make this happen.

One of the most important sections of the STR code states that there must be a “local” contact person to call, and they must be able to be at the STR within 30 minutes. In my case, the listed contact person lives in Southern California which resulted in neighbors not being able to reach them or then having them try to find someone in St. Helena to go the rental. *The city was aware of this.* Rather than have this *misrepresentation* immediately trigger to revoke this STR, the city decided that this arrangement was within the “spirit” of the code—I quote from the staff report. They then decided on a new “local” person to represent the STR. It would go a long way, to have the staff follow the rules and not interpret the rules.

To add insult to injury, the city has for over six months never updated my new local contact person on the website... so we are still calling Southern California! This is inexcusable. *If the city doesn't have the staff to manage the important issue of local contact persons, how will they have the time to document complaints?*

The neighbors surrounding 1702 Taintor continue to suffer from loud parties. I have heard from the couple who rented our house for several years before we purchased it. There were complaints for a long time on this STR- before the current Planning Department members before we owned it.

But as it stands now, all the neighbors surrounding this STR must wait another two years before renewal before the Planning Commission. I don't believe this is what the city wants for its neighborhoods. Why would the city renew a STR with five families complaining and *misrepresentation* on their application when there is a long list of citizens hoping to have a short-term rental?

In my opinion, and after dealing with the city for over a year on this, I believe it is time to review the entire STR code, not just the enforcement section.

Should there be a Code of Conduct given to all renters. What would that look like?

Should homes which are solely STR rental and which are businesses and rented constantly be allowed versus private homes rented on short-term bases.

Should we review the sections of town in which STR renters are allowed.

Should we limit the time each STR can have a permit to allow others to participate.

Short term rental represents only 10% of the City TOT according to the city's website. Bottom line, the city just doesn't have the staff to properly service STR.

Thank you for your consideration. Susan Kenward

It Was a Beautiful Day in the Neighborhood

City Proposes to Weaken Short-Term Rental Complaint Enforcement

In 2016, in exchange for allowing short-term rentals to continue to operate in our residential neighborhoods, we were promised neighborhood protection with strict enforcement of carefully laid out rules. Here we are seven years later and the hard-fought-for, complaint-driven enforcement rules of the Short-Term (STR) Rental ordinance are about to be gutted.

On November 16, I attended a joint public meeting of the Planning Commission and City Council. The purpose of the meeting was to review some so-called “minor” changes to STR ordinance, among other proposed amendments to the Zoning Ordinance. These proposed so-called “minor” amendments are anything but *minor*. *They are major and gut the city’s promise of “robust enforcement”* of neighbors’ complaints which the City Council promised to the community.

Rather than have neighbors’ complaints go before the planning commission, now discretion is given to the Planning Director to determine if complaints are *confirmed violations*. This is not a small change. *If the Director decides that neighbors’ complaints are not “confirmed violations”, their complaints no longer trigger a public hearing. Nothing in the proposed revisions provides guidance to determine what is a “confirmed violation” and what is not.* The new language does not say how a violation is confirmed, by whom? Do they want recordings, photos?

Hopefully not the police. This is where we were in 2016. One of the main complaints was that the police did not want to be involved with complaints. They did not have the authority to enforce the STR code only noise complaints after 10pm. Surely other issues contribute to complaints.

That is why the director in 2016 wanted no discretion and with three complaints to send to the Planning Commission. Why would the city want a short-term rental in a neighborhood where the

neighbors are unhappy? Weren't we promised that STR wouldn't affect the neighborhoods? By making the neighbors jump through hoops to prove their issues, it puts the burden of proof on neighbors rather than listening to their concerns. Are there tons of bogus complaints? Most of us are tolerant to a point.

There are no requirements for the Director to meet with the protesting neighbor, or anyone else for that matter. This exercise of sole discretion to determine a “confirmed violation” removes fact-finding from the public hearing forum where it properly belongs, denies neighbors due process – and places it in the office of one staff person-- the Planning Director.

If changed, neighbors now would also need to maintain on file a written request to be notified of any decisions and actions related to the STR next to them. These proposed amendments shift the burden of enforcement to City residents. For example, if a city resident is disturbed by STR and remembered to file a written request to be notified of decisions related to that STR, only then can that resident receive notice of a proposed renewal and have the privilege to pay a substantial fee (\$1600) to trigger an appeal of the Director’s decision at a public hearing.

And lastly, the proposed changes shorten the time for neighbors to object to renewal of a permit from 30 to 14 days.

Those of you who were here in 2016 will recall the Planning Commission Town Hall meeting on STRs in the fall of 2015, followed by months of special and regular Council meetings. Scores of residents participated in the town hall and subsequent meetings. They testified and submitted written comments regarding whether STRs should be allowed at all, and how they should be regulated.

Neighbors’ major concern was the lack of *enforcement of violations*. Not only did the Council hear from the community, but they also listened to the Planning Director who asked for a “formal and codified renewal process”. The 2016 Planning Director preferred to send matters to the Planning Commission rather than make the call in the privacy of their office.

In the end, the 2016 City Council decided to continue to permit STRs, but only with carefully crafted language designed to ensure adherence to standards and “robust enforcement” of complaints and violations. This is now proposed to change. Now there is no enforcement unless the Planning Director considers your complaint a “confirmed violation.”

Last summer, I was stunned when the Planning Director administratively renewed the permit for the Short-Term Rental that adjoins our property. To aid in “robust enforcement”, STR are required to maintain and publicly list a “local contact person” who is available 24/7 to accept calls and be at the property within 30 minutes. In my case, the owners falsely attested on the renewal application that the local contact person was “local”. In fact, he lives in Southern California, a fact known to the Planning Department. Under the STR Ordinance, this misrepresentation on the renewal application established grounds to immediately revoke the permit. The permit was administratively renewed.

On more than one occasion we were disturbed by loud noise and at least one gathering—a wedding celebration-- that violated the maximum number of people allowed at a STR. I called and filed several complaints with the Police related to those incidents. Often, they arrived after things had quieted down, or were reluctant to go over to the house, suggesting I do it instead. What should have happened to the renewal of this STR permit that had more than three complaints on file? Under the STR ordinance, the renewal **shall** be sent to the Planning Commission for action at a public hearing:

Notwithstanding the current ordinance language, the Planning Director and City Attorney decided that the STR ordinance gave the Director the *discretion* to decide whether my complaints were “valid.” They decided they weren’t and renewed the permit – without asking me about any of the particulars related to them or contacting any of the five neighbors who corroborated the complaints. We were never allowed to make our complaints valid.

These new STR ordinance changes should be widely publicized to the community of STR neighbors. By giving the Director discretion to determine if a complaint is valid and issue renewals, requiring City residents to maintain express requests for notification of Department action, and shortening the time for neighboring property owners to file a protest are not “minor refinements” that “add more clarity to the STR Ordinance.” These are *major* changes that *diminish* rather than advance “robust enforcement” that we were promised and need.

The way for the city to stay true to their promises and the intent of the citizens hard work on the *original* ordinance - is to *deny the proposed changes and keep the original requirements in the ordinance.*

These proposed changes weaken enforcement and endanger our neighborhoods – I encourage you to make your thoughts about short-term rentals known to the City Council and keep it a beautiful day (and nights) in our neighborhoods.

City of St Helena
Zoning Code Draft Update

Comments on public review draft Nov 2022

Daniel Hale, property owner, Project designer, SH Citizen, Board Member OTSH (Our Town ST Helena) SH Planning Commissioner 2018-2022

Table of contents:

No comments

17.01 Title Authority and Purpose

No comments

17.02 Reserved

Reserved for?

17.03 Zoning Code Administration

No comments

17.04 Common Procedures

No comments

17.05 Planning Permits and Approvals

17.05.030 B and C are in conflict and purposefully vague (IE “all 50+ years old” or at the discretion of the CDD? which is it?)

17.05.040 Make the effort to get the list to be correct. Very inconsistent approach to what is historic. Overlay map (hatched parcels) at a glance has great inaccuracies...a few startling examples: Signorelli barn? (a cherished and majestic AND missing edifice) House on SE corner of Hudson and Adams (10 years old?/how is it there?) House on SW corner of Allyn/Adams (12-ish years old?/how is it there?) Barn on 1443 Madrona (built 1890? but missing How is it NOT there?) SE corner off Main and Adams (Sportago) (new build included in overlay) Same with Chase bank building Railroad and Adams (new build included in overlay)...Clear Inconsistency breeds uneven application and uncertain direction and expectations. Make it clear that it is not a “district” (implies boundaries) but instead as it stands is a collection of individual parcels (it IS perhaps an overlay...with some/many inaccurate moments... but it is NOT a district).

17.05.070.D.3 Major Design Review

“The Community Development Director may, on a case by case basis, require the applicant to erect story poles on the project site to illustrate the height and or scale of a two story (or more) proposal, particularly when there are adjacent neighboring structures”

This inclusion (story poles) has no basis in current or in draft code. It insinuates that any neighbors view is somehow protected by more than just the envelopes created and defined by height limits and setbacks that exist in Code. It undermines property values and will only serve to create drama and dissatisfaction. There are certainly jurisdictions that have protective view ordinances that require the erection of story Poles (IE Carmel by the Sea...and others) Those also have a very clearly defined view that is subject to protection...HOWEVER owners know AND understand AND Contractually sign onto that understanding when they purchase those properties in those jurisdiction that are subject to those codes. Those Codes were created at the inception of those communities. To do so after the fact equates to nothing less than a confiscation of existing values and contractual rights.

17.06 Amendments to the General Plan

No comments

17.07 Amendments to the Zoning Map and Text

No comments

17.08 Specific Plans

No comments

17.09 Nonconforming Provisions

*“Expansion and Enlargement. A nonconforming building, structure or other physical feature shall not be reconstructed, except as provided for in subsection C of this Section, expanded, or enlarged unless the new work will be in conformance with the regulations and standards of the zoning district in which it is located and the provisions of the Zoning Code. **Nor shall any nonconforming building, structure or other physical feature be absorbed, remodeled into or made part of, all or in part, any other building, structure or other physical feature unless all nonconforming portions, items or aspects are brought into conformance.**”*

*Section highlighted in **red** type is EXTREMELY problematic and effects any work/expansion done to any non-conforming legal structures in town. A LARGE majority of structures are “nonconforming legal structures” and if this draft is approved will include myriad newly created “nonconforming legal structures”*

17.10 Historic Designation

similar to notes on 17.05

17.05.040 Make the effort to get the list to be correct. Very inconsistent approach to what is historic. Overlay map (hatched parcels) at a glance has great inaccuracies...a few startling examples: Signorelli barn? (a cherished and majestic AND missing effice) House on SE corner of Hudson and Adams (10 years old?/how is it there?) House on SW corner of allyn/Adams (12-ish years old?/how is it there?) Barn on 1443 Madrona (built 1890? but missing How is it NOT there?) Clear Inconsistency breeds uneven application and uncertain direction and expectations. Make it clear that it is not a "district" (implies boundaries) but instead as it stands is a collection of individual parcels (it IS perhaps an overlay...with some inaccurate moments... but it is NOT a district).

17.11 Minor Modification Variances

Review and Hearing Procedures: This seems counterproductive and at cross purposes. I wholly support the concept of administrative review and approval by Planning staff. Instead of producing an automatic path with a hearing (notice etc...) perhaps instead simply outline a path/procedure to appeal a Planning Staff decision.

17.12 Procedures for Appeals

No comments

17.13 Enforcement

No comments

17.14 Reserved

Reserved for?

17.15 Establishment of Base Zoning Districts

Highly support the intro of mixed use as a classification

17.16 Residential Zoning Districts

"¹ Indoor plumbing and indoor cooking facilities not permitted. "

Table 17.16.020 bottom note on indoor plumbing: Should be revised to allow bathrooms and workshop/garage/utility sinks but not indoor cooking facilities.

"Small lot" development should follow standards for small lots without a use permit. Adding cost and process will inhibit workforce housing solutions in some of the most likely areas that might occur.

Mistake in "Development standards": table 17.16.030 item marked as 5 in diagram is incorrect (arrow should span from setback line to facade of garage.) Graphic error aside I believe this restriction is burdensome and should be removed as it may largely constrict good flow and functioning of layouts.

I do not believe that the same size lot in LR and MR should have wildly varied allowable square footages. If so the reasoning should be demonstrated or at minimum discussed. This change has material effects upon lots all about town and materially effects values...at this point seemingly arbitrarily.

Continue to believe it is important to maintain a uniform/universal methodology to determine allowed square footage IE FAR that is based upon the square footage of the lot. as it does in current code. To introduce different methodologies that allow different results in MR and LR on a same size lot seems likely to stir resentments and does not produce clarity.

"Footprint" Change from FAR methodology that calibrates allowed development based upon lot size (sf) to a 2 tier methodology that also introduces a delineation for first and second level (which incidentally encourages second levels) is a MAJOR change that at least requires some back up reasoning and discussion before Council signs on to a Highly consequential shift, on behalf of all Citizens of St Helena.

Are un-enclosed porches included in "Primary building footprint?" square footage?

"Max Building Frontage" Should be defined as what is allowed at initial front setback from front lot line (not actual front of structure). The only way to apply the code uniformly and fairly on all parcels would be to define an allowed envelop (that exists and defines) irrelevant of actual/ proposed built environment. Two tiered system does not make sense as applied to actual lots in town. I believe the (current) uniform 60% building frontage at initial setback was effective and served to limit massing but also allow creative solutions. I also believe that the current code has often been mis-applied though. The only equitable/universal approach would be to define the envelopes allowed (those should begin at the initial setback lines), which may occur forward of the actual initial building frontage. The inclusion of the current methodology that also defines a setback to that initial building frontage that increases to max width allowed by each side setbacks is appropriate. A simple diagram may best illustrate this. (IE showing the building width at 20' beyond the initial facade width and corresponding expansion in width as it steps back to 20' beyond initial front setback, at which point Code allows you to meet each side setback if desired.

Highly support interior side setback to a minimum 5' and -15' combined methodology. Much more productive/environmentally sensitive land use and preservation and lot utility. Encourages smaller footprints.

"Min landscaped area"...

"private open space/common usable open space" Should be removed

17.16.040 Design Standards

General comment is that City should not be engaged in the design business. Mandating ziggurats...layer cakes "transparency" "facade articulation"

or most any architecture by formula is both a crushing attack on creativity and individual expression and also it is not something that will lead to a better built environment.

From 17.16.040.6.a: "Vinyl siding, aluminum siding, artificial stone finishes, plywood (including particle board and oriented strand board), corrugated metal, and common concrete block are prohibited."

Both ignores and degrades the very architectural vernacular fabric that informs the desirable character that we cherish. Obliterates creativity and does so in a very limited and subjective manner. It also eliminates some tried and true cost effective durable solutions that make it both more expensive for anyone producing any tier housing solutions but especially those that are struggling to furnish housing solutions in a cost effective manner. Look around and observe some of our most cherished buildings and the varied materials they are created with. The rich and varied texture is an aspect that I believe should be fostered and encouraged...not crushed.

"General Standards. All development is subject to the provisions of Part IV, Citywide Standards. from 17.01.030 : D. Maintain and enhance the desirable character of the City and its various neighborhoods and areas;" How does a code that energetically would prohibit most and nearly all of the historic buildings (IE those structures could NOT be built under draft Code) that we cherish and refer to as informing our "desirable character" can at the same time enhance that same desirable character?

"Required Second Story Step-backs in the LR and MR districts. Second stories both in new construction and additions must be stepped back 10 feet from the ground floor front façade and five feet from the ground floor interior side and rear facades."

Above should be removed. Massing is currently regulated by the defined envelop that is informed by the front/side/rear setbacks combined with the allowed floor areas and the height limits. That is a tried and true trusted and universal practice. It is a better approach to allow creativity within those understood and reasonable bounds. A consistent and clear demonstration of what Code allows and restricts (and by that clearly informs both applicants and neighbors what to expect...IE what they are allowed to build in the future and what may be possible to be built next door to them).

"Facade transparency" figure 17.16.040A if the figure reflects applicable(required) 5' setbacks the building represented would be 55' wide which would be in conflict with the max building frontage requirement. Sometimes pictures are not worth a thousand words.

"Roofline and roof design"

Who decided that the range between flat and 5:12 is somehow not acceptable and how is this not a subjective requirement?

"The minimum dimension (depth, length, or length at ridge) for any shingle roof form visible from the public right-of-way is six feet."....Arbitrary and purposeless unless someone can explain the genesis/reasoning behind?

"First and second story plate height"

This appears again arbitrary and counterproductive attack on creativity/innovation and not effective. A code allowed/prompted second floor may well be much more offensive than a high plated single story or vice versa. Should be simply a definition of allowed envelop that is created by the combination of setbacks from property lines and heights that correspond to those setbacks.

“Exterior Building Materials and Colors”

These are arbitrary and subjective choices. AND also onerous and potentially costly. And also ignores/degrades the local vernacular that informs the “desired character” that we claim to want to enhance.

Is white a bright color?

This entire section in Draft is in dire need of very close scrutiny and revision. In many areas seems arbitrary and purposeless and in other areas It is a grotesque over-reach.

17.17.030 Commercial and Mixed Use Districts

Strongly support the intro of Mixed-Use (MU) designation and believe wherever reasonable to expand the placement of this designation should be considered. MU is one of the most likely places for vibrancy to take hold. Expanding Height limits I believe should be considered/ discussed as stacking above parking can enable many more powerful solutions.

17.17.040 Design Standards

First do no harm...? Again any architecture by formula/widget “building Articulation” “belt Courses” “Mandatory cornices” window proportion ratios” etc...is a grand mistake/fumble. Should be removed entirely. City should not be... and should not endeavor to enter the design business.

Seem possibly a lost opportunity to not allow live work and multi-family in the SC district.

17.18 Business and Industrial

Why is City owned Railroad ave site rezoned as BPO in draft Zoning map? Limits residential/ workforce housing capacity?

Food trucks/restaurants could well have a productive place/purpose in both Industrial and mixed use districts.

17.19 Community Agricultural and Natural Resource Districts

No comments

17.20 Public and Open Space Districts

No comments

17.21 Overlay Districts

17.21.040 cites many examples that are not accurate to this area. (example "This may include wood siding (in a lap dimension of no greater than 4-1/2 inches) likely the most typical historic horizontal siding would be approximately 8" in width.

Brick is certainly not a common material in historic homes of the area

Need clarification on Historic overlay district. Map only shows individual parcels in historic overlay..."district" has no boundary.

17.22 Specific to Uses

It is not mandated that ADUs be rented and perhaps also ADUs may well (legally) be occupied by the owner and the main dwelling may be rented.(as a method to make underused main dwellings possibly available to families where the more-full use has naturally diminished over time by the current owner/resident. The rental income (either condition) is not within the purview of the City to control unless perhaps they were to underwrite the cost of the creation of the said ADU. The ADU enabling state mandates are intended to provide or make more feasible the creation of ADUs. It does not take a position or suggest control over the rental activity of those units.

*17.22.140 support entirely the creation of live work opportunities
Find figure 17.22.140A to be unclear. Dashed lines mean? Raised private courtyard on bottom most figure diagram?*

17.23 Reserved

Reserved for?

17.24 General Site Standards

No comments

17.25 Landscaping

General comment is that this requirement is overcomplicated and burdensome (initial cost and upkeep) to both individual homeowners and any that may consider developing affordable housing. Too many % formulas are not calculable or enforceable by current staffing levels nor the Planning Commission.

17.25.020 Applicability items 2 and 3. How can you have a code that differentiates based upon the classification of the owner/creator of the landscape?

*Item 6 under requirements: 30% limit on gravel/pavers is counter to being waterwise
Requiring entire front setbacks to be "landscaped" is contrary to stated xeriscape principles and is burdensome burdensome (initial cost and upkeep) to both individual homeowners and any that may consider developing affordable housing.*

17.26 Parking and Loading

Removal of the covered parking requirement is a good idea for both homeowners and affordable housing projects

17.27 Signs

Entirely too complicated (40 pages?) and not within the actual functionality of Planning Commission...goes well beyond scope of any demonstrated need. I believe that signage is a critical part of business branding and that expression is better left in the hands of those business owners. In four years on Planning Commission there was not one sign that I believed would have been detrimental to the functioning of St Helena. The process however was expensive and often excruciating (for both applicants, staff and some Commissioners and Public Viewers) and served as a sign instead for the reliable determination of town to hinder and stifle or micromanage commerce and generally over-control which i do believe has been detrimental to our sustainability. I believe that stance needs to change. A simple and clear size limit is appropriate and it should be a simple administrative (staff) approval.

17.28 Performance Standards

No Comments

17.29 Density Bonus

Believe this should be combined with the following Affordable Housing section of draft Code 17.30 and should be a sub-chapter/header

17.30 Affordable Housing (Program?)

Believe the title is generally inaccurate/misleading by the inclusion of the word (Program)... perhaps better title just Affordable Housing. The individual items within subsections are generally well laid out and informative/important pieces of information but do not amount to a program that implies a plan with definable goals.

17.31 Two Unit Projects

17.31.050 Not Historic: Should be allowed...every available space counts and should be fostered...Can certainly be sensitively designed as to not compromise the existing Historic structure and could ideally compliment it.

17.32 Definition of Terms

Critical inclusion: Building site. The portion of a lot where the principal building can be located. Excludes the setbacks required by the zoning district.

*Demolition. The intentional removal of all or part of a building or structure when a building or structure is a designated historic landmark or located in a designated historic district. In all other areas of the City “demolition” means the intentional destruction and removal of 50 percent or more of the enclosing finished floor exterior walls **and** 50 percent of the roof structure of any building or structure. The percentage of this definition is determined using linear feet of finished floor.*

*The above use of “**and**” will be very problematic*

Please demonstrate the “use of linear feet of finished floor”

Believe the existing definition is more appropriate:

"In all other areas of the city "demolition" means the intentional removal of all or part of a building or structure resulting in removal of more than fifty (50) percent of the exterior walls or removal of significant architectural features."

As this determines a threshold for requiring design review it is a pretty critical item. The preamble to this Draft represents a streamlining goal/effect...this item alone will throw many projects into the Design Review category.

Floor Area Ratio? Are un-enclosed Porches included in Calculating Floor Area ratio? (currently they are NOT)

Setbacks figure 17.32.D "irregular Lot" rear setback can and should conform to lot irregularity (IE setbacks should simply be measured perpendicular to property line)

17.33 Definition of Uses

No Comments

17.34 Rules of Measurement

17.34.030.A Measuring Building Height

The current approach is more effective. Height should be measured from existing grade and the envelop formed by the height limit at each setback point (imagine a tent supported by poles that are cut to the height limits allowed) That is the most clear/accurate/uniform and informative approach.

17.34.050 measuring Floor Area and Floor Area Ratio:

Again generally having mixed methodologies (FAR/Footprint) is counterproductive and will engender confusion. Porches are currently not included in FAR but are included in Lot coverage. That is a reasonable approach as it sets a limit on overall massing and also serves as a method to soften overall massing. The draft approach includes porches in the foot print which will have the effect of eliminating porches which I do not believe is the intent. If it is the intent what is the argument in favor of that result? In any case need clarity on how to calculate porch square footage.

Figure 17.34.080 Determining setbacks:

On a corner lot condition I believe that conditions where possible should mirror each other on either side of a fence. (IE a side yard condition should meet a side yard condition) To solve that the rear yard setback would be applied at inside corner but you would have an interior side yard setback up to the point where it meets the rear yard setback. The effect would be to mark a

square at back inside corner where the lot and its 2 contiguous neighbors intersect/meet so similar conditions best align.

Zoning Map

Eastern half of City owned Adams street has been redesigned as CB. Seems appropriate to address/have an open discussion on that change in designation?

Railroad ave site is now BPO? Should that not be designated to also make it most ready to allow possible workforce housing solutions? Mixed Use perhaps? Same with the Lot to North of Eastern spur of Adams (currently West America bank) and also closed BofA location to South of Adams street? What other sites (City owned or in private hands) could be so enabled to provide sites the best chance they could then be envisioned for actual solutions?

The Zoning Map can create opportunities to begin to solve actual problems and needs to be seen as such. As it stands it is a missed opportunity.

General Comments:

Using different methodologies (FAR and footprint) in different areas is confusing and I do not believe effective. Should be a uniform approach that applies universally throughout Zoning designations. Allowed development limits and envelopes should be applied in the same manner and are adequately informed by the setbacks from property lines as prescribed in code and the height limits allowed at those setbacks. Initial building facade width and also the allowed lot coverage also defines very clearly allowed envelopes. That consistent application very simply informs both future applicants and neighbors as to expectations (built or not yet built).

St Helena is not alone in facing a housing crisis. It needs to be understood that it does so within confines that are particularly challenging. (Limited land/boundaries) AND land/development and construction costs at daunting levels. Each and every piece of Code needs to be considered as to effects on the likelihood of encouraging production of, or inhibiting much needed workforce housing...and producing that in the most healthy and sustainable ways. General approach of "FIRST DO NO HARM..." is critical. Do not add Code unless true NEED has been adequately demonstrated. Same threshold should be applied to changes.

Miscellaneous sections that seem to arbitrarily add cost need to be rejected as they will surely inhibit and limit needed solutions.

Miscellaneous sections that ban materials that may well be cost effective also inhibit/hobble needed solutions.



December 5, 2022

Ms. Maya de Rosa
Planning & Building Director, City of St. Helena
VIA EMAIL

Dear Maya,

I would like to start by echoing the acknowledgement by others for the work that has been done creating the Draft Zoning Code. My comments may appear as negatives, but I know there are many positives that have been included in this work.

Thank you for the Zoom Meeting on Friday with Roger Eastman, Dan Hale and myself. As I mentioned then, I feel that as a Design Professional and General Contractor in St. Helena, I have been negligent for not having paid more attention to this endeavor before now. In trying to catch up, I have gone through the document as best I could in the past week or so. I appreciate the well-considered and studied comments prepared and shared with me by Dan Hale and Joe McGrath, both fellow board members of mine on the Our Town St. Helena Board of Directors. I find I am in agreement with all they have written and am following their lead in expressing a few more observations and questions.

My primary concern is the rigidity of the Design Standards. I find myself asking "why?" at almost every turn. I think they will serve to hinder creativity and promote "cookie-cutter" architecture and ultimately not achieve the goal of "creating a more user friendly code, clear standards attracting high quality development..... and insuring that new development is compatible with neighborhood character". I understand the difficulty of this task as well as the desire to "wrap up" this endeavor. But this document, that will guide construction in St. Helena for years, is too important to not get right. I don't know what the solution is or how best to do this, but know that it has to be done.

I only have a few additions to what Dan and Joe have written:

17.16.020 Use Regulations – Residential Zoning Districts

Accessory Uses:

Pool Houses should be allowed to have indoor plumbing for toilet, sink, shower or pool equipment.

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General Contractors License #586270
Certified Interior Designer #1773

E-Mail: polly@pollyogden.com

17.16.030 Development Standards

Max. Primary Building Footprint:

1) Using "Footprint" is confusing and not defined in the definitions. FAR a much more reasonable approach.

2) The jump from 2400 s.f. for = or less than 15,000 s.f. lot to 4800 s.f. for greater than 15,000 s.f. is too drastic. The gradual FAR percentage scale used now is more reasonable. Percentages could be adjusted if scale is the problem.

Setbacks - Minimum Garage or Carport Setback from Building façade:

A 10 foot setback in MR creates hardship in smaller, narrower lots. Can force long narrow corridor into the house that has no practical use, wasting valuable square footage that could be used more efficiently and effectively.

17.17.020 Use Regulations – Commercial and Mixed Use Zoning Districts

Commercial Uses in CB - Banks and Financial Institutions

Why are these not allowed on Main Street? What about Umpqua Bank or First American Title? Wells Fargo Bank's address is Main Street but luckily happens to be in MU.

Commercial Uses in CB and MU – Used Merchandise Store

Why are these not allowed? Lolo's and La Boheme are both in CB and are both local serving and functional, good stores.

Commercial Uses in SC – Veterinary Clinic

Why can there not be overnight boarding of animals? Forces residents to travel far from town if their pet is in need of such medical attention. Who would this hurt if it were removed?

Lastly, it is really hard to see the crosshatching of the Historic Preservation Overlay. I hope there can be a clearer way of showing this important overlay.

Respectfully,



Polly Ogden



December 6, 2022

TO: City Council and Planning Commission, City of St Helena
 FROM: Jennifer La Liberte, Executive Director, Our Town St Helena
 SUBJECT: Draft Zoning Code Update

Our Town St Helena (OTSH) appreciates the extensive time, effort and resources the City has expended to get to this point in the process of the Zoning Code update. The Zoning Code is an extremely important policy document through which the City has an opportunity to make great strides in facilitating development of affordable housing. It is critically important to get this right, and our board members and staff appreciate the Council's, Planning Commission's, and staff's willingness to hear our concerns. Of utmost importance to OTSH is that each section of code be considered regarding its potential to increase the likelihood that workforce and affordable housing will be built; or conversely, whether it would be adversely affected by adding time and cost to a prospective project and therefore even more difficult to achieve. The City of St Helena cannot afford the latter.

For a document this size, it takes a great deal of time to review and digest. OTSH is requesting more time to assemble our comments in a digestible and useful manner for the City's use, and to work with staff to ensure we can end up with a Zoning Code that achieves the goals stated above. We believe that would be in the City's and community's best interest. Adding to the challenge, there is no clear comparison or crosswalk from the current code to the proposed draft updated code, so it is difficult to know what has changed without doing a side-by-side comparison. This is complicated by the fact that the documents are structured differently, so side-by-side is not achieved easily.

In addition to our specific comments (still being compiled), an overriding concern is the inclusion of overly prescriptive and inflexible design standards in the code. We understand the need for development standards, but the proposed architectural design standards are extremely limiting and, in several instances, problematic, particularly for multi-family residential development. We respectfully encourage the Council and Planning Commission to take a close look at the proposed design standards with members of the professional design and development community to gain practical insights on how they would impact multi-family residential projects among other development types. We do appreciate the intent of the design standards to streamline the approval process by reducing discretionary review. However, as written, developers would likely opt for design review by the Planning Commission over complying fully with the design standards because of their limitations. Please consider an alternative to design standards, such as design guidelines, or by-right approval if a project meets the development standards.

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www.ourtownsthelema.org

Planning Commissioners:

City Councilpersons:

In 2016 when I was on the Planning Commission, the Commission voted to allow Short Term Rentals to continue to operate in St Helena's residential neighborhoods as long as numerous strict rules were made part of the Short Term Rental Ordinance. The Ordinance was established to protect not only the City but the neighbors near the Rental. It contained rules pertaining to noise, parking, the number of guests permitted on the property, as well as a publicly posted list of a locally located contact person, available 24 hour to accept calls and be at the property within 30 minutes if problems arise.

The Ordinance also stipulates that in order to renew a Short Term Rentals Lease it must be sent to the Planning Commission for a public hearing. It also stipulates that the neighbors shall be notified of the public hearing. This allows the neighbors an opportunity to be heard at the meeting and voice their approval or disapproval of renewing the STR.

The proposed STR giving the power to the Planning Director the power to approve the renewal of a STR weakens the protection that the approval gave the neighbors.

I very strongly recommend that the PC rejects the proposed change to STR Ordinance.

Respectfully Submitted,

Grace Kistner

Cindy Tzaopoulos

From: Maya DeRosa
Sent: Saturday, December 3, 2022 12:48 PM
To: Cindy Tzaopoulos
Cc: Roger Eastman
Subject: Fwd: [External] Comprehensive Zoning Code Update-Public Meeting #3

Please post to agenda .

Maya DeRosa
Community Development Director
City of St. Helena
707-967-2783

Begin forwarded message:

From: Sherri Kelly <sherrikelly1192@gmail.com>
Date: December 3, 2022 at 11:08:10 AM PST
To: Maya DeRosa <MDeRosa@cityofsthenana.org>
Subject: [External] Comprehensive Zoning Code Update-Public Meeting #3

Dear City of St. Helena Planning Department and Council members,

I respectfully ask you to reconsider the proposed changes to the Short Term Rental Municipal Code, which were discussed during the joint City meeting on November 16.

These adjustments will weaken the enforcement of STR rules in St. Helena. The well being and agency of the city's citizens should be the foremost consideration in maintaining existing rules. Under the current regulations, citizens have the tools to issue complaints with expectations that the incidents will be investigated. If the proposed changes to the STR Ordinance are implemented, citizens will have little to no peer review of their concerns.

I disagree with allowing only the Planning Director the sole discretion to determine if neighbors' complaints are valid. Please do not change the enforcements in the original ordinance.

Sherri Kelly

Cindy Tzafopoulos

From: Michael Caldarola <mimmo524@gmail.com>
Sent: Saturday, December 3, 2022 8:20 AM
To: Cindy Tzafopoulos
Subject: [External] Letter for City Council

Hi Cindy,
Would you please forward this to all the City Council Members.
Thanks.
Michael

Dear Members of the City Council,

I write to voice strong agreement with the views expressed by Susan Kenward in her Commentary in the STAR. The proposed changes to the Short-Term Rental Ordinance are anything but minor. They water down the already poorly-enforced procedure by which permanent residents can hold STR permittees accountable for their short-term renters bad and disruptive behavior. Adopting the proposed changes can only further allow the peace and quiet of neighborhoods to decline, a decline that has been exacerbated by the addition of PACASO homes and their short-term occupants. Just ask anyone who lives near Sylvaner and Riesling the quality of life at that corner. It seems that the tourist demand for places to stay in St. Helena and City's thirst for TOT are being satisfied at the expense of the residents of settled neighborhoods. Although the existing mechanism of enforcing the STR Ordinance may be rusted, it only needs attention, not revision. Please reject the proposed changes.

Michael Caldarola
1671 Vineyard Avenue
SH

Madelyn Chandler
1460 Allyn Ave. Unit B
St. Helena C.A. 94574

December 6, 2022

Dear St. Helena Council and Planning Commission,

Thank you for considering the public's voice on the St. Helena Zoning Code Update. As a local architect, I would like to bring up some concerns regarding the Design Criteria that heavily restrict architectural creativity such as material choices, 2nd story setbacks, building transparency and roof slope. Proposing to prohibit materials, specifically corrugated metal, are unreasonable. Corrugated metal is an historic agrarian building material that has been used for centuries.

As for 2nd story setbacks, why should a 2 story façade be banned? When you look around town, you can see some of the original and historic farmhouses are 2-story gable 'flat facades'. Such as 1544 Hudson, 1331 Stockton and 1542 Spring, to name a few.

The City's response to Daniel Hale's email during Work Session #1 on October 26, 2022 is completely subjective, not a detrimental design principal, nor a proven statistic:

D.H.: *Questioning the transparency requirements in the design standards. How will this produce more successful buildings?*

City Response: *Good urban design in established neighborhoods creates a rhythm of entrances that are visible from the street. This design standard addresses that design principle.*

What is the **purpose** of these restrictions? In my professional opinion, St. Helena is already becoming too uniform with the white "modern farmhouse" and having this proposed Design Criteria will only increase the repetitive nature of our neighborhoods. Mega suburbs and HOA's - the epitome of monotony - have similar regulations as our City is proposing. Is this the "desirable character" you are seeking? (17.01.030 D: *Maintain and enhance the desirable character of the City and its various neighborhoods and area*)

Architectural restrictions should be a balance of between individual rights and protecting the community's well-being, but this proposal is far overreaching. The points noted above do not advocate any 'purpose' as described in the zoning update.

Personal taste and unique property configuration is not one-size-fits-all therefore the design standards should allow for more flexibility and design freedom. There are people who can design thoughtfully outside of these proposed limitations.

So I ask you; can you not review the appropriateness on a case-by-case basis, since residential projects are subject to design review anyway? Why not have your Design Criteria be a suggested Design Guidelines instead?

I respectfully ask you to reconsider some of these points in the proposed Zoning Code Update.

Thank you,



Madelyn Chandler
Architect, LEED BD+C



December 7, 2022

Maya DeRosa
Community Development Director
&
Anil Comelo
City Manager
City of St. Helena
St. Helena, CA 94574

Re: Public Comment to Comprehensive Zoning Code Update

Dear Planning Commission & City Council:

I would like to start by thanking the Planning Commission, City Council, and all its participants for the extraordinary effort to revise the current zoning codes. As a stakeholder within St. Helena, I very much appreciate the detailed and thoughtful approach that has been taken to make the necessary updates to the St. Helena Zoning Code and I fully support the proposed revisions.

As an owner of several properties within the Central Business District (CB), I have comments and suggestions regarding the following topics as they pertain to the CB. These suggestions are meant to be constructive to further enhance the economic viability of St. Helena, not just for the benefit of commercial property owners, but for the community at large. The result will create higher tax revenues and more vibrant businesses that in turn, will positively impact the continued viability of St. Helena.

Section 17.17.020 Use Regulations and 17.17.040 Design Standards

I am in favor of the expansion as to what is permitted via a Minor Use Permit ("MUP")/staff level review as well as additional permitted business uses. This will allow for a more varied and welcomed tenant base within the CB. In particular, the expansion to include restaurant uses under an MUP will go a long way toward attracting additional food service tenants that will enhance foot traffic along Main Street.

The general goal should be to continue to look for ways to enhance the vibrancy and foot traffic with the CB, through the more streamlined MUP process. The expansion of permitted uses will allow property owners to attract a broader array of tenants, allowing for a much more vibrant and diversified tenant and tax base. It is important to note, however, that the severe infrastructure needs within the CB including: (i) the deteriorated condition of the sidewalks and curbs, (ii) the lack of parking, (iii) the limitations of the current sewer system, and (iv) access to water will continue to hamper new, responsible development regardless of any loosening of the zoning codes. The infrastructure

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challenges and the identification of new sources of funding to meet the needs to run together with the zoning effort given the extraordinary barriers to entry that the infrastructure challenges create, regardless of the loosening of permitted uses.

Eric Hall was very clear in his various presentations and his ideas should be used as a framework to rapidly seek funding to address our infrastructure needs.

Section 17.21.030 Parking Exemption District

I strongly support a more comprehensive strategy to address the current parking deficiencies throughout the CB, MU and SC zones. As I previously indicated above, the lack of an infrastructure plan that addresses a comprehensive parking solution will continue to impede the economic viability of downtown St. Helena. Furthermore, the rather inconsistent application of in-lieu parking fees, the mixed signals as to whether they will remain in place or be waived, and lack of transparency surrounding the use of these funds creates frustration and ambiguity within the community.

I suggest an accelerated effort to identify and move forward with a modest parking structure on vacant land proximate to the CB be implemented to address this issue. Parking permits can also be sold to offset the cost of acquiring, constructing, and maintaining the parking area at a moderate cost to residents versus the current system of aggressive parking violations resulting from the lack of parking. The obvious choice is to provide free parking however without a revenue source, I fear the parking solution will never come to pass and remain stalled.

Section 17.05.020 Conditional Use Permits and 17.22.120 Formula Businesses

The current proposed expansion to allow certain formula businesses within the CB still appears too limited. A zoning code cap of no more than four formula retail businesses throughout all the Central Business, Mixed Use and Service Commercial zones will continue to limit the ability for property owners to attract retailers who have more than a single, local location. While a single-store location can promote diversity, they also can be less economically viable given their singular location. I feel this limitation unfairly limits the tenant pool that wish to be in St. Helena and will hinder the economic viability of the CB.

To address this, I would propose an interim “multi-store” category, not subject to the four-store cap be established, that differentiates a proposed permitted multi-store business from a formulaic business (i.e., Starbucks or the Gap). I would further allow for the approval of the formula business to be subject to a Minor Use Permit versus a CUP, provided that the use is otherwise permitted. These actions will result in a more economically viable downtown tenant base, without sacrificing the small-town integrity of St. Helena.

Thank you for allowing me the opportunity to present my thoughts. Once again, I

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strongly support the proposed modifications and direction set forth by Maya DeRosa and the Planning Commission staff. I believe the zoning code modifications presented in the Report to the City Council represent a necessary and great leap forward, that we can build upon.

While I am relatively new to St. Helena, I am obviously very interested in its well-being through our family's business investment activity in town. I'm "all-in" as they say. I look forward to the opportunity to continue to be heard and to working with you all towards achieving our collective goal to ensure the on-going viability and greatness of St. Helena.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Walker", written over a horizontal line.

David Walker
President

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Xinia Gamero

From: JOSH BIRCH <josh@olwest.com>
Sent: Tuesday, December 6, 2022 6:24 PM
To: Maya DeRosa; Aaron Hecock; Xinia Gamero; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Lester Hardy; Eric Hall; Christopher Warner; John Ponte; Autumn Anderson; Marika Rothfeld; Rosaura Segura
Subject: [External] Concerned Neighbor

Dear Members of the Planning Commission and City Council:

We have endeavored to read the lengthy and detailed comments regarding the City's proposed changes to the zoning districts. As the City knows, the overlays and comments to same are evolving and were just recently updated. Our neighborhood did not receive an invitation to attend the information meeting until November 30, 2022, and had no prior notice of any stakeholder meetings. This timeframe is untenable and we respectfully request that the information meeting tomorrow is (1) postponed to allow more time to digest and respond to the comments and proposals to date and (2) bifurcated as to the planning commission and city council meetings so that the comments can be appropriately addressed in a transparent and deliberative manner so that the City Council may consider the Planning Commission's recommendations prior to making its final decision.

Turning to our specific concerns, the new zoning districts will allow for multi-family developments in what is currently a low density residential one acre minimum district. If adopted, future multi-family developments would be subject only to ministerial review, thus giving the neighbors no opportunity to object.

The City avers that the LR 1A was combined with the LR zone to "ensure that the proposed primary footprint limit was appropriate for the current LR zone, it was determined a sliding scale based on lot size would be appropriate for the current neighborhood character." Yet, this change allows for greater development which appears to have the opposite effect of that intended. Stated differently, why is one large house inappropriate, but multiple small houses appropriate?

We respectfully oppose the changes to the zoning districts and contend that the material change to LR-1A will diminish the rural and bucolic neighborhood that has been established. Further, the changes are diametrically opposed to the City's intent to try and create zoning ordinances that preserve the historic character of older neighborhoods.

Respectfully Submitted:

Joshua Birch

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Xinia Gamero

From: Celine Birch <celinebirch@gmail.com>
Sent: Tuesday, December 6, 2022 6:33 PM
To: Christopher Warner; Autumn Anderson; Anna Chouteau; Aaron Hecock; Eric Hall; Geoff Ellsworth; John Ponte; Lester Hardy; Maya DeRosa; Marika Rothfeld; Paul Dohring; Rosaura Segura; Xinia Gamero
Subject: [External] Concerned Neighbor

Dear Members of the Planning Commission and City Council:

We have endeavored to read the lengthy and detailed comments regarding the City's proposed changes to the zoning districts. As the City knows, the overlays and comments to same are evolving and were just recently updated. Our neighborhood did not receive an invitation to attend the information meeting until November 30, 2022, and had no prior notice of any stakeholder meetings. This timeframe is untenable and we respectfully request that the information meeting tomorrow is (1) postponed to allow more time to digest and respond to the comments and proposals to date and (2) bifurcated as to the planning commission and city council meetings so that the comments can be appropriately addressed in a transparent and deliberative manner so that the City Council may consider the Planning Commission's recommendations prior to making its final decision.

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Respectfully Submitted:

Celine Birch

Xinia Gamero

From: Jeff Whitehead <2jeffwhitehead@gmail.com>
Sent: Tuesday, December 6, 2022 6:54 PM
To: Aaron Hecock; Xinia Gamero; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Lester Hardy; Eric Hall; Christopher Warner; John Ponte; Autumn Anderson; Marika Rothfeld; Rosaura Segura
Subject: [External] Concerned Neighbor - Palmer Drive

Dear Members of the Planning Commission and City Council:

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We respectfully oppose the changes to the zoning districts and contend that the material change to LR-1A will diminish the rural and bucolic neighborhood that has been established. Further, the changes are diametrically opposed to the City's intent to try and create zoning ordinances that preserve the historic character of older neighborhoods.

Respectfully Submitted:

Jeff Whitehead

2245 Palmer Drive

Xinia Gamero

From: Dave Killoran <dkilloran@powerscore.com>
Sent: Tuesday, December 6, 2022 8:42 PM
To: Maya DeRosa; Aaron Hecock; Xinia Gamero; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Lester Hardy; Eric Hall; Christopher Warner; John Ponte; Autumn Anderson; Marika Rothfeld; Rosaura Segura
Cc: Amanda Killoran
Subject: [External] Dean York/Palmer Drive Neighborhood Rezoning Proposal

To the Saint Helena City Council and Planning Commission:

I am writing to express our strong objection to the rezoning proposal for the Dean York/Palmer neighborhood from LR-1-A to LR. This change would allow up to 5 units per acre on each parcel, vs 1.9 per acre under the current regulations. This would not accord with the general character of the neighborhood, which is composed entirely of single-owner family homes and related outbuildings on each parcel. To add any multiple unit properties in the area would change the quality, design, and appeal of the area for the worse, and would be inconsistent with the personality of the neighborhood and the long-held historical land use in this area.

Re: the City's proposed changes to the zoning districts, as the City knows, the overlays and comments to same are evolving and were just recently updated. Our neighborhood did not receive an invitation to attend the information meeting until November 30, 2022, and had no prior notice of any stakeholder meetings. This timeframe is untenable and we respectfully request that the information meeting tomorrow is (1) postponed to allow more time to digest and respond to the comments and proposals to date and (2) bifurcated as to the planning commission and city council meetings so that the comments can be appropriately addressed in a transparent and deliberative manner so that the City Council may consider the Planning Commission's recommendations prior to making its final decision.

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We respectfully oppose the changes to the zoning districts and contend that the material change to LR-1A will diminish the rural and bucolic character of the neighborhood that has long been established. Further, the changes are diametrically opposed to the City's intent to try to create zoning ordinances that preserve the historic character of older neighborhoods.

Please add these comments to the public record regarding the Dean York/Palmer Drive Neighborhood Rezoning Proposal.

Sincerely,

Amanda and Dave Killoran
 1770 Dean York Lane
 Saint Helena, CA 94574

Xinia Gamero

From: dfshafer55@gmail.com
Sent: Tuesday, December 6, 2022 9:15 PM
To: Maya DeRosa; Aaron Hecock; Xinia Gamero; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Lester Hardy; Eric Hall; Christopher Warner; John Ponte; Autumn Anderson; Marika Rothfeld; Rosaura Segura
Cc: Cindy Tzaopoulos; acomelo@cityofstheleena.or
Subject: [External] Notice of Proposed Zoning Change

Dear Members of the Planning Commission and City Council:

We have endeavored to read the lengthy and detailed comments regarding the City's proposed changes to the zoning districts. As the City knows, the overlays and comments to same are evolving and were just recently updated. Our neighborhood did not receive an invitation to attend the information meeting until November 30, 2022, and had no prior notice of any stakeholder meetings. This timeframe is untenable and we respectfully request that the information meeting tomorrow is (1) postponed to allow more time to digest and respond to the comments and proposals to date and (2) bifurcated as to the planning commission and city council meetings so that the comments can be appropriately addressed in a transparent and deliberative manner so that the City Council may consider the Planning Commission's recommendations prior to making its final decision.

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We respectfully oppose the changes to the zoning districts and contend that the material change to LR-1A will diminish the rural and bucolic neighborhood that has been established. It's a unique area that many St. Helena residents are able to enjoy on a daily basis. Further, the changes are diametrically opposed to the City's intent to try and create zoning ordinances that preserve the historic character of older neighborhoods. That preservation is important since it ultimately benefits the local community at large.

Respectfully Submitted:

Doug and Annette Shafer

Xinia Gamero

From: Alan Torrigino <atorrigino@mac.com>
Sent: Tuesday, December 6, 2022 10:47 PM
To: Public Comment
Cc: Maya DeRosa
Subject: [External] Please postpone the adoption of the rezoning of the Dean York Lane neighborhood.

Dear Members of the Planning Commission and City Council:

Please postpone the adoption of the proposed zoning change of LR 1A zone to LR.

I request time to digest and respond to the proposed change. I wish to best understand the pros and cons of the City's proposal.

Mom and I did not receive an invitation to attend the rezoning meeting until November 30. Such late notification appears to me an action by the City, that for some reason, is being rushed through with little voice given to the stakeholders.

I am actually surprised that such a proposed zoning change would not include earlier meetings with the Dean York Lane neighborhood. Such meetings months in advance would provide transparency to the process. Such meetings would give the stakeholders an opportunity to digest the proposal and give the neighborhood knowledgeable voice in the matter.

Our family has cherished our 64 years of pink-house residency on Dean York Lane. Mom says that about 30 years ago, in preparation for a similar proposal to change the zoning of the neighborhood, the City was up front and provided such meetings for all the stakeholders.

What I glean from this short-notice proposal, is that the rezoning would dramatically change the unique character of our rural, naturally beautiful, and historic Dean York Lane neighborhood.

These two stakeholders request the opportunity to gain more information, digest, and then knowledgeably respond.

Please postpone the adoption of the proposed zoning change of LR 1A zone to LR.

Regards,
Alan Torrigino and Mom

Xinia Gamero

From: Dick Humphries <Dick@rkhconstructors.com>
Sent: Wednesday, December 7, 2022 7:04 AM
To: Xinia Gamero
Cc: Stefanie Humphries (fonia@fonia.com)
Subject: [External] 2080 Palmer Dr. St. Helena

Dear Members of the Planning Commission and City Council:

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Respectfully Submitted:

Richard and Stefanie M. Humphries

Dick Humphries

RKH Constructors, Inc
925-837-9150 office
www.rkhconstructors.com



DocuSign Envelope ID: B2E02AE5-48CB-4401-8283-2111449F2D9A

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Respectfully Submitted:

DocuSigned by:
Stefanie M. Humphries
0ED794E6510D409...

Stefanie Humphries

2080 Palmer Drive

St. Helena, CA. 94574

From: Pamela Smithers <psmithrs@comcast.net>

Sent: Wednesday, December 7, 2022 10:02 AM

To: John Ponte <JPonte@cityofsthelena.org>

Subject: [External] zoning changes

Good morning John,

I'm writing about the proposed zoning changes to be discussed tonight. I'm in favor of almost all of them. Thank you for your work with staff in making these suggestions.

I live on S Crane, and my experience is that the 10' setback is barely enough, so please don't reduce that, and is really not material when the home rises 22-25 feet in the air, right on the setback line. This happened to us. They were completely within their rights. The trees that the planning commission required to shield their roof line from our view have only now started growing tall, years later, and still the effect can be oppressive. Alan Galbraith said we should have complained, but that puts neighbors in a horrible position. (Luckily for us, our neighbors live here full time so at least we didn't have to look at a house bearing down on us that no one lived in!)

We have been arguing for some sort of change to the code so these heights are checked. I think the roof setback idea is a good idea, to lessen the impact of height on neighbors. I also like that front doors must be seen, and hope these changes mean there will be less of the tall box designs. They are oppressive. I know some architects favor them but.....not great for neighbors!

I also like that much of the decision making will be moved to staff rather than having to come and argue in public. These favors those who don't live here full time and aren't as concerned with their long term relationships with neighbors. And those with deep pockets and lots of time/staff to craft their arguments.

Keep in mind that the architects arguing against some of the proposed changes are only thinking about their clients point of view. Also remember that almost no one takes the time to argue in favor of change. It's almost always just those who oppose who come forward in public. So please don't be fooled when so many are against the changes. Many, many of us are in favor.

Thank you for your time on the planning commission.

Pam Smithers

707-963-8081

Xinia Gamero

From: Jennifer Waddell <waddell.jp@gmail.com>
Sent: Wednesday, December 7, 2022 10:15 AM
To: Aaron Hecock; Xinia Gamero; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Lester Hardy; Eric Hall; Christopher Warner; John Ponte; Autumn Anderson; Marika Rothfeld; Rosaura Segura
Subject: [External] Palmer Drive Proposed Rezoning

Dear Members of the Planning Commission and City Council:

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Respectfully Submitted:

Jennifer Waddell
 2225 Palmer Drive
 c 310-780-2840

Xinia Gamero

From: Antonio Castellucci <antoniocastellucci14@gmail.com>
Sent: Wednesday, December 7, 2022 1:05 PM
To: Public Comment
Subject: [External] Zoning code update

After carefully reading the new Zoning Code update to be discussed this evening , I Antonio Castellucci offer my full support of this very important document .

Sorry for not being able to attend this very important meeting .

Best Regards
Antonio

--

Erika Opp

Executive Assistant to Antonio Castellucci
PO Box 106 | Rutherford, CA 94573
erika@castelluccinapavalley.com

From: Elaine de Man <elainede@sbcglobal.net>
Date: December 7, 2022 at 2:59:18 PM PST
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Subject: [External] Comprehensive Zoning Code Update
Reply-To: Elaine de Man <elainede@sbcglobal.net>

Hi Cindy,

Please forward the following to the mayor and members of the City Council and Planning Commission.

Thank you,
Elaine de Man

Dear Members of the City Council and Planning Commission,

Thank you for the opportunity to comment on the proposed revisions to St. Helena's building codes. And thank you for the time and effort that has been invested so far.

In continuing with this process, I sincerely hope the members of the city council and the planning commission will not lose sight of the words spoken by Paul Dohring during his successful mayoral campaign: **"We are a community, not a commodity."** Comments to the effect that we should look to cities like Walnut Creek or Yountville as examples to aspire to do *not* reflect that basic premise. I have been to Walnut Creek. There is no community there. And it is the last thing I, and I predict many of the residents, would want for St. Helena.

I also reject the notion that more "formula businesses" will result in a more economically viable downtown tenant base, without sacrificing the "small-town integrity" of St. Helena." If we want our downtown to be vibrant it should remain, as it is, unique. Formula businesses do not offer that. "Small-town integrity" implies a sense of community where neighbors know and care about one another and includes a reference to tradition. Formula businesses do not fit within those criteria.

We are still an agricultural town. Why the rush to be something else...something that would no longer be unique or as desirable? So please uphold any efforts to prevent us from becoming just another cookie-cutter community.

In 2016, the citizens of St. Helena received certain protections for the right to safe and quiet neighborhoods through the Short Term Rental Ordinance. The Ordinance contained rules pertaining to noise, parking, and the number of guests permitted on the property, as well as a publicly posted list of a *locally located contact person*, available 24 hours to accept calls and be at the property within 30 minutes if problems arise. This has been effective in our neighborhood so we request that you do not change the rules of enforcement in the original ordinance.

Currently, we have the tools needed to issue complaints with the expectation that the incidents will be investigated. If the proposed changes to the STR Ordinance are implemented, it will be left up to the planning director, alone, to determine if the neighbor's complaints are valid. This should be in the hands of community members and subject to peer review.

Additionally, STR renewals should continue to be sent to the Planning Commission for a public hearing so neighbors have an opportunity to be heard and voice their approval or disapproval of renewing the STR. Giving sole power to the Planning Director to approve the renewal of an STR weakens the protections that the approval gave the neighbors and starts to erode our sense of community. Consequently, I strongly recommend that the proposed change to STR Ordinance be rejected.

I am also concerned to see some of the Proposed Zoning Map Changes, most notably, the conversion of 20 acres at 1501 Big Rock Road, 20 acres at 2500 Spring Mountain Road, and 20 acres at 2491 Spring Mountain Road from "Woodlands and Watershed" to "Agriculture." Given the scarcity of water we have all experienced here in St. Helena and throughout the region, and the adverse effects of climate change, we should acknowledge and respect the important role that woodlands and watershed play in recharging our aquifers, curtailing erosion, and sequestering carbon. We are in a climate emergency. Converting any significant woodland and watershed acreage to agriculture is a step in the wrong direction and I hope you will remove those changes from the proposal.

We are *still* a community and not a commodity...though some would try to make you believe that those days are gone. I suggest they are not, especially given the amount of community involvement and the concerns expressed in the comments. We appreciate the work you are doing and are counting on you to continue to put the needs of the community and future generations first.

Thank you,

Elaine de Man

Xinia Gamero

From: Joe Berchtold <joe_berchtold@yahoo.com>
Sent: Wednesday, December 7, 2022 3:23 PM
To: Cindy Tzaopoulos; Public Comment
Cc: Katharine H. Falace
Subject: [External] Comment to Planning Commission/ City Council

Dear Members of the Planning Commission and City Council:

We object to the new zoning ordinances proposed. While the new zoning ordinances will not impact our pending proposed project, we believe that future projects should not be curtailed by some of the new proposed rules. We appreciate that the stated purpose of the changes is to provide more consistent parameters along with more objective project measurements, however, it appears the changes do not accomplish this intended purpose.

We request that as the process moves along, the Commission and the Council explain the reasoning behind some of the changes and allow the opportunity for neighbors to voice their concerns. To the extent any response to this letter is warranted, please copy my counsel of record, Katharine Falace.

Respectfully submitted,

Joe and Lorraine Berchtold
2126 Madrona Avenue

Xinia Gamero

From: Daniel Hale <danielhale64@yahoo.com>
Sent: Wednesday, December 7, 2022 4:09 PM
To: Maya DeRosa; Cindy Tzaopoulos; Xinia Gamero
Cc: Anil Comelo
Subject: [External] Zoning Code Draft Update Comment

Maya, Cindy, Xinia,

Hoping to get this comment onto the agenda for this evenings meeting.

I have put my best effort into sharpening my understanding of the Draft Code Update and would like to thank Maya and our Planning staff, and also Roger and the team from LWC for their efforts and also for the time they have spent with me to better inform some of the gaps in my understanding. I have submitted my concerns, and have suggested ways to address those concerns.

Building a better Code Document will serve us well into the future as we grapple with the questions of how do we best maintain and create adequate and healthy environments for residents, workers and visitors. alike. I sincerely hope that you will commit the time to read the Draft Code document, and also take the time to consider public comments and the perspectives they may provide.

In speaking with both colleagues and friends, it has become clear to me that the general understanding of what code is, and what Code does...and also what it does NOT do... is sometimes a mystery.

In an attempt to make it more CLEAR; here are a small handful of examples that I believe begin to express why it needs to matter...

You have to first take the time to understand that almost all aspects of the built environment (Historic and not) in Saint Helena are often non-conforming, and in many cases in multiple ways. That is part of what creates the much sought after character and texture that we cherish, and that we have the opportunity to share with others. Understand also that this Draft will add to the inventory of non-conforming aspects that exist all around us...in that place that we are fortunate to call HOME.

Up to now we have approached those non-conformities with the (I believe) appropriate reality that we value those place-defining curious moments (often of great beauty) and we do so with appropriate pride.

The Draft Code (in its current state) embarks fiercely on a different track; that instead empowers the outright snuffing out of those non-conformities at every available opportunity. I believe that amounts to an unhealthy sort of self-loathing, that should be decisively rejected.

If you want to add a bathroom, or a bedroom, or a closet, or a bay...or almost any change that is not within existing envelopes or other considerations; you will be faced with the choice of tossing on to

the “BONFIRE OF PROGRESS” any parts and pieces and aspects of your house or structure that do not meet Code. That includes setbacks, heights, roof pitches, initial frontage widths, colors, materials, window placements and many other aspects that this draft code introduces.

That same BONFIRE has its eyes on your creativity and individual expression...as it applies to things you wish to build.

If you are building new; you had better prefer porch-less and mandatorily drab layer cakes and stepped pyramids with roof pitch decisions made ignorant of any on site or program considerations...to any notion of a dream house that you may well have spent all your working hours to eventually afford...

SO MUCH OF THIS IS A TRULY BAD IDEA...and it is also a large POLICY shift that seemingly at this point is slinking forward without transparency and the requisite discussions and decisions by those empowered with undertaking those actions.

Over-reach and under-performance have real life effects. Subjective prescriptions on color, materials, shapes and window placements will not serve to shape a better and more healthy built environment, and will often make the maintenance and creation of a more healthy environment more burdensome, costly and in the end, simply out of reach.

Have District and site designations and changes been viewed under the lens of creating the most possible environments to create vital and vibrant workforce housing solutions? Have we neglected to consider and include in this opportunity those sites that have partial approvals and some headway that will require a future zoning designation change but are left still floundering? Why not combine the endeavor and lighten the burden to allow more swift realization of those outcomes where appropriate?

Have we overburdened a struggling commercial district with regulations that will serve only to hobble and inhibit the very creative engines that we need to attract?

In short...**WE NEED TO COMMIT TO TAKE THE TIME AND EFFORT TO GET THIS RIGHT!** Where shifts are being proposed, make those shifts clear, and have those required policy discussions.

Thanks for your time. :) Sincerely,

Daniel Hale
1810 Vineyard Avenue Saint Helena, CA 94574



12.7.22

City of St Helena Zoning Code Draft Update

Our zoning code and review procedures are in need of clarifications to ease process for staff, applicants, Council, and Commission, and efforts improve it are completely merited. In this instance the City acknowledged the need for improvements within our zoning code and took action to remedy known and potential unknown conflicts. Understanding that the impetus for the proposed zoning code update was to help resolve issues within the current version, this effort has not succeeded.

The framework for the introduction to the meeting is based on the statement that there is little money left for draft revisions of the current iteration. Often when items such as this come before the council to provide direction to staff, this is passed off as having less implication than a vote, however there is currently a freight train of imposed pressure on the council to move forward and get this done. The impact of succumbing to this pressure and not taking the time to get this process and document corrected are vast and far reaching beyond local politics and individual property rights.

The fact that this version of the revision has made it this far and is being presented as a potential draft for adoption is grossly negligent on the part of the planning director, and the planning commission. It is glaringly obvious that no one has taken a comprehensive review of the document writ large and digested the interconnected impacts and contradictions within the document itself, the impact on the City's bottom line, the City's aesthetic built environment, and the impacts on property owners and commercial entities. These impacts are laid bare within the holistic context of the document, yet rather than speaking to the issues it is being presented as complete and celebrated.

The City has invested a considerable amount of money with Lisa Wise Consulting (LWC) for this update and i'm sure with the best of intent they were able to take previous work for previous clients and plug and play with input from stakeholders and staff informing bits and pieces. The zoning portions read like attempts were made to conform to local perceived needs but have many anomalies and glaring issues within the local fabric, and the development standard portions read like a select few individuals or a singular individual had their personal design preferences instilled within the directives.

Unfortunately in our town the mechanisms for code review fall to the ultimate subjective perspectives of the Planning Commission. Citizens and design professionals fear having to present projects for concern over being erroneously shut down based on current mood with zero ability to rely on codified review limitations. Business owners are left subject to use permit approval based on the erroneous rhetoric of potential opposition or personal feelings of commission members. Property owners are left with no reliance on being able to expand or develop within code. The proposed zoning code update exemplifies these issues and makes them exponentially worse.

The proceedings of last night's Planning Commission meeting are a perfect example of how dysfunctional the commission has become. Intervention by the council is desperately needed before any meaningful impact of zoning code changes can be realized. The Planning Commission process needs to be revised and steps should be taken to help educate Planning Commission members on the mission, purpose and limitations of the Commission, and provide tools to help them understand how to read and interpret plans and specifications. There is little to no purpose to the community in having staff spend the needed time to review agenda items

and provide professional feedback regarding code when the Commission simply disregards applicable recommendations and speaks from a position of tyranny. This has been a systemic institutional issue for decades.

The municipalities zoning code defines the logistical and aesthetic progress of the community and is a crystal ball for predicting the future. How we continue to repeat past mistakes given the current code is glaringly evident, however equally evident is how the future looks with the current revised zoning code iteration before the council and commission. The roadblocks of business use permit issuance are not resolved thus the business district will continue to suffer. Clarifications of Planning Commission duties and qualifications are not resolved therefore citizens will continue to suffer. Zoning overlays are haphazard and conflicts around what can be built where will continue to be in conflict. Parking issues are not resolved. The list goes on.

As a City Council member if you have not read this iteration completely and do not have a comprehensive understanding of the implications I implore you not to direct staff to proceed. Take a drive around town with the design standards in hand and see the implications this update imposes. The vast majority of the built environment in this town does not comply with the new proposed standards.

There are positive bits of this update that can have positive impacts and should be incorporated through careful study. Otherwise there are plenty of avenues that the council can take to improve the current code without the pressure of spending money on consultant fees and adopting this document. There can be a regular agenda item as the council sees fit to continually introduce improvements based on proper study rather than adopt a revision in its entirety. Frankly a simple survey to business owners and the professional design community that have engaged with the City or Planning Commission would garner a great deal of wisdom.

Brief examples of the incredibly destructive impacts of a few of the revisions are:

Regarding Chapter 17.09.010

Nonconforming Provisions

Part II: Administration and Procedures

This Chapter provides regulations for nonconforming uses, lots, developments, and signs that were lawful at the time of their construction or establishment, but which no longer conform to the regulations of the Zoning Code. The intent of this Chapter is to:

Encourage improvements for appearance, maintenance, and safety, while limiting the extent to which nonconforming uses and structures may continue to be used, altered, expanded, moved, or replaced. Unless specified otherwise, this Chapter is intended to be administered in a manner that encourages the eventual elimination of nonconformities.

The commercial and residential design standards put forth in the proposed code impose a design aesthetic akin with a planned development and shopping complex. The fact that a property owner or use permit applicant can not submit a planning permit without bringing the entirety of the property (see 17.04.040 B.) to compliance with this code means that property owners will be forced to make structural changes to the tune of hundreds of thousands to millions of dollars in order make the most basic of changes to their property. To be clear any endeavor that requires a planning submittal will trigger full compliance to proposed design

guidelines. If you have a single story house with a roof pitch of between 1 and 5 and wish to add a window you will be required to reframe your roof to comply, if you do not fall within the revised setbacks you will be required to remove a portion of your house. If you have a second story stacked directly above a lower wall and want to add a shade overhang, or move a window location, you will be required to cut the second facade off and push the front back 10' and pull the sides and back in 5'.

ANY activity that triggers design review which by definition is any exterior modification other than paint color will require the entire property be brought to current conformity before an application will be deemed complete.

A goal of complete homogenized aesthetic environment should never be a goal of a municipality. It creates aesthetic ruin and boredom and is akin to other goals of homogenization in society.

I implore you to review the design standards put forth. Look at the aesthetics of the graphics provided. Is this what you want the built environment of town to look like? Do you want to see the same form on every street and the same aesthetic fabric through all commercial districts? A midwest housing development and urban sprawl mall scape?

This revision even goes so far as to eliminate entire materials and color palettes. Regarding 17.16.040 6.) Exterior Building Materials and Colors:

- *Vinyl siding, aluminum siding, artificial stone finishes, plywood (including particle board and oriented strand board), corrugated metal, and common concrete block are prohibited.*
- *Bright colors must only be used for trim or for accents.*
- *A consistent palette of materials and colors must be used on all sides of buildings.*

Why? The vast majority of homes constructed in in town from the 60's through the 90's have T-11 siding in this town. T-11 is plywood. The vast majority of farmcitecture board and batt homes currently built have plywood siding. and applied batts. Some of the most exquisite examples of contemporary architecture utilize aluminum siding. Corrugated metal is an agricultural staple. What is "common concrete block" ? Who doesn't like these materials? Why are they eliminated? All of these materials have uses beyond what is common that can be executed in excellent aesthetic ways.

"No bright colors". If you have a white house you will need to change the color. What constitutes a non bright color? A white that has a touch of cream? Who decides? The Planning Commission? Staff?

What is a "consistent pallet of materials" and colors? If I specify a natural stone facade and have a portion of timber at one section is that inconsistent? Who decides?

If I currently own a house or commercial building and want to make an exterior modification i will be required to change my color, facade materials, roof materials, perhaps my building footprint, or second story bearing wall lines. At whose discretion?

These are examples from two pages of a 370 page document and zoning changes have not been mentioned. I would sincerely hope that the council endeavors to make absolutely certain it has a comprehensive understanding of the implications of the proposed changes. It is clear that this understanding cannot be communicated by the planning director, the planning commission, or the consultant.

The consultant has no vested interest in the long term impacts of this document on the community. The planning director will likely be off to greener pastures once this feather is achieved and will not be held accountable for the impacts of this proposed update. The planning commission's work and the work of staff is made exponentially more difficult if this document is adopted. The negative impacts to property owners, renters, citizens, and business owners are plain to see.

There is a great deal of pressure to push this through, and many have put forth congratulations and thanks. I implore the council and commission to strive to independently understand this document as individuals and municipal entities and provide clear, unified direction to staff after consensus of having achieved a comprehensive holistic view of the impacts of the document.

Sincerely,

Joshua & Sarah Parke

From: Chuck Covell <chuck@covell-architect.com>
Sent: Tuesday, December 6, 2022 2:50 PM
To: Public Comment <publiccomment@cityofsthelena.org>
Cc: Daniel Hale <danielmarkhale@gmail.com>; Michelle Liu <michelle@covell-architect.com>; Aaron Hecock <ahecock@cityofsthelena.org>
Subject: [External] Draft Zoning Code Comments

City of St Helena

1572 Railroad Avenue

St Helena, CA 94574

To whom it may concern;

As an architect practicing in St Helena for the past 19 years, I would like to submit the following suggestions for Planning Commission's consideration.

1. **Chapter 17.32: Definition of Floor Area:** Please bring the definition into alignment with County of Napa and Yountville, which define floor area as the actual Floor Area EXCLUDING exterior walls, and preferably interior walls. The current definition, besides reducing usable interior space, effectually results in thin-walled architecture, which doesn't enhance the environmental, ecological, sustainability nor aesthetic quality of the design (or anything else.)
2. **Chapter 17.24.050.1a:** Please reduce the 20 foot setback rule for lots with back yards facing side street frontages, so that residents may enjoy their entire back yard in privacy without resorting to water-gulping hedges. Twenty feet consumes way more of the backyard than is necessary to provide a pleasant street frontage. It seems to me the distance should be measured from the interior edge of the sidewalk (where occurs) and the distance needn't be more than 5' to allow for a buffer for landscaping. What possible use or purpose is the current (and proposed) twenty feet between the curb and a privacy fence? Of course this exception would exclude blind traffic corners as provided for elsewhere.
3. **Chapter 17.22.030: ADU's.** Please allow up to 1200 s.f. adu's if the property's FAR allows.
4. **Chapter 17.22.030.D.2.a.i.** Where an existing accessory structure is replaced with a new ADU structure, why not allow the "within the existing space" to include not just the 'same' but also 'smaller' dimensions?

In general, I categorically disagree with the imposition of **section 17.16.040** creating “Design Standards.” This will just make the approval process even more costly and arduous for the public and I’ve seen no evidence that these kinds of rules are needed.

Thank you for the opportunity to provide feedback.

Sincerely,

Charles V. Covell

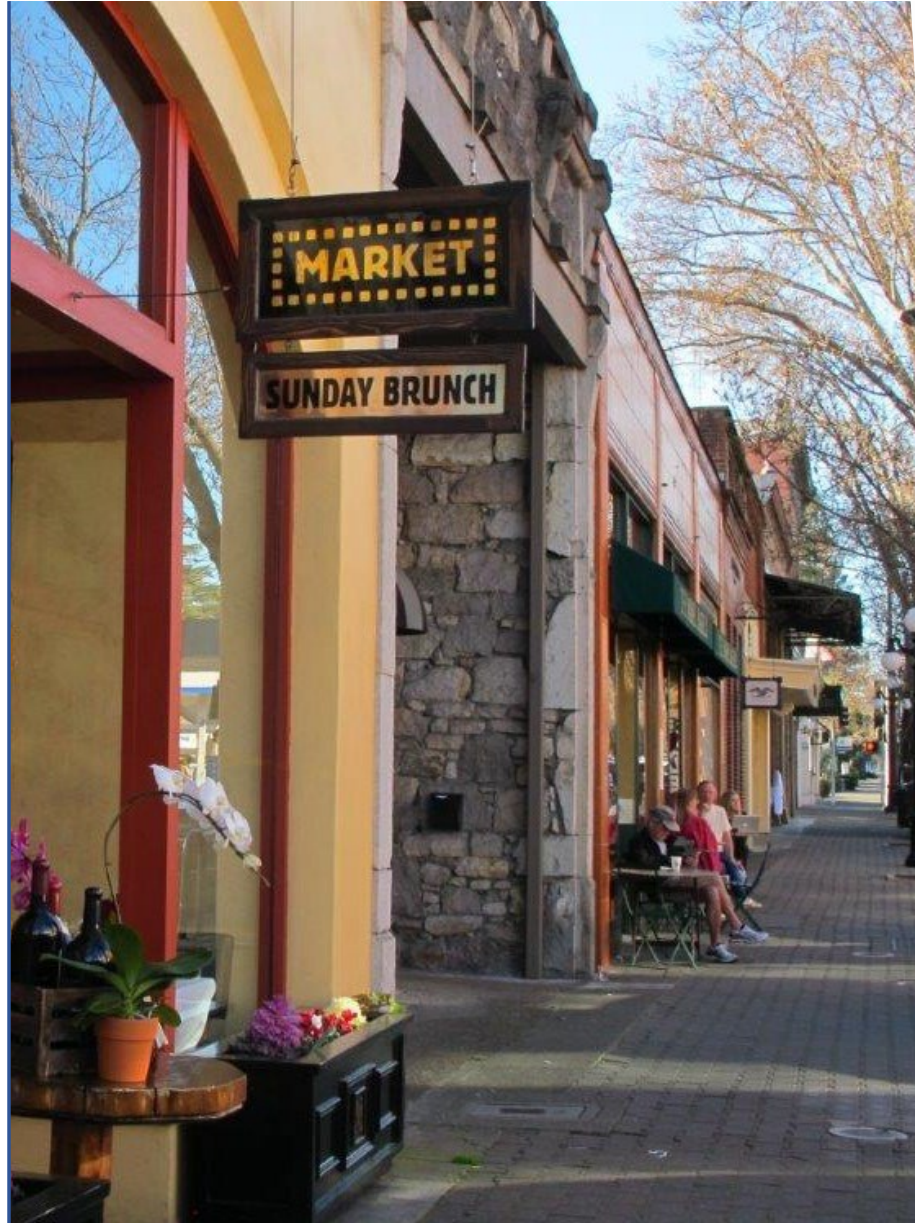
Principal

Charles Covell Architects
1407 Main Street Ste. 102
St. Helena, CA 94574
(707) 968 9280
www.covell-architect.com



**Zoning Code Update
Joint PC/CC Study Session #3:**

**December 7, 2022
5:00 – 7:00 PM**

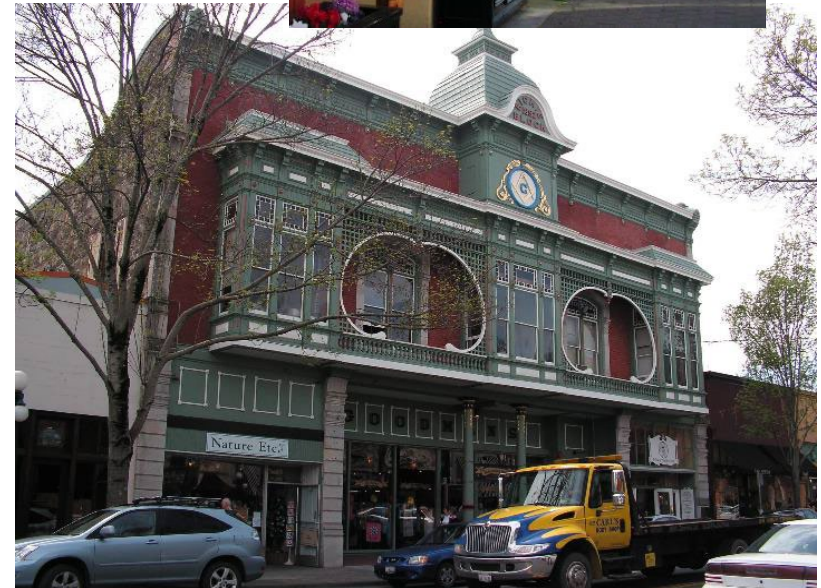


Today's Agenda

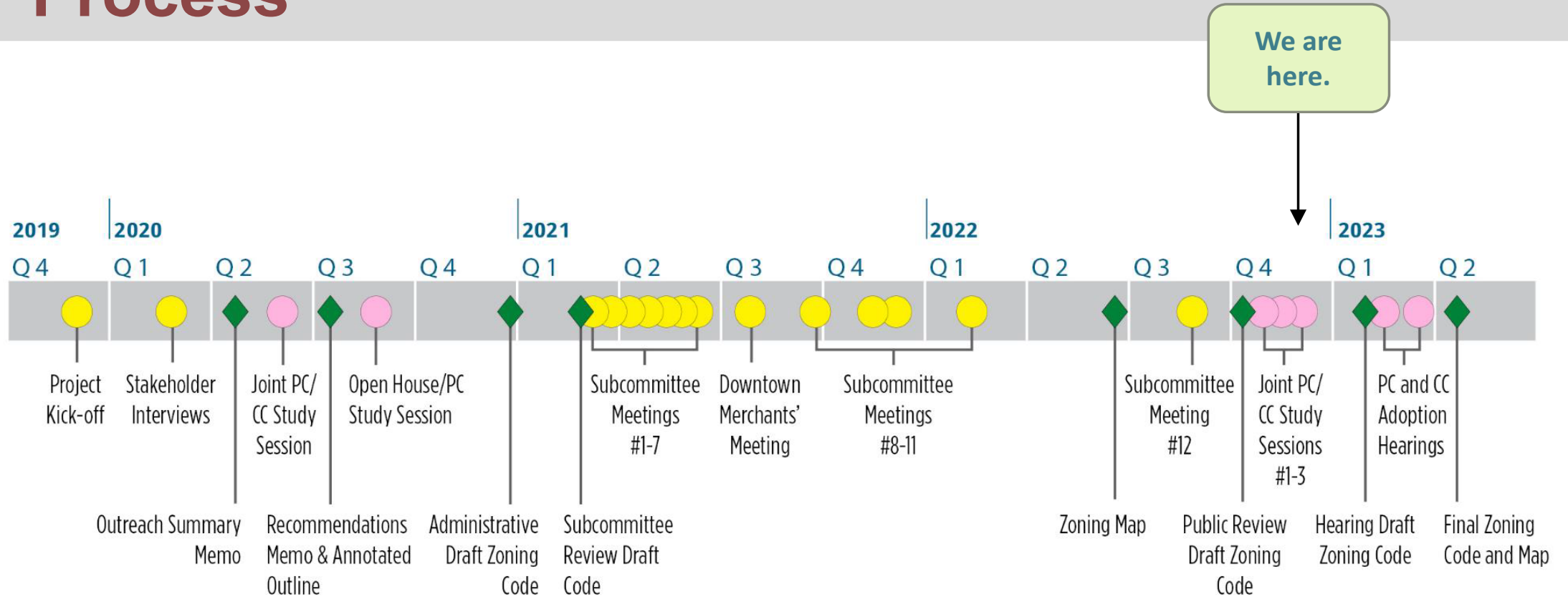
1. Introduction and Zoning Code Accomplishments
2. Citywide Standards
 - *Parking*
 - *Signage*
 - *Affordable Housing*
3. Overlay Zones
 - *Parking Exemption*
 - *Historic Preservation*
 - *Planned Development*
4. Zoning Map – review changes
5. Discussion/Public Comment
6. Review Recommendations from Study Sessions 1 and 2

1 – 1.25 hours

0.75 hours

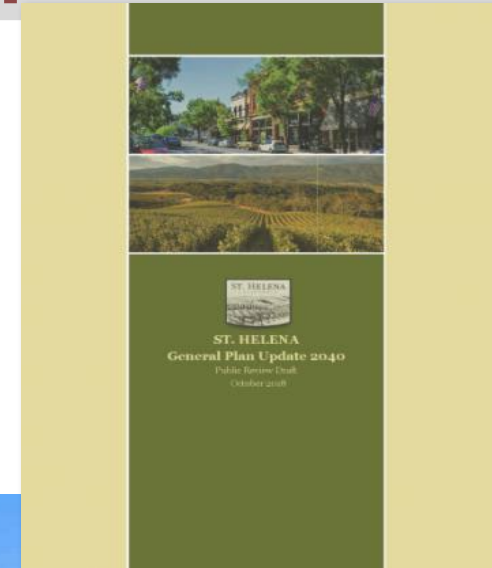


Process



What does the Zoning Code Accomplish?

1. **Consistent with St. Helena General Plan**
 - *Important implementation tool*
2. **Economic development tool**
 - *Highest and best use on Main Street*
 - *Design standards provide certainty*
 - *Expanded list of uses*
 - *Parking Exemption Overlay*
3. **Streamlines permit processes**
 - *More staff level review (i.e. by-right an MUP; Multi-family consistent with objective standards is ministerial review)*
 - *Eliminates arbitrary major design review findings - Objective*



Credit: St. Helena Historical Society

What does the Zoning Code Accomplish?

1. Consistent with St. Helena General Plan

- *Important implementation tool*

2. Economic development tool

- *Highest and best use on Main Street*
- *Design standards provide certainty*
- *Expanded list of uses*
- *Parking Exemption Overlay*

3. Streamlines permit processes

- *More staff level review (MUP and by-right)*
- *Eliminates arbitrary major design review findings*

4. Facilitates multi-family development

- *New objective design standards*
- *Ministerial review*
- *Reduced parking*

5. Compliant with federal, state, and case law

- *Telecommunications Act*
- *Recent Ca. legislative actions on housing*
- *Sign code – Reed v. Gilbert, 2015*

6. Ease-of-use

- *Land use tables*
- *Illustrations and graphics*
- *Rules of measurement*

Table of Contents

Part I: General Provisions

**Part II: Administration and
Procedures**

Part III: District Regulations →

Part IV: Citywide Standards

Part V: Uses and Definitions

- 17.24 General Site Standards
- 17.25 Landscaping
- 17.26 Parking and Loading**
- 17.27 Signs**
- 17.28 Performance Standards
- 17.29 Density Bonus**
- 17.30 Affordable Housing Program**
- 17.31 Two-Unit Projects

Table of Contents

Part I: General Provisions

Part II: Administration and Procedures

Part III: District Regulations →

Part IV: Citywide Standards

Part V: Uses and Definitions

17.15 Establishment of Base Zoning Districts

17.16 Residential Zoning Districts

17.17 Commercial and Mixed-Use Districts

17.18 Business and Industrial Districts

17.19 Community Agricultural and Natural Resource Districts

17.20 Public and Open Space Districts

17.21 Overlay Districts

17.22 Specific to Uses

17.23 Reserved

Parking and Loading, Chapter 17.26

Policy Direction:

- **LU3.7:** Provide **sufficient auto and bicycle parking in order to serve local businesses** in the commercial districts. Ensure that all parking areas are **well designed** and that auto parking spaces are **hidden from pedestrian view**, whenever possible.
- **CD2.1:** Maintain the character and identity of the downtown by... **locating parking on the side and behind buildings**...
- **CD2.2:** Within industrial and commercial areas outside downtown...accessible front façades and **parking on the sides and backs of buildings**.
- **CD3.6:** Explore a **reduction in parking requirements for residential uses** that implement transportation demand management strategies, consistent with the parking management strategy articulated in the Circulation Element.
- **HE2.G:** ...Encourage mixed-use developments... **allowing commercial and residential users to 'share' their parking** resulting in a lower overall parking requirement. Requirements for covered parking should also be reconsidered.



Parking and Loading, Chapter 17.26

Major Changes:

- **Required Parking Spaces:** removed covered parking requirement for residential and reduced MF parking standards
- **New Standards:** Hotel employee parking and winery tasting room
- **Design Standards:** Includes City's Public Works standards for parking lot and area design
- **Bicycle Parking:** New. Provides long- and short-term parking for bicycles
- **EV Charging Stations:** New.
- **Parking Reductions:** New. Parking Exemption Overlay, shared parking and TDM reduction
- **Definitions:** Updated as needed.

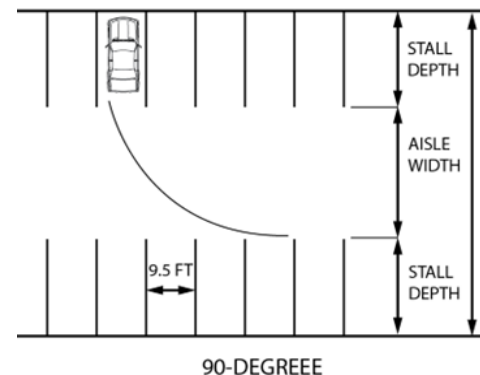
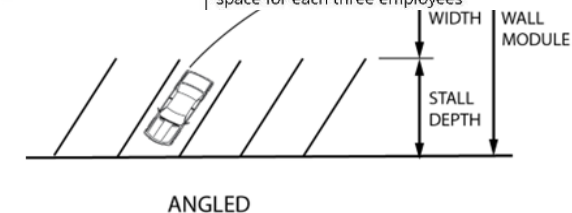


Table 17.26.040.A: Minimum Off-Street Parking Requirements by Use	
Residential Uses	
Single-family and duplex dwellings	Min. 2 spaces per unit, may be covered or uncovered
Multi-family dwellings (3 or more units)	<i>Studio and 1-BR units:</i> Min. 1 space per unit, may be covered or uncovered. <i>2 BR or more:</i> Min. 1.5 spaces per unit., <i>Guest parking:</i> 25% of total required spaces when 15 or more units constructed.
Family day care, small	None beyond what is required for the residential use
Family day care, large	In addition to required parking for the residential use, min. 1 space for each nonresident employee plus an area for loading and unloading children
Live/work	One space per 300 sq ft of the area devoted to work space, plus one space for every four units.
Mobile homes	Min. 2 spaces per mobile home space. One must be located on the mobile home space and the other must be located within 150 feet of the mobile home space. In addition, min. 1 guest space per 4 mobile home spaces
Single-room occupancy	One uncovered parking space for every three units plus one uncovered parking space for an onsite manager unit. In addition, min. 1 lockable bicycle parking space for each efficiency unit adjacent to the unit.
Commercial, Office, Industrial, and Winery Uses	
Boarding house	Min. 2 spaces for the resident owner plus 1 space for each guest room
Commercial, retail and office uses	1 space per 300 sq ft of building floor area, in no cases less than 2 parking spaces for each building or tenant space
Eating and drinking establishments	1 space per 4 seats
Hotel	Min. 1 space per guest room, suite, sleeping or living unit plus one space for each three employees



Signs, Chapter 17.27

- *Reed v. Town of Gilbert*, 2015
- Content-Neutral Sign Regulations
- *Reed v. Town of Gilbert*, US Supreme Court No. 135 S.Ct. 2218, 2015

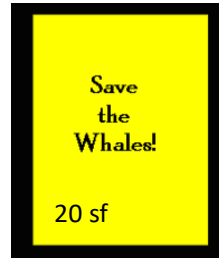
"Temporary Directional Signs Relating to a Qualifying Event"



Signs, Chapter 17.27

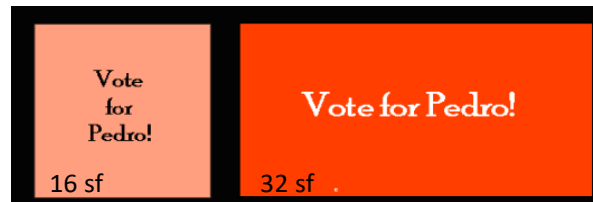
- *Reed v. Town of Gilbert*, US Supreme Court No. 135 S.Ct. 2218, 2015

Ideological



Where?	How long?
Anywhere	As long as you want

Political



Where?	How long?
Residential (16 sf) NR / public / ROW (32)	60 before primary 15 after general

Temporary
Directional Sign
Relating to a
Qualifying Event



Where?	How long?
Private or public land 4 at a time	12 hours before 1 hour after

Signs, Chapter 17.27

Legal Considerations

Content-Based Regulation

- What does sign say?
- Message determines if it stays up or down, or applicable regulations

Vote for Waldo

"Political Sign"

Content-Neutral Regulation

- Time
- Place
- Manner

Sign Text
Sign text

"Freestanding Sign"

Signs, Chapter 17.27

Legal Considerations

Some Content-based Sign Types that should be Revised Consistent with <i>Reed v. Gilbert</i>	
Existing Sign Type	Proposed Sign Type
Advertising Billboard	Billboard
Home Occupation Sign	Wall Sign, Freestanding Sign
Temporary Advertising Signs	Banner or Yard sign
Real Estate Signs	Banner, A-Frame (Sandwich Board), or Yard sign
Real Estate Open House Sign	Banner, A-Frame (Sandwich Board), or Yard sign

Signs, Chapter 17.27

An Updated Table of Contents

1. Purpose and Intent
2. Applicability
3. Sign Permit Requirements
4. General Standards for All Signs
5. General Requirements for All Signs
6. Standards for Permanent Signs
7. Standards for Temporary Signs
8. Nonconforming Signs
9. Enforcement
10. Severability



Signs, Chapter 17.27

Major Changes – General Provisions

- **Table of Contents:** Updated
- **Purpose:** Updated
- **Definitions:** Expanded and updated
- **Applicability:** New provisions (e.g., substitutions clause, fewer exemptions, and severability clause)
- **General Standards for All Signs:** Location and display standards; prohibited sign types
- **Rules of Measurement:** Expanded and updated.
- **Sign Illuminations:** Expanded and updated
- **Sign Maintenance:** Expanded and updated

Figure 17.27.060.C: Irregular Shaped Signs

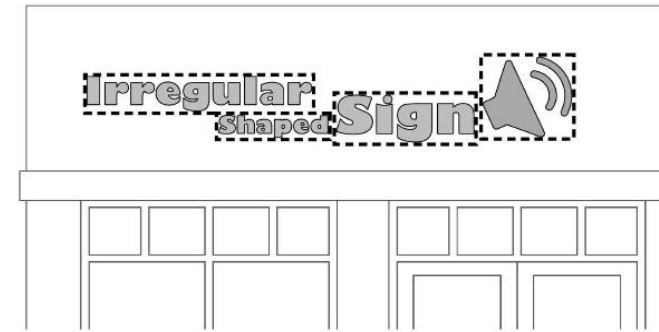


Figure 17.27.060.J: External Illumination

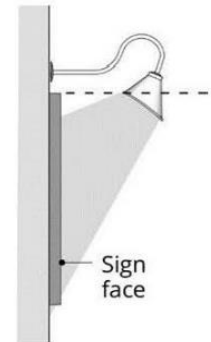
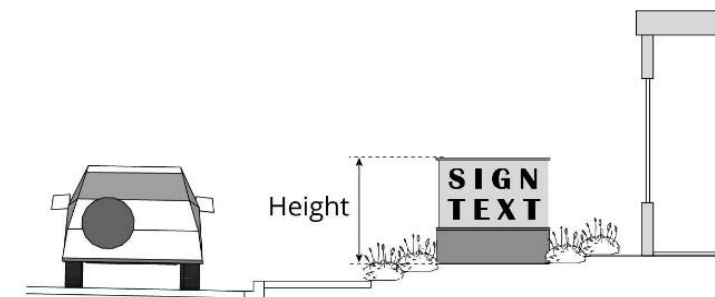


Figure 17.27.060.F: Freestanding Sign Height, Higher Than Adjacent Grade



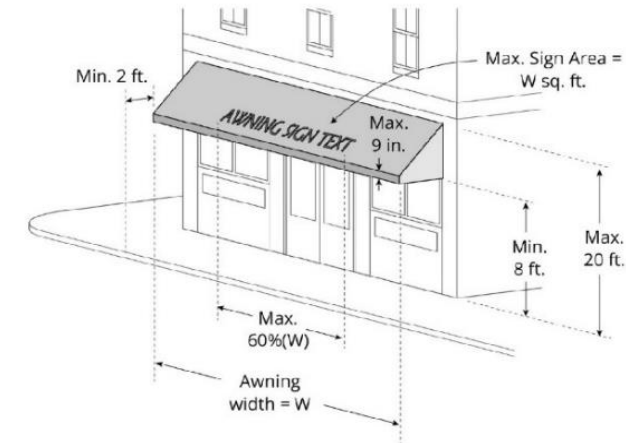
Signs, Chapter 17.27

Major Changes – Permanent Signs

- **Table of Sign Types by Zone:** New
- **Table of Sign Standards by Type:** New
- **Sign Types:** Organized by building mounted and freestanding
- **Tables and illustrations:** New, for each sign type.
- **User-friendly layout** – organized, tables, illustrations

1. **Awning Signs.** Awning signs must comply with the standards provided in Table 4-90.060.C.

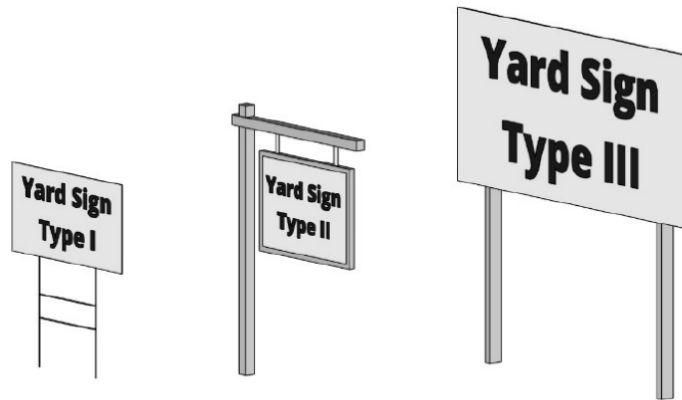
Table 4-90.060.C: Standards for Awning Signs	
Standards	Requirements
Max. Sign Area	1 sf per linear foot of awning width
Max. Sign Height	Min. 8 ft from the bottom of the awning to the nearest grade or sidewalk Max. 20 ft.
Sign Placement	Must be placed above the doors and windows of the ground floor. Awnings must not project above, below, or beyond the edges of the face of the building wall or architectural element. Sign width must not be greater than 60% of the width of the awning face or valance on which it is displayed. If an awning is placed on multiple storefronts, each business is permitted signage no greater than 60% of the width of the storefront. May project into public right-of-way with approval of an Encroachment Permit.
Max. Valance Height	9 in.
Minimum Horizontal Distance from Back of Curb	2 ft.
Illumination	Illumination allowed under the awning.



Signs, Chapter 17.27

Major changes – Temporary Signs

- **Content-neutral standards:**
- **Time frames:** Unlimited, except banner signs
- **Regulated by area of signage allowed and zone:** New
- **Sign Types:** Only A-frame, wall banner, window, and yard signs types I - III
- **User-friendly layout** – organized, tables, illustrations



Not to scale

Table 4-90.070.E: Standards for Temporary Signs	
Standard	Requirement
Residential Zones	
Total Area of all Temporary Signs at Any One Time	Max. 16 sf per lot or parcel
Number of Signs	Unlimited except that the total sign area must not exceed 16 sf.
All Other Zones	
Total Area of All Temporary Signs at Any One Time	Max. 24 sf per business, with a total of max. 72 sf per lot. Exception: In the T5 General and T5 Main Street Transect Zones, max. 12 sf per business Excludes the area of temporary window signs and wall banner signs.
Number of Signs	Unlimited except that the total sign area of all temporary signs (excludes the area of temporary window signs and wall banner signs) must not exceed 24 sf per business.

Table 4-90.070.F: Standards for Specific Temporary Sign Types				
Temporary Sign Type ¹	Standards			Other Requirements
	Height (Max.)	Width (Max.)	Area (Max.)	
A-Frame or Upright Sign	4 ft.	3 ft.	12 sf	Prohibited in residential zones. If advertising a business, only permitted during regular business hours.
Feather Banner	10 ft.	2 ft.	20 sf	Prohibited in residential zones except as allowed in Subsection 4-90.070.C.3.
Wall Banner	--	--	32 sf	Prohibited in residential zones. Must be mounted on a building wall or on T-posts or stakes installed ≤ 6" from a wall on which the wall banner would be hung. Max. Mounting Height: 25 feet to top of banner.
Window Sign	--	--	See End Note ²	Max. Mounting Height: Placed no higher than first story windows. Inside mounting required. Not included in the total sign area for all temporary signs.
Yard Sign Type I	4 ft.	2ft.	3 sf	Installation Requirements: Installed securely in the ground.
Yard Sign Type II	6 ft.	2ft.	4 sf	Installation Requirements: Installed securely in the ground.
Yard Sign Type III	6 ft.	8 ft.	32 sf	Prohibited in single-family residential zones. Installation Requirements: Installed securely in the ground.
End Notes:				
¹ Other temporary sign types may be allowed (e.g. fuel pump topper signs, wraps around waste receptacles, or balloon bobbles) provided the max. area limitation for all temporary signs is not exceeded.				
² The area of temporary and permanent window signs combined (including signs constructed of perforated vinyl or painted on the window) must not exceed 50% of the area of the window on or within which they are displayed				

Affordable Housing Chapters 17.29 & 17.30

Chapter 17.29, Density Bonuses

- Updated by City Attorney – consistent with state law

Chapter 17.30, Affordable Housing Program

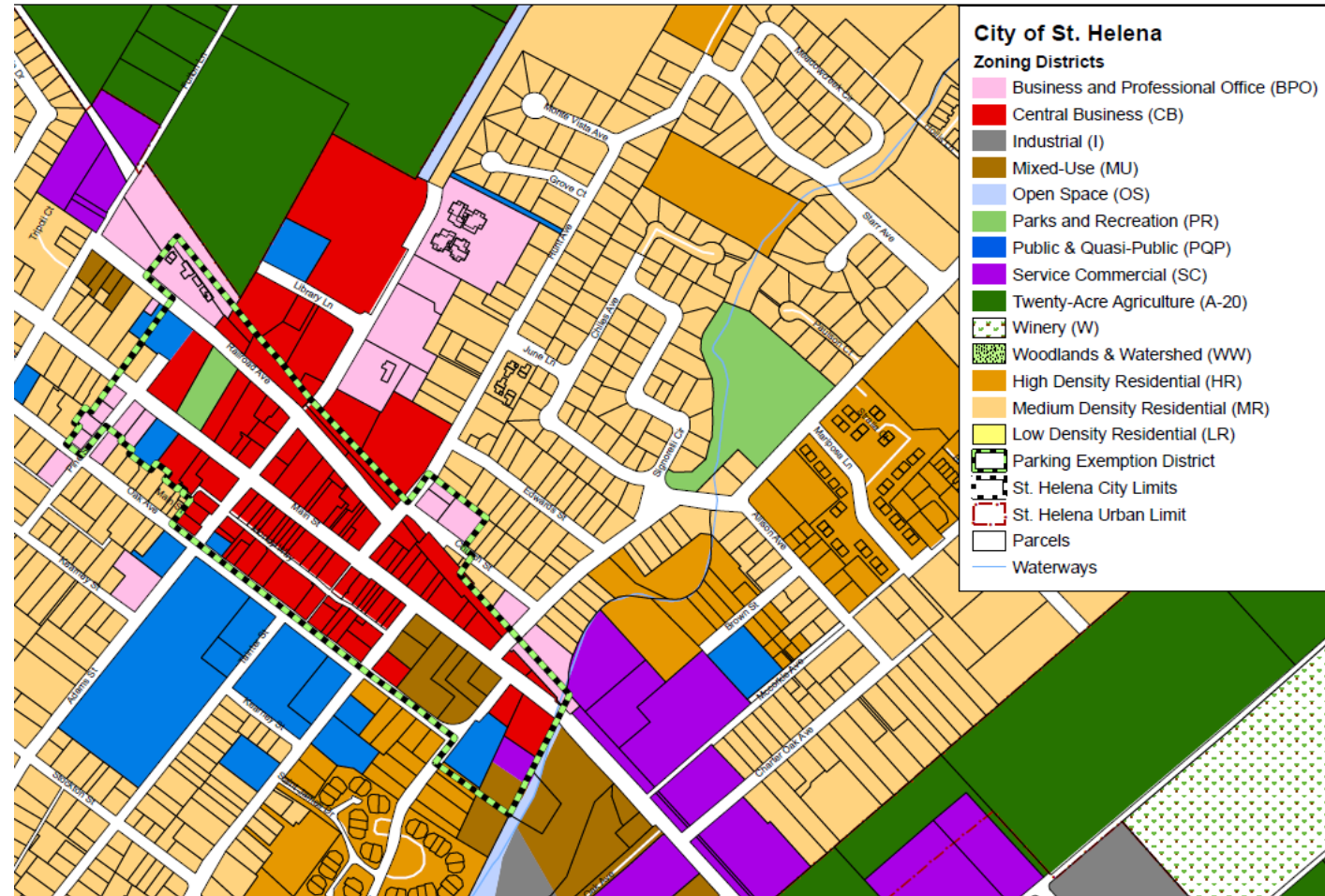
- Updated by City Attorney – consistent with state law
- Exempts new dwelling units less than 850 sf from the Inclusionary Housing Ordinance
- Increased the term of affordability regulatory agreements for for-sale housing from 30 to 45 years
- Deleted: The requirement to disperse affordable units throughout a residential project

Division III, Chapter 17.21, Overlay Districts

- Flood Plain Overlay (FP)
- Mobile Home Park Overlay (MHP)
- Parking Exemption District (PED) –Previously titled “Parking Impact District”
- Historic Preservation Overlay (HP)
- Planned Development Overlay (PD)

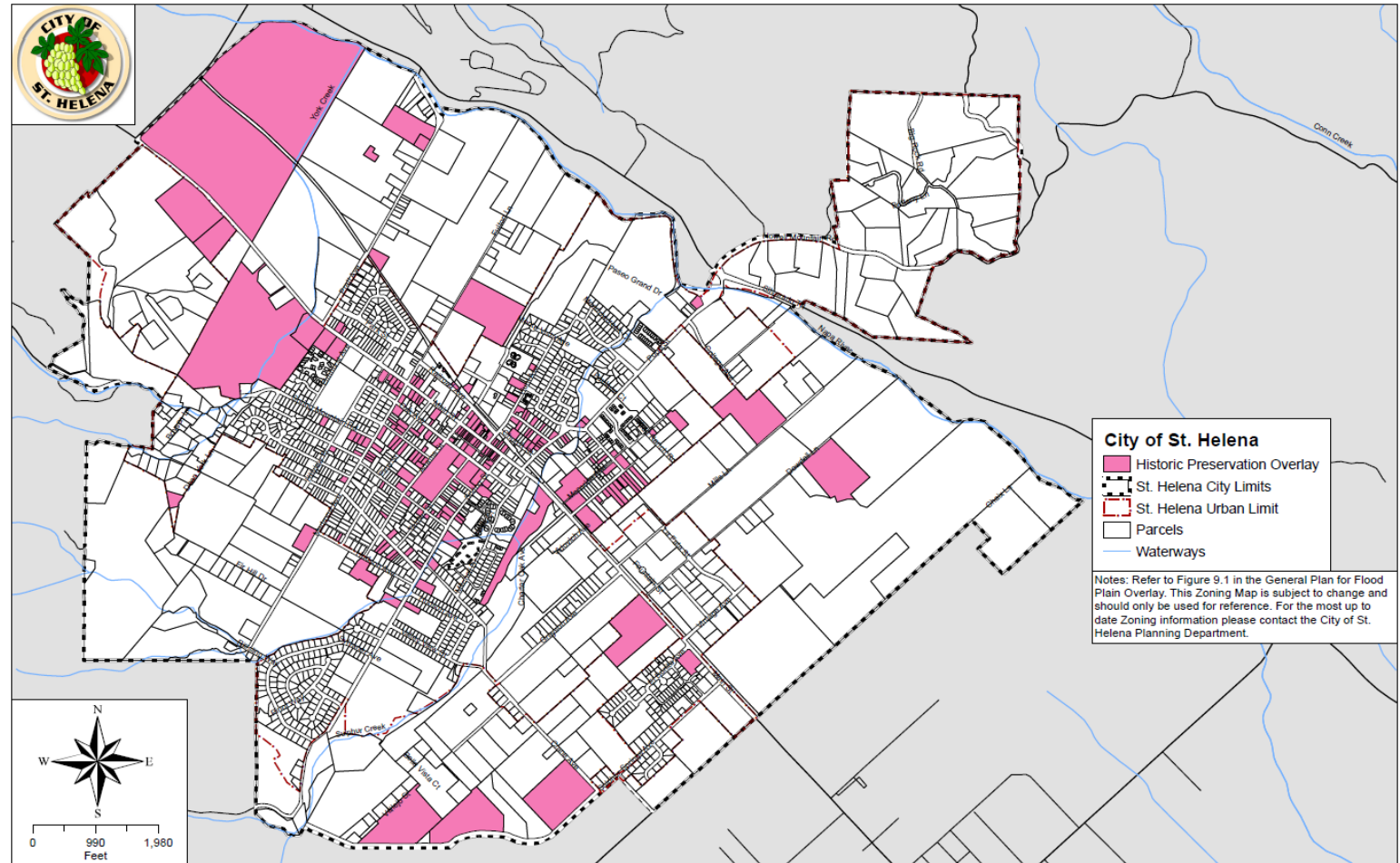
Section 17.21.030, Parking Exemption Overlay

- An area without on-site parking requirements or an in-lieu fee
- Generally located within the CB District
- Impacted by insufficient off-street parking
- Intended to preserve the unique character of the historic downtown
- Post code adoption, the City will commence with a Comprehensive Downtown Parking Study and at that time study any changes to the parking regulations, such as an updated in-lieu fee.



Section 17.21.040, Historic Preservation Overlay

- Implements the General Plan
- Creation of a preservation ordinance and local register based on the list of properties in Appendix A of the General Plan
- November 30th community meeting for those within the proposed HP Overlay to learn more about the proposed ordinance



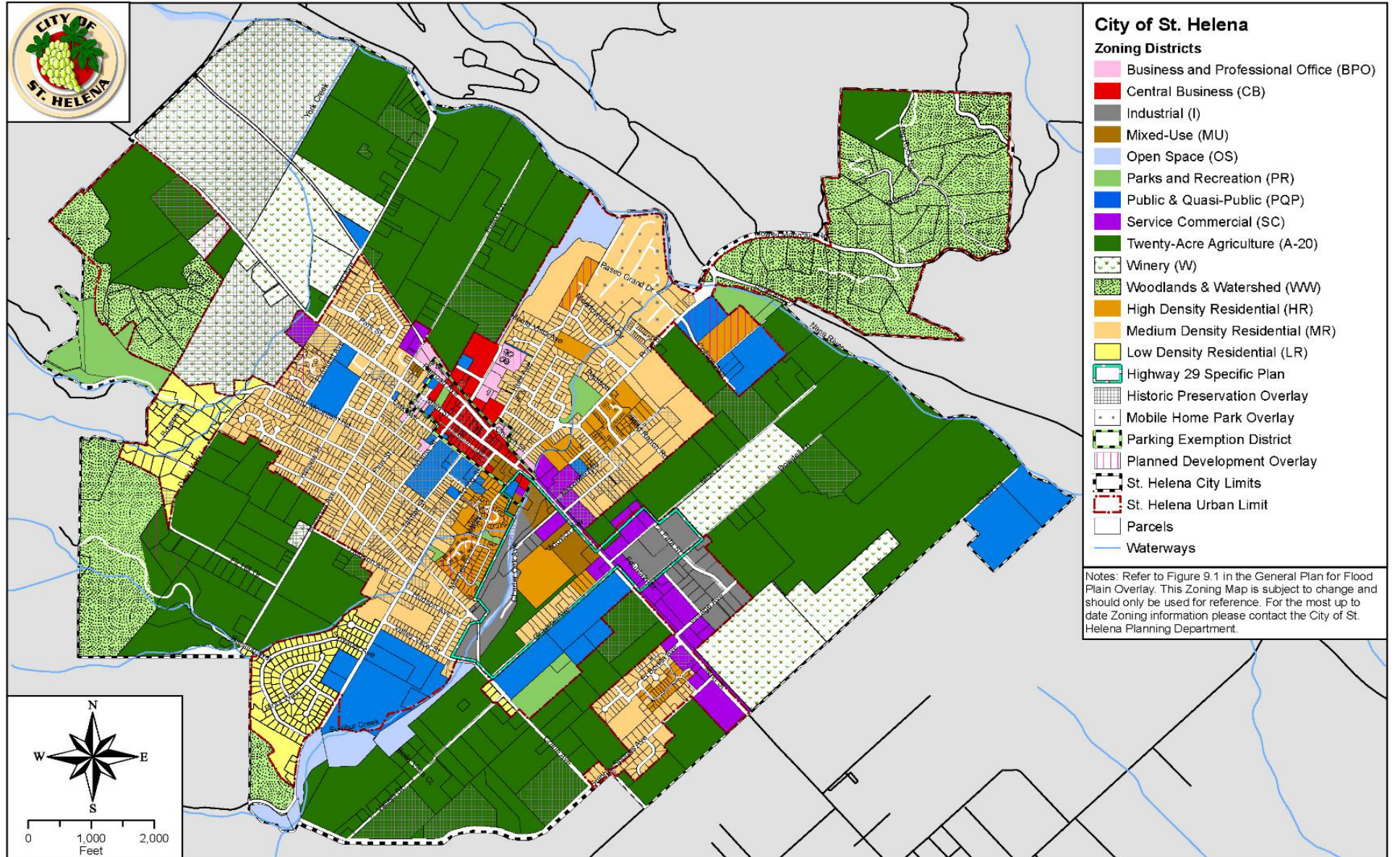
Section 17.21.050, Planned Development Overlay

- A mechanism to provide flexibility and integrated community planning
- Preserve and/or create distinctive high-quality single or mixed-use developments
- Meet or exceed the goals of the General Plan
- Will be approved using the zone change process in Chapter 17.07

Updated Zoning Map

- Includes all approved zone change requests
- Also, General Plan change areas
- New Mixed-Use Zone
- Current LR-1A will become LR
- Add HP Overlay to all applicable parcels
- Errors corrected
- Updated parcel-based GIS data
- Notification of proposed zoning change mailed to property owners

Updated Zoning Map



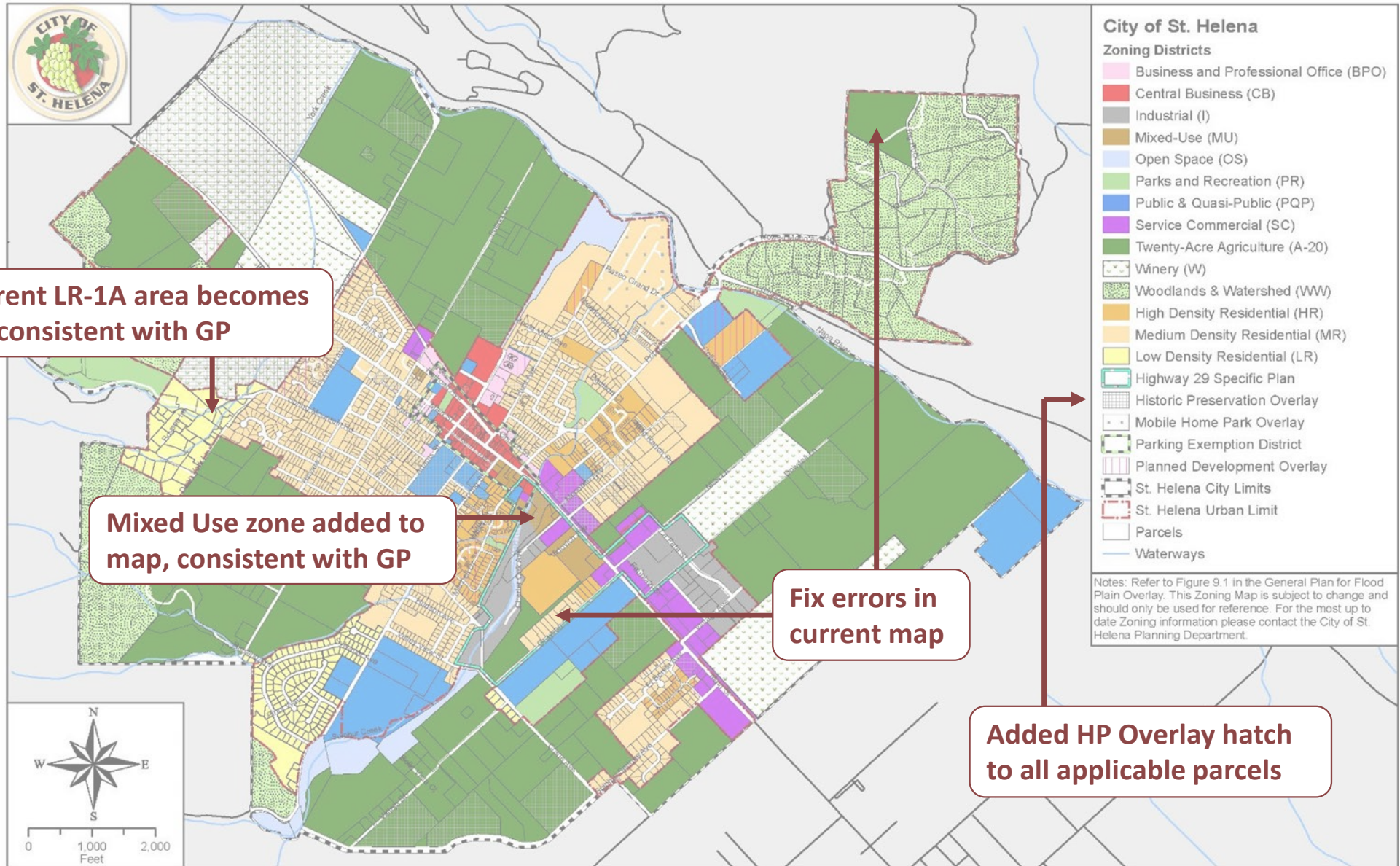
Updated Zoning Map

Current LR-1A area becomes LR, consistent with GP

Mixed Use zone added to map, consistent with GP

Fix errors in current map

Added HP Overlay hatch to all applicable parcels



Feedback – Divisions III and IV

1. Council and Commission Feedback

2. Public Feedback

3. Additional feedback to:

Maya DeRosa, AICP

Community Development Director

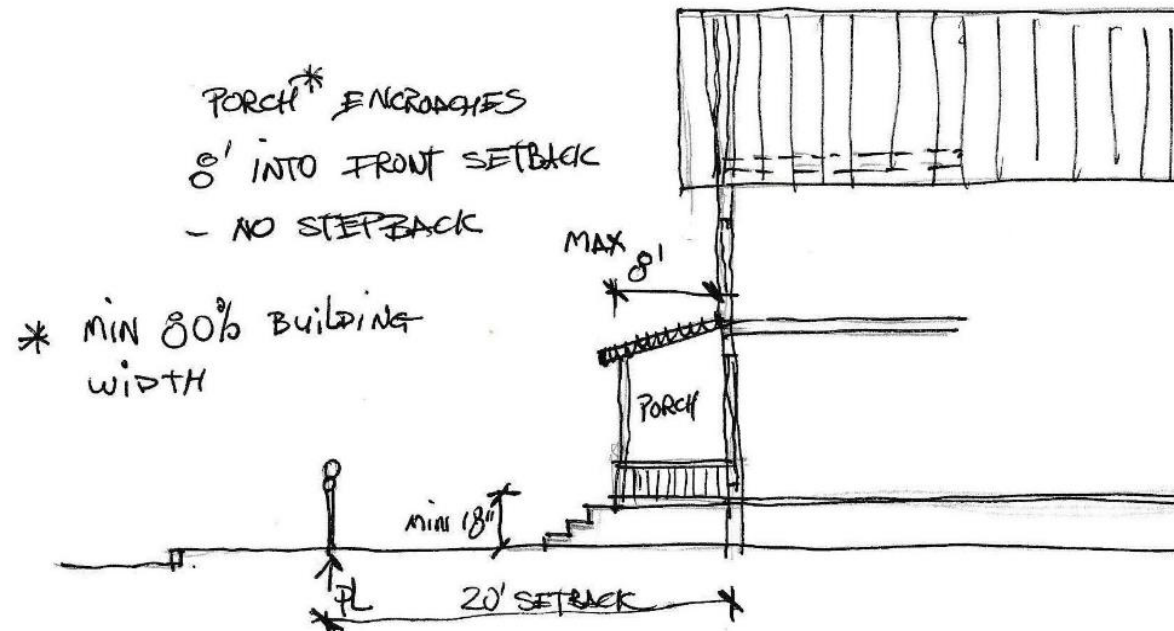
mderosa@cityofsthelena.org

Study Session #1, October 26, 2022 Recommendations

- Objective design standards
- Building frontage setback

Required by state law

Include porches as an alternative



Study Session #1, October 26, 2022 Recommendations

- Objective design standards
- Building frontage setback
- Materials
- A-20 standards (less than 2 acres)

Required by state law

Include porches as an alternative

Recommendation – allow flexibility with a Minor Modification

Recommendation - add 35% max. for 2nd story and max. 25% lot coverage

Study Session #2, November 16, 2022 Recommendations

- Small Winery Ordinance
- CB setbacks (Recommend adding a standard for Adams Street)
- Nonconforming structures
- Extend TUP from 1 to 2 years
- CUP – tanks in W zone
- STR Ordinance Changes
- LR-1A to LR zoning map change

Allow fruit source St. Helena/remove primary residence requirement

Recommendation – add 8 ft. front setback like Oak Street

Recommendation – discuss. PC recommend

Recommendation – amend Section 17.05.110

Recommendation - affirm the CUP requirement; no change

Recommendation-discuss and affirm recommended approach

Discuss with PC/CC

Items to Address Post Code Adoption

- Parking ratios outside Parking Exemption Overlay
- Formula businesses (restaurants)
- Building height in Downtown – CB zone
- Other based on discussion on 12-07-2022



Recommendation:
Address with the
Downtown Master Plan

Feedback/Options for Moving Forward

1. Public process is ongoing – comments are welcome

2. Two options moving forward:

- **Option 1:** Jan/early Feb 2023 - follow-up joint PC/CC Meeting to review outstanding items
- **Option 2:** LWC updates Public Review Draft
Begin preparing CEQA
PC Adoption hearing(s) in February – public comments and recommendation
CC **Adoption hearing(s)** in March/April – adoption and final code (April)

3. Additional feedback to:

Maya DeRosa, AICP
Community Development Director
mderosa@cityofsthelena.org



Thank you!

