



City of St. Helena
Special Joint City Council and Planning
Commission Meeting
Wednesday, May 10, 2023 @ 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.

The Special Joint meeting will be live-streamed on Comcast Channel 28 and on the City's website.

Public comment for meetings will be accepted via email to publiccomment@cityofsthelena.org. All public comments must be received three hours prior to the meeting. All other public comments received after the deadline will be attached to the item the next business day or soon thereafter. Public comments will not be read out loud but will be publicly available and attached to the on-line agenda.

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@cityofsthelena.org. The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://sthelena.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@cityofsthelena.org.

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

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

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. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, AND AB 1234 REPORTS:

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

7. STAFF BRIEFING

None

8. NEW BUSINESS

8.1. Joint Special Meeting of Planning Commission and City Council to conduct Public Meeting #4 for Zoning Code Update

5 - 207

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 revisions suggested and proposed schedule .

[Staff Report - Pdf](#)

[Presentation 05-10-2023](#)

[Roy Piper Public Comment](#)

[City Response to Roy Piper Email January 31, 2023](#)

[FAQ Zoning Code Topics](#)

[Public Comment.Napa Valley Vinters](#)

[Public Comment.Joe McGrath](#)

[Public Comment.Mark Smithers](#)

[Public Comment.Kelly Wheaton](#)

[Public comment.Mariam Hansen](#)

[Public comment.Napa County Landmarks](#)

[Public Comment.Our Town St. Helena Response to Joe McGrath](#)

[Public Comment.Tamara Traeder](#)

[Public comment.Terrence M McGrath](#)

[Public comment.Walker Warner Architects](#)

[Public comment.Charles and Michelle Covell](#)

[Public comment.Chris Wade](#)

[Public comment.David Walker](#)

[Public Comment.Erik Lundquist](#)

[Public comment.Joshua Parke](#)

[Public comment.Michelle Covell 2](#)

[Public comment.Michelle Covell](#)

[Public comment.Blue Zones Project](#)

9. ADJOURNMENT

The next Regular City Council meeting is scheduled for 23,2023, at 6:00 p.m.

This agenda was posted at City Hall, 1088 College Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on May 2, 2023.



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 - 10 May 2023

Agenda Section: NEW BUSINESS

Subject: Joint Special Meeting of Planning Commission and City Council to conduct Public Meeting #4 for Zoning Code Update

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, Inc. (LWC) 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 the 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, Add 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 December 7, 2022, a third public meeting was held as a special joint City Council and Planning Commission meeting (Meeting #3) and the key topics included parking standard changes, signage regulations, affordable housing regulations, parking exemption overlay, historic preservation overlay, planned development overlay, and proposed changes to the map, including the deletion of the LR-1A district. After receiving a lot of public testimony not in favor of removing the LR-1A zoning, direction was given to staff to revise the zoning map and standards to include LR-

1A. At the end of the meeting, the public comment period was extended to December 31, 2022 and all comments received during that time period have been included in the attached comment tracker. (Attachments 1-4). In all, over 380 comments have been responded to by staff and the consultant. Areas where changes are proposed to the draft code based on public comment are shaded in yellow.

Due to the number of comments the City received questioning the need for objective standards, in response, staff created an educational website devoted to objective standards to inform the public in advance of the next public meeting. <https://www.cityofsthelena.org/planning/page/objective-standards-information-and-resources>

The Discussion section of this staff report addresses the key items of community concern and public comment and includes recommendations for the revised public review draft.

DISCUSSION

1. Non-conforming code comments

As part of the public review process, the City received numerous comments expressing concerns with the added provision to Part II, Chapter 17.09.050 (A) which states:

“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.”

Upon further review and consideration of the older building stock in the City, much of which was built prior to the adoption of a zoning ordinance, there currently are a fair amount of existing lots and structures in the City that are non-conforming. If the City did codify this added provision to the code, when an expansion was proposed, it would prevent many homeowners from being able to add code compliant additions to their existing homes. Staff finds one of the objectives of the code update was to allow property owners to invest in and expand the use of their properties so for this reason, staff recommends that this provision be removed from the code, subject to confirmation of policy direction by the City Council.

It is also important to note from a policy perspective, the appeal of the 1420 Allyn case (2021) was approved by the City Council, which confirms a policy that accepted legal non-conformity of existing structures may remain when the project proposes an expansion as long as it does not increase the degree of non-conformity.

Additionally, it is important to clarify where some of the public comments received appeared to misunderstand the different sections of the non-conforming ordinance. There are actually two different sections pertaining to alteration. Section A, pertains to expansions and enlargement. Section B, pertains to remodel, rehabilitation and alteration. Many comments raised a concern if you were making an alteration such as adding a window, or adding a shade overhang to a building that has any non-conformity, you would have to bring the entire property to conformity which is inaccurate. Please refer to Chapter 17.09.050 (B) below:

- A. Remodel, Rehabilitation, and Alteration.** A nonconforming building, structure or physical feature may be remodeled, rehabilitated, or structurally altered if the new work does not increase the degree of nonconformity.

As the draft code is currently written, exterior changes to a non-conforming building that are not new expansions and enlargements may have the non-conforming component remain.

2. Changes to Certificate of Extent of Legal Non-Conformity (CLN) ordinance

One of the new code sections in the Non-Conforming ordinance is Section 17.09.030(F), which outlines the process of documenting a legal non-conforming use. The City received comments about making that review process subject to a staff level review and approval instead of requiring Planning Commission be the reviewing body. After further consideration by staff, it is recommended that this change be made, but also allow the Community Development Director to refer a decision on a CLN application to the Planning Commission.

3. New Tanks in Winery District

The City received public comment regarding the requirement for new tanks in the Winery District to have a Conditional Use Permit. Staff recommends leaving this requirement in the code, however a endnote to Table 17.19.020 is proposed which would state “if the new tanks increase wine production volume beyond what is established in the existing use permit or Certificate of Extent of Legal Non-Conformity, a new use permit is required. If there is no increase in wine production as a result of the proposed new tanks, no CUP is required. Outdoor tanks are subject to Design Review.

4. Objective Design Standards

Purpose

State law defines objective standards as those that “involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal.” The purpose of the objective design standards found in Chapter 17.16.040 of the public review draft code is to articulate project design requirements for all residential and mixed-use developments. These Standards will be utilized to detail the review process by clearly stating the City of St. Helena’s objectives for high quality, residential projects that are aesthetically pleasing while still embracing the eclectic community character. The City Attorney prepared an informational page regarding objective standards which is also on the objective standards website. The objective standards legal basis can be found as Attachment 5A.

For more information regarding SB 330 "Housing Crisis Act of 2019" (see link here <https://legiscan.com/CA/text/SB330/id/2056747>) .

a. Listening sessions and additional written comments

Prior to the December 7, 2022 public meeting, LWC and Director DeRosa met with members of the design community to hear their feedback and comments on suggested code changes, including areas of the objective standards that were interpreted as limiting creativity.

Post the December 7, 2022 meeting, the City received additional comments from Greg Desmond, Dan Hale and Joe McGrath, all of which are captured in the separate comment trackers attached to this staff report. In 2023, a significant amount of time was spent by staff and consultant reviewing all comments, but in particular, the objective design standards in part 3. This section summarizes and addresses some of the key revisions to this part of code for consideration by the Planning Commission and City Council.

b. Review of current building stock, both old and new

In January 2023, staff conducted field visits to residential neighborhoods throughout the City to look at historic development as well as new infill development. This field assessment helped inform additional proposed refinements to the objective design standards in Part III discussed below.

c. Proposed revisions to objective design standards

Staff has prepared a redline of Part III, 17.16.040 (Attachment 5B) for review and consideration by the public, Planning Commission and City Council. Please refer to this attachment for full details regarding the

proposed refinements. A brief summary of some of the key changes to Section A, which applies to all residential development types is noted below:

- Second Story Stepbacks: removed requirement for stepback on side and rear. Created more flexibility for front elevation by allowing a front porch in lieu of the required 10 foot front stepback. Please also refer to Attachment 6, which illustrates field photos of existing St. Helena homes that utilize this common design feature.
- Building Transparency/Wall Planes: The Building Transparency section has been deleted and revised to “Wall Planes”. Some of the building transparency standards carry over to the wall planes section, such as the requirement to have window or door openings on a continuous wall plane of 10 feet or more to prevent blank walls. The new proposed standards allow for bay windows, balconies, verandas, or a change in color or material in lieu of an opening. This implies you could have a blank wall with two different colors and materials but no window. Staff requests the Planning Commission and City Council confirm if that alternate method of compliance should be deleted in order to prevent blank residential facades without relief of openings.
- Roofline and Roof Design/Plate Height: Standards for this have been deleted from the code as staff finds that roof design has not been problematic in St. Helena and the standards will be cumbersome for staff to review.
- Exterior Building Materials and Colors: In the prior version of this section, the code listed materials of plywood and corrugated metal as prohibited. In the redline revision, corrugated metal may be used as a roof material in all zones with the exception of HP Overlay properties, and is an allowed siding material in the A-20, MR and HR Districts. Staff requests the Planning Commission and City Council confirm that corrugated metal should be an allowed siding material in MR as this zone tends to have the highest concentration of neighborhoods of historic character where this is not a siding material present on older buildings.

Regarding the reference to regulating “bright colors”, this has been deleted as well as the reference to requiring a “consistent palette of materials and colors”. It now states that a palette of materials and colors on a building must be applied to all sides of the building.

5. 855 Pratt and Historic Preservation Overlay

Post the December 7, 2022 joint public meeting the City received four letters (Attachments 7,8,9 and 10) from firms representing the property owner of 855 Pratt, a house listed both in the General Plan Appendix A, Historic Resource List, and in the proposed Historic Preservation Overlay. The essence of all four letters objected to the listing and made claims that the City had not created processes for the demolition and delisting of a historic structure in the new ordinance. Staff has compiled a Master Response to all four letters (Attachment 11) to clarify 1) why the structure even though surveyed in 2006 still retains architectural integrity and should remain on the HP Overlay; and 2) the proposed zoning code does provide a clear process for considering a historic demolition permit (17.05.040) and for removing a historic resource from designation (17.10.030).

6. A-20 Standards Proposed Changes

In reviewing the public comments received, staff noted requests that the following amendments be made to the A-20 development standards table (please also see Attachment 12):

- *Lots less than 2 acres:*
 - *35% maximum second story floor area (rather than zero)*
 - *25% maximum lot coverage (includes accessory structures) rather than 35%*

Additionally, after closer review, staff is recommending an amendment to endnote 3 on Table 17.19.030A regarding what is included in both the lot coverage standard and the maximum paved/hardscaped area standard. The revised wording for endnote 3 for lots greater than 2 acres is proposed as follows with additions in underline:

End Note (3) is rewritten as: *No more than 0.5 ~~one-half~~ acre of any one parcel may be removed from potential, historical, or ~~actual~~ active agricultural use or ~~animal husbandry use~~. All structures, driveways (except for a 16 foot wide driveway no greater than two-thirds the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the 0.5 ~~half~~ acre maximum per parcel.*

The above change from “actual agriculture” to “active agricultural” use resulted in LWC developing an additional definition to be added to the Definitions Section of the draft code. The proposed definition reads as follows:

Active Agricultural Use: Includes animal husbandry, crop, tree farming and viticulture.

Please view Attachment 12 for an additional proposed endnote for A-20 lots under 2 acres in the A-20 development standards.

Summary of Updates based on previous Planning Commission/City Council direction

- Requiring a CUP for new tanks in Winery District: *Recommendation-no change but add endnote as discussed in item 3 in this report.*
- Adding Non-conforming code change for proposed expansions : *Recommendation-see above discussion item 1 in this report*
- Refining Small Winery ordinance-remove requirement to have owner live onsite and allow grape source to be from within St. Helena: *Recommendation-make change*

Proposed Updates based on public comments noted in the comment trackers

Unless otherwise directed by the Planning Commission and City Council at the May 10th meeting, staff will make the proposed changes to the public review draft as noted in the comment trackers which are shaded in yellow in the response box.

Next Steps

Staff finds that there has been very good public comment and feedback from both the City Council and Planning Commission during the past three public meetings. Most of the items from meetings 1, 2 and 3 have been addressed as noted in the attached Comment Trackers 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 Specific Plan work effort which the City desires to begin following the code adoption. City staff and consultant have invested significant time in reviewing each and every comment and noting recommendations on how best to address them. It is also important to keep in mind that all significant projects, such as a comprehensive code update, require some adjustments post-adoption to more closely conform to the intent of the General Plan as determined by the Planning Commission and City Council in light of public comments and their own deliberations. Please also refer to the FAQ (Attachment 13) that was prepared in response to some of the key public discussion items during the 2022 public meetings.

Staff recommends the following next steps:

In light of the recent budget amendment to the LWC contract to conduct this one additional public meeting in May and make additional refinements based on public comments in 2022, the recommended next steps include:

- 1) Make the recommended changes to the public review draft noted in the Comment Tracker (unless otherwise directed at the 5/10 meeting)

- 2) Prepare the CEQA document; and
- 3) Proceed with scheduling adoption hearings for Planning Commission and City Council

FISCAL IMPACT

This is a public meeting discussion, therefore there will be no direct fiscal impact.

RECOMMENDED ACTION

Receive report and provide feedback to staff on revisions suggested and proposed schedule .

ATTACHMENTS

[Attachment 1-All comments-Comment Tracker All 042823](#)

[Attachment 2-Comment Tracker McGrath 042823](#)

[Attachment 3-Comment Tracker DHale 042823](#)

[Attachment 4-Comment Tracker Desmond 042823](#)

[Attachment 5A-Objective Standards legal basis -City of St. Helena](#)

[Attachment 5B Redline to Objective Design Standards 17.16.040 PHD](#)

[Attachment 6-Examples of Two Story St. Helena Residences Consistent with revised Design Standards](#)

[Attachment 7-855 Pratt Letter Clark Sather 12-29-2022](#)

[Attachment 8-855 Pratt comment letter SSL Law 12-30-2022](#)

[Attachment 9-855 Pratt comment Alexander Viñedo LLC - 12-30-2022](#)

[Attachment 10-855 Pratt Avenue Letter Lone Cypress Consulting 12-29-2022](#)

[Attachment 11-City Master responses 855 Pratt comment letters](#)

[Attachment 12 Proposed A-20 revisions](#)

	A	B	C	D	E
1					
2					
3	City of St. Helena - Zoning Code Update		Colored cells indicate recommended changes to the Public Hearing Draft		 LWC
4	Tracking Public Comments - City Council/Planning Commission Work Sessions				Updated: April 28, 2023
5	Name of commenter	Comment	Chapter/ Section/ Page	Response/Action	Notes
6	Daniel Hale (email)	All of Daniel Hale's comments regarding specific Code sections that were submitted in various emails are in a separate tracker sheet.			
7	Joe McGrath (email)	All of Joe McGrath's comments regarding specific Code sections that were submitted in various emails are in a separate tracker sheet.			
8	Greg Desmond (email)	All of Greg Desmond's comments regarding specific Code sections that were submitted via email are in a separate tracker sheet.			
9	Work Session #1, October 26, 2022				
10	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.	
11	Dohring (CC)	"Accessory structures" are only defined as ADU's? Otherwise garages attached or unattached are included in the allowed "footprint"? Removed is 200 sf exemption for garages?	Section 17.22.020	LWC will repeat the Section 17.22.030 definition of Accessory Structure in Chapter 17.32.	
12	Dohring (CC)	Review text "denial language without leave to amend"; text missing?	Section 17.04.160, P. 14	LWC to review and edit.	
13	Dohring (CC)	Global edit: change "he/she" to "they".	Global edit	LWC to review and edit.	
14	Dohring (CC)	Clarify in the Code that CCRs are not enforced by the City.	--	Recommend no action.	
15	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/#!/StHelena13/StHelena1312.html#13.12	
16	Gary Rose (citizen)	Include water conservation in the ZC.	--	Recommend no action. See previous response.	
17	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.	
18	Mariana ? (citizen)	Include live links.	--	Online code publisher to provide all requested hyperlinks.	
19	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.	
20	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 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.	
21	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 to amend Table 17.19.030 max lot coverage of 25% for A-20 lots less than 2 acres.	
22	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.	

	A	B	C	D	E
	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	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. Confirmed in email exchange with City staff Feb. 13, 2023.	
23					
24	Work Session #2, November 16, 2022				
25	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	Update the existing definition with additional text from the Napa County definition as follows (new text in underline) and strikeout text Wine production. A winery's total annual production equals <u>either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, or (2) the amount of wine bottled on the premises in the same given year, whichever is greater.</u> including all bottled wine received on the premises during the same year	ALSO: Add as a footnote to Table 17.19.020: If the new tanks increase wine production volume beyond what is established in an existing CUP or Certificate of Legal Non-Conforming Use, a new CUP is required. If there is no increase in wine production as a result of the proposed new tanks, no CUP is required.
26	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. Add as a footnote to Table 17.19.020 "If the new tanks increase wine production volume beyond what is established in the existing use permit or Certificate of Legal Non-Conforming, a new use permit is required. If there is no increase in wine production as a result of the proposed new tanks, no CUP is required." Design review is only required if the tanks are located outdoors. (Email from City staff Feb. 4, 2023)	
27	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. Time frame requirements for banners are unchanged. No edits recommended.	

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5	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, P. 28	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.	
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29	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:	--	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:	
30	Connie Min (email)	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.	Chapter 17.26	Ms. Min will be exploring an off-site parking agreement with the neighboring parcel off Charter Oak.	
31	Connie Min (email)	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 <u>too costly or unviable</u> .	Chapter 17.26	Ms. Min will be bringing her development proposal to the Planning Commission in a work session to get feedback on support for a parking variance before formally processing her application.	
32	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.	--	As above - Ms. Min will be bringing her development proposal to the Planning Commission in a work session to get feedback on support for a parking variance before formally processing her application.	

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5	Susan Kenward (email and public comments)	Detailed comments opposing the PRD revisions for Short Term Rental Permits, particularly regarding the change from a PC hearing to the Director's review of a written complaint.	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 below (bold and strikethrough) that will be incorporated 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.	
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34	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. 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.	Section 17.22.120 Formula Businesses	Please see above response to Ms. Min's comments. Recommendation: This important topic of expanding the Parking Exemption Overlay District and reconsidering formula businesses and restaurants should be addressed comprehensively as part the City's proposed Downtown Master Plan and parking study work post code adoption in 2023.	
35	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 response to Ms. Min's comment.	

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5	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. (Comment continued below.)	Section 17.22.230	Recommendation to eliminate the requirement for the property owner to live on the site of the small winery. Staff supports making this change. Modify the Code to allow the fruit source to be from within the City limits.	
36	Steve Goldfarb (letter via email and public comments)	Eliminate the proposed fruit source language; modify to allow any fruit from within St. Helena or the Napa Valley.	Section 17.22.230	Modify the Code to allow the fruit source to be from within the City limits.	
37	Jeff Feeney (public comments)	I ask the planning dept to address parking for our lot before any adoption hearings.	--	The City prepared a report on the number of CUPs issued which was attached to the December 7, 2022 staff report.	
38	Jeff Feeney (public comments)	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.	--	Comment noted	
39	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.	Chapter 17.18 Business and Industrial Districts	None at this time - waiting on more specific comments/direction.	
40	Candice ? (public comments)	Concern with the nonconforming industrial bulk materials use on the west side of St. Helena.	Chapter 17.18 Business and Industrial Districts	Important issue - but not specific to the updated Zoning Code.	
41	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.	
42	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.	Section 17.22.230	See previous comment.	
43	L. Hardy	Winery source issue - recommend within City of St. Helena.	Section 17.22.230	Recommendation - change fruit source to City of St. Helena	
44	L. Hardy	STRs - not inclined to add more language to define a confirmed violation.	Section 17.05.100	Comment noted. No change recommended.	
45	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	
46	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	Comment noted. No change recommended.	
47	L. Hardy	Public notice is problematic with ministerial approvals.	Section 17.04.080	Comment noted. No change recommended.	
48	C. Warner	Treat STRs the same as any other enforcement issues.	Section 17.05.100	Comment noted. No change recommended.	
49	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 two weeks at any time and not more than four times per year. However in the new code this has changed as a new content neutral standard. No change recommended.	
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51	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.	Section 17.22.120 Formula Businesses	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 Specific Plan work in 2023. No change recommended at this time.	
52	J. Ponte	Remember purpose of A-20 zone - a reserve for expansion and growth.	Chapter 17.19	Comment noted	
53	A. Chouteau	Primary reason for A-20 residence requirement is to slow growth - agree with Chair Ponte.	Chapter 17.19	Comment noted	
54	A. Chouteau	Regarding Small Wineries, needs more information about whether to eliminate residential owner requirement.	Section 17.22.230	See previous comment.	
55	A. Chouteau	Source of fruit from other places outside of St. Helena OK.	Section 17.22.230	See previous comment.	
56	A. Chouteau	STRs - supports Todd's edits. Need to be transparent about what a violation is on city website.	Section 17.05.100	See previous response. Staff is preparing informational material on the STR website for how to file a complaint and what is a valid complaint.	
57	E. Hall	Support for Mr. S. Goldfarb's recommendations regarding changes to Small Winery ordinance.	Section 17.22.230	See previous response.	
58	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.	Section 17.05.100	Comment noted. No change recommended.	
59	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 Specific Plan work in 2023.	
60	A. Chouteau	Reconsider the restrictions on materials - be more flexible. Balance St. Helena's character with cost considerations.	17.11.010	Please see previous responses regarding how staff proposes to allow more flexibility with materials in new construction.	
61	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.	
62	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.	
63	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.	

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
64	L. Hardy	Reconsider the restrictions on formula businesses.	Section 17.04.080	Recommendation: This important topic should be addressed comprehensively as part of the City's proposed Downtown Master Plan and parking study work post code adoption in 2023.	
65	OTSH email from Dan Hale	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.	
66		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 the HR zone and reduced parking requirements result in more housing that can be developed onsite.	
67		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.	
68		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.	
69		5. How and where does the Zoning Code Update actually empower, encourage and enable infill development opportunities?	Chapter 17.16	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.	
70		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	Refer to the Density Bonus Chapter, 17.29.	
71		7. Where and how can we do more to actually create mechanisms that can then furnish real and varied workforce housing opportunities?	Chapter 17.16	The City should continue to negotiate for workforce housing as part of development agreements for future hotel development.	
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73	Work Session #3, December 7, 2022				
74	Trinchero Family Estates (email)	<u>Chapter 17.09 Nonconforming Uses:</u> 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.	Chapter 17.09 Nonconforming Uses	Comment noted.	

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5	Trinchero Family Estates (email)	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. 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.	Chapter 17.09 Nonconforming Uses	City staff recommends amending this Section so that the Director may approve CLN applications. The Code will also allow the Director to refer a decision on a CLN application to the Planning Commission. Also, update Table 17.30.030.A, Review Authority to reflect this change.	
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76	Trinchero Family Estates (email)	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.	Chapter 17.09 Nonconforming Uses	Comment noted.	
77	Trinchero Family Estates (email)	<u>Large Winery Definition:</u> This definition describes permitted activities including "warehousing and shipping of wine produced on the premises". This limited scope of shipping and receiving wine contrasts with the definition of wine production, which includes shipping and receiving of bulk wine. 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.	Chapter 17.33	Delete " the produced on the premises " language in the Large Winery definition. In addition, the revised PRD will expand the definition of Large Winery to include "the amount of the wine bottled on the premises in the same given year, whichever is greater".	
78	Trinchero Family Estates (email)	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.	-	Comment noted	
79	Sherri Kelly (email)	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.	Section 17.05.100.H.4	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes. See row #33.	
80	Sherri Kelly (email)	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.	Section 17.05.100.H.4	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes. See row #33.	

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5	Jerry Hyde (email)	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.	Section 17.05.100.H.4	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes. See row #33.	
81	Polly Ogden (email)	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.	Section 17.16.040 and Section 17.17.040	Please refer to staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards.	
82	Polly Ogden (email)	<u>Accessory Uses:</u> Pool Houses should be allowed to have indoor plumbing for toilet, sink, shower or pool equipment.	Section 17.16.030	Recommended as a change to the Code.	
83	Polly Ogden (email)	<u>Max. Primary Building Footprint:</u> 1) Using "Footprint" is confusing and not defined in the definitions. FAR a much more reasonable approach.	Table 17.16.030	No change recommended - this is in keeping with implementation policy in the Community Design Element of the General Plan. FAR has been removed from the code.	
84	Polly Ogden (email)	<u>Max. Primary Building Footprint:</u> 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.	Table 17.16.030	Replaced with a new sliding scale of building footprint.	
85	Polly Ogden (email)	<u>Setbacks - Minimum Garage or Carport Setback from Building façade:</u> 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.	Table 17.16.030	LWC recommends a 5-foot setback from the garage to the front façade of the house. This provides a typical minimum setback standard to break up the front plane of a home and ensures the garage is not the dominant element on the front façade.	
86	Polly Ogden (email)	<u>Commercial Uses in CB - Banks and Financial Institutions:</u> 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.	Table 17.17.020	With more customers doing their banking digitally, there is not a need for as many brick and mortar banks and for the large footprint and underutilized lots that accompany them. Main Street is prime real estate and needs businesses that add vitality and banks do not meet that criteria. No change recommended.	
87	Polly Ogden (email)	<u>Commercial Uses in CB and MU - Used Merchandise Store:</u> Why are these not allowed? lo/o's and la Boheme are both in CB and are both local serving and functional, good stores.	Section 17.17.020	LWC recommends allowing this use in CB and MU. The next draft will include this revision.	
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89	Polly Ogden (email)	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?	Section 17.17.020	Recommendation: Delete End Note 9 from Veterinary Clinic so that overnight care of animals in the clinic is allowed. Retain Animal boarding/kennel as CUP in the SC zone.	
90	Polly Ogden (email)	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.	Section 17.21.040	The Historic Overlay will be updated on the Zoning Map to make it easier to see.	
91	Sasha Janev (email)	I didn't see reference to unconditioned basement in any of the zonings and how is basement area treated in terms of FAR.	--	Typically unfinished basements are excluded from zoning development standards as they do not impact building massing. No change recommended.	
92	Sasha Janev (email)	I don't think language regarding pre existing non-conforming structures should change from current code.	Section 17.09.050	Comment noted	
93	Sasha Janev (email)	I do agree with limiting building area in A-20 zoning over 2 acres but I think allowed area should be slightly greater than A-20 under 2 acres or low density 1 acre parcels. Perhaps 1000 -1500 s.f. more is appropriate. Or instead additional small dwelling such as guest house should be allowed, limited to 1000 s.f.	Table 17.19.030	Accessory structures like an ADU or a separate garage building are already excluded from max. ground level floor area. Also refer to the Accessory Structure section for additional standards (Section 17.22.020)	
94	Dick Humphries (email)	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.	--	Only the property owners within the proposed HP Overlay were notified of the November 30, 2022 meeting as that was a focused topic discussion related to the HP ordinance. Planning Commission public hearings will be scheduled in 2023 so the Commission may make a recommendation on the Code for the City Council's consideration at a future public hearing.	
95	Dick Humphries (email)	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.	Table 17.16.020	Multi-family dwellings are not allowed in the LR or LR-1A zones - see Table 17.6.020. However it is recommended that the definition of multi-family unit be updated to exclude duplexes from the definition, as follows: Multi-family dwelling. Two <u>Three</u> or more attached dwelling units on a single lot. Types of multi-family dwellings include duplexes , single room occupancy units, townhouses, and apartment buildings.	
96	Dick Humphries (email)	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?	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
97	Dick Humphries (email)	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.	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
98	Joshua Birch (email)	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.	--	Planning Commission public hearings will be scheduled in 2023 so the Commission may make a recommendation on the Code for the City Council's consideration at a future public hearing.	

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99	Joshua Birch (email)	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.	Zoning Map	Refer to the response in row #95 above.	
100	Joshua Birch (email)	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?	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
101	Joshua Birch (email)	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.	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
102	David Walker - Engine Real Estate (email)	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.	Chapter 17.17	Comment noted.	
103	David Walker - Engine Real Estate (email)	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.	Section 17.17.020 Use Regulations & Section 17.17.040 Design Standards	Comment noted.	
104	David Walker - Engine Real Estate (email)	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 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.	Section 17.17.020 Use Regulations & Section 17.17.040 Design Standards	Comment noted - this would be a decision to be made by the City separate from adoption of the Zoning Code.	
105	David Walker - Engine Real Estate (email)	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 17.17.020 Use Regulations & Section 17.17.040 Design Standards	Comment noted	

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5	David Walker - Engine Real Estate (email)	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.	Section 17.21.030 Parking Exemption District	Comment noted - this would be a decision to be made by the City separate from adoption of the Zoning Code.	
106	David Walker - Engine Real Estate (email)	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 17.21.030 Parking Exemption District	Comment noted - this would be a decision to be made by the City separate from adoption of the Zoning Code.	
107	David Walker - Engine Real Estate (email) (Comment continued below)	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.	Section 17.05.020 Conditional Use Permits & Section 17.22.120 Formula Businesses	To clarify, the proposed code includes up to four formula retail uses in each of the three zoning categories noted, (CB, MU SC) which actually would be up to 12 formula retail businesses (not 4). Post code adoption, should the City Council want to further broaden flexibility, this topic should be addressed comprehensively as part the City's proposed Downtown Specific Plan and parking study.	
108	David Walker - Engine Real Estate (email)	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.	Section 17.05.020 Conditional Use Permits & Section 17.22.120 Formula Businesses	Recommendation: This important topic should be addressed comprehensively as part the City's proposed Downtown Master Plan and parking study work post code adoption in 2023.	
109	David Walker - Engine Real Estate (email)	Thank you for allowing me the opportunity to present my thoughts. Once again, I 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.	--	Comment noted.	
110	Alan Torrigino (email)	Please postpone the adoption of the proposed zoning change of LR 1A zone to LR.	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
111		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.			

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5	Alan Torrigino (email)	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.	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
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113	Alan Torrigino (email)	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.	Zoning Map	This decision has been reversed and the LR-1A zone will remain.	
114	Connie Min (email)	I'm writing in as part of the family controlling 905 Main Street, the vacant lot next to Vine Star and Gott's/Taylor's 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:	--	Comment noted.	
115		1. 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.	--	Comment noted - this would be a decision to be made by the City separate from adoption of the Zoning Code.	
116		2. 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.	--	Recommendation: This important topic should be addressed comprehensively as part the City's proposed Downtown Master Plan and parking study work following code adoption in 2023.	
117		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.	--	Comment noted.	

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118	Connie Wilson (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
119	Connie Wilson (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
120	Connie Wilson (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
121	Susan Kenward (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	See Susan's letter in the Meeting Agenda packet for December 7. It is written as a narrative and is an opinion column which appeared in the December 1 edition of the St. Helena Star. Provided here are excerpts from the email.
122	Susan Kenward (email)	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?	Section 17.22.200	Comment noted.	See Susan's letter in the Meeting Agenda packet for December 7. It is written as a narrative and is an opinion column which appeared in the December 1 edition of the St. Helena Star. Provided here are excerpts from the email.
123	Susan Kenward (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	See Susan's letter in the Meeting Agenda packet for December 7. It is written as a narrative and is an opinion column which appeared in the December 1 edition of the St. Helena Star. Provided here are excerpts from the email.

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5	Jennifer La Liberte (email)	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.	--	Comment noted.	See Susan's letter in the Meeting Agenda packet for December 7. It is written as a narrative and is an opinion column which appeared in the December 1 edition of the St. Helena Star. Provided here are excerpts from the email.
124	Jennifer La Liberte (email)	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.	--	Comment noted - it is not possible to create a side-by-side comparison of the current code with the new code because of the extensive revisions made to the structure and organization of the new code.	
125	Jennifer La Liberte (email)	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.	Section 17.17.040 Design Standards	Refinements to the design standards are noted in the staff report and will be discussed at the next joint meeting of the Planning Commission and City Council. The draft code does state that multi-family projects that meet the development and objective standards are approved ministerially.	
126	Grace Kistner (email)	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 a 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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
127	Grace Kistner (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
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129	Grace Kistner (email)	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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
130	Michael Caldarola (email)	I write to voice strong agreement with the views expressed by Susan Kenward in her Commentary in the STR. 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.	Section 17.22.200	No further changes to the STR ordinance are proposed at this time following the December 7th joint meeting.	
131	Madelyn Chandler (email)	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.	Section 17.16.040 Design Standards	Please refer to the staff report for a summary of the proposed changes to the objective standards.	
132	Madelyn Chandler (email)	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.	Section 17.16.040 Design Standards	A recommended change to the development standards would be to not require a second story stepback when a front porch is integrated into the design.	
133	Madelyn Chandler (email)	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 standards addresses that design principle.	Section 17.16.040 Design Standards	Comment noted.	
134	Madelyn Chandler (email)	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.)	Section 17.16.040 Design Standards	The addition of the added objective standards-the State regulations require that cities no longer regulate housing subjectively and requires objective standards in zoning codes. Design guidelines are not objective standards.	

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5	Madelyn Chandler (email)	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 describes 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?	Section 17.16.040 Design Standards	The addition of the added objective standards-the State regulations require that cities no longer regulate housing subjectively and requires objective standards in zoning codes. Design guidelines are not objective standards.	
135		I respectfully ask you to reconsider some of these points in the proposed Zoning Code Update.			
136	Pam Smithers (email)	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!)	Section 17.16.040 Design Standards	Comment noted	
137	Pam Smithers (email)	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!	Section 17.16.040 Design Standards	Comment noted	
138	Pam Smithers (email)	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.	--	Comment noted.	
139	Joshua and Sarah Parke (email)	The Parkes' expressed concerns the code will be adopted due to a limited amount of budget and time left. The Parkes' addressed concerns on the interconnected impacts of the code, the impact on bottom line, the aesthetics of the build environment, and the impacts on property owners and commercial entities. The Parkes' addressed concerns regarding the specificity of the code to St. Helena.	--	Comment noted.	
140	Joshua and Sarah Parke (email)	Additionally, the Parkes' letter expressed concerns with the process in which the code is reviewed from the Planning Commission and a gap in the public's input and decision-making authority for revision and adoption as well as the recommendations from the City's planning staff for the code update. The Parkes' request a survey to business owners and the local professional design community for future input.	--	Comment noted.	

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5	Joshua and Sarah Parke (email)	The letter cites "Part II: Administration and Procedures" and below is a direct quote from the property owners: "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. "	Section 17.09.010 Non-conforming Provisions + Section 17.16.040	Nonconforming uses will be a discussion item for the next PC/CC joint meeting	
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142		The commercial and residential design standards put forth in the proposed code impose a design aesthetic akin with a planned development and shopping complex.		Comment noted.	
143	Joshua and Sarah Parke (email)	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.	Section 17.09.010 Non-conforming Provisions + Section 17.16.040	The commentor is misinterpreting the non-conforming draft code which as written in the public review draft, allow for remodeling (not additions) of existing non-conforming structures. Please refer to 17.09.050 (B) "Remodel, Rehabilitation and Alteration".	
144	Joshua and Sarah Parke (email)	Summary of remaining comment: 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'.	Section 17.09.010 Non-conforming Provisions + Section 17.16.040	The commentor is misinterpreting the non-conforming draft code which as written in the public review draft, allow for remodeling (not additions) of existing non-conforming structures. Please refer to 17.09.050 (B) "Remodel, Rehabilitation and Alteration".	
145	Joshua and Sarah Parke (email)	The Parkes expressed disagreement that any exterior modification shall be subject to the entire property being brought into conformity. They advocate against this and a review of the graphics for design standards in regards to uniformity.	Section 17.09.010 Non-conforming Provisions + Section 17.16.040	The commentor is misinterpreting the non-conforming draft code which as written in the public review draft, allow for remodeling (not additions) of existing non-conforming structures. Please refer to 17.09.050 (B) "Remodel, Rehabilitation and Alteration".	
146	Joshua and Sarah Parke (email)	The letter cites the following subsection along with comments summarized below: • 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. The Parkes question the design regulations above and hints at them being restrictive. They also question the standards of materials and colors, as well as whether property owners will be subject to updating these regulations throughout an entire property.	Section 17.16.040.6 Exterior Building Materials and Colors	Please refer to staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards.	

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
147	Elaine DeMan (email)	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.	--	Comment noted.	
148	Elaine DeMan (email)	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.	Section 17.22.120	No change is proposed to the draft regulations on this topic however, it could be reviewed comprehensively as part the City's proposed Downtown Specific Plan and parking study work following code adoption in 2023.	
149	Elaine DeMan (email)	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.	--	Comment noted.	
150	Elaine DeMan (email)	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.	Section 17.22.200	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes.	
151	Elaine DeMan (email)	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.	Section 17.22.200	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes.	
152	Elaine DeMan (email)	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.	Section 17.22.200	The review authority for STR renewals is not recommended to be changed from the current code.	
153	Elaine DeMan (email)	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.	Zoning Map	These parcels were noted as map corrections.	

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Joe Berchtold (email)	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.	--	Comment noted.	
154	Joe Berchtold (email)	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.	--	Comment noted.	
155	Public comment: Chuck Dack; Mike Mazza; Dick Crane; Glen Smith; Mike Thomas; Jeff Fenney; Jeff Whitehead; John Palmer; Anne Carr; Doug Shafer; and Julie Patton	Opposition to the proposal to rezone all current LR-1A parcels to LR for a number of reasons including, the unique character of the area, concern for increased density, the implications to Dean York Road which is a private road, traffic, drainage concerns, riparian corridor impacts, fire danger, etc. Many stated that they did not understand the reason for the proposed change - requested a written explanation.	--	PC/CC recommended staff/LWC to retain the LR-1A zone.	
156	Polly Ogden (public comment)	Agreed with Joe's comments - design standards are a problem. St. H. is special - "eclectic" with both historic and modern architecture. This is what makes the city special. No need for standards that make the city look too much the same.	Section 17.16.040 and Section 17.17.040	Comment noted	
157	Roy ? (public comment)	Lester's neighbor. HP Overlay assumes "old" is the same as "historic", and they are not. Need to be more flexible on this distinction. Lead paint and windows as an example. As written the HP standards may result in devaluing property.	Section 17.21.040	The properties listed in the proposed HP Overlay originated from the General Plan Appendix A List of Historic Resources, adopted in 2019. The General Plan includes policy that structures over 45 years old should be assessed to determine if a historic resource. Regarding the comment about devaluing property, please refer to the research paper that studied the association of historic designation and property valuation. https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1138&context=etdarchive	
158	Connie Min (public comment)	Support Joe and Jeff's comments - make St. H. more business friendly. Update the use tables to allow more retailers. Look at how successful Oxbow is in Napa, as well as downtown Walnut Creek and Calistoga.	Section 17.17.020	Significant time and effort was invested in updating the prior use tables in the non-residential zones to add uses that create more vibrancy, such as public markets, creative arts, brewpubs, live/work, etc. Additionally many uses that previously required a CUP are now allowed by right. Please refer to summary of changes in 12-7-2022 staff report.	
159	Connie Min (public comment)	MU zone as mapped is confounding - reconsider the boundaries to match Main Street and the CB zone. 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.	Zoning Map	The MU parcels as mapped on the Draft Zoning Map are consistent with the General Plan. Any other rezones to the MU zoning district will need to be considered together with a General Plan Map amendment at a future time.	
160					

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
161	Daniel Hale (public comment)	Spoke to most of the topics in his email sent to the City (design standards, nonconforming structures, too many large policy shifts, take the time to get the Code right).	--	See detailed responses in separate spreadsheet for Daniel Hale.	
162	Daniel Hale (public comment)	Draft Code is not streamlined enough.	--	See detailed responses in separate spreadsheet for Daniel Hale.	
163	Daniel Hale (public comment)	Recommend standards to only define massing and the envelope; no need for additional detail.	--	See detailed responses in separate spreadsheet for Daniel Hale.	
164	Joshua Parke (public comment)	Spoke to most of the topics in his email sent to the City. Improve the review process in St. Helena. Don't make even more properties nonconforming. PRD does not make sense. Honor that St. Helena is special.		Comment noted.	
165	Warner (CC)	Staff to address how provisions for wildfire prevention have been included in the Code.	--	The St. Helena Fire Department administers the Wildland Urban Interface (WUI) provisions and as part of development review process they comment and condition projects on a case by case basis.	
166					
167	Planning Commission/ City Council	Summary of issues to move forward into the Public Hearing Draft:			
168		Grape source	--	Direction provided to make the requirement less rigid and to change the grape source to only be within City of St. Helena	
169		Primary residence requirement for small winery in A-20 zone	Chapter 17.19	Eliminate the requirement for the property owner to live on the site of the small winery	
170		Design standards	Section 17.16.040 and Section 17.17.040	Please refer to staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards.	
171		CB setbacks on Adam Street and point of measurement	Section 17.17.030	Recommend same as Oak Street, i.e. 8 feet.	
172		Nonconforming structures	Chapter 17.09 Nonconforming Uses	Please refer to the May 10, 2023 staff report for proposed revisions to this Section.	
173		Extend TUP from 1 to 2 years	Section 17.05.110	As recommended by staff and LWC, the Code will include this revision.	
174		Wine production (L. Hardy's comment)		Update the existing definition with additional text from the Napa County definition as follows (new text in underline) Wine production. A winery's total annual production equals <u>either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, or (2) the amount of wine bottled on the premises in the same given year, whichever is greater.</u> including all bottled wine received on the premises during the same year	ALSO: Add as a footnote to Table 17.19.020: If the new tanks increase wine production volume beyond what is established in an existing CUP or Certificate of Legal Non-Conforming Use, a new CUP is required. If there is no increase in wine production as a result of the proposed new tanks, no CUP is required.
175		CUP for tanks in W zone	Chapter 17.19	The Code will be updated to clarify that tanks will only be subject to design review if outdoors. Maintain the CUP requirement for outdoor tanks as noted in an earlier response.	
176		LR-1A rezone to LR issue	Chapter 17.26	Add LR-1A zone back into the code and to the zoning map.	

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
177		Formula businesses and restaurants	Section 17.22.120	Recommendation: No change to formula restaurant definition after consultation with City Attorney. Recommendation: This important topic could be addressed comprehensively as part the City's proposed Downtown Specific Plan and parking study work post code adoption in 2023.	
178					
179	Comments Received after December 7, 2022				
180	OTSH email from Jennifer La Liberte	Regarding the rigid architectural design standards discussed in our prior memo dated December 6, 2022, OTSH board members who specialize in design and development have had productive meetings with staff and have spent numerous hours reviewing the standards and preparing written comments and recommendations addressing their concerns. The general issue is that not nearly enough time has been devoted to making the design standards acceptable, and that such an effort should take a few months. We hope the City will continue working with the design community on this effort until it reaches a supportable conclusion, or better yet, eliminate architectural design standards altogether if at all possible.	Section 17.16.040	Staff has considered the comments received from one-on-one meetings with design stakeholders and written comments and made recommendations for change as noted in the May staff report. Elimination of objective standards is not recommended and would hamper the multi-family ministerial review process.	
181	OTSH email from Jennifer La Liberte	Overall, the City must take the time necessary to ensure the Zoning Code would truly facilitate housing development serving low- and moderate-income households, particularly for private sector developers who don't have the same tools at their disposal that non-profit housing developers do. Meeting St. Helena's housing challenges requires all sectors working together. While the changes made to the Density Bonus and Affordable Housing chapters are helpful for low-income housing projects, Chapter 17.30, "Affordable Housing Program," should be expanded to include developer incentives for those developing housing for moderate-income households, such as: • Streamlined project review within a specified reduced timeframe; • Building plan checks move to the front of the queue; • Fee reductions, waivers and/or deferrals; and • Creation of a policy and mechanism for developer-recorded deed restrictions on "missing middle" housing in exchange for similar City concessions. And all low- and moderate- income housing projects should benefit from: • An exception to withholding of water connections in a water emergency, because this can have significant negative impacts to project financing which is already overly complicated; and • Elimination of discretionary review wherever possible.	Chapter 17.30 Affordable Housing Program	Comments noted. The proposed Housing Element includes policies that provide a by-right streamlined review process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330. The proposed Housing Element also includes policies to further work force housing. Streamlined review for all multi-family projects that meet the objective standards is included in the draft code.	
182	OTSH email from Jennifer La Liberte	Finally, with the current Housing Element Update (HEU) in process, the City has a unique opportunity to ensure these two very important policy documents dovetail nicely into a comprehensive set of policies. Perhaps the City Council should hold off on the approval of the Zoning Code Update until after the HEU is approved by the State so the City can take the time necessary on the Zoning Code and bring it into conformity with the HEU in one fell swoop.	--	Comment noted. The proposed Housing Element includes time frames for implementation of all objectives and many of those are already included in the draft code.	
183	George Giannos via Alexander Vinedo, LLC (email)	It was recently brought to our attention that the city is proposing to include the property at 555 Pratt Ave. in a Historic Preservation HP overlay zoning district. We respectfully request that this action not occur, and that the property not be included in the HP Overlay.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	George Giannos via Alexander Vinedo, LLC (email)	We believe historic preservation is a good idea, especially for the downtown and the surrounding historic districts. However, the application of the HP Overlay on the property located at 855 Pratt Avenue would obstruct reasonable improvements to the Property preventing my client from bettering the Property with safe residential structures and environmentally-friendly improvements, which we believe would be of benefit to the community.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
184	George Giannos via Alexander Vinedo, LLC (email)	The Property at 855 Pratt Ave. and its structures have marginal historical value, and the stringent regulations would hinder necessary improvements to the Property, which would in turn limit the ability of the city to realize an increase in property tax values.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
185	George Giannos via Alexander Vinedo, LLC (email)	Applying the HP Overlay to the Property at 855 Pratt Ave. based upon a 2006 survey is far-reaching and seems counter to the city's overall vision of maintaining a stable economy, establishing environmentally friendly structures, and ensuring a livable community.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
186	George Giannos via Alexander Vinedo, LLC (email)	Furthermore, the Historic Demolition Permit Section 17.05.040 is cumbersome and creates interruption uncertainty related to its implementation.	Section 17.05.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
187	George Giannos via Alexander Vinedo, LLC (email)	We would like to help the city realize its vision by improving the Property at 855 Pratt Ave. but are concerned with the limiting factors of the proposed HP Overlay zoning district. Removal of the Property from the proposed HP Overlay zoning district would remedy the concern. I look forward to hearing that you have reconsidered and will not be zoning the Property within the HP Overlay.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
188	Clark Sather via Walker Warner Architects, LLC (email)	My clients, the property owners of the house at 855 Pratt Ave, recently acquired the referenced property and will be pursuing various permits to enhance the property including preservation of the agricultural uses while enriching the architectural landscape of the property. Designating the property within the HP Overlay zoning district substantially limits the architectural design palette thereby limiting options for the city and the surrounding neighborhood to consider. To allow a more participatory architectural design option for this property, I respectfully request the city not zone the property within the HP Overlay zoning district.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May staff report.	
189	Clark Sather via Walker Warner Architects, LLC (email)	The proposal to include the property at 855 Pratt Ave within the HP Overlay zoning district has created nervousness. The criteria for the designation is vague since there does not appear to be a clear standard or criteria for determining what is historically significant locally and how to rezone the property out of the HP Overlay should it be determined not locally significant.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
190	Clark Sather via Walker Warner Architects, LLC (email)	Furthermore, the HP Overlay district provides no incentive for preservation, which will limit necessary improvements to properties that are unsafe.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
191					

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Clark Sather via Walker Warner Architects, LLC (email)	Should the city elect not to remove the property at 855 Pratt Ave from the proposed HP Overlay zoning district, I request that the city provide clear incentives to the owners. The HP Overlay is an opportunity to provide special accommodations and special forms of zoning relief that may provide additional preservation incentives to owners of these resources. For example, Los Gatos allows existing uses not otherwise permitted in the underlying zoning districts to continue in its Landmark and Historic Preservation Overlay Zones. In this case, the city should allow an increase in lot coverage, reduce setbacks, provide opportunity for Mills Act contracts, and provide opportunity for additional housing units (e.g., two accessory dwelling units or multi-family uses) or non-residential uses to offset the cost of preservation. Absent incentives, the property should be removed from the HP Overlay zoning district.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
192					
	Christine R. Wade via SSL Law Firm, LLP (email)	The City of Saint Helena (the "City") is proposing to amend its municipal code to add a Historic Preservation Overlay district with the goal of protecting significant historical resources within the City. The proposed ordinance is neither necessary to achieve that goal nor supported by sufficient evidence and analysis. The California Environmental Quality Act ("CEQA") already provides significant protection for historic resources as do various sections of the City's municipal code. There is no reasonable justification for imposing an additional overlay district on certain property owners.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
193					
	Christine R. Wade via SSL Law Firm, LLP (email)	The proposed district and designated properties rely primarily on an inventory and reconnaissance survey conducted by Page and Turnbull Architects in 2006. The report recognizes that further study of the individual properties is necessary. In order to properly consider a structure to be a significant historic resource and thereby justify the punitive standards set forth in the proposed ordinance, a complete historic resource evaluation would need to be conducted for each property.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
194					
	Christine R. Wade via SSL Law Firm, LLP (email)	At the very least, the ordinance must provide property owners the chance to establish that a building or structure does NOT meet the necessary criteria. This is particularly so, given that the survey relied on is over 15 years old and buildings identified therein may have significantly deteriorated and lost the necessary integrity in that time.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
195					
	Christine R. Wade via SSL Law Firm, LLP (email)	The City's existing code Section 17.05.040 includes provisions that would allow for demolition of a potential historic resource. The proposed ordinance is impermissibly vague in that it does not specify whether properties placed within the district might still be eligible for demolition under these existing provisions. As you are aware, CEQA, its regulations and relevant case law, all provide that even a significant historic resource can be demolished, removed and/or relocated if appropriate findings can be made. The City's proposed ordinance cannot foreclose those possibilities and should follow governing state law on the topic.	Section 17.05.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
196					
	Christine R. Wade via SSL Law Firm, LLP (email)	The proposed ordinance, specifically Chapter 17.21.040, results in a permanent and significant diminution in property value because Chapter 17.21.040 provides no opportunity to consider demolition of structure(s) on the property. The draft code provides no opportunity to remove or delete the zoning overlay designation should the property and/or the structures be found not to possess any historical significance.	Chapter 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
197					
	Christine R. Wade via SSL Law Firm, LLP (email)	The proposed ordinance also completely ignores structures that were either missed by the 2006 survey or those that may since or at some point in the future, become historically significant.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Christine R. Wade via SSL Law Firm, LLP (email)	The proposed standards violate due process because they are vague and unclear. Fairness and regulatory efficiency dictate that local ordinances contain clear standards that result in predictable decisions by staff and review commissions and limit administrative discretion. This proposed ordinance does just the opposite. For example, Section 17.21.040.E. refers to the Secretary of Interior's Standards for Rehabilitation and then inexplicably and irreconcilably states that the general principles shall be "mandatory" for all properties within the overlay district. These guidelines, though, are designed only for rehabilitation which is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. They would have no applicability, for example, to new construction which is also addressed in the proposed ordinance. In addition, there are merely "principles" not regulations or standards that can readily be applied to a development application.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
199					
200	Christine R. Wade via SSL Law Firm, LLP (email)	The City's proposed historic preservation overlay district imposes too steep a penalty on property owners because it includes no mechanism to remove a property from the district and no opportunity for a property owner to establish that his or her property does not in fact qualify as a significant resource.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
201	Christine R. Wade via SSL Law Firm, LLP (email)	It also reaches well beyond potential historic resources to new structures, establishing arbitrary design standards that do not bear any reasonable relationship to historic preservation.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
202	Christine R. Wade via SSL Law Firm, LLP (email)	The proposal also fails to consider that the 2006 survey did not amount to an appropriate historic resource evaluation.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
203	Christine R. Wade via SSL Law Firm, LLP (email)	We respectfully request that the City reconsider this proposed overlay district or at least consider significant modifications to the language to address the comments set forth above.	Section 17.21.040	A letter response was sent to the commentator and is attached to the May 10, 2023 staff report.	
204					
205	022223 Email from Maya	City staff has confirmed that the sidewalk width and material standards in this Section are correct as written.	Section 17.16.040.A.8.d	No change to this standard is recommended.	
206					

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3	City of St. Helena - Zoning Code Update				 LWC
4	Tracking Public Comments JOE McGRATH - City Council/Planning Commission Work Sessions				Updated: April 28, 2023
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
6	Joe McGrath (public comment)	Acknowledged there are some good things in the PRD. Make a clearer distinction between ministerial and discretionary review. Design standards are too arbitrary - they will kill creative design (see separate comments). Unsubsidized workforce housing is too hard to build because of its expense.	--	Noted	
7	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.	
8	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.	
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.	Section 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.	Section 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.	Section 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.	Section 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 Section 17.08.080.	
13	Joe McGrath (public comments)	Slow down code adoption. PC/CC needs to ensure the code meets the intent of the GP. How many CUPs have been issues in past 2-3 years? Suggested the number of CUPs in use table be reduced and allow more uses by right as P or MUP. Architecture by numbers a problem. City should allow form-board concrete finishes. OK with a limit on STRs.		The updated Code will implement the General Plan - this was a stated purpose of the project. The number of CUPs for uses has been reduced from the current zoning code based on input from Downtown stakeholders and the Subcommittee. Regarding "Architecture by Numbers", in the November 16th joint meeting the City Attorney described the legal basis for objective standards in the code. Please refer to the staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards.	

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5	Name of commenter	Comment	Chapter/ Section/ Page	Response/Action	Notes
14	Joe McGrath (email 12-16-22)	<u>Private Open Space for Multi-Family Development</u> This requirement should be eliminated or decreased significantly. If this requirement extends to all upstairs units, then it requires balconies on all upper units. Balconies are costly and can be problematic for water intrusion. If this requirement remains, it should be reduced to ~ 24 SF (e.g., 4' * 6') with a minimum distance of 4'. There also should be an option for this requirement to be met with Juliet Balcony. 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.	Table 17.16.030 Development Standards - Residential Zoning Districts	LWC will reduce exterior open space to 80 sq ft for MR and 60 sq ft for HR.	
15	Joe McGrath (email letter to CC)	Concern with the 120 sf open space requirement for MFR (thought this meant balconies).	Table 17.16.030	LWC recommends retaining 120 sf as a standard for private open space on the ground floor. On upper floors a recommended updated standard for min. balcony size will apply, i.e. 80 sf for MR and 60 sf for HR	
16	Joe McGrath (email 12-16-22)	<u>Min. Dimension for Common Usable Open Space</u> This requirement is acceptable. However I do not understand why the requirement is greater for small lot development?	Table 17.16.030 Development Standards - Residential Zoning Districts	Small lot developments do not have large outdoor yards for play or recreation areas, and instead they rely on the common useable open space within the project for these areas; hence the larger requirement. No change recommended.	
17	Joe McGrath (email 12-16-22)	<u>Min. Landscaped Area:</u> 25% is a high %. 25% of the lot area may not be available once building footprint, parking, and side setbacks are considered. Focus should be on landscaping the front setback area, and common use area.	Table 17.16.030 Development Standards - Residential Zoning Districts	LWC recommends eliminating this standard. Instead require that all of the unpaved areas of the lot, especially the front and street side setback areas, that are not paved for driveways, walkways, etc. must be landscaped consistent with Chapter 17.25 (Landscaping)	
18	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.	Section 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.	
19	Joe McGrath (email 12-16-22)	This is a highly constrictive requirement and should be rewritten. Shouldn't this be applied only if /when both neighboring properties are at setback plane or say placed within 10' of the setback plane. A better way to place this requirement is to say that second stories have 2x the setback requirement called out in the development standards. That would allow much more design flexibility and allow a planar two story facade if setback 20' in a 10' setback.	Section 17.16.040.A.2	A proposed addition to the development standards allowing a front porch instead of a second story stepback is recommended by staff and should mitigate this concern. The existing requirement for second story stepbacks on the side and rear elevations will be deleted.	Please refer to the staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards. This comment applies to all Section 17.16.040 comments below
20	Joe McGrath (email 12-16-22)	Not really sure what this means.	Section 17.16.040.A.3.a	LWC to rewrite to make this requirement clearer.	

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	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.	Section 17.16.040.A.3.b. 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, except that LWC will clarify this standard.	
21	Joe McGrath (email 12-16-22)	If you assume 9' ceilings w/ 11' exterior facade height and standard header height of 6'10" and say sill height of < 2'10" (a 4' tall window) , for any given linear foot of facade, only 4' of 11' (36%) is available as an "opening". So 20% would be more than half of all linear wall space. This likely poses shear wall challenges. I think a better way to do this is to try and eliminate the "blank wall" which might say something like "at least one fenestration must be placed at minimum every 16' of linear wall".	Section 17.16.040.A.4	LWC recommends revising this standard as follows: Building Transparency. At least 20 percent of the area of each street-facing facade of a residential building must consist of windows, doors, or other openings. No wall that faces a sidewalk, pedestrian walkway, or publicly accessible outdoor space may run in a continuous plane of more than 10 feet without a window, door, or other opening. In the MR district, the front door of any primary single family unit must be visible to the public street. Wall Planes: Building offsets, roof overhangs, bay windows, use of a variety of materials, and other features as determined by the Community Development Director shall be used to reduce building massing. The following requirements apply: 1. Unbroken wall planes of 10 feet or more in width are prohibited on walls facing a sidewalk, pedestrian walkway, or publicly accessible outdoor space. 2. Any wall plane larger than 10 feet in width shall incorporate windows, doors, or other openings; be articulated (i.e. break up the wall plane); or incorporate design features such as bay windows, balconies or verandas, or a change in material or color; and 3. On corner lots, elevations oriented towards both street frontages shall include the same architectural design character on each elevation.	
22	Joe McGrath (email 12-16-22)	All roof pitches should be allowed. 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.	Section 17.16.040.A.5.a Flat Roofs of Roof >= 5:12 pitch	LWC will remove the roof pitch requirement.	
23	Joe McGrath (email letter to CC)	Why was roof-pitch changed?	Section 17.16.040, etc.	After further consideration of roof pitch design not being a design issue in this community, it has been recommended for removal.	
24	Joe McGrath (email 12-16-22)	Plate heights are for framing and do not necessarily translate to external articulation. Eliminate this entirely.	Section 17.16.040.A.5.b	LWC recommends that this requirement should be deleted. Other standards such as the second story stepback requirement and overall building height standard provide sufficient form control.	
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	Name of commenter	Comment	Chapter/ Section/ Page	Response/Action	Notes
5	Joe McGrath (email 12-16-22)	Plate heights are for framing and do not necessarily translate to external articulation. Eliminate this entirely. 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.	Section 17.16.040.A.5.c Second Floor Plate not to exceed 20 ft	LWC recommends that this requirement should be deleted. Other standards such as the second story stepback requirement and overall building height standard provide sufficient form control.	
26	Joe McGrath (email 12-16-22)	Is this 6' min for shingle roofs only? What about raised seam metal or other roof types? Why be so specifically restrictive? In another section there is a desire for dormers as articulation. Wouldn't most dormers have < 6" ridge line? Why? Attic venting cupolas would violate this guideline. These features are in the historic architectural vernacular of Napa Valley.	Section 17.16.040.A.5.d Min 6' ridgeline for single roof	Typographic error - correct to "single". This sub section is recommended to be deleted.	
27	Joe McGrath (email 12-16-22)	All materials should be allowed. Period. If you want to restrict material then focus on properties like reflectivity. Particle Board and OSB are not rated or exterior applications anyway. Plywood? What about resawn plywood for board & batten. The entire Montessori School is resawn plywood. Corrugated? Corrugated has been a part of Napa Valley and California's architectural vernacular for over a century. Artificial Stone? Does that include brick veneers? Seismic requirements basically dictate that all stone applications are veneers only and not structural. 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.	Section 17.16.040.A.6.a Prohibited Siding Materials	Building palettes were originally determined in collaboration with the subcommittee and also selected based on finishes that support design excellence while allowing for architectural expression. Please refer to the staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards.	
28	Joe McGrath (email 12-16-22)	This is not an objective standard, unless you use a reflectivity number. What is bright? Does this exclude white?	Section 17.16.040.A.6.b	Recommend that all of the color standards to be removed as the City has not had past issues with color choices.	
29	Joe McGrath (email 12-16-22)	This seems very subjective. Who arbitrates a "consistent" palette?	Section 17.16.040.A.6.c	Recommend that this standard be clarified and rewritten to remove "consistent" and instead to refer to "four-sided architecture or a similar term, i.e. all four sides of a building must be designed and finished to the same standard and with the same materials	
30	Joe McGrath (email 12-16-22)	This seems acceptable, however this should allow for bioretention areas to be considered landscaped area.	Section 17.16.040.A.7	LWC recommends this text will be inserted into the Section 17.25, Landscaping, to include bioretention areas.	
31	Joe McGrath (email 12-16-22)	Should only be required when ADA triggered under CBC.	Section 17.16.040.A.8.d	The City Building Official has confirmed this standard for walkway materials is OK as written.	
32	Joe McGrath (email 12-16-22)	This is confusing and not clear.	Section 17.16.040.A.8.g	LWC to rewrite to make this requirement clearer	
33	Joe McGrath (email 12-16-22)	Ok. But reduce the SF required on upper stories and/or allow Juliet balconies in lieu of.	Section 17.16.040.A.10	A Juliet balcony defeats the purpose of private open space. As noted above the requirement for open space (balconies) has been reduced in MR and HR	
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5	Joe McGrath (email)	These requirements are already covered by CBC and redundant.	Section 17.16.040.A.12 Sustainable and Energy Efficiency	OK - LWC and City staff recommend deleting this section except that paragraph 12.d requiring drought tolerant landscaping should be retained and moved to Chapter 17.25 (Landscaping)	
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36	Joe McGrath (email 12-16-22)	Eliminate. Redundant to CBC.	Section 17.16.040.A.12.a	LWC to delete from the Code.	
37	Joe McGrath (email 12-16-22)	Eliminate. Redundant to CBC.	Section 17.16.040.A.12.b	LWC to delete from the Code.	
38	Joe McGrath (email 12-16-22)	I do not believe this is legal. Do black solar panels blend in with white cool roofs?	Section 17.16.040.A.12.c	LWC to delete from the Code.	
39	Joe McGrath (email 12-16-22)	Acceptable. This is redundant to WELO.	Section 17.16.040.A.12.d	The cross reference to WELO is included in Chapter 17.25, Landscaping.	
40	Joe McGrath (email 12-16-22)	Why would you have to state this?	Section 17.16.040.B.3	To make it clear that no other setbacks for small lot developments are applicable. No change recommended.	
41	Joe McGrath (email 12-16-22)	"Generally" oriented is a vague term.	Section 17.16.040.B.4.b	LWC recommends deleting "generally".	
42	Joe McGrath (email 12-16-22)	25% (i.e. min area of small lot development that must be landscaped) seems high, based on circulation requirements. (Same comment as above)	Section 17.16.040.B.7.a	Similar comment to that for Table 17.16.030. LWC recommends eliminating this standard. Instead require that that all of the unpaved areas of the lot, especially the front and street side setback areas that are not paved for driveways, walkways, etc. must be landscaped consistent with Chapter 17.25 (Landscaping)	
43	Joe McGrath (email 12-16-22)	Upper Floor Units should have/use common space requirements not private ground-floor open space requirements.	Section 17.16.040.B.8.a	LWC recommends reducing the required ground level private open space requirement to 100 feet. This may include a porch, deck, patio or garden area. The min. dimension of 6 feet is smaller than that included in most other codes (8 feet is typical).	
44	Joe McGrath (email 12-16-22)	Upper Floor Units should have/use common space requirements not private ground-floor open space requirements.	Section 17.16.040.B.8.b	The min. dimension of 6 feet is smaller than that included in most other codes (8 feet is typical). No change recommended.	
45	Joe McGrath (email 12-16-22)	This is confusing. What does one to three units mean? Is it every unit requires 18" vertical offset from the adjacent unit, or minimum one offset for every three units?	Section 17.16.040.C.1.a	LWC recommends this text can be rewritten and clarified as follows: <u>The roofline on the longest at each building</u> elevations shall demonstrate or include a vertical offset of at least 18 inches for each unit or for each pair of one to three units exposed on that elevation.	
46	Joe McGrath (email 12-16-22)	This is an onerous and costly requirement and should be eliminated.	Section 17.16.040.C.1.b	City staff and LWC recommend that this standard is unnecessary and can be deleted. The standard in C.1.a will provide the articulation desired.	
47	Joe McGrath (email 12-16-22)	This seems acceptable and is much more clear than 1a.	Section 17.16.040.C.1.c	Noted	
48	Joe McGrath (email 12-16-22)	Seems subjective. Who arbitrates "complimentary"?	Section 17.16.040.C.1.d	LWC to clarify this requirement - change "complementary" with "consistent"?	
49	Joe McGrath (email 12-16-22)	Ok. Seems acceptable. Please add awnings. But bay windows!?	Section 17.16.040.C.1.e	LWC will add awnings.	
50	Joe McGrath (email 12-16-22)	This is not acceptable.	Section 17.16.040.C.1.g	LWC recommends that a change in color and materials may be added as an acceptable alternative treatment on lower floors.	
51	Joe McGrath (email 12-16-22)	Why two? One is sufficient.	Section 17.16.040.C.1.h	LWC to edit text to state only one window.	

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
52	Joe McGrath (email 12-16-22)	Who arbitrates "unified" and "complementary". Eliminate.	Section 17.16.040.C.1.i	Recommend that this standard be deleted.	
53	Joe McGrath (email 12-16-22)	This is a strange requirement. Often you may see a HORIZONTAL articulation at the same height as adjacent building height. Chicago has lots of these.	Section 17.16.040.C.1.j	No change recommended.	
54	Joe McGrath (email 12-16-22)	This seems acceptable but should have maximum distance associated with it so that it would no longer apply at say 12' + distance.	Section 17.16.040.C.1.k	LWC recommends adding a max. distance of 12 feet.	
55	Joe McGrath (email 12-16-22)	Ok. This seems acceptable. However, please clarify if this can be met with interior in-unit storage. Can it be interior storage on upper floors? Or is it only satisfied with ground floor exterior storage. Please clarify - internal or external?	Section 17.16.040.C.1.l 200' CU FT of storage space	LWC will amend this standard 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.	
56	Joe McGrath (email 12-16-22)	What if the unit is not on the right away and is on site interior parking instead? Please add shared pathway.	Section 17.16.040.C.3.a	LWC will add shared pathway.	
57	Joe McGrath (email 12-16-22)	Ok. But Please change to 4 units. 4 units is symmetrical.	Section 17.16.040.C.3.c	LWC will change to four units.	
58	Joe McGrath (email 12-16-22)	Shouldn't this say "where adjacent lot is zoned LR". What defines a single-family neighborhood.	Section 17.16.040.C.3.d	LWC to make this change - where adjacent lot is zoned LR and MR (There are single family neighborhoods also in MR)	
59	Joe McGrath (email 12-16-22)	Having common space visible from all units is not practical nor likely feasible on most lots. Accessibility is already covered by ADA requirements.	Section 17.16.040.C.4.c	Change "Accessibility" to "Visibility" in the subtitle and in the standard. The idea is to ensure that the common space is safe, especially for children. Making them visible from units is one way of ensuring this - it's the idea of "eyes on the street". Replace "all units" with " a minimum of 50 percent of units".	
60	Joe McGrath (email 12-16-22)	This is acceptable, but limit this to the first 50' of setback from the street or something like that.	Section 17.16.040.C.5.a.ii	No change recommended.	
61	Joe McGrath (email 12-16-22)	Redundant to CBC/ADA. Eliminate. Has no place in Design Review Standards.	Section 17.16.040.C.6 (a-d) Universal Design	LWC to delete from the Code.	
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3	City of St. Helena - Zoning Code Update			Colored cells indicate recommended changes to the Public Hearing Draft	 
4	Tracking Public Comments DANIEL HALE - City Council/Planning Commission Work Sessions				Updated: April 28, 2023
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
6	Daniel Hale (email)	Reserved for?	Chapter 17.02 Reserved	Any future new section that may be needed.	
7	Daniel Hale (email)	ZC needs a comprehensive rethinking - it is a large step backwards	--	Comment noted.	
8	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.	
9	Daniel Hale (email)	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?)	Section 17.05.030.B and 17.05.030.C	Sections B and C are not in conflict. Section B pertains to buildings less than 50 year old and Section C clarifies how to proceed if the structure is over 50 years. All decisions on the Code are made by the Director even if not specifically called out. And they are <u>appealable</u> .	
10	Daniel Hale (email)	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)	Section 17.05.040	The list on which the Zoning Map and the HP Overlay was derived is included in the General Plan. Staff will check the buildings in this list and verify. Any updates to the HP excel file will be given to LWC to revise the map. Regarding the concern about "district", the proposed zoning map does not note the HP Overlay as a district nor does the title of 17.21.040.	
11	Daniel Hale (email)	"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.	Section 17.05.070.D.3 Major Design Review	It was at the direction of the Zoning Code Subcommittee that this provision was added to the code, as noted, for use on a case by case basis. There is no loss of property rights if an applicant is asked to provide story poles. The City finds that the public review process can be improved in some circumstances by including physical markers such as story poles so location and height are better visualized. No change recommended.	

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5	Daniel Hale (email)	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. "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".	Chapter 17.09 Nonconforming Provisions Section 17.09.050.A	To clarify, the non-conforming ordinance for structures has two main components, one for expansion and enlargement (17.09.050 A) and one for remodel, rehab and alteration (17.09.050 B). Mr. Hale's comment seems to indicate that any proposed change to a non-conforming building, including remodeling and rehabilitation would require the removal of the part of the building that is non-conforming. That is incorrect. The code in part B above allows for remodels, rehabilitation and alteration of non-conforming structures. Regarding the last sentence added to Section A, upon further review, staff does find it to be in conflict with the sentence that precedes it and, therefore, it could create confusion. Staff's recommended changes to the code will include deletion of this text and the policymakers can make the final determination on whether there is support to allow flexibility for property owners with non-conforming structures to expand, but not increase the degree of non-conformity.	He further notes: "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."
12	Daniel Hale (email)	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 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?) 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)	Chapter 17.10 Historic Designation	The list on which the Zoning Map and the HP Overlay was derived is included in the General Plan. Staff will check the buildings in this list and verify if some need to come off and if these were in GP. Staff will also check with BBK if the "District" name needs to be removed. Any updates to the HP excel file will be given to LWC to revise the map.	
13	Daniel Hale (email)	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.	Section 17.11.010.H	To clarify, a public notice is prepared, but there is not an automatic hearing. The hearing is only if requested in writing prior to the date of decision. All decisions of staff/CDD may be appealed. No change recommended.	
14	Daniel Hale (email)	Reserved for?	Chapter 17.14 Reserved	Any future new section that may be needed.	
15	Daniel Hale (email)	Highly support the intro of mixed use as a classification.	Chapter 17.15 Establishment of Base Zoning Districts	Noted	
16	Daniel Hale (email)	" ¹ Indoor plumbing and indoor cooking facilities not permitted."	Table 17.16.020	LWC will accept this recommendation and edit the footnote	
17	Daniel Hale (email)	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.			

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Daniel Hale (email)	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.	Table 17.16.030	Noted and will be corrected by LWC	
18	Daniel Hale (email)	"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 may occur.	Table 17.16.030	With the significant changes to the small lot ordinance, staff recommends that this version of the ordinance still require a CUP for the creation of small lots. However, development on an existing small lot should not require a CUP and LWC will review the code to make any clarifications.	
19	Daniel Hale (email)	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.	Chapter 17.16 Residential Zoning Districts	LR provides for density of 1-5 units/acre; MR allows for 5-16 units/acre, which is why the standards are different.	
20		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.	
21	Daniel Hale (email)	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. 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? 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 Residential Zoning Districts	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. A new sliding scale for building footprint will be inserted into the LR zone. It should also be noted that The Turner Center for Housing Innovation (UC Berkeley) noted that most cities do not use FAR to control building size for residential development. (Reference "Potential Impact of SB 478 on local FAR and Minimum Lot Size Requirements" April 5, 2022.)	
22	Daniel Hale (email)	"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.	Chapter 17.16 Residential Zoning Districts	Both the creation of maximum building footprint sizes and second story step backs are policy direction from the Community Design Element of General Plan policy.	
23	Daniel Hale (email)	Are un-enclosed porches included in "Primary building footprint?" square footage?	Section 17.34.050 and -060	Clarify in Section 16.34.050 and -060 that porches are excluded from building footprint and FAR.	
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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Daniel Hale (email)	"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.	Chapter 17.16 Residential Zoning Districts	The city's interpretation of this standard has not been clear and consistent. It is, therefore, recommended that it is best to delete this altogether now that the Code includes limitations on max. building footprint.	
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26	Daniel Hale (email)	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.	Chapter 17.16 Residential Zoning Districts	Noted	
27	Daniel Hale (email)	"Min landscaped area"...	Chapter 17.16 Residential Zoning Districts	No comment submitted	
28	Daniel Hale (email)	"Private open space/common usable open space" Should be removed.	Table 17.16.030	LWC will reduce exterior open space to 80 sq ft for MR and 60 sq ft for HR.	
29	Daniel Hale (email)	<u>General comment is that City should not be engaged in the design business.</u> Mandating zigzags...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.	Section 17.16.040 Design Standards	Comment noted. Please refer to the criteria for objective standards noted on city website- https://www.cityofsthelena.org/planning/page/objective-standards-information-and-resources	
30	Daniel Hale (email)	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.	Section 17.16.040.6.a	Building palettes were originally determined in collaboration with the subcommittee and also selected based on finishes that support design excellence while allowing for architectural expression. Please refer to the staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards. These will, for example, delete the prohibition on artificial stone finishes, and will allow corrugated metal as a roof material in all zones, and corrugated metal as a siding material in the A-20, MR, and HR zones.	
31	Daniel Hale (email)	"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?	Section 17.16.040 Design Standards	Much of the code changes in the single family zones was in response to incompatible new development allowed by the existing code. Many of the proposed code changes have been informed by the Community Design Element of General Plan to further the goal of enhancing neighborhood character.	

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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Daniel Hale (email)	"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 façades." 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).	Section 17.16.040 Design Standards	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 setbacks. The Code will be updated to allow a porch element that spans the front elevation of a two story home to count as a setback and the existing requirement in the PRD for a second story setback on the rear and side elevations will be deleted.	
32	Daniel Hale (email)	"Facade transparency" Figure 17.16.040.A: 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. Questioning the transparency requirements in the design standards. How will this produce more successful buildings?	Figure 17.16.040.A	Good urban design in established neighborhoods creates a rhythm of entrances that are visible from the street. This design standard addresses that design principle. Please refer to staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards	
33	Daniel Hale (email)	"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?	Section 17.16.040 Design Standards	The standards for roof pitch will be removed from the Code	
34	Daniel Hale (email)	"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?	Section 17.16.040 Design Standards	Typographic error - correct to "single" (This section will be removed. See previous response)	
35	Daniel Hale (email)	"First and second story plate height" This appears again arbitrary and counterproductive attack on creativity/innovation and not effective. A code allowed/promoted 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.	Section 17.16.040 Design Standards	The plate height standards will be removed from the Code.	
36	Daniel Hale (email)	"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.	Section 17.16.040 Design Standards	Building palettes were originally determined in collaboration with the subcommittee and also selected based on finishes that support design excellence while allowing for architectural expression. Please refer to the staff report regarding proposed changes to the objective design standards and the Track Changes edits to Section 17.16.040, Design Standards. These will, for example, delete the prohibition on artificial stone finishes, and will allow corrugated metal as a roof material in all zones, and corrugated metal as a siding material in the A-20, MR, and HR zones.	
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	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
5	Daniel Hale (email)	"Exterior Building Materials and Colors" Is white a bright color?	Section 17.16.040 Design Standards	See comment above. The requirements for colors in subsection 6.b will be removed from the Code.	
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39	Daniel Hale (email)	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.	Section 17.16.040 Design Standards	Please refer to Objective Design Standards on City website that provides legal basis for this part of the code, and also provides clarity and more certainty for builders.	
40	Daniel Hale (email)	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.	Section 17.17.030 Commercial and Mixed Use Districts	Noted	
41	Daniel Hale (email)	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.	Section 17.17.040 Design Standards	Some cities do indeed regulated buildings to this level of detail, especially in areas with historic buildings and character.	
42	Daniel Hale (email)	Seem possibly a lost opportunity to not allow live work and multi-family in the SC district.	Table 17.17.020	The General Plan SC land use designation does not include residential. The zoning district uses need to be consistent with the General Plan.	
43	Daniel Hale (email)	Why is City owned Railroad Ave site rezoned as BPO in draft Zoning map? Limits residential/ workforce housing capacity?	Chapter 17.18 Business and Industrial	Repeat comment	
44	Daniel Hale (email)	Food trucks/restaurants could well have a productive place/purpose in both Industrial and mixed use districts.	Chapter 17.18 Business and Industrial	LWC recommends allowing food trucks in the I and MU districts	
45	Daniel Hale (email)	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.	17.21.040.F.2.c.i	LWC and City staff recommend removing the dimension standards for lap siding	
46	Daniel Hale (email)	Brick is certainly not a common material in historic homes of the area	17.21.040.F.2.b	The reference is general in that brick is a common historic building material.	
47	Daniel Hale (email)	Need clarification on Historic overlay district. Map only shows individual parcels in historic overlay..."district" has no boundary.	Chapter 17.21 Overlay Districts	Please refer to earlier comment in row 10 on the question of "district".	
48	Daniel Hale (email)	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.	17.22.030.E.6	This is not an uncommon standard in many zoning codes. No change recommended.	

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5	Daniel Hale (email)	Support entirely the creation of live work opportunities	Section 17.22.140	Noted	
49	Daniel Hale (email)	Find figure 17.22.140A to be unclear. Dashed lines mean? Raised private courtyard on bottom most figure diagram?	Figure 17.22.140.A	Recommend that the vertical dashed lines are removed	
50	Daniel Hale (email)	Reserved for?	Chapter 17.23 Reserved	Any future new section that may be needed.	
51	Daniel Hale (email)	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.	Chapter 17.25 Landscaping	The standards are very typical of many cities and towns for landscaping. City staff and LWC recommends updating 17.25.050 C 1.a-in the CB on Main street where most building have front zero setback so cannot meet the standard requiring landscaping. This exception will be added.	
52	Daniel Hale (email)	Applicability items 2 and 3. How can you have a code that differentiates based upon the classification of the owner/creator of the landscape?	Section 17.25.020	This provision will be deleted.	
53	Daniel Hale (email)	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 (initial cost and upkeep) to both individual homeowners and any that may consider developing affordable housing.	17.25.050.B.6	Based on research of other communities in the area the 30% standard is typical. No change recommended.	
54	Daniel Hale (email)	Removal of the covered parking requirement is a good idea for both homeowners and affordable housing projects.	Chapter 17.26 Parking and Loading	Noted	
55	Daniel Hale (email)	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 exruciating (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.	Chapter 17.27 Signs	The sign standards were updated to ensure they were content-neutral based on the US Supreme Court's decision in <i>Reed v Town of Gilbert</i> . This required a substantial reorganization of the contents. Many of the existing standards were carried forward. The number of pages increased because the standards for each sign type are presented in simple tables with an illustration of that sign type, and that takes up more space. Ultimately, the sign standards are better organized and presented to be easier for an applicant to read and apply.	
56	Daniel Hale (email)	Believe this should be combined with the following Affordable Housing section of draft Code 17.30 and should be a sub-chapter/header.	Chapter 17.29 Density Bonus	No change recommended based on consultation with the City Attorney.	
57	Daniel Hale (email)	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.	Chapter 17.30 Affordable Housing	No change recommended -there are a number of items addressing affordable housing in this chapter. The policymakers may recommend the change if they find it misleading.	
58	Daniel Hale (email)	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.	Section 17.31.050.D	The State SB 9 ordinance allows a City to exempt historic properties from two-unit projects in order to maximize the preservation of the structure.	
59	Daniel Hale (email)	Critical inclusion: Building site. The portion of a lot where the principal building can be located. Excludes the setbacks required by the zoning district.	Chapter 17.32 Definition of Terms	This definition is included in the Definitions Chapter.	
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5	Daniel Hale (email)	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.	Chapter 17.32 Definition of Terms	Unclear why the use of "and" will be problematic. No change recommended - City staff noted that it is important to keep linear feet as the City wants to measure the amount of intact or removed walls, which is easiest measured linear, defined as the length of the wall.	
61	Daniel Hale (email)	Floor Area Ratio? Are un-enclosed Porches included in Calculating Floor Area ratio? (currently they are NOT).	Chapter 17.32 Definition of Terms	For zones that include FAR standards, the code will be amended to clarify that porches will be excluded from FAR or floor area.	
62	Daniel Hale (email)	Setbacks figure 17.32.B "irregular Lot" rear setback can and should conform to lot irregularity (IE setbacks should simply be measured perpendicular to property line)	Chapter 17.32 Definition of Terms	Comment unclear - no change recommended as the Figure is clear	
63	Daniel Hale (email)	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.	Section 17.34.030.A Measuring Building Height	The explanation in the code works well for sloped grade. The Code will be amended to carry over the current regulation for when not on slope	
64	Daniel Hale (email)	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.	Section 17.34.050 Measuring Floor Area and Floor Area Ratio	Clarify in Section 16.34.050 and 060 porches are excluded from building footprint and FAR.	
65	Daniel Hale (email)	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.	Figure 17.34.050 Determining Setbacks	Include an illustration showing how setbacks are determined on a corner lot	
66	Daniel Hale (email)				

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
67	Daniel Hale (email)	<u>Zoning Map:</u> 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?	--	Please refer to General Plan Figure 2-8, Land Use Change Areas, site 1. The referenced portion of the Adams Street parcel was designated as CB and previously evaluated (with public hearings) prior to adoption of the 2019 General Plan.	
68	Daniel Hale (email)	<u>Zoning Map:</u> 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?	--	Regarding the zoning map, the intent of this code update was to bring the zoning designations into consistency with the General Plan land use designations. The development potential of the sites noted in the comment is not part of this work effort, but following the Housing Element adoption, the City will begin the process of amending the General Plan and zoning designations of city owned sites to realize their highest and best use.	
69	Daniel Hale (email)	<u>Zoning Map:</u> 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.	--	The zoning map was updated as part of this work to be consistent with the zoning code as it implements the General Plan. Any action to "solve actual problems and needs" may occur at a future time.	
70	Daniel Hale (email)	<u>General Comments:</u> 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).	--	See prior responses on FAR	
71	Daniel Hale (email)	<u>General Comments:</u> 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.	--	Noted	
72	Daniel Hale (email)	<u>General Comments:</u> Miscellaneous sections that seem to arbitrarily add cost need to be rejected as they will surely inhibit and limit needed solutions.	--	Noted	
73	Daniel Hale (email)	<u>General Comments:</u> Miscellaneous sections that ban materials that may well be cost effective also inhibit/hobble needed solutions.	--	Noted	

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5	Daniel Hale (email)	Mr. Hale expressed concerns to ensure the translation of the code to the public is clear and easily understood. A core area of concern is how the new code handles architectural non-conformities and a belief the new code is "snuffing out" these non-conformities, which he rejects. He also writes about the new code limiting creative and individual expression of residential design and hints at "subjective prescriptions" not contributing towards a better environment. Provided here are questions from Mr. Hale's email in which he asks for more time to address policy questions for the code: 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?	--	First paragraph: Noted; responses to these general comments are included above. Second paragraph: Throughout the Code update, LWC has worked very closely with City staff to ensure that within the General Plan's policies, the Code includes regulations and procedures that support the City's desire for more workforce housing options. This includes, for example, the inclusion of a new Mixed-Use zone, live-work standards, and small lot development opportunities. Third paragraph: The adopting ordinance for the updated Code will include what are sometimes called "rules of transition", i.e. provisions to address projects for which complete submittals have been accepted by the City under the existing Code, and which will, therefore, not be subject to the new updated Code. Fourth paragraph: Fourth paragraph: The updated Code includes more commercial uses by right in the commercial zones, and additional uses have been added consistent to create more activity and vibrancy in Downtown based on comments received in July 2021 in a meeting with Downtown stakeholders.	
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3	City of St. Helena - Zoning Code Update		Colored cells indicate recommended changes to the Public Hearing Draft		
4	Tracking Public Comments GREG DESMOND - City Council/Planning Commission Work Sessions				
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
6	Greg Desmond (email)	Determination of Similar use – this section mentions that the community development director can administratively determine that the proposed uses are like those of the appropriate use category where the uses are clearly similar in character to those uses listed and consistent with the purposes of the zoning district and General Plan. Does this action require confirmation by the planning commission or can it only be appealed to the planning commission?	Section 17.04.050.A	Does not require confirmation by the Planning Commission; however the decision may be appealed to the Planning Commission.	
7	Greg Desmond (email)	This section mentions that a historic resource determination report _MAY_ be required if a structure that is 50 years old or more is proposed for demolition. This specific requirement needs clarification or needs to be revised to state that a historic resource determination report _IS_ or _IS NOT_ required.	Section 17.05.030.C.1	Comment noted. LWC will delete "may be required" and state "is required".	
8		This demolition finding states: “the building to be demolished does not reflect neglect by the owner”. I am not clear on what the intent/purpose of this finding is.	Section 17.05.030.D.4	A demolition proposed for a property in a deteriorated state as a result of lack of maintenance is known as "demolition by neglect". Owners who avoid repairing historic properties should not be able to easily seek approval to demolish the structure.	
9		Please see 17.21.040.	Section 17.05.040.B.1 and B.3	See comment below in Section 17.21.040.	
10		Public Notice – is this mailed to parcel owners w/in 300’ or?	Section 17.05.090.E.2.a	Yes. The noticing requirement is in Section 17.04.080.	
11		Hearing – one request for a hearing triggers a hearing?	Section 17.05.090.E.2.b	Yes, this is correct.	
12	Greg Desmond (email)	Nonconforming Provisions: Reads: “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. <u>Unless specified otherwise, this Chapter is intended to be administered in a manner that encourages the eventual elimination of nonconformities.</u> ” Given that this and previous zoning code updates have created non-conforming situations, what does the update provide in terms of mechanism(s) which will allow parcel owners to reasonably address this situation? Example: Section 17.112.090 of the current SHMC was created to address the fact that the 1993 Zoning code update essentially created entire neighborhoods which were non-conforming. I do not see this section in the draft code update. Another example: 1153 Main Street is developed with an existing service station which is a conditional permitted use in the CB District but is not listed as a permitted or conditionally permitted use in the MU District.	Section 17.09.010.A	This item will be a policy discussion at the next joint meeting .	
13		Why include the last sentence which reads “Unless specified otherwise, this Chapter is intended to be administered in a manner that encourages the eventual elimination of nonconformities”?	Section 17.09.030.A	This item will be a policy discussion at the next joint meeting .	

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
14		The last sentence which reads: "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." Is not consistent 17.09.050(B) which reads: "A nonconforming building, structure or physical feature may be remodeled, rehabilitated, or structurally altered if the new work does not increase the degree of nonconformity."	Section 17.09.050.A	To clarify, the non-conforming ordinance for structures has two main components, one for expansion and enlargement (17.09.050 A) and one for remodel, rehab and alteration (17.09.050 B). The code in part B above allows for remodels, rehabilitation and alteration of non-conforming structures. Regarding the last sentence added to Section A, upon further review, staff does find it to be in conflict with the sentence that precedes it and, therefore, it could create confusion. Staff's recommended changes to the code will include deletion of this text and the policymakers can make the final determination on whether there is support to allow flexibility for property owners with non-conforming structures to expand, but not increase the degree of non-conformity.	
15	Greg Desmond (email)	Please see 17.21.040.	Section 17.10.010.A	See comment below in Section 17.21.040.	
16	Greg Desmond (email)	This is a great addition. However, the hearing process will be extra work for staff.	Section 17.11.010	Noted	
17		Recommend allowing Minor Modifications for <u>uses</u> as well as development standards.	Section 17.11.010	See Section 17.04.050 - Director may already make a determination of a similar use.	
18		Recommend including adjacent neighbor approval as a criterion for projects requesting to conform to the existing nonconforming neighborhood setbacks.	Section 17.11.010.B	No change recommended.	
19	Greg Desmond (email)	Recommend allowing plumbing (sink/toilet/shower) (no bathtub and no kitchen) in accessory structures.	Table 17.16.020 Footnote #1	See comments from Joe McGrath on this topic. Accept recommendations.	
20		"Densities existing as of January 1, 2023, are permitted to remain." Can staff and/or consultants please elaborate on this? Does this mean that any parcel/structure existing prior to the adoption of the new code will be allowed to remain at whatever density exists even if a future remodel/expansion of the structure is proposed? Also, this footnote is only applied to the LR district. Please confirm if this is correct or if the footnote is meant to apply to all residential districts?	Table 17.16.030 Footnote #3	This End Note will be applied to the LR and LR-1A for the situations where there is a larger lot to maintain current character.	
21		Maximum building height. Recommend allowing additional height in the HR (+ MU) districts to accommodate podium parking (parking on ground floor).	Table 17.16.030	City staff recommends that this topic should not be considered as part of the current Code update as additional standards will to be developed to ensure parking below residential structures is appropriately integrated into the City. In the interim there are means to achieve this goal, such as with a density bonus additional height is possible, and perhaps through the use of a PD Overlay	
22		Maximum building frontage – this requirement is difficult to apply on irregularly shaped lots. Additionally, it will create barriers to certain types of development (factory built/modular).	Table 17.16.030	LWC will delete this standard. Note - also update the graphic on page III-4	
23		The proposed 2 nd story step-back could promote barriers to certain types of development (factory built/modular).	Section 17.16.040.A.2	A proposed addition to the development standards allowing a front porch instead of a second story stepback is recommended by staff and should mitigate this concern. The existing requirement for second story stepbacks on the side and rear elevations will be deleted.	

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5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
24		Is podium parking (parking on ground floor) allowed in the HR district?	Section 17.16.040.C.5.a	City staff recommends that this topic should not be considered as part of the current Code update as additional standards will to be developed to ensure parking below residential structures is appropriately integrated into the City. In the interim there are means to achieve this goal, such as with a density bonus additional height is possible, and perhaps through the use of a PD Overlay.	
25	Greg Desmond (email)	Include distilleries as a CUP in the eating and drinking establishment section.	Table 17.17.020	LWC will make this change	
26		Why prohibit take-out restaurants?	Table 17.17.020 Footnote #12	City agrees that many restaurants have integrated take out as part of their offerings. Update Footnote 12 to delete "take out" and replace with "drive-through".	
27		Why not allow live/work and/or multi-family residential uses in the SC district?	Table 17.17.020	Residential uses are not consistent with the General Plan SC designation. No change recommended.	
28		Maximum building frontage – recommend letting other development standards dictate this criterion.	Table 17.17.030	No change recommended.	
29		Maximum building height – Recommend allowing additional height in the MU district to allow for podium (parking on ground floor).	Table 17.17.030	City staff recommends that this topic should not be considered as part of the current Code update as additional standards will to be developed to ensure parking below residential structures is appropriately integrated into the City. And the ground floor parking should be lined with retail uses. In the interim there are means to achieve this goal, such as with a density bonus additional height is possible, and perhaps through the use of a PD Overlay.	
30		Recommend discussing the merits of the HWY 29 Specific Plan (drafted in 2005/under the 1993 General Plan) and whether it is still a relevant planning tool.	Table 17.17.030 Footnote #1	This document is referenced in the General Plan. While the City recognizes this is an older document, development projects within this planning area are still subject to consistency. The City Council would need to take a formal action to withdraw the document or have it amended.	
31		Highway 29 Specific Plan – see above note.	Section 17.17.040.B	See above response	
32	Greg Desmond (email)	Allow restaurants or at least food trucks in the I District via the CUP process. This will alleviate some traffic on Main Street.	Table 17.18.020	Mobile food vendors are allowed in the updated code with a CUP in the I District.	
33		Allow distilleries in the I District via the CUP process.	Table 17.18.020	Comment noted and the updated code will include this and a new definition for distilleries.	
34		Given the importance that St Helena plays in supporting regional agriculture and winemaking, this table should have a specific winery/wine industry section and/or an expanded agricultural section. Additionally, this section should include a more comprehensive list of such uses and such uses should be 'permitted' to the extent possible.	Table 17.18.020	Winery offices are noted as a use in the table, as well as large wineries in the I district. Please also refer to Table 17.19.020 for more wine and winery related uses listed (winery event center, small winery, winery visitor center), tasting room.)	
35		These items are standard public works conditions and building code requirements and are not necessary in the zoning code.	Section 17.18.040.D.8 + 17.18.040.D.9	They are included as a reference - more complete and user-friendly code.	
36	Greg Desmond (email)	Overall, I find that the agricultural zoning designation and allowable uses continue to benefit residential uses instead of benefitting or even allowing agriculture to be the highest/best use.	Chapter 17.19 Community Agricultural and Natural Resource Districts	Staff disagrees with this conclusion. Staff and LWC recommend that the maximum amount of lot coverage be reduced from 1 acre to 0.5 acre for lots over 2 acres.	

	B	C	D	E	F
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
37		Is it possible to drop the '20' in regards to the A-20 designation?	Chapter 17.19 Community Agricultural and Natural Resource Districts	The Agricultural designation of the General Plan notes that the minimum parcel sizes for new parcels should be 20 to 40 acres. Also the minimum lot size in Table 17.19.30 is 20 acres for lots over 2 acres. For these reasons, it is not recommended the '20' be deleted although it is true many A-20 lots are less than 20 acres.	
38		It appears that most of the parcels in the A-20 district are less than 20 acres has any thought gone into rezoning parcels less than 2.0 acres to LR?	Table 17.19.020 Footnote #2	Not at this time. Doing so would require a General Plan Amendment which is beyond the scope of this project.	
39		The 0.5 acre maximum removal from agricultural use should apply to residential uses only and should _not_ apply to agricultural related uses such as small wineries, agricultural management offices, etc.	Table 17.19.030 Footnote #3	Comment noted. The intent is to maximize the land available for agricultural uses and limit building coverage, regardless of use. If the City Council finds that 0.5 acre is a too restrictive limitation, they may direct an alternative size limitation.	
40		Setbacks: Why do these districts measure to the centerline of the abutting street rather than the property line?	Table 17.19.030	Staff recommends that for the A-20 district the way setbacks are measured should remain as, i.e. from the centerline of the road. No change recommended.	
41		Confirm that residential driveways located w/in the WW District are required to be 2-way.	Section 17.19.040.D.8	Yes, this has been confirmed by the St. Helena Fire Department	
42	Greg Desmond (email)	Some of the city owned parcels used to accommodate employee housing. Specifically, the Lower Reservoir parcels (009-310-013) (022-190-002) (022-190-007) and the Bell Canyon Reservoir parcels (021-420-011) (021-420-012) (021-420-006) (021-420-019) (021-420-005) (021-420-020). It may make sense to include employee housing as a CUP on these parcels.	Table 17.20.020	Staff does not agree that requiring a CUP helps in any way as such a development would likely require City Council approval. The City is aiming to minimize the need for CUPs for housing given all the streamlining policy at the state level.	
43	Greg Desmond (email)	It would be helpful to have staff/consultants identify any parcels that are proposed for any overlay districts that are not already formally entitled with such an overlay.	Chapter 17.21 Overlay Districts	No action needed at this time as it's up to future property owners to decide if they want to apply. Identifying any future overlay districts is outside the scope of the current Zoning Code update.	
44		The proposed HP overlay district concept needs work. The parcels shown as having a PD overlay on the draft zoning code map appear to be a some, but not all, of the parcels that are developed with structures listed on the city's historic resource list. If there is an interest in developing historic district(s) they should include entire neighborhoods rather than parcel by parcel. In addition, this process should include formal outreach to all parcel owners within any potential district.	Section 17.21.040	The expanded HP Overlay is essentially the City's local register of historic properties, it was not intended to create local districts. Prior to the first scheduled public hearing, staff will verify that all parcels on the proposed local register are indicated on the zoning map with the HP designation. A notification letter was mailed to all owners in the proposed HP Overlay with an invitation to attend a community meeting on November 30, 2022. There were seven attendees at the meeting.	
45		The downtown commercial core is already a nationally recognized historic district but is not identified as such in the existing or draft zoning code text/map.	Section 17.21.040	Not all of the buildings within the National Register District are contributing buildings. However, all the contributing buildings in the National Register District are listed on the Local Register and designated in the HP Overlay zone. This is a very important component of the zoning code as those properties are now included in the preservation ordinance.	
46	Greg Desmond (email)	This section should clearly outline the fact that new construction, detached ADU's on parcels with or without a primary residence require dedicated connections to the City of St Helena's municipal waste and domestic water systems. As opposed to conversion of existing accessory buildings into an ADU which does not require dedicated water or sewer connections.	Section 17.22.030.E	An ADU is not allowed without a primary dwelling; the ADU is accessory to the primary residence. Also, please note this section has not been updated to reflect the January adoption of the new ADU ordinance. The updated ADU ordinance will be included in the next draft.	

	B	C	D	E	F
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
47		Fire Sprinklers. This section should highlight the requirement for sprinklers if a proposed ADU is attached to an existing or proposed accessory building when the total proposed size is greater than 1,000 sf.	Section 17.22.030.E.2	This section will be replaced with the newly adopted ADU code. City does not suggest any other revisions at this time.	
48		Septic Systems. The County of Napa's Environmental Health Department regulates septic systems located within the City of St Helena's city limits.	Section 17.22.030.E.5	Recommend a cross reference to Napa County EHD be included.	
49		Deed Restrictions + (8) Income Reporting - confirm that all these requirements are consistent w/HCD mandates.	Section 17.22.030.E.7	The new code section was drafted by the City Attorney in compliance with state law.	
50		Maximum Size – this section contains a reference to FAR.	Section 17.22.030.F.1.C	Good catch - will be corrected.	
51		Lot Coverage – this section references allowable ag removal of 1.0 acre.	Section 17.22.030.F.2.E	Unclear comment.	
52		Conditional Use Permit – this section should include distilleries as a use.	Section 17.22.050.B.1	LWC will make this change	
53		Location – where did the 1,000' metric come from? Seems onerous.	Section 17.22.050.D	Typical standard for separation from use with alcohol. No change recommended.	
54		Findings – recommend fewer and/or more objective findings.	Section 17.22.050.F	City staff - no change recommended.	
55		These subsections apply to pre-prohibition wineries - not small wineries. Recommend creating a separate section for pre-prohibition wineries and removing these items from the small winery section.	Section 17.22.230.B.1.2 + Section 17.22.230.D	The reestablishment of a pre-prohibition winery is going to be a very rare occurrence and at this time it is not recommended to include a dedicated section in the code.	
56		Requiring a small winery to be subordinate/accessory to residential use on parcels designated as Agriculture in both the general plan and zoning code is not consistent with the purpose of this land use designation. Which, per the general plan, is to accommodate agricultural, winery, restricted single-family residential and public/quasi-public uses. Further, there are elements of the general plan which support the concept of wineries at any scale. LU5.6 Permit wineries and other agricultural-related industries to locate in the city if their location does not adversely impact surroundings, uses, or city services or the quality and character of the community. ES1.2 Identify and expand economic sectors in which the city has competitive advantages, and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area. I recommend that Section 17.22.230 be revised to be consistent w/the above and in a manner which allows small wineries to positively contribute to the agricultural character and economic sustainability of the community.	Section 17.22.230.E.2	Staff does not find the requirement for a small winery to be subordinate to a residential use inconsistent with the General Plan or zoning. A small winery must be located on a minimum 5 acre parcel; therefore the assumption is that the residential structure is not the primary land use. The purpose statement for small wineries reaffirms consistency with the General Plan.	
57		Applying accessory building development standards to small winery facilities is another headscratcher. A smarter approach would be to regulate the size of any proposed winery facility based on the size/zoning of the parcel adjacent uses, etc. With <u>less</u> restrictive standards for parcels zoned as A-20.	Section 17.22.230.E.3	LWC will rephrase this section to be clearer. Note that staff reports this issue has not come up in many years at the City. Further, the accessory structure standards are more forgiving so it is recommended to leave this section as is because it provides more flexibility. No change recommended.	
58		<u>THE ABOVEMENTIONED SECTIONS BENEFIT EXISTING AND FUTURE RESIDENTIAL USE - NOT AGRICULTURE USE.</u>	Chapter 17.22 Specific to Uses	Please see above responses. Staff has determined that the new zoning code balances agriculture, residential and winery development.	
59		The 1,000 gallon per acre metric should be verified by those in the Ag community.	Section 17.22.230.E.6	So far no other comments on this standard have been received; presumed to be OK. No change is recommended.	
60	Greg Desmond (email)	Recommend that the city revise its water use neutrality requirements to allow applicants to offset water usage through the conversion of existing landscaping/turf to more water efficient landscaping/turf alternatives.	Chapter 17.25 Landscaping	This is not a zoning code issue, and it may be revisited by City staff and the City Council as a separate issue.	

	B	C	D	E	F
5	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
61		Gravel surfaces and pavers. Prohibiting more than 30% of landscape areas from using gravel and pavers is not a good way to save water.	Section 17.25.050.B.6	Based on further research this standard is on par with similar cities in the region. No change recommended.	
62	Greg Desmond (email)	39 pages?	Chapter 17.27 Signs	The sign standards were updated to ensure they were content-neutral based on the US Supreme Court's decision in <i>Reed v Town of Gilbert</i> . This required a substantial reorganization of the contents. Many of the existing standards were carried forward. The number of pages increased because the standards for each sign type are presented in simple tables with an illustration of that sign type, and that takes up more space. Ultimately, the sign standards are better organized and presented to be easier for an applicant to read and apply.	
63		Recommend creation of a signage commission.	Chapter 17.27 Signs	The City lacks the resources to manage a signage commission. The new code is structured to be more user-friendly, includes better illustrations, and defines sign standards in more detail in a content-neutral manner.	
64	Greg Desmond (email)	Recommend renaming this section "Affordable Housing Concessions and Incentives" or including it as a subsection of Chapter 17.30 – Affordable Housing.	Chapter 17.29 Density Bonus	No change recommended	
65	Greg Desmond (email)	Not Historic – needs clarification. Please see 17.21.040.	Section 17.31.050	No change is recommended. This language for "Not Historic" criteria was part of the SB 9 legislation and incorporated into the City's SB 9 ordinance, Section 17.31.050.	
66	Greg Desmond (email)	Agriculture is too narrowly defined. Recommend looking at Napa County's definition of agriculture.	Chapter 17.32 Definition of Terms	LWC recommends that the proposed definition of agriculture is appropriate for the City. Including standards in the definitions, e.g. the Napa County definition, is not a best practice. No change recommended, except that a new definition for "active agricultural use" is recommended.	
67		Include definition for winery and for distillery.	Chapter 17.32 Definition of Terms	Winery is defined in the Uses chapter. LWC will add a definition for "distillery"	
68	Greg Desmond (email)	The general plan update process proposed (12) land use 'Change Areas'. Change Area #7 proposes to downzone several parcels along the south side of Spring Street between St James Place and North Crane Avenue from High Density Residential to Medium Density Residential. The justification for this proposed change is to <u>'accurately reflect existing densities'</u> of those parcels. This action is inconsistent with the following general plan policies: LU1.4 In order to minimize and postpone the need for expansion of the Urban Limit Line, encourage infill development within currently developed areas. LU2.5 Encourage the development of higher density housing in areas near the center of the city and close to recreation and services, such as transit, retail, and public facilities. I strongly recommend that these parcels retain their current High Density Residential zoning designation.	Zoning Map	Change area number 7 as noted on Figure 2.8 of the General Plan was redesignated to Medium Density as part of the adopted 2019 General Plan. As part of this zoning update, the new zoning map changes reflect those adopted General Plan map changes. No change recommended.	
69		The parcels shown as having an Historic Preservation (HP) overlay do not represent an accurate representation of parcels with structures listed on the city's historic resource list. Is this intentional?	Zoning Map	Staff will verify that all the properties on the proposed Local Register list are noted on the HP Overlay map.	
70		There are no parcels shown with a Flood Plain (FP) overlay. Is this correct?	Zoning Map	This overlay was removed from the proposed zoning map and a note added to refer to the General Plan Figure 9.1 for the Floodplain boundaries.	

	B	C	D	E	F
	Name of commenter	Comment	Chapter/Section/ Page	Response/Action	Notes
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71		The city-owned parcel (009-401-020) on Crinella Drive should be shown as PQP or as P.	Zoning Map	The property is designated MR in the General Plan but it should have been changed with the 2019 new General Plan. The City agrees that the parcel should be PQP or P. It will be added to the list of future General Plan and Zoning Map changes.	
72		The city-owned parcel (009-723-001) east of Starr Avenue along Sulphur Creek is not shown as a park.	Zoning Map	Staff believes this is referring to parcel 009-723-011 which is west of Starr Ave. This parcel is also MR in the General Plan. City staff cannot confirm for certain, but this parcel may have development potential and should likely remain MR until we can determine that.	
73		The city-owned passive park (009-721-014) south of Meadow Creek Circle and north of Sulphur Creek is not shown as a park.	Zoning Map	Similar response as above, the property is designated MR in the General Plan. We can't confirm for certain but this parcel may have development potential and should likely remain MR until we can determine that.	
74		Parcel 009-770-005 is vacant and located along Sulphur Creek to the east of Jacob Meily Park. This parcel should be acquired/dedicated as a park as it provides ped/bike connectivity to Jacob Meily Park via Chiles Avenue and Paulson Court. Staff should confirm that this parcel was not meant to be deeded to the city as a condition of approval for the Signorelli subdivision.	Zoning Map	This property is also designated as MR in the General Plan. It is also currently under private ownership. Researching the Signorelli Subdivision will take time and potential legal action before a General Plan Amendment can proceed.	
75		The linear ped/bike connector between the terminus of Adams Street and Hunt Avenue should be shown as a park – it is currently shown as PQP.	Zoning Map	This small strip of land also appears to be MR in the General Plan. That said, it has no development potential, nor is it functional as a park. Staff finds that PQP designation is probably fine.	
76		Recommend including the Bell Canyon Reservoir and associated parcels as an inset on the zoning map.	Zoning Map	As part of a future General Plan Amendment, the City will create a new base map that shows the Bell Canyon Reservoir and will update the zoning map at that time.	
77					



OBJECTIVE STANDARDS LEGAL BASIS SUMMARY

State law now prohibits the city from adopting any subjective standard for housing projects.

Housing Crisis Act (HCA) (Gov Code 66300)

(b) (1) ... with respect to land where housing is an allowable use, [a city] shall not enact a development policy, standard, or condition that would have any of the following effects:

* * *

(C) Imposing or enforcing design standards established on or after January 1, 2020, that are **not objective** design standards.

(2) Any development policy, standard, or condition enacted on or after the effective date of this section that does not comply with this section shall be deemed **void**.

The HCA defines *objective design standard*:

(a) (7) “Objective design standard” means a design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.

And increasingly, only objective standards are relevant for many, if not most, housing approvals.

E.g.,

Housing Accountability Act (HAA) (Gov Code 65589.5)

Subd. (f) only authorizes cities to require a housing development project to “comply with objective, quantifiable, written development standards, conditions, and policies.” And even those have to yield “to facilitate and accommodate development at the density permitted on the site” by the general plan.

The HAA similarly defines “objective” in subd. (h)(8) — “‘objective’ means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference

to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official”

Subd. (j)(2)(A) applies to all housing development projects, whether affordable or market rate, and only requires compliance “with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards,” that are “in effect at the time that the application was deemed complete” in order for the project to get special protection from local regulation.

That protection includes a statutory prohibition on both

- denying the project based on any subjective standard and
- conditioning approval of the project based on a subjective standard if the condition requires the project to “be developed at a lower density”

unless the city makes findings about unavoidable specific adverse impacts on public health and safety (note, not *welfare*) ... and supporting those findings with evidence in the record.

The HAA requires cities to focus on objective standards in the general plan in particular:

(j)(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan.

Other housing laws also narrow the city’s review to just objective standards. As another example: SB 35 (Gov Code 65913.4)

(a)(5) Streamlined, ministerial approval of qualified affordable MF developments based only on “objective zoning standards, objective subdivision standards, and objective design review standards” that are “in effect at the time that the development is submitted to the [city]”

and

“objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.

17.16.040 Design Standards

The standards in this Section apply to all development within the residential zones. These design standards supplement the development standards of Table 17.16.030: Development Standards – Residential Zoning Districts.

A. Design Standards for All Residential Development Types.

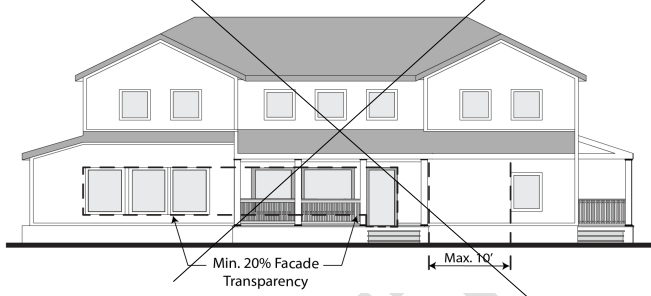
1. **General Standards.** All development is subject to the provisions of Part IV, Citywide Standards.
2. **Required Second Story Step-backs in the LR and MR Districts.** Second stories, ~~in both new construction and additions, must be stepped back 10 feet from the ground floor front façade and five feet from the ground floor interior side and rear façades, unless the front elevation has a porch a minimum of 8 feet deep that extends 80 percent or more of the width of the front elevation, excluding a garage.~~
3. **Building Orientation.**
 - a. Building ~~entrances~~ must be oriented toward public rights-of-way or internal walkways.
 - b. Windows, balconies, and decks ~~placement~~ must be a ~~placed~~ minimum of 12 ~~horizontal~~-feet ~~measured horizontally~~ from ~~the windows areas~~ of existing ~~facing~~ residences (on-site or off-site).
4. **Building Transparency.** At least 20 percent of the area of each street-facing facade of a residential building must consist of windows, doors, or other openings. No wall that faces a sidewalk, pedestrian walkway, or publicly accessible outdoor space may run in a continuous plane of more than 10 feet without a window, door, or other opening. In the MR district, the front door of any primary single-family unit must be visible to the public street. **Wall Planes.** Building offsets, roof overhangs, bay windows, the use of a variety of materials, and other features as determined by the Community Development Director, shall be used to reduce building massing. The following requirements apply:
 - a. ~~Unbroken wall planes of 10 feet or more in width are prohibited on walls facing a sidewalk, pedestrian walkway, or publicly accessible outdoor space.~~
 - b. ~~Any wall plane larger than 10 feet in width shall incorporate windows, doors, or other openings; be articulated (i.e. break up the wall plane); or incorporate design features such as bay windows, balconies or verandas, or a change in material or color; and~~
 - c. ~~On corner lots, elevations oriented towards both street frontages shall include the same architectural design character on each elevation.~~
 - d. ~~In the MR district, the front door of any primary single-family unit must be visible to the public street.~~

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Figure 17.16.040.A: ~~Façade Transparency~~ ~~Wall~~ ~~Planes~~

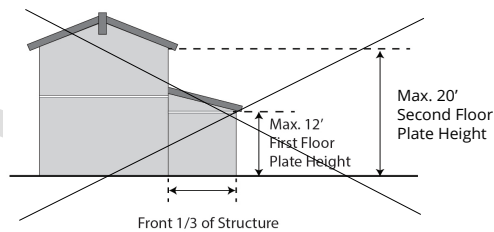


Commented [R1]: Replace with updated illustration showing the standards in 17.16.040.A.4.

5. ~~Roofline and Roof Design.~~

- a. ~~Roofs must be either flat or have a pitch of no less than 5:12.~~
- b. ~~Ground floor street-facing plate height must not exceed 12 feet on the front one-third of the building.~~
- c. ~~Second story plate height must not exceed 20 feet.~~

Figure 17.16.040.B: ~~First and Second Story Plate Height~~



- d. ~~The minimum dimension (depth, length, or length at ridge) for any shingle roof form visible from the public right-of-way is six feet.~~

6.5. ~~Exterior Building Materials and Colors.~~

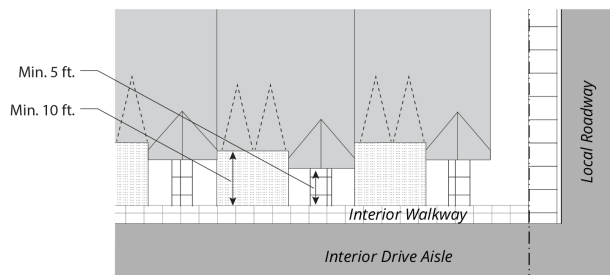
- a. ~~Building materials that support and enhance the architectural vernacular of the City must be used in all new developments. There are many materials that may be used to achieve this goal, including plaster or stucco, brick, native Vinyl siding, aluminum siding, or artificial stone finishes, form board concrete finishes, board and batten siding, and horizontal siding (except as provided in subsection 5.a. plywood (including particle board and oriented strand board), corrugated metal, and common concrete block are prohibited.~~

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- b. ~~Bright colors must only be used for trim or for accents.~~ In addition, corrugated metal may be used as a roof material in all zones except the HP Overlay district, and as a siding material in the A-20, MR, and HR districts.
 - c. Specifically prohibited materials include unplastered, unpainted, or painted concrete block and vinyl or aluminum siding.
 - e.d. ~~The A-consistent~~ palette of materials and colors on a building must be applied used to on all sides of the buildings.
- 7.6. Landscaping.** The entire front and street side required setbacks, exclusive of permitted driveways, walkways, or parking areas, must be landscaped with drought tolerant plant materials in compliance with. ~~See Section Chapter~~ 17.25, Landscaping.
- 8.7. Site Circulation and Access.**
- a. A system of pedestrian walkways must connect the primary entryways of all on-site buildings, all on-site automobile and bicycle parking areas, to any on-site open space areas or pedestrian amenities, to all shared trash enclosure areas, and to the public sidewalk on the perimeter street frontage.
 - b. Where a required walkway crosses parking areas or loading areas, it must be clearly identifiable with a raised crosswalk, a different paving material, or similar method.
 - c. New streets or drive aisles must form a continuous pedestrian network from the primary right-of-way and within the development.
 - d. Walkways must be a minimum of four feet wide, must be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
 - e. The minimum distance from the back of any drive aisle or walkway interior to a site must be 10 feet to the garage door and five feet to any living area or covered porch.

Figure 17.16.040.BC: Distance to Interior Drive Aisle or Walkway



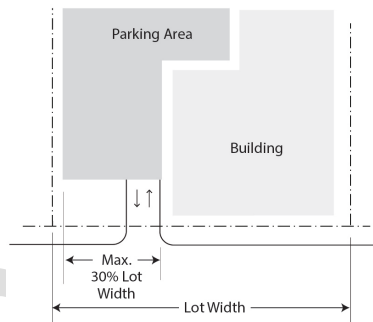
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- f. Automobile and pedestrian access points into multi-family residential developments must not be gated or closed off to the public.
- g. Where individual driveways are accessed by a private or shared drive, a maximum of one driveway curb cut is allowed for each 50 feet of ~~perimeter~~ street frontage.

9.8. Parking Frontage. The total width of parking areas visible from the street, including open parking, carports, and garages, but excluding parking located behind buildings, must not exceed 30 percent of any street frontage. This limitation does not apply to ~~or~~ rowhouses or frontages along alleys.

Figure 17.16.040.CD: Parking Frontage

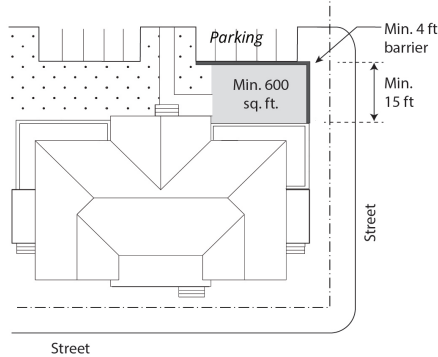


10.9. Private Outdoor Open Space. For multi-story dwelling units, private outdoor open space must be provided by a combination of balconies, porches, decks, or private ground floor open space (for ground floor units).

11.10. Required Play Areas. Single-family and multi-family developments that include 15 or more dwelling units must include at least one play area for children. The play area must:

- a. Have a minimum dimension of 15 feet in any direction and a minimum area of 600 square feet.
- b. Contain play equipment, including equipment designed for children aged five years and younger.
- c. Be visible from multiple dwelling units within the project.
- d. Be protected from any adjacent streets or parking lots with a fence or other barrier at least four feet in height.
- e. Include safe material under play equipment that provides protection from falls.
- f. The play area requirement does not apply to any development that is age-restricted to senior citizens or located within 300 feet of a public park.

Figure 17.16.040.D.E: Required Play Area



~~12. Sustainability and Energy Efficiency.~~

- ~~a. All development must be consistent with the standards of the California Green Building Standards Code (CalGreen) applicable mandatory measures.~~
- ~~b. All new construction must incorporate landscaping and fenestration to passively cool the building; energy efficient HVAC; and energy efficient lighting.~~
- ~~c. All energy generation devices must blend in with the building color.~~
- ~~d. All on-site landscaping must be drought-resistant and require minimal irrigation.~~

B. **Design Standards Specific to Small Lot Development.** In addition to the standards listed in subsection 17.16.040.A, small lot development is subject to the standards below.

1. **Small Lot Size.** Detached or attached single-unit residential development is permitted on lots less than the minimum lot size established for zoning districts allowing single-family or multi-family residential uses, in accordance with Table 17.16.030: Development Standards – Residential Zoning Districts.
2. **Small Lot Configurations.** Small lot development types may include but are not limited to drive courts or cottage courts abutting a local roadway. Figures 17.16.040.F and 17.16.040.G ~~and~~ show potential configurations of small lot development within a perimeter lot line. Interior lot line placement varies by development and is not regulated by this Title.

Figure 17.16.040.EF: Cottage Court with Alley Access (Example Configuration)

Commented [R2]: On each of these illustrations where there is a walkway drawn parallel to the sidewalk, the walkway will be removed as it is unnecessary (see the red outlined rectangle on this illustration)

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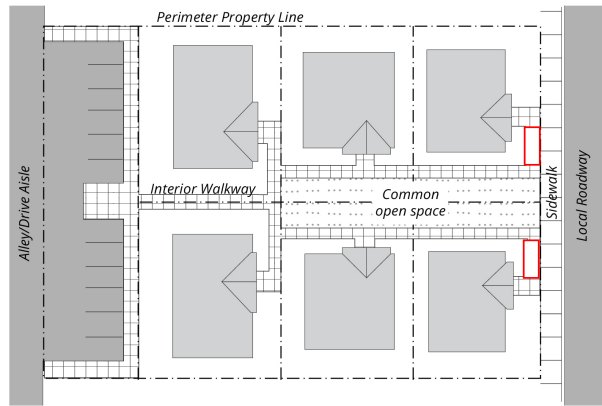
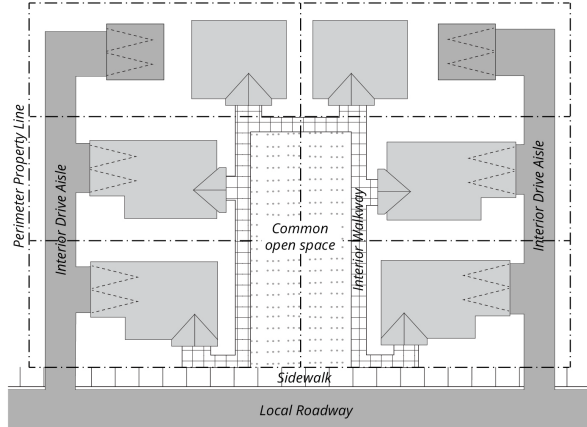
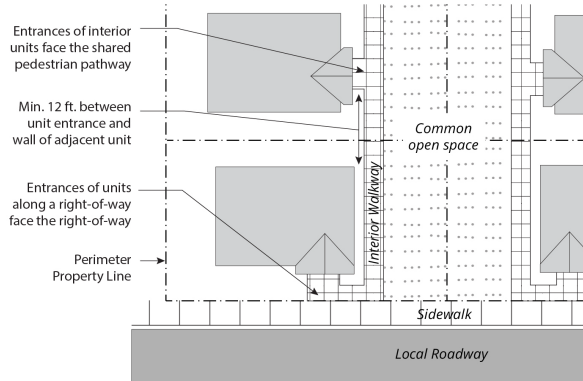


Figure 17.16.040.FG: Cottage Court with Perimeter Drive Aisle and Detached or Attached Garages (Example Configuration)



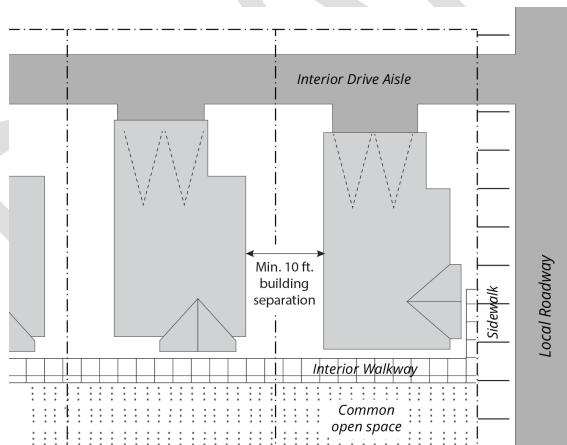
3. **Small Lot Perimeter Setbacks.** The minimum setbacks for the primary structures from the perimeter property lines of small lot single unit development are the same as the required setbacks of the underlying zoning district.
4. **Small Lot Entrances.**
 - a. The primary entry of units located in the interior of the development must be oriented towards and visible from a pedestrian pathway that is connected to a public right-of-way or private street.
 - b. Each unit must have a primary covered or recessed entry that is **generally** oriented to the common central open space.
 - c. The primary entry of units located along the right-of-way must be oriented toward the right-of-way.
 - d. A minimum 12-foot separation is required between the primary entryway of a unit and the adjacent building wall of a neighboring unit.
 - e. Each primary entrance must incorporate a front porch that provides a minimum five-foot clear depth and that faces either the common open space or abutting right-of-way.

Figure 17.16.040.GH: Small Lot Entrance Orientation Adjacent to Right-of-Way



5. **Small Lot Interior Setbacks for Detached Units.** The interior building separation for detached units is a minimum 10 feet.

Figure 17.16.040.HI: Small Lot Building Separation for Detached Units



6. **Small Lot Parking and Access.**
 - a. Garages may not be oriented to face perimeter streets.
 - b. Required parking must be provided on each small lot, within a common parking area, or in a combination of the two.

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- c. Parking must be designed and located such that it is not ~~be~~ visible from public rights-of-way.
- 7. **Small Lot Landscaping.**
 - a. ~~A minimum 25 percent of the total site area must be landscaped.~~ Landscaping with drought tolerant plant materials must be provided consistent with the requirements of Chapter 17.25, Landscaping.
 - b. Lots with units facing a common open space must have at least five feet of landscaping between the entrance and any interior walkway.
- 8. **Small Lot Private Open Space.**
 - a. ~~MA~~ minimum of 1,200 square feet ~~of~~ ground-level private open space must be provided for each small lot unit. This space may take the form of a porch, deck, patio, or garden.
 - b. The minimum allowed dimensions for required private open space is six feet.
- C. **Design Standards Specific to Multi-Family Development.** In addition to the standards listed in subsection 17.16.040.A, multi-family development is subject to the standards below.
 - 1. **Design.**
 - a. The roof line ~~on the longest at each building elevation~~ shall ~~include a vertical demonstrate an~~ offset of at least 18 inches for each ~~unit or for each pair of one to three units exposed~~ on that elevation.

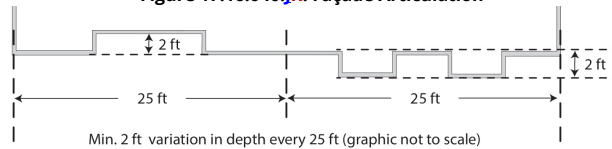
Figure 17.16.040.J: Roofline, Attached Single Unit and Multi-Unit Development



The roof line for each elevation shall be offset at least 18 inches for each one to three units exposed on that elevation.

- ~~b. Building height must vary such that the building has at least one change in height of at least six feet. This may be achieved through changes in pitch, plane, orientation, or a change in the number of stories.~~
- ~~c. b.~~ Exterior building walls must vary in depth through a pattern of offsets, recesses, or projections a minimum of two feet every 25 horizontal feet. Patterns may be established through changes in plane, balconies, bay windows, dormers, or other façade features.

Figure 17.16.040.JK: Façade Articulation

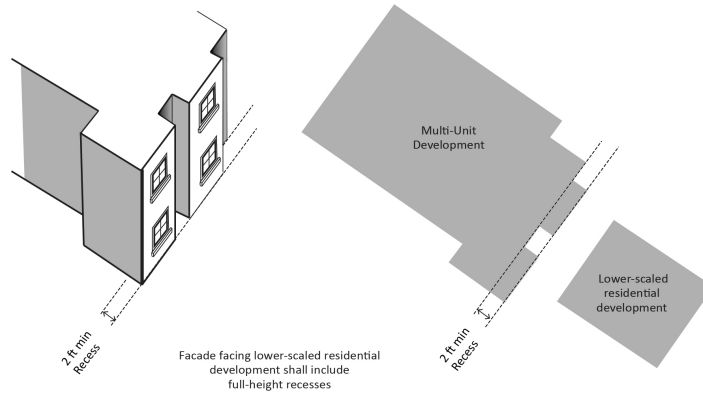


- d.c.** All visible building facades shall incorporate details, such as window and door trim, window recesses, cornices, changes in materials, or other design elements. Each side of a building that is visible from a public right-of-way shall be designed with a ~~complementary~~ consistent level of detailing and quality of materials.
- e.d.** A minimum of two features such as balconies, cantilevers, dormers, bay windows, awnings, patios, individualized entries, and accent materials shall be incorporated into each project building.
- f.e.** At least two materials shall be used on any building frontage, in addition to glazing and railings. Any one material must comprise at least 20 percent of the building frontage.
- g.f.** Buildings over two stories must provide a ground floor elevation that is distinguished from the upper stories through a material or color change along at least 75 percent of building façades facing rights-of-way or public open space.
- h.g.** Dwelling units facing common open space areas must include a minimum of ~~two~~ one windows providing a direct view onto the common area.
- i.** ~~A unified palette of materials with at least two complementary colors shall be used on all sides of buildings.~~
- j.h.** Where a new multi-family development is built adjacent to existing lower-scaled residential development, the façade opposite the existing lower-scaled residential development shall incorporate at least one full-height recess a minimum two feet in depth.

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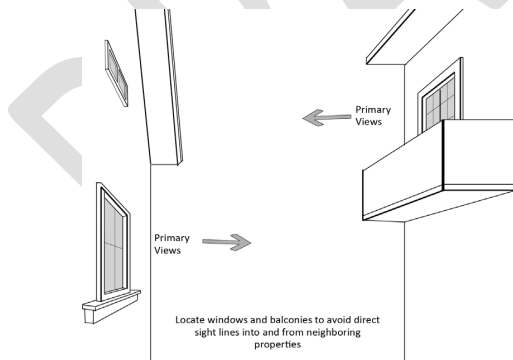
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Figure 17.16.040.KL: Full-Height recesses, Attached Single Unit and Multi-Unit Development



k.i. For buildings 12 feet or less apart, windows, balconies, and other private open spaces shall be offset to avoid direct sightlines into and from neighboring properties.

Figure 17.16.040.LM: Window and Balcony Placement, Attached Single Unit and Multi-Unit Development



h.j. Each unit shall have at least 200 cubic feet of enclosed, weather-proofed, and lockable private storage space with a minimum horizontal dimension of four feet. The required private storage space may be located within a building or outside of the building, and may be used for bicycle parking.

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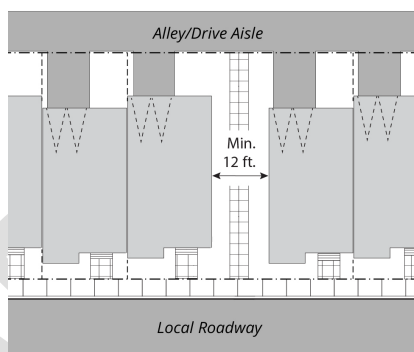
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~~m.k.~~ Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

2. **Attached Rowhouse Design.**

- a. Attached rowhouse development may be configured with vehicular access provided via an on-site drive aisle, from an abutting alley, or from the primary building frontage.
- b. Blocks of attached rowhouses must be a minimum of three units and a maximum of eight units.
- c. For attached rowhouse units, a minimum separation of 12 feet must be provided between blocks of units.

Figure 17.16.040.MN: Separation at End of Row



3. **Entry Design.**

- a. Shared entrances to multi-family developments must be visible from the right-of-way or shared walkways. Direct pedestrian access must be provided between the public sidewalk and all shared entrances.
- b. Individual ground floor entrances to units within a multi-family development must:
 - i. Be visible and directly accessible from the right-of-way or a shared pathway; and
 - ii. Incorporate usable outdoors areas such as patios, porches, stoops, terraces, or forecourts.
- c. Exterior entrances to units in multi-family developments may be either individual or shared. Exterior entrances to individual units on upper floors are permitted; however, shared exterior access corridors located above the

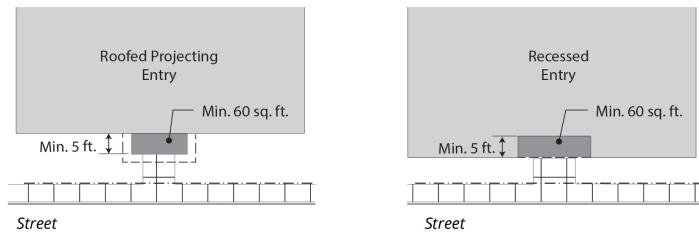
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ground floor and visible from the street may provide access to a maximum of ~~three~~ four units.

- d. Duplexes, triplexes, and fourplexes abutting ~~any LR or MR district~~ single-family neighborhoods shall include individual front doors and interior stairs (when stairs are needed).
- e. Exterior entrances serving multiple units must have a roofed projection or recess with a minimum depth of five feet and a minimum horizontal area of 60 square feet.

Figure 17.16.040.N.O: Entrances Serving Multiple Units



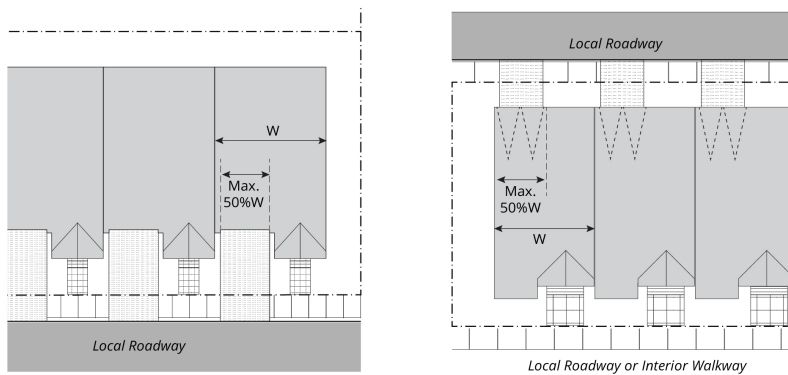
- f. Exterior entrances serving a single unit must have a roofed projection or recess with a minimum depth of at least five feet and a minimum horizontal area of at least 25 feet.
4. **Common Outdoor Recreation Space.** Common open space must meet the following requirements:
 - a. *Use.* Common outdoor recreation space must be available for passive and active outdoor recreational purposes for the enjoyment of all residents of each project. Outdoor recreation space types include but is not limited to picnic areas, tot lots, sports courts, swimming pools, and community gardens.
 - b. *Slope.* The slope of the common outdoor recreational space must not exceed a slope of 10 percent and must be easily accessible for all residents.
 - c. *VisibilityAccessibility.* Common outdoor recreation spaces must be visible from the primary living spaces of a minimum of 50 percent of all units and be accessible visible and be to all the residents of the project for which the space is provided.
 - d. *Precluded Areas.* Common outdoor recreation space must not include driveways, public or private streets, or utility easements where the ground surface may not be appropriate for recreational space.
 5. **Parking.**
 - a. *Location for All Multi-Family Residential.* Off-street parking serving multi-family residential development must be located in one of the following facilities:

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- i. Surface parking lots, garages, or carports located to the side or rear of residential buildings in relation to adjacent streets. If a site fronts on two or more streets, this standard applies to the front of the lot.
- ii. Garages with side entries, in which the face of the garage door is generally perpendicular to the street.
- iii. Attached individually secured garages.
- b. *Rowhouse Garages Frontage.* Rowhouse garages with doors that face the street must be recessed from the primary façade and may not occupy more than 50 percent of the width of any street-facing building façade.

Figure 17.16.040.OP: Rowhouses Garages



- 6. **Universal Design.** For residential projects with at least 10 dwelling units, 10 percent of the units must adhere to the following principles of Universal Design:
 - a. At least one entrance without steps and a flat threshold.
 - b. Living space on one floor or stair landings big enough to accept lifts.
 - c. Wide interior doors (32-inch clear, typically provided with 36-inch door), hallways, and alcoves with 60 by 60-inch turning space at doors, in kitchens, and dead ends.
 - d. A 30 by 48-inch clear space at appliances and fixtures in bathrooms and kitchens.

St. Helena Built Form Examples

Two Stories that are compatible with proposed Objective Design Standards

Second story step back achieved with front porch







WALKER WARNER

City of St. Helena
Planning Department
c/o Maya DeRosa
1572 Railroad Ave.
St. Helena, CA 94574
(707) 968-2659

December 29, 2022

Re: 855 Pratt Avenue
APN: 009-030-063-000

Dear Ms. DeRosa,

My clients, the property owners, recently acquired the referenced property and will be pursuing various permits to enhance the property including preservation of the agricultural uses while enriching the architectural landscape of the property. Designating the property within the HP Overlay zoning district substantially limits the architectural design palette thereby limiting options for the city and the surrounding neighborhood to consider. To allow a more participatory architectural design option for this property, I respectfully request the city not zone the property within the HP Overlay zoning district.

The proposal to include the property within the HP Overlay zoning district has created nervousness. The criteria for the designation is vague since there does not appear to be a clear standard or criteria for determining what is historically significant locally and how to rezone the property out of the HP Overlay should it be determined not locally significant. Furthermore, the HP Overlay district provides no incentive for preservation, which will limit necessary improvements to properties that are unsafe.

Should the city elect not to remove the property from the proposed HP Overlay zoning district, I request that the city provide clear incentives to the owners. The HP Overlay is an opportunity to provide special accommodations and special forms of zoning relief that may provide additional preservation incentives to owners of these resources. For example, Los Gatos allows existing uses not otherwise permitted in the underlying zoning districts to continue in its Landmark and Historic Preservation Overlay Zones. In this case, the city should allow an increase in lot coverage, reduce setbacks, provide opportunity for Mills Act contracts, and provide opportunity for additional housing units (e.g., two accessory dwelling units or multi-family uses) or non-residential uses to offset the cost of preservation. Absent incentives, the property should be removed from the HP Overlay zoning district.

353 Folsom Street
San Francisco, California 94105
415.318.8900
www.walkerwarner.com

Re: 855 Pratt Avenue
APN: 009-030-063-000

We appreciate the City's reconsideration and removal of the property from within the proposed HP Overlay zoning district or a substantial revision to the draft HP district to provide incentives.

Best regards,



Clark Sather
415.318.8910 **direct**
csalther@walkerwarner.com



505 MONTGOMERY STREET, SUITE 620
SAN FRANCISCO, CA 94111
TELEPHONE: 415.814.6400
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business@sslawfirm.com

CHRISTINE R. WADE
DIRECT TEL: 415.243.2088
chris@sslawfirm.com

December 30, 2022

VIA ELECTRONIC MAIL

Maya DeRosa, Director
Planning and Building Department
1572 Railroad Avenue, St. Helena, CA 945
mderosa@cityofsthelena.org

**Re: Proposed Ordinance – Historic Preservation Overlay
855 Pratt Avenue, St Helena – APN 009-030-063-000 (“Property”)**

Dear Ms. DeRosa,

This firm represents the Owner of the above reference Property and submits this comment letter on the Owner’s behalf.

The City of Saint Helena (the “City”) is proposing to amend its municipal code to add a Historic Preservation Overlay district with the goal of protecting significant historical resources within the City. The proposed ordinance is neither necessary to achieve that goal nor supported by sufficient evidence and analysis. The California Environmental Quality Act (“CEQA”) already provides significant protection for historic resources as do various sections of the City’s municipal code. There is no reasonable justification for imposing an additional overlay district on certain property owners.

The proposed district and designated properties rely primarily on an inventory and reconnaissance survey conducted by Page and Turnbull Architects in 2006. The report recognizes that further study of the individual properties is necessary. In order to properly consider a structure to be a significant historic resource and thereby justify the punitive standards set forth in the proposed ordinance, a complete historic resource evaluation would need to be conducted for each property.

At the very least, the ordinance must provide property owners the chance to establish that a building or structure does NOT meet the necessary criteria. This is particularly so, given that the survey relied on is over 15 years old and buildings identified therein may have significantly deteriorated and lost the necessary integrity in that time.

The City's existing code Section 17.05.040 includes provisions that would allow for demolition of a potential historic resource. The proposed ordinance is impermissibly vague in that it does not specify whether properties placed within the district might still be eligible for demolition under these existing provisions. As you are aware, CEQA, its regulations and relevant case law, all provide that even a significant historic resource can be demolished, removed and/or relocated if appropriate findings can be made. The City's proposed ordinance cannot foreclose those possibilities and should follow governing state law on the topic.

The proposed ordinance, specifically Chapter 17.21.040, results in a permanent and significant diminution in property value because Chapter 17.21.040 provides no opportunity to consider demolition of structure(s) on the property. The draft code provides no opportunity to remove or delete the zoning overlay designation should the property and/or the structures be found not to possess any historical significance.

The proposed ordinance also completely ignores structures that were either missed by the 2006 survey or those that may since or at some point in the future, become historically significant.

The proposed standards violate due process because they are vague and unclear. Fairness and regulatory efficiency dictate that local ordinances contain clear standards that result in predictable decisions by staff and review commissions and limit administrative discretion. This proposed ordinance does just the opposite. For example, Section 17.21.040.E. refers to the Secretary of Interior's Standards for Rehabilitation and then inexplicably and irreconcilably states that the general principles shall be "mandatory" for all properties within the overlay district. These guidelines, though, are designed only for rehabilitation which is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. They would have no applicability, for example, to new construction which is also addressed in the proposed ordinance. In addition, there are merely "principles" not regulations or standards that can readily be applied to a development application.

The City's proposed historic preservation overlay district imposes too steep a penalty on property owners because it includes no mechanism to remove a property from the district and no opportunity for a property owner to establish that his or her property does not in fact qualify as a significant resource. It also reaches well beyond potential historic resources to new structures, establishing arbitrary design standards that do not bear any reasonable relationship to historic preservation. The proposal also fails to consider that the 2006 survey did not amount to an appropriate historic resource evaluation.

SSL
MAYA DEROSA
December 30, 2022
Page 3 of 3
LAW
FIRM
LLP

We respectfully request that the City reconsider this proposed overlay district or at least consider significant modifications to the language to address the comments set forth above.

Sincerely,

SSL LAW FIRM LLP



Christine R. Wade

cc:

Planning Department

- Aaron Hecock (Senior Planner) - ahecock@cityofsthelena.org

Planning Commission

- John Ponte (Chair) - jponte@cityofsthelena.org
- Autumn Anderson (Vice Chair) - aanderson@cityofsthelena.org
- Christopher Warner - cwarner@cityofsthelena.org
- Rosaura Segura - rsegura@cityofsthelena.org
- Marika Rothfeld - mrothfeld@cityofsthelena.org

City Council

- Paul Dohring (Mayor) - pdohring@cityofsthelena.org
- Eric Hall (Vice Mayor) - ehall@cityofsthelena.org
- Anna Chouteau - achouteau@cityofsthelena.org
- Lester Hardy - lhardy@cityofsthelena.org
- Billy Summers - bsummers@cityofsthelena.org

City Manager

- Anil Comelo - acomelo@cityofsthelena.org

Alexander Viñedo LLC
George Giannos, Agent
180 Steuart Street #192625
San Francisco, CA 94105
george@peakprojects.com
(203) 273-9853

December 30, 2022

Via Email

Maya DeRosa, Director
Planning and Building Department
1572 Railroad Avenue, St. Helena, CA 94574
mderosa@cityofsthelena.org

**Re: Removal of Proposed HP Overlay
855 Pratt Avenue, St Helena
APN 009-030-063-000**

Dear Ms. DeRosa,

I am the appointed representative of Alexander Viñedo LLC, the owner (the "Owner") of the property located at 855 Pratt Avenue ("the Property"). Owner recently acquired the property, hoping to bring new life to the property and to become more engaged in the community processes over time. It was recently brought to our attention that the city is proposing to include the property in a Historic Preservation HP overlay zoning district. We respectfully request that this action not occur, and that the property not be included in the HP Overlay. We believe historic preservation is a good idea, especially for the downtown and the surrounding historic districts. However, the application of the HP Overlay on the property located at 855 Pratt Avenue would obstruct reasonable improvements to the Property preventing my client from bettering the Property with safe residential structures and environmentally-friendly improvements, which we believe would be of benefit to the community. The Property and its structures have marginal historical value, and the stringent regulations would hinder necessary improvements to the Property, which would in turn limit the ability of the city to realize an increase in property tax values.

Applying the HP Overlay to the Property based upon a 2006 survey is far-reaching and seems counter to the city's overall vision of maintaining a stable economy, establishing environmentally friendly structures, and ensuring a livable community. Furthermore, the Historic Demolition Permit Section 17.05.040 is cumbersome and creates interruption uncertainty related to its implementation.

We would like to help the city realize its vision by improving the Property but are concerned with the limiting factors of the proposed HP Overlay zoning district. Removal of the Property from the proposed HP Overlay zoning district would remedy the concern. I look forward to hearing that you have reconsidered and will not be zoning the Property within the HP Overlay.

Sincerely,



George Giannos
Alexander Viñedo LLC

Lone Cypress Consulting, LLC

Erik V. Lundquist, AICP, 2105 Main Street, Napa, CA 94559, Phone 707.888.6386, erik@lonecypressconsulting.com

Via Email

December 29, 2022

City of St. Helena
Planning Department
c/o Maya DeRosa
1572 Railroad Ave.
St. Helena, CA 94574
(707) 968-2659

**Re: 855 Pratt Avenue, APN 009-030-063-000
HP Overlay Zoning District**

Dear Ms. DeRosa,

I am writing this letter on behalf of my clients, the owners, who recently acquired the property located at 855 Pratt Avenue. On behalf of my client, I object to the proposed designation of the property within the proposed HP Overlay zoning district.

We are deeply concerned about the proposed designation, as the long-term plans for the property are still evolving, and such a designation could place major constraints on the ability to create a functional and attractive property that would ultimately benefit the city and its residents. The criterion for the designation appears to be loosely interpreted based upon an antiquated 2006 Historical Resource Inventory, which is not provided in its entirety on the City's website. In our view, the proposed designation is neither justified, nor necessary to maintain the integrity of the existing property or neighborhood, a goal which we cherish.

The owners plan to invest time and resources into the property. The justification for the investment was based on the possibility to rebuild the property as others have been able to do. By adding this designation to the property, that opportunity seems greatly diminished, if at all.

After consulting with legal representatives, we have arrived at the conclusion that we are against this proposal and do not want this designation/restriction/limitation placed on the property and further feel it will greatly devalue the investment without reaching out to the owners first.

We respectfully request that the property located at 855 Pratt Avenue not be included in the HP Overlay zoning district.

Sincerely,



Erik Lundquist, AICP

City Master Responses to 855 Pratt Comment Letters

Response to Letter From SSL Law , Christine Wade

1. The proposed ordinance is neither necessary to achieve that goal nor supported by sufficient evidence and analysis. The California Environmental Quality Act ("CEQA") already provides significant protection for historic resources as do various sections of the City's municipal code. There is no reasonable justification for imposing an additional overlay district on certain property owners.

Response: The City currently has an adopted Historic Preservation Overlay District. Currently, very few properties are designated with this overlay and given the number of eligible resources in the City, most are vulnerable to alterations and demolition. While the City is in agreement that CEQA offers protections to those resources that meet the criteria of a historic resource, the proposed HP Overlay is implementing a number of important implementation actions from the 2019 General Plan, noted below:

HR1.A Adopt a historic preservation ordinance to implement the policies recommended in the Historic Resources Element.

HR1.B Adopt design review guidelines and/or form-based codes, standards and criteria for the alteration or rehabilitation of historic properties. The adoption of design review guidelines and/or form-based codes can assist City staff, the Planning Commission, and City Council when reviewing permit requests and provide long-term regulatory consistency.

HR1.C Adopt design review guidelines and/or form-based codes that require new development in or adjacent to historic areas or buildings to be compatible in design and character with existing historic buildings

2. In order to properly consider a structure to be a significant historic resource and thereby justify the punitive standards set forth in the proposed ordinance, a complete historic resource evaluation would need to be conducted for each property.

Response: The 2019 General Plan Appendix A identified a historic resources list of properties which were previously surveyed. This list was used as a basis for the expanded proposed HP Overlay, however the City did review all properties on this list for building permit activity since 2006. All properties that underwent demolition or significant change where the historic features were removed were removed from the proposed HP Overlay.

3. The proposed ordinance is impermissibly vague in that it does not specify whether properties placed within the district might still be eligible for demolition under these existing provisions.

Response: Regulations pertaining to historic and non-historic buildings are included in a separate section of the draft code (Part II). Please see 17.05.040 Historic Demolition Permit for the process that includes properties within the Historic Preservation Overlay Zone.

4. The proposed ordinance, specifically Chapter 17.21.040, results in a permanent and significant diminution in property value because Chapter 17.21.040 provides no opportunity to consider demolition of structure(s) on the property.

Response: Please see response 3 above.

5. The draft code provides no opportunity to remove or delete the zoning overlay designation should the property and/or the structures be found not to possess any historical significance.

Response: Please refer to Chapter 17.10 Historic Designation, in the proposed draft zoning code. Specifically Section 17.10.030 provides for a process to rescind a historic resource designation.

6. The proposed ordinance also completely ignores structures that were either missed by the 2006 survey or those that may since or at some point in the future, become historically significant.

Response: The City recognizes that there remain many eligible structure and potentially eligible historic districts that are not included in the currently proposed Historic Preservation Overlay. The City would need to budget and prioritize completing a citywide historic survey prior to expanding the currently proposed overlay.

7. The proposed standards violate due process because they are vague and unclear. Fairness and regulatory efficiency dictate that local ordinances contain clear standards that result in predictable decisions by staff and review commissions and limit administrative discretion.

Response: Respectfully, the City disagrees. Collectively in Sections 17. 05. 040, 17.10 and 17.21.040, are clear regulations that address Historic Demolition Permit, Historic Designation and the Historic Preservation Overlay zone, respectively.

8. For example, Section 17.21.040.E. refers to the Secretary of Interior's Standards for Rehabilitation and then inexplicably and irreconcilably states that the general principles shall be "mandatory" for all properties within the overlay district. These guidelines, though, are designed only for rehabilitation which is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. They would have no applicability, for example, to new construction which is also addressed in the proposed ordinance.

Response: The proposed ordinance clearly separates the Secretary of Interior Standards in 17.21.040 (E) from the standards for new construction in 17. 21.040 (F).

9. The City's proposed historic preservation overlay district imposes too steep a penalty on property owners because it includes no mechanism to remove a property from the district and no opportunity for a property owner to establish that his or her property does not in fact qualify as a significant resource.

Response: Please refer to response 5 above.

10. It also reaches well beyond potential historic resources to new structures, establishing arbitrary design standards that do not bear any reasonable relationship to historic preservation.

Response: The proposed ordinance includes regulations for new structures which was one of the implementation goals of the General Plan as noted below:

HR1.C Adopt design review guidelines and/or form-based codes that require new development in or adjacent to historic areas or buildings to be compatible in design and character with existing historic buildings

Response to Letter from Alexander Vinedo, LLC, George Giannos

11. We believe historic preservation is a good idea, especially for the downtown and the surrounding historic districts. However, the application of the HP Overlay on the property located at 855 Pratt Avenue would obstruct reasonable improvements to the Property preventing my client from bettering the Property with safe residential structures and environmentally-friendly improvements, which we believe would be of benefit to the community.

Response: The intent of the proposed Historic Preservation Overlay zone is not to prevent improvements and additions to existing historic structures but to provide design standards to ensure that exterior changes respect the important architectural features of a historic resource. Staff encourages the property owner to submit their proposal for a courtesy review and feedback.

12. The Property and its structures have marginal historical value, and the stringent regulations would hinder necessary improvements to the Property, which would in turn limit the ability of the city to realize an increase in property tax values.

Response: The 2006 survey included specific references to the significance of the property, notably for its connection to the residential development of St. Helena in the late nineteenth century and architectural features which are noted below. Please also refer to response 11.

***B10. Significance: Theme** Development **Area** S=t-H=e=l=e=n=a -----
Period of Significance 1890-1920 **Property Type** Single-family Residence **Applicable**
Criteria.....8...Q.

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity)

855 Pratt Avenue is significant under Criteria A and C. The building is significant for its connection to the residential development of St. Helena during the late nineteenth century. Constructed circa 1890, the house is an example of the vernacular farmhouses on large agricultural lots that developed north of the Napa Valley Railroad and northwest of St. Helena's commercial and residential core. The houses in the area are large, typically two-story vernacular style buildings, and the properties include a group of agricultural outbuildings that make up the farm. The property's barn is an excellent example of the typical California vernacular style wood-frame barn building.

855 Pratt Avenue is significant for its architecture. The single-family residence is rendered in a vernacular style. The building exhibits elements of the common vernacular style including the building's massing, hipped roof, and simple materials including wood siding. This building also includes more decorative Italianate elements including wood brackets at the cornice, classical window surrounds and window hoods. This building appears to be in good condition. 855 Pratt Avenue retains integrity of location, design, setting, materials, workmanship, feeling, and association.

On June 27, 1950, Peter Stark granted the property to Agostino Cravea. On February 26, 1952, Cravea granted the property to Robert Hartley. On June 2, 1959, Hartley granted the property to Robert W. and Patsy G. Wood. On July 14, 1960, the Woods granted the property to James M. and Ann A. French. On October 4, 1961, the Frenchs granted the property to Bernard L. and Ivabelle B. Rhodes. On January 14, 1964, the Rhodes granted the property to Cecil E. and Florence Herrick. On January 31, 1975, the Herricks transferred the property to Florence Herrick. On August 15, 1980, Florence Herrick granted the property to Joseph R. and Marjorie A. Miller. On April 16, 1981, the Millers granted the property to the First American Title Company. On April 23, 1997, the First American Title Company granted the property to June, Frederick, Frederick Jr., and Carol Papina. On December 20, 2002, the Papinas granted the property to the Papina Family Vineyards, LLC. On June 23, 2003, the Papina Family Vineyards, LLC granted the property to Robin, Barry, Mark, and Frederick, Jr. Papina. On February 24, 2004, Carol, Robin, Barry, Mark and Frederick, Jr. Papina granted the property to the Papina Family Vineyards, LLC.

13. Applying the HP Overlay to the Property based upon a 2006 survey is far-reaching and seems counter to the city's overall vision of maintaining a stable economy, establishing environmentally friendly structures, and ensuring a livable community. Furthermore, the Historic Demolition Permit Section 17.05.040 is cumbersome and creates interruption uncertainty related to its implementation.

Response: Please refer to response 1, which affirms that the proposed Historic Preservation Ordinance is consistent with City policy in the 2019 General Plan. The Historic Demolition Permit regulations provide clear findings for an applicant who desires to pursue a demolition request.

14. We would like to help the city realize its vision by improving the Property but are concerned with the limiting factors of the proposed HP Overlay zoning district. Removal of the Property from the proposed HP Overlay zoning district would remedy the concern. I look forward to hearing that you have reconsidered and will not be zoning the Property within the HP Overlay.

Response: Comment noted. The property still retains architectural integrity therefore staff recommends it remain in the proposed Historic Preservation Overlay Zone. The City Council is the final decision making body regarding amendments to the zoning code.

Response to Letter from Lone Cypress Consulting, LLC, Erik Lundquist

15. We are deeply concerned about the proposed designation, as the long-term plans for the property are still evolving, and such a designation could place major constraints on the ability to create a functional and attractive property that would ultimately benefit the city and its residents.

Response: Please refer to response 11.

16. The criterion for the designation appears to be loosely interpreted based upon an antiquated 2006 Historical Resource Inventory, which is not provided in its entirety on the City's website. In our view, the proposed designation is neither justified, nor necessary to maintain the integrity of the existing property or neighborhood, a goal which we cherish.

Response: The 2006 St. Helena Inventory has been posted on the City webpage since fall of 2022, please see link below to access the report:
https://www.cityofsthelena.org/sites/default/files/fileattachments/planning_resources/page/25124/2006_inventory_combined.pdf

Please also refer to response 12 which includes specific architectural features that are still evident on the structure today. The City currently does not have guidance for repair, rehabilitation, new additions and new construction in the current Historic Preservation Overlay zone and implementation of the proposed ordinance will help ensure preservation of important architectural character defining features of properties included in the Historic Preservation Overlay.

17. The owners plan to invest time and resources into the property. The justification for the investment was based on the possibility to rebuild the property as others have been able to do. By adding this designation to the property, that opportunity seems greatly diminished, if at all.

Response: Please see response 11.

18. After consulting with legal representatives, we have arrived at the conclusion that we are against this proposal and do not want this designation/restriction/limitation placed on the property and further feel it will greatly devalue the investment without reaching out to the owners first.

Response: In November 2022, the City mailed a notification letter and FAQ to those parcels to be included in the proposed expanded Historic Preservation Overlay zone and also an invitation to attend an informational meeting on November 30, 2022. The City is soliciting input prior to the code adoption hearings planned this summer and we thank you for your participation.

19. We respectfully request that the property located at 855 Pratt Avenue not be included in the HP Overlay zoning district.

Response: Please see response 14.

Response to Letter from Walker Warner, Clark Sather

20. Designating the property within the HP Overlay zoning district substantially limits the architectural design palette thereby limiting options for the city and the surrounding neighborhood to consider. To allow a more participatory architectural design option for this property, I respectfully request the city not zone the property within the HP Overlay zoning district.

Response: Comment noted. Please refer to response 11.

21. The criteria for the designation is vague since there does not appear to be a clear standard or criteria for determining what is historically significant locally and how to rezone the property out of the HP Overlay should it be determined not locally significant.

Response: Please refer to response 7.

22. Furthermore, the HP Overlay district provides no incentive for preservation, which will limit necessary improvements to properties that are unsafe.

Response: The Building Official has the authority to deem a building unsafe. In the circumstance if it is a property in the Historic Preservation Overlay determined to pose a serious and immediate threat to the public health, safety or general welfare, it is exempt from the Historic Demolition process (17.05.040 B, 3,a). A Historic Preservation Ordinance is not required to provide incentives for preservation. The City Council may direct staff to research and explore this option post the code adoption.

23. Should the city elect not to remove the property from the proposed HP Overlay zoning district, I request that the city provide clear incentives to the owners.

Response: Comment noted.

Attachment 12

Proposed Revisions to A-20 in Table 17.19.030

Table 17.19.030: Development Standards – Community Agriculture and Natural Resource Zoning Districts					
Standard	A-20 lots < 2 acres	A-20 lots ≥ 2 acres	W	WW	Key
Density	Max. 1 du/ac	Max. 1 unit/5 acres ¹	Max. 1 unit per parcel ¹	Max. 1 unit per parcel ¹	
Lot Size					
Lot Area	Min. 1.0 acre ²	Min. 20 acres	Min. 20 acres	5 - 40 acres	
Lot Width	Min. 70 ft	No min.	Min. 300 ft	20 - 200 ft	5
Max. Lot Coverage (includes accessory structures)	35%	0.5 acre non-agricultural ³	50%	10% or 20,000 sq ft, whichever is less	
Max. Ground Level Floor Area (excludes accessory structures)	4,500 sq ft	4,500 sq ft	none	none	6

Standard	A-20 lots < 2 acres	A-20 lots ≥ 2 acres	W	WW	Key
Max. Second Story Floor Area	none 35% of the ground floor area	35% of the ground floor area	none	none	
Height					
Principal Structure	Max. 30 ft/2 stories	Max. 30 ft	Max. 45 ft	Max. 35 ft above natural grade	
Accessory Structure	Max. 16 ft	none	none	none	
Setbacks					
Front Setback	Min. 20 ft for structures ≤25 ft; min. 30 ft for structures >25 ft	Min. 50 ft, measured from the centerline of abutting street	Min. 100 ft	20-50 ft or 10% of lot depth, whichever is lesser	1
Street Side Setback	Min. 20 ft for structures ≤25 ft; min. 30 ft for structures >25 ft	Min. 50 ft, measured from the centerline of abutting street	Min. 50 ft	20-50 ft or 10% of lot width, whichever is lesser	2
Interior Side Setback	Min. 10 ft for structures ≤25 ft; min. 15 ft for structures >25 ft	Min. 20 ft	Min. 50 ft	20-50 ft or 10% of lot width, whichever is lesser	3
Rear Setback	Min. 20 ft for structures ≤25 ft; min. 30 ft for structures >25 ft	Min. 20 ft	Min. 75 ft	20-50 ft or 10% of lot depth, whichever is lesser	4
Min. Setback from Abutting Waterway	Min. 50 ft from top of bank of Napa River; min. 20 ft from top of bank of all other waterways.				

Landscape and Open Space

<i>Max. Paved/ Hardscaped Area</i>	25% of front setback area <u>0.25 acre</u> ⁴	0.5 acre ³	none	none	
<i>Min. Landscaped Area</i> ⁴⁵	40% of lot area	none	none	none	
<i>Required Buffer Abutting Agricultural Use</i>	A landscaped buffer min. 15 ft width with street trees at 30 ft on center	none	none	none	

Notes:

¹ Density excludes agriculture employee housing.

² Parcels created by lot line adjustments may be < 1 acre provided the number of parcels does not increase and that no lots are < 7,000 sf.

³ No more than ~~one-half~~ 0.5 acre of any one parcel may be removed from potential, historical, or ~~actual~~ active agricultural use ~~or animal husbandry use~~. All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the ~~half~~ 0.5 acre maximum per parcel.

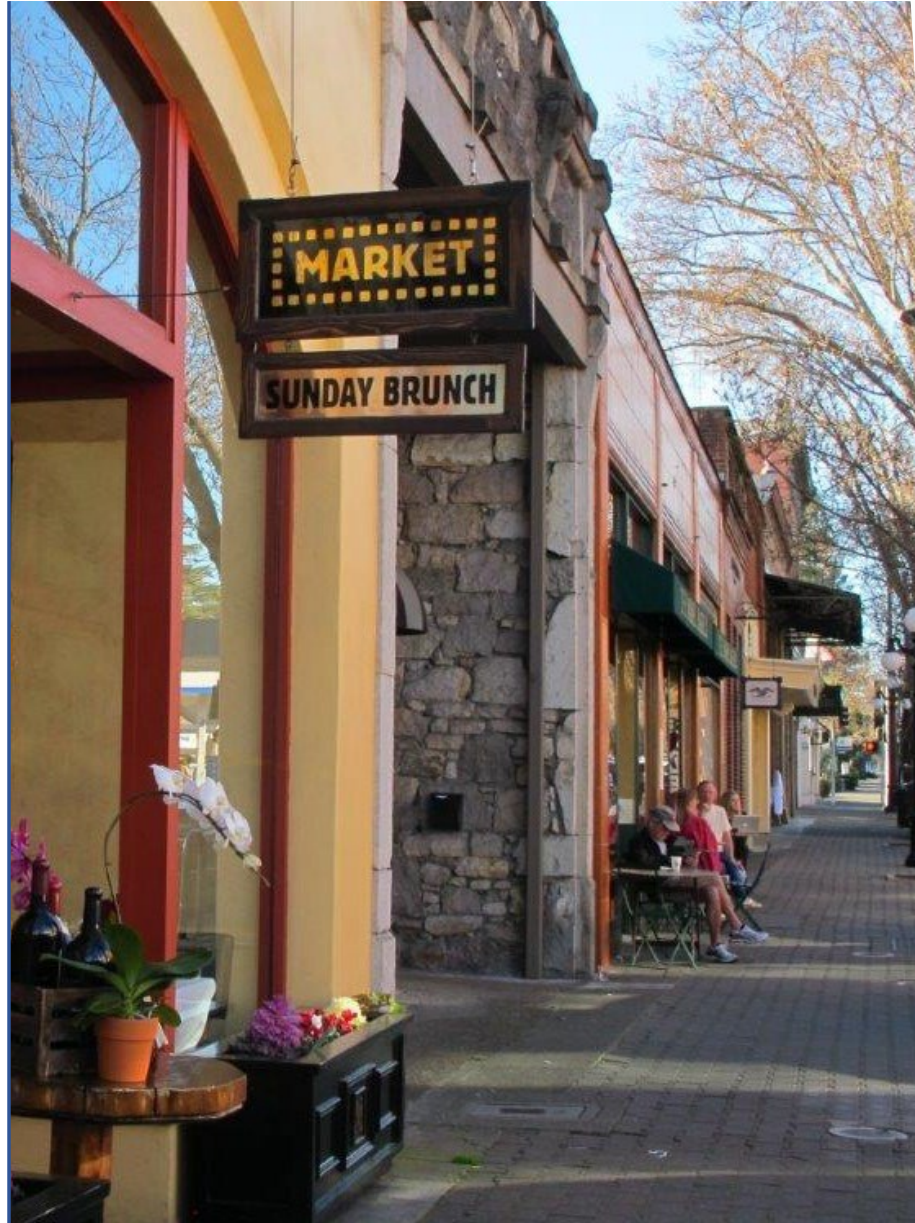
⁴ ~~No more than 0.25 acre of any one parcel may be removed from potential historical, or active agricultural use.~~ All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the 0.25 acre maximum per parcel.

⁵ Landscaped setbacks areas count toward this requirement.



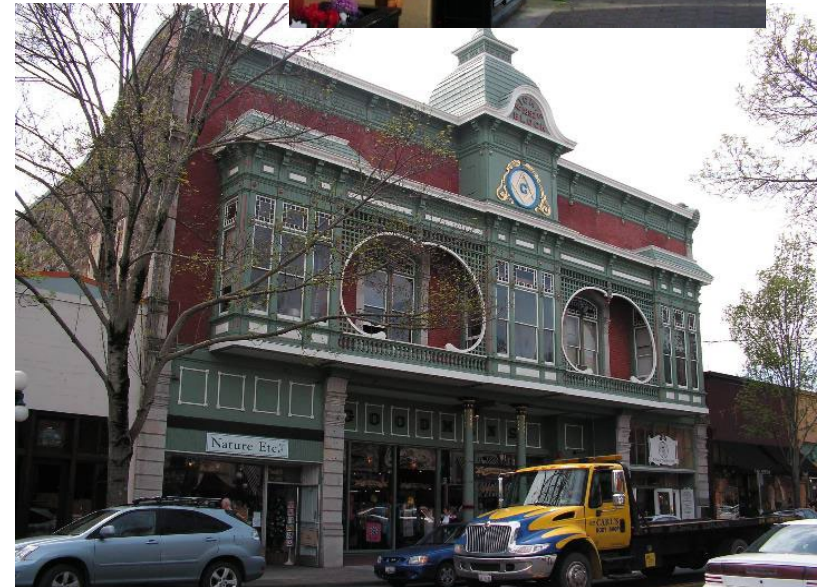
**Zoning Code Update
Joint PC/CC Study Session #4:**

**May 10, 2023
5:00 – 7:00 PM**

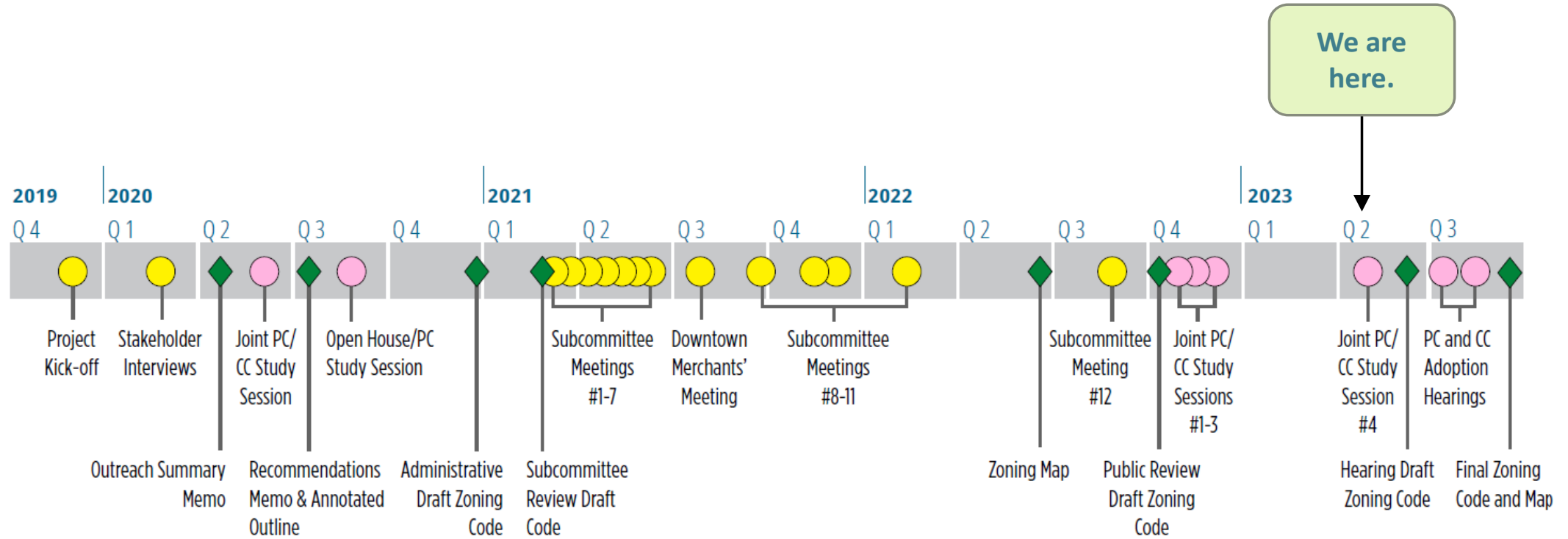


Today's Agenda

1. Introduction and Zoning Code Accomplishments
2. Process Overview
3. Introducing the Comment Tracker
4. PC/CC Discussion Items
5. Highlights of Updates Based on Previous Direction
6. Discussion and Next Steps

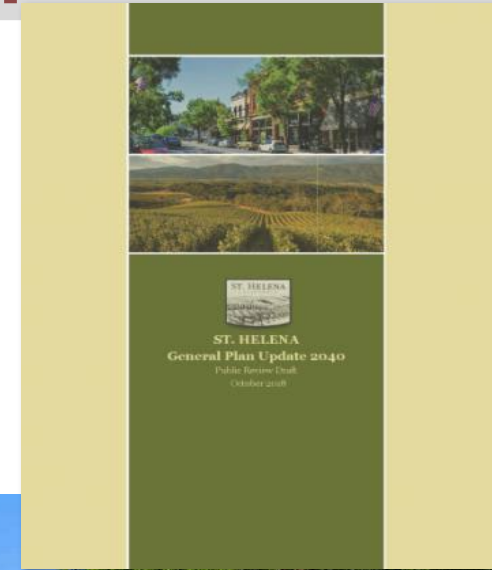


Process



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*



Source: 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

Title 17 ZONING

Chapters:

- 17.04 General Provisions and Definitions
- 17.08 Administrative Procedures
- 17.12 Zoning and General Plan Amendment Procedures
- 17.16 Zoning Districts Generally
- 17.20 Twenty-Acre Agriculture (A-20) District
- 17.24 Winery (W) District
- 17.28 Agricultural Preserve (AP) District
- 17.32 Low Density Residential (LR) District
- 17.36 Low Density Residential One Acre Minimum (LR-1A) District
- 17.40 Medium Density Residential (MR) District
- 17.44 High Density Residential (HR) District
- 17.48 Central Business (CB) District
- 17.52 Service Commercial (SC) District
- 17.56 Business and Professional Office (BPO) District
- 17.60 Industrial (I) District
- 17.64 Woodlands and Watershed (WW) District
- 17.68 Public and Quasi-Public (PQP) District
- 17.72 Parks and Recreation (PR) District
- 17.76 Open Space (OS) District
- 17.80 Rural-Residential Overlay (RR) District
- 17.84 Specific Plan Overlay (SP) District
- 17.88 Flood Plain Overlay (FP) District
- 17.92 Historic Preservation Overlay (HP) District
- 17.96 Planned Development Overlay (PD) District
- 17.100 Mobilehome Park Overlay (MHP) District
- 17.104 Parking Impact Overlay (PI) District
- 17.108 Drainage Improvement Benefit Zone
- 17.112 General Site Design and Development Standards
- 17.114 Two-Unit Projects
- 17.116 Accessory Buildings, Structures, Dwellings and Uses
- 17.120 Walls, Fences and Hedges
- 17.124 Parking and Loading Requirements
- 17.126 Marijuana Facilities
- 17.128 Adult Entertainment Facilities
- 17.132 Bed and Breakfast Inns
- 17.134 Short-Term Rentals
- 17.136 Miscellaneous Provisions

Overview of Comment Trackers

- **Record PC, CC, and Public Comments**
 - October 26th
 - November 16th
 - December 7th
- **Four Separate Trackers**
 - All public comments
 - Mr. Dan Hale
 - Mr. Joe McGrath
 - Mr. Greg Desmond
- Comments were mostly inserted as written
- Gold background identifies recommended edits to the Code

City of St. Helena - Zoning Code Update		Colored cells indicate recommended changes to the Public Hearing Draft	
Tracking Public Comments - City Council/Planning Commission Work Sessions			
Name of commenter	Comment	Chapter/Section/ Page	Response/Action
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/#!/StHelena13/StHelena1312.html#13.12
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.
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 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 stepback on the front. Essentially then, based on the standard in 17.16.040.A.2 which requires a second story stepback, this would not be allowed. No edit recommended.
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.	Chapter 17.18 Business and Industrial Districts	None at this time - waiting on more specific comments/direction.
Jerry Hyde (email)	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.	Section 17.05.100.H.4	The proposed STR amendments included as an attachment to the December 7, 2022 zoning code staff report were included in the review materials and staff was not directed to make any additional changes. See row #33.

Discussion Items – PC/CC Direction Requested

- **Section 17.09.030.F, Certificate of Present Extent of Legal Nonconformity for Uses**
- **Section 17.09.050, Nonconforming Buildings and Structures**
- **Section 17.16.040, Design Standards**

Section 17.09.030, Nonconforming Uses

Section 17.19.030.F Certificate of Present Extent of Legal Nonconformity for Uses

- Allows an owner to apply for a certificate determining the present extent of a legal nonconforming use (also the Director under certain conditions)
- PRD required review and approval by the Planning Commission at a public hearing
- Amendment is in response to public comment to make the Director the approval authority; Director has discretion to elevate to Planning Commission as the final decision-making body.

Section 17.09.030.F.3, Public Hearing

- Amended to delete Public Hearing requirement
- Rewrite to show the Director of Community Development as the approval authority

Section 17.03.030, Summary of Approval Authorities for Decisions and Appeals

- Update Table 17.03.030: Approval Authorities

Section 17.09.050, Nonconforming Buildings or Structures

Section 17.09.050.A, Expansion and Enlargement

- A. 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 17.09.050.B, Remodel, Rehabilitation, and Alteration

- B. A nonconforming building, structure or physical feature may be remodeled, rehabilitated, or structurally altered if the new work does not increase the degree of nonconformity.

Section 17.09.050.C, Repair, Maintenance and Reconstruction

Section 17.16.040, Design Standards

What has Changed or Been Deleted?

A. Design Standards for All Residential Development Types

- 2. Required 2nd-story stepbacks, LR and MR
- 3. Building Orientation
- 4. Wall Planes (formerly Bldg. Transparency)
~~Roofline and Roof Design~~
- 5. Exterior Building Materials
- 6. Landscaping
~~Sustainability and Energy Efficiency~~

B. Design Standards Specific to Small Lot Development

- 4. Small Lot Entrances
- 7. Small Lot Landscaping
- 8. Small Lot Private Open Space

C. Design Standards Specific to Multi-Family Development

- 1. Design
- 3. Entry Design
- 4. Common Outdoor Recreation Space
~~Universal Design~~

Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

2. Required Second Story Step Backs in the LR and MR Districts.

- Policy direction from the Community Design Element of the General Plan

Required Second Story Step-backs in the LR and MR ~~D~~districts. Second stories, in 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 façades, unless the front elevation has a porch a minimum of 8 feet deep that extends 80 percent or more of the width of the front elevation, excluding a garage.



Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

3. Building Orientation.

- Clarified building entrance orientation to ROW/walkways
- Clarified measurement of windows and decks from existing residences for privacy

Building Orientation.

- a. Building entrances must be oriented toward public rights-of-way or internal walkways.
- b. Windows, balconies, and decks placement must be a placed minimum of 12 horizontal feet measured horizontally from the windows areas of existing facing residences (on-site or off-site).



Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

4. Wall Planes.

- Replaces “Building Transparency” standards
- Simpler and clearer standards for articulation of a building wall
- *PC/CC – confirm change in material or color*

Building Transparency. At least 20 percent of the area of each street-facing facade of a residential building must consist of windows, doors, or other openings. No wall that faces a sidewalk, pedestrian walkway, or publicly accessible outdoor space may run in a continuous plane of more than 10 feet without a window, door, or other opening. In the MR district, the front door of any primary single-family unit must be visible to the public street.

Wall Planes. Building offsets, roof overhangs, bay windows, the use of a variety of materials, and other features as determined by the Community Development Director, shall be used to reduce building massing. The following requirements apply:

- Unbroken wall planes of 10 feet or more in width are prohibited on walls facing a sidewalk, pedestrian walkway, or publicly accessible outdoor space.
- Any wall plane larger than 10 feet in width shall incorporate windows, doors, or other openings; be articulated (i.e. break up the wall plane); or incorporate design features such as bay windows, balconies or verandas, or a change in material or color; and
- On corner lots, elevations oriented towards both street frontages shall include the same architectural design character on each elevation.
- In the MR district, the front door of any primary single-family unit must be visible to the public street.



Source: Rocket Mortgage



Source: Lancia Homes

Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

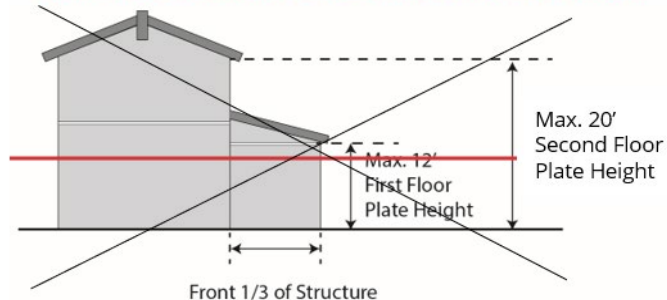
- **Roofline and Roof Design:**

Section removed

~~Roofline and Roof Design.~~

- ~~a. — Roofs must be either flat or have a pitch of no less than 5:12.~~
- ~~b. — Ground floor street-facing plate height must not exceed 12 feet on the front one-third of the building.~~
- ~~c. — Second story plate height must not exceed 20 feet.~~

Figure 17.16.040.B: First and Second Story Plate Height



- ~~d. — The minimum dimension (depth, length, or length at ridge) for any shingle roof form visible from the public right-of-way is six feet.~~

Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

5. Exterior Building Materials.

- Materials clarified and simplified
- *PC/CC – confirm corrugated metal for siding in MR (older homes)*
- Requirements for colors removed

Exterior Building Materials ~~and Colors~~.

- Building materials that support and enhance the architectural vernacular of the City must be used in all new developments. There are many materials that may be used to achieve this goal, including plaster or stucco, brick, native Vinyl siding, aluminum siding, or artificial stone finishes, form board concrete finishes, board and batten siding, and horizontal siding (except as provided in subsection 5.a 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. In addition, corrugated metal may be used as a roof material in all zones except the HP Overlay district, and as a siding material in the A-20, MR, and HR districts.
- Specifically prohibited materials include unplastered, unpainted, or painted concrete block and vinyl or aluminum siding.
- The A-consistent palette of materials and colors on a building must be applied used to on all sides of the buildings.



Source: Western States Metal



Source: Bridger Steel

Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

6. Landscaping:

- Clarified placement of landscape materials and reinforced the need for drought tolerant landscape materials in compliance with Chapter 17.25, Landscaping

Landscaping. The entire front and street side required setbacks, exclusive of permitted driveways, walkways, or parking areas, must be landscaped with drought tolerant plant materials in compliance with .See Section-Chapter 17.25, Landscaping.



Source: Gardenista



Source: One Kindesign

Section 17.16.040, Design Standards

A. Design Standards for All Residential Types

- **Sustainability and Energy Efficiency:**
 - Section removed – included in the City's Building Code

~~*Sustainability and Energy Efficiency:*~~

- ~~a. All development must be consistent with the standards of the California Green Building Standards Code (CalGreen) applicable mandatory measures.~~
- ~~b. All new construction must incorporate landscaping and fenestration to passively cool the building; energy-efficient HVAC; and energy efficient lighting.~~
- ~~c. All energy generation devices must blend in with the building color.~~
- ~~d. All on-site landscaping must be drought-resistant and require minimal irrigation.~~

Section 17.16.040, Design Standards

B. Design Standards Specific to Small Lot Development

7. Small Lot Landscaping:

- Removed 25% of total site area landscape requirement; cross-reference to Chapter 17.25, Landscaping instead
- Reinforced the need for drought tolerant landscape materials in compliance with Chapter 17.25, Landscaping

Small Lot Landscaping.

- a. ~~A minimum 25 percent of the total site area must be landscaped~~Landscaping with drought tolerant plant materials must be provided consistent with the requirements of Chapter 17.25, Landscaping.
- b. Lots with units facing a common open space must have at least five feet of landscaping between the entrance and any interior walkway.

Section 17.16.040, Design Standards

B. Design Standards Specific to Small Lot Development

8. Small Lot Private Open Space:

- Changed minimum required area from 120 sf to 100 sf

Small Lot Private Open Space.

- a. ~~MA~~ minimum of ~~12~~00 square feet ~~of~~ ground-level private open space must be provided for each small lot unit. This space may take the form of a porch, deck, patio, or garden.
- b. The minimum allowed dimensions for required private open space is six feet.

Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

1. Design:

- a. Clarified the roof line standard
- b. Deleted this subsection

- a. The roof line on the longest at each building elevations shall include a vertical demonstrate an offset of at least 18 inches for each unit or for each pair of one to three units exposed on that elevation.
- b. ~~Building height must vary such that the building has at least one change in height of at least six feet. This may be achieved through changes in pitch, plane, orientation, or a change in the number of stories.~~

Figure 17.16.040.U: Roofline, Attached Single Unit and Multi-Unit Development



The roof line for each elevation shall be offset at least 18 inches for each one to three units exposed on that elevation.

Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

1. Design:

- c. Replaced “complementary” with “consistent”
- d. Added awnings
- f. For buildings over 2 stories, added a requirement for a material or color change to distinguish the ground floor
- i. Former paragraph i deleted (included in Building Materials section)

d.c. All visible building facades shall incorporate details, such as window and door trim, window recesses, cornices, changes in materials, or other design elements. Each side of a building that is visible from a public right-of-way shall be designed with a ~~complementary~~ consistent level of detailing and quality of materials.

e.d. A minimum of two features such as balconies, cantilevers, dormers, bay windows, awnings, patios, individualized entries, and accent materials shall be incorporated into each project building.

g.f. Buildings over two stories must provide a ground floor elevation that is distinguished from the upper stories through a material or color change along at least 75 percent of building façades facing rights-of-way or public open space.

Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

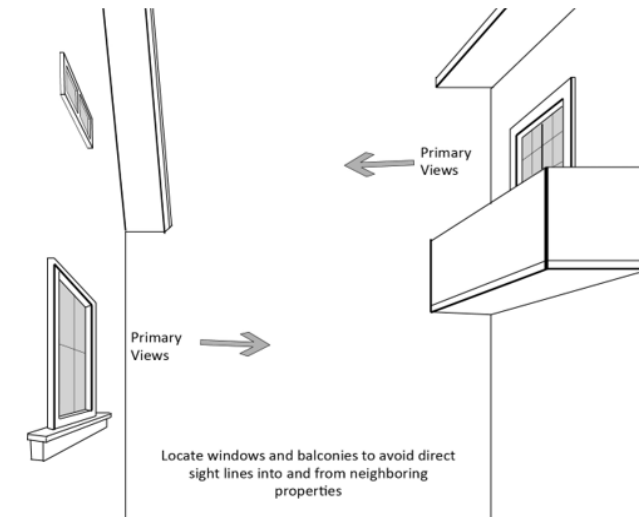
1. Design:

- i. Added distance requirement for buildings 12 feet or less apart to offset windows, balconies, and other open spaces to provide increased privacy
- j. Clarified the private storage space standard to enable placement within or outside of a building

k.i. For buildings 12 feet or less apart, windows, balconies, and other private open spaces shall be offset to avoid direct sightlines into and from neighboring properties.

h.j. Each unit shall have at least 200 cubic feet of enclosed, weather-proofed, and lockable private storage space with a minimum horizontal dimension of four feet. The required private storage space may be located within a building or outside of the building, and may be used for bicycle parking.

Figure 17.16.040.M: Window and Balcony Placement, Attached Single Unit and Multi-Unit Development



Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

3. Entry Design:

- a. Modified shared entrance visibility requirement to include shared walkways
 - c. Modified exterior entrance requirements to allow access to 4 units (previously 3 units)
 - d. Replaced “single-family neighborhoods” with LR or MR district
- a. Shared entrances to multi-family developments must be visible from the right-of-way or shared walkways. Direct pedestrian access must be provided between the public sidewalk and all shared entrances.
 - c. Exterior entrances to units in multi-family developments may be either individual or shared. Exterior entrances to individual units on upper floors are permitted; however, shared exterior access corridors located above the ground floor and visible from the street may provide access to a maximum of three-four units.
 - d. Duplexes, triplexes, and fourplexes abutting any LR or MR district single-family neighborhoods shall include individual front doors and interior stairs (when stairs are needed).

Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

4. Common Outdoor Recreation Space:

- c. Changed “accessibility” to “visibility” and clarified applies to 50% of units

~~Visibility~~~~Accessibility~~. Common outdoor recreation spaces must be visible from ~~the~~ primary living spaces of a minimum of 50 percent of all units and be ~~accessible-visible and be~~ to ~~all-the~~ residents of the project for which the space is provided.

Section 17.16.040, Design Standards

C. Design Standards Specific to Multi-Family Development

- **Universal Design**
 - Subsection deleted – included in the City's Building Code

~~*Universal Design.* For residential projects with at least 10 dwelling units, 10 percent of the units must adhere to the following principles of Universal Design:~~

- ~~a. — At least one entrance without steps and a flat threshold.~~
- ~~b. — Living space on one floor or stair landings big enough to accept lifts.~~
- ~~c. — Wide interior doors (32-inch clear, typically provided with 36-inch door), hallways, and alcoves with 60 by 60-inch turning space at doors, in kitchens, and dead ends.~~
- ~~d. — A 30 by 48-inch clear space at appliances and fixtures in bathrooms and kitchens.~~

Section 17.16.040, Design Standards

“What if a person does not want to follow objective design standards?”

- **Options for compliance**
 - State law now only allows the City to adopt objective standards for housing development.
 - Worked to balance between inexpensive materials and materials that are appropriate in St. Helena.
 - State law doesn't allow the City to provide any discretionary relief from those objective standards.
 - But state law (Density Bonus Law) also guarantees developers a certain number of incentives or concessions that may be used to waive objective standards that may make a project too expensive if affordable housing units (5 or more) are included in the project.

Highlights of Updates per PC/CC Direction

Chapter 17.16, Residential Zoning Districts

- **Section 17.16.020 Use Regulations:**
Added the uses for the LR-1A zone back into the Code
- **Section 17.16.020 Development Standards:**
Added the standards for the LR-1A zone back into the Code
- Also update the list of zones in Table 17.15.020.A: Base Zoning Districts to add the LR-1A zone
- **Table 17.16.030 Development Standards**
 - Delete max. building frontage standard: not needed as setbacks provide appropriate controls
 - Reduce private open space standard from 120 sq ft/unit:
MR – 80 sq ft/unit
HR – 60 sq ft/unit
 - Further clarified as ground floor area only – no balconies

Use Classification	LR-1A	LR	MR	HR	Additional Regulations
"P" = Permitted; "MUP" = Minor Use Permit; "CUP" = Conditional Use Permit; "—" = Use Not Allowed					
Residential Uses					
Single-family dwelling	P	P	P	—	
Multi-family dwelling	=	—	P	P	
Single room occupancy	=	—	—	P	Sec. 17.22.210, Single Room Occupancy Units
New small lot development	=	—CUP	CUP ¹	CUP ¹	
Mobile home	CUP	CUP	CUP	CUP	Sec. 17.22.160, Mobile Homes and Sec. 17.21.020, Mobile Home Park Overlay
Commercial Uses					
Lodging					
Bed and Breakfast Inn	CUP	CUP	CUP	—	Sec. 17.22.080, Bed and Breakfast Inns
Boarding house	=	CUP	CUP	CUP	
Short-term rental	P	P	P	P	Sec. 17.22.200, Short-term Rentals
Model Home Sales Office	MUP	MUP	MUP	MUP	
Transportation, Communications and Utilities					
Public services, major	=	CUP	CUP	CUP	
Public services, minor	MUP	MUP	MUP	MUP	
Solar energy system	Sec. 17.22.240, Solar Energy Systems				
Telecommunication Facilities	Sec. 17.22.270, Wireless Telecommunication Facilities				
Agricultural and Extractive					
Community garden	P	P	P	MUP	Sec. 17.22.100, Community Gardens
Public/Institutional Uses					
Child day care facility					

Highlights of Updates per PC/CC Direction

Chapter 17.16, Residential Zoning Districts

- **Section 17.16.020 Use Regulations:**
Added the uses for the LR-1A zone back into the Code
- **Section 17.16.020 Development Standards:**
Added the standards for the LR-1A zone back into the Code
- Also update the list of zones in Table 17.15.020.A: Base Zoning Districts to add the LR-1A zone
- **Table 17.16.030 Development Standards**
 - Reduce private open space standard from 120 sq ft/unit:
MR – 80 sq ft/unit
HR – 60 sq ft/unit
- Insert new **Table 17.16.030.B: Primary Building Footprint Standards in the LR Zoning District**
 - Establishes max. building footprint for primary buildings (excludes accessory structures)
 - Sliding scale

Use Classification	LR-1A	LR	MR	HR	Additional Regulations
"P" = Permitted; "MUP" = Minor Use Permit; "CUP" = Conditional Use Permit; "—" = Use Not Allowed					
Residential Uses					
Single-family dwelling	P	P	P	—	
Multi-family dwelling	=	—	P	P	
Single room occupancy	=	—	—	P	Sec. 17.22.210, Single Room Occupancy Units
New small lot development	=	—CUP	CUP ¹	CUP ¹	Sec. 17.22.160, Mobile Home

Lot Size	Max. Footprint of Primary Building
< 7,000 sq ft	2,400 sq ft
≥ 7,000 – 7,999 sq ft	2,400 sq ft
≥ 8,000 – 8,999 sq ft	2,700 sq ft
≥ 9,000 – 9,999 sq ft	2,950 sq ft
≥ 10,000 – 10,999 sq ft	3,300 sq ft
≥ 11,000 – 11,999 sq ft	3,650 sq ft
≥ 12,000 – 12,999 sq ft	4,000 sq ft
≥ 13,000 – 13,999 sq ft	4,350 sq ft
≥ 14,000 – 14,999 sq ft	4,700 sq ft
≥ 15,000 sq ft	4,800 sq ft

Highlights of Updates per PC/CC Direction

Chapter 17.16, Residential Zoning Districts

- **Table 17.16.030.A: Development Standards**
 - Min. garage or carport setback from a building façade updated from 10 feet to 5 feet
 - Ensures garages are subordinate to the front façade of a residence



Source: iStock



Source: A.CRE

NOT THIS!!

Highlights of Updates per PC/CC Direction

Chapter 17.17, Commercial and Mixed-Use Zoning Districts

- **Table 17.17.020.A: Use Regulations**

- Update CB Zone – allow residential uses with a CUP consistent with the General Plan and General Plan EIR
 - Multi-family dwellings and SRO
- Add a new statement to the introduction clarifying that where state law requires ministerial approval, the state law will prevail

Added to all Chapters where residential uses are allowed

Chapter 17.18, Business and Industrial Zoning Districts

- **Table 17.18.020.A: Use Regulations**

- Update BPO Zone – allow residential uses with a CUP consistent with the General Plan and General Plan EIR
 - Multi-family dwellings and SRO
- Add a new statement to the introduction clarifying that where state law requires ministerial approval, the state law will prevail

Highlights of Updates per PC/CC Direction

Chapter 17.18, Business and Industrial Zoning Districts

- **Table 17.18.020.A: Use Regulations**
 - Allow micro-distilleries in the I District with a CUP
 - Note: New definition of “Micro-distillery” will be added to Chapter 17.33, Definitions of Uses
 - Allow food trucks in the I and BPO districts by-right, i.e. “P”
 - Note: New definition of “Food truck” will be added to Chapter 17.33, Definitions of Uses



Source: Redwall Distillery



Source: New York Times

Highlights of Updates per PC/CC Direction

Chapter 17.19, Community Agricultural and Natural Resource Zoning Districts

- **Table 17.19.020.A: Use Regulations**
 - Tanks associated with winery uses – retain the CUP requirement for outdoor tanks. Add an End Note as follows:
 - * If the new tanks increase wine production volume beyond what is established in the existing CUP or Certificate of Legal Non-Conforming, a new CUP is required. If there is no increase in wine production as a result of the proposed new tanks, no CUP is required.
 - Design Review is only required if the tanks are located outdoors



Source: Jeff Runquist Wines



Source: Quady Winery

Highlights of Updates per PC/CC Direction

Chapter 17.19, Community Agricultural and Natural Resource Zoning Districts

• Table 17.19.030.A: Development Standards (A-20 Zone)

- Max. lot coverage: Lots <2 acres – 25%⁴
- Max. Second Story Floor Area: Lots <2 acres – 35% of ground floor area
- Max. lot coverage: Lots ≥2 acres – 0.5 acres³ ~~non-agricultural~~
- Max Paved/Hardscape Area: Lots <2 acres – 0.25 acre⁴
- Update End Notes 3 and 4:

Lots ≥2 acres³ No more than 0.5 acre of any one parcel may be removed from potential historical or active agricultural use. All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the 0.5 acre maximum per parcel.

Lots <2 acres⁴ No more than 0.25 acre of any one parcel may be removed from potential historical, or active agricultural use. All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the 0.5 acre maximum per parcel.

Table 17.19.030: Development Standards – Community Agriculture and Natural Resource Zoning Districts

Standard	A-20 lots < 2 acres	A-20 lots ≥ 2 acres	W	WW
Density	Max. 1 du/ac	Max. 1 unit/5 acres ¹	Max. 1 unit per parcel ¹	Max. 1 unit per parcel ¹
Lot Size				
Lot Area	Min. 1.0 acre ²	Min. 20 acres	Min. 20 acres	5 - 40 acres
Lot Width	Min. 70 ft	No min.	Min. 300 ft	20 - 200 ft
Max. Lot Coverage (includes accessory structures)	25% ⁴	0.5 acre non-agricultural ³	50%	10% or 20,000 sq ft, whichever is less
Max. Second Story Floor Area	none 35% of the ground floor area	35% of the ground floor area	none	none
Landscape and Open Space				
Max. Paved/Hardscaped Area	25% of front setback area 0.25 acre ⁴	0.5 acre ³	none	none

Notes:

¹ Density excludes agriculture employee housing.

² Parcels created by lot line adjustments may be < 1 acre provided the number of parcels does not increase and that no lots are < 7,000 sf.

³ No more than ~~one-half~~ 0.5 acre of any one parcel may be removed from potential historical or ~~actual~~ active agricultural use ~~or animal husbandry use~~. All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the ~~half~~ 0.5 acre maximum per parcel.

⁴ No more than 0.25 acre of any one parcel may be removed from potential historical, or active agricultural use. All structures, driveways (except for a 16-foot wide driveway no greater than 2/3 the length of the parcel), parking areas, patios, pools, lawn areas, or other nonagricultural uses are included in the 0.25 acre maximum per parcel.

⁵ Landscaped setbacks areas count toward this requirement.

Highlights of Updates per PC/CC Direction

Chapter 17.22, Specific to Uses

- **Section 17.22.230, Small Wineries**
 - **E. Development and Use Standards**
 2. Eliminate the residency requirement for the winery owner
 3. Grape source – change to “the city limits of the City of St. Helena”
 - *PC/CC – discussion topic (See email from Mark Smithers, Trinchero Estates)*



Source: Cellar Angels

Highlights of Updates per PC/CC Direction

Chapter 17.33, Definitions of Uses

- **Active agricultural use:**
 - Includes animal husbandry, crop and tree farming, and viticulture.
- **Wine production:**
 - A winery's total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, or (2) the amount of wine bottled on the premises in the same given year, whichever is greater.~~including all bottled wine received on the premises during the same year.~~
- **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. Beer 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.



Highlights of Updates per PC/CC Direction

Chapter 17.33, Definitions of Uses

- **Multi-family dwelling:**
 - ~~Two~~ Three or more attached dwelling units on a single lot.
Types of multi-family dwellings include ~~duplexes~~, single-room occupancy units, townhouses, and apartment buildings.
- **Formula business:** (Note City Attorney recommends no change)
 - A business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs, trademark, name, or other similar standardized features which cause them to be substantially identical to 10 or more other businesses in the United States regardless of ownership or location. This shall include, but not be limited to, retail sales and service, visitor accommodations, wholesale and industrial operations. Does not include formula restaurants, which are prohibited.

Note this definition does not prohibit a Thomas Keller restaurant

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 May 10, 2023

Recommendation:
Address with the
Downtown Master Plan

Discussion Items – PC/CC Direction Requested

- **Section 17.09.030.F, Certificate of Present Extent of Legal Nonconformity for Uses** Slide 9
- **Section 17.09.050, Nonconforming Buildings and Structures** Slide 10
- **Section 17.16.040, Design Standards** Slide 11
- **Small Wineries** Slide 35

Section 17.16.040, Design Standards

What has Changed or Been Deleted?

A. Design Standards for All Residential Development Types

- 2. Required 2nd-story stepbacks, LR and MR
- 3. Building Orientation
- 4. Wall Planes (formerly Bldg. Transparency)
~~Roofline and Roof Design~~
- 5. Exterior Building Materials
- 6. Landscaping
~~Sustainability and Energy Efficiency~~

B. Design Standards Specific to Small Lot Development

- 4. Small Lot Entrances
- 7. Small Lot Landscaping
- 8. Small Lot Private Open Space

C. Design Standards Specific to Multi-Family Development

- 1. Design
- 3. Entry Design
- 4. Common Outdoor Recreation Space
~~Universal Design~~

855 Pratt Avenue, St. Helena

Section 17.05.040, Historic Demolition Permit

- House is listed in GP Historic Resources List and in proposed Historic Preservation Overlay
- Property owner objects to the listing claiming the City doesn't have a process for demolition and delisting a historic structure
- Staff prepared master response (Attachment 11):
 - Structure surveyed in 2011 and retains architectural integrity
 - Should remain in HP Overlay
- Updated Zoning Code:
 - Clear process for historic demolition permit (17.05.040)
 - Clear process for removing a historic resource designation (17.10.030)



Source: Google Earth

Next Steps Following this Public Meeting

1. Staff and LWC will incorporate comments from this session and the comment trackers into a Public Hearing Draft (PHD)
2. LWC will prepare the CEQA memo
3. Schedule Planning Commission hearing for PHD (earliest date July 6th)
4. Schedule City Council hearing/Adoption – August (following Planning Commission recommendation for adoption)

Feedback

1. Council and Commission Feedback
2. Public Feedback
3. Additional feedback (*No later than noon May 12th*) to:

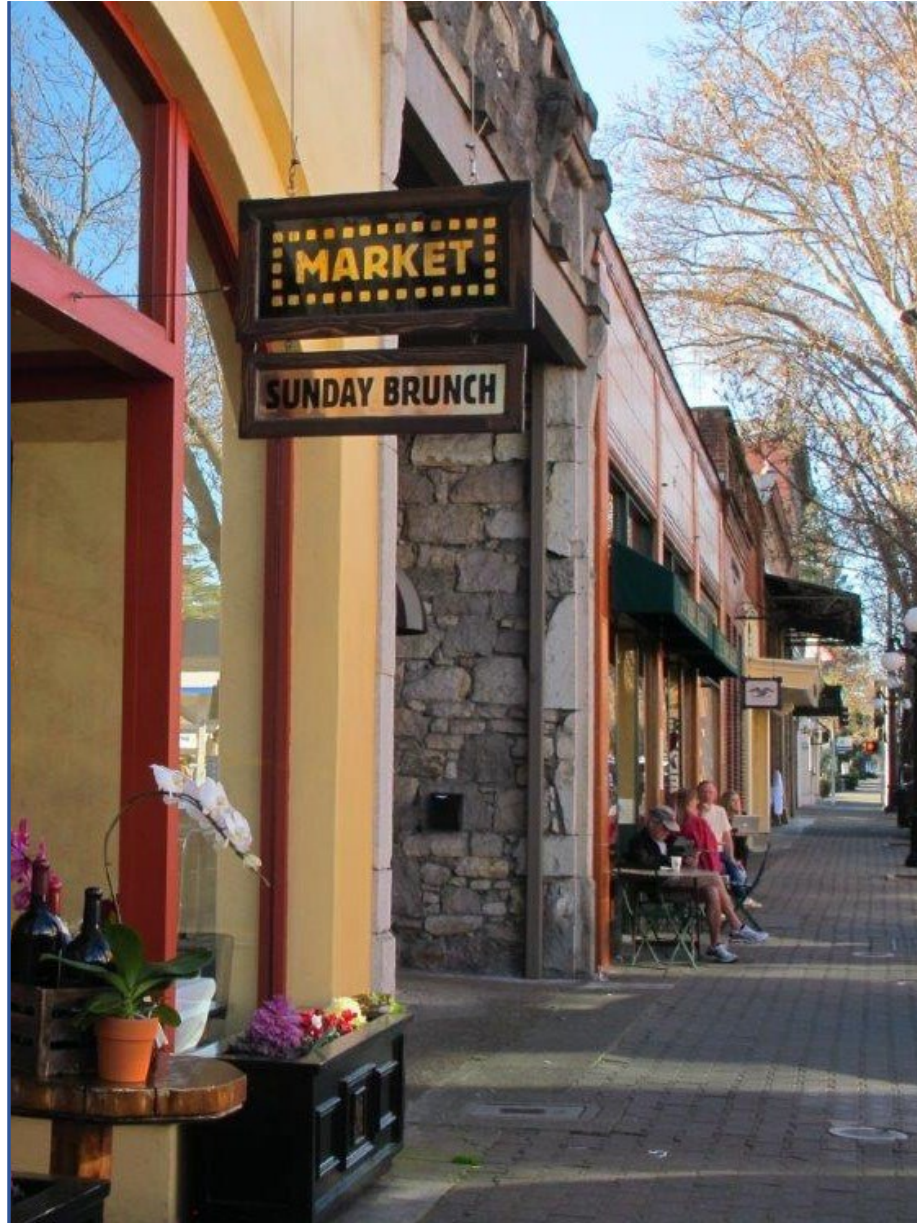
Maya DeRosa, AICP

Community Development Director

mderosa@cityofsthelena.org



Thank you!



Private Open Space Standards

Table 17.16.030 Development Standards, Residential Zoning Districts

	LR-1A	LR	MR	HR
Landscaping and Open Space				
Private <u>Ground Floor</u> Open Space for Multi-Family Development	n/a	n/a	Min. 80 sq ft/unit	Min. 60 sq ft/unit

Section 17.16.040.A.10

10. *Private Outdoor Open Space.* For multi-story dwelling units, private outdoor open space must be provided by a combination of balconies, porches, decks, or private ground floor open space (for ground floor units).

Edit as:

10. *Private Ground Floor Outdoor Open Space.* For multi-story dwelling units, private ground floor outdoor open space must be provided by a combination of balconies, porches, decks, patios, or private ground floor open space such as garden areas (for ground floor units).

Recommendation:

Do not regulate balconies – only require private open space on the ground floor

From: [Roy Piper](#)
To: [Maya DeRosa](#)
Subject: Re: [External] 1509 Tainter and proposed HP Overlay
Date: Tuesday, January 31, 2023 10:25:10 AM
Attachments: [image001.png](#)

Hello Maya, sorry for the delay in this response.

By any chance are you related to the founders of the DeRosa Reserve? My former friend Ron Wornick, who was a major art collector and recently passed, was a big fan of the Reserve, so just wanted to check.

As to the topic, I am against what I understand is the intent and eventual regulations that would come with these proposals for a few reasons.

1. It is well known that such renovation requirements and permitting processes, already too long in St Helena, will become even more lengthy, as having to navigate a historical regulatory body would add yet another time consuming layer to an already overly complicated process.
2. Already the city permit fees are very high compared to most cities and this would clearly add more costs to the process. We do not need it to be more expensive to live here.
3. Building costs already are \$500-1000 per square foot and if we are forced to renovate to original designs this will add much more cost. For example, having to replicate the style of old windows would mean custom windows which take more time and much more money. This would happen across the board.
4. It would REDUCE, not increase, money to the city over time, as less buyers would be willing to purchase homes here due to the frictional costs, keeping home values lower than they would be otherwise. This would reduce the value compared to other, less regulated cities in the valley. Already Calistoga has higher property price growth than St Helena.
5. It makes the city less desirable to live in because no one wants to deal with the heavy hand of all these regulations.
6. There is a mistaken logic that "older is better" and that residents even want what is being proposed. I contend they do not think that way.

My wife and I purchased our home at 1509 Tainter last year. This home is over 100 years old and in dire need of much work and improvement. The last thing we need is to keep our 1016 sqft house as it was originally designed, detail by detail. It is our house, not yours or the city's.

Already the costs and time and step by step regulations are too burdensome. And more "historical" regulations that cause more delays, more money and more construction costs that limit rational improvements are a negative and dis-incentive for existing owners and future buyers.

I would like you to vote against the discussed historical regulations for these reasons.

Please let me know when the planning commission is meeting with the board or by themselves

in public on this issue as I and others would like to attend. Thank you.

On Tue, Jan 10, 2023 at 8:09 PM Maya DeRosa <MDeRosa@cityofstheleena.org> wrote:

Hello Roy, I would like to introduce myself, I am the Community Development Director and also the project manager for the Comprehensive Zoning Code Update. I understand that you have some concerns regarding your property at 1509 Tainter being proposed for inclusion in the proposed HP Overlay. I would like to offer to meet with you to discuss your concerns, give you the background on the creation of the HP Overlay and answer also any questions you have about the zoning update process. Please let me know if there is a good day and time to meet and I will check my schedule.

At this time we do not have a proposed date for adoption hearings of the code but there will be an additional joint City Council and Planning Commission public meeting as the next step and we send out press releases on e-news alerting when those meetings take place.

Best regards,

Maya

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@cityofstheleena.org | <http://cityofstheleena.org/planning>



Response to Roy Piper Email January 31, 2023

As to the topic, I am against what I understand is the intent and eventual regulations that would come with these proposals for a few reasons.

1. It is well known that such renovation requirements and permitting processes, already too long in St Helena, will become even more lengthy, as having to navigate a historical regulatory body would add yet another time consuming layer to an already overly complicated process.

City Response: *The City disagrees. To the contrary, the process will be more streamlined as currently there are no preservation ordinance standards for repairs, rehabilitation and additions to properties in the HP Overlay zone. By creating these standards, if a project is submitted for review that is not visible from the right of way or less than a 25% increase of the existing floor area, and is consistent with the standards, it will have a staff level approval (not Planning Commission Design Review).*

2. Already the city permit fees are very high compared to most cities and this would clearly add more costs to the process. We do not need it to be more expensive to live here.

City Response: *The costs for the permit fees for a property in the HP Overlay are no different for a property not designated in the HP Overlay.*

3. Building costs already are \$500-1000 per square foot and if we are forced to renovate to original designs this will add much more cost. For example, having to replicate the style of old windows would mean custom windows which take more time and much more money. This would happen across the board.

City Response: *The City currently relies on historic reports prepared by architectural historians to determine what architectural features need to be retained. The new proposed regulations do not force "original designs". Original windows in many cases are character defining features of historic structures. Best practice is to repair, not replace which is more economical and sustainable. However, the ordinance builds in flexibility for use of alternate materials as noted in General Rehabilitation Principles 17.21.040 (a) (iii):*

iii. When replacement is necessary and original material cannot be obtained, substitution material should incorporate the color, design, and texture that conveys the visual appearance of the original material.

4. It would REDUCE, not increase, money to the city over time, as less buyers would be willing to purchase homes here due to the frictional costs, keeping home values lower than they would be otherwise. This would reduce the value compared to other, less regulated cities in the valley. Already Calistoga has higher property price growth than St Helena.

City Response: The topic of property values of properties with a historic designation vs non-designated properties has been widely studied. Please refer to the link to the informational study below from Cleveland State University "[The Impact of Local Historical Designation on Residential Property Value; An Analysis of Three Slow-Growth and Three FastGrowth Central Cities in the United States](https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1138&context=etdarchive)" which notes on page 106 "results indicate that local historic designation had a positive effect on property values and statistically significant at the 5.0 percent level."

<https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1138&context=etdarchive>

5. It makes the city less desirable to live in because no one wants to deal with the heavy hand of all these regulations.

City Response: The recently adopted 2019 General Plan, Historic Resources Element, emphasizes the special unique character of the City which is founded by both its agrarian and architectural heritage. Policies that support the creation of a preservation ordinance in the draft zoning code include:

Policy HR1.1 : "Preserve the City's historic and cultural resources so that they may contribute to the special character and quality of the City and support its economic base."

Policy HR1.K : "Require that rehabilitation or restoration of historical resources be done according to the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for the Preservation, Rehabilitation, Restoration and Reconstruction of Historic Buildings."

In fact, many would be homebuyers seek out St. Helena neighborhoods for their walkable, small town historic charm which is not as prevalent in surrounding cities and towns.

6. There is a mistaken logic that "older is better" and that residents even want what is being proposed. I contend they do not think that way.

City Response: Please see response to number 5 above. The zoning ordinance should implement the General Plan which specifically calls for in Implementation Action HR1-A to adopt a historic preservation ordinance to implement the policies recommended in the Historic Resources Element.

My wife and I purchased our home at 1509 Tainter last year. This home is over 100 years old and in dire need of much work and improvement. The last thing we need is to keep our 1016 sqft house as it was originally designed, detail by detail. It is our house, not yours or the city's.

Already the costs and time and step by step regulations are too burdensome. And more "historical" regulations that cause more delays, more money and more construction costs that limit rational improvements are a negative and dis-incentive for existing owners and future buyers.

City Response: *The City encourages you to meet with the Community Development Director to discuss the plans for your home improvement and what historic exterior features exist. The preservation ordinance has no authority over interior changes to a home, though those may be subject to a building permit. When working with a preservation architect, the character defining features of a home, if intact, should not be removed, however, that does not prevent rehabilitation or expansions to a historic resource.*

I would like you to vote against the discussed historical regulations for these reasons.

Please let me know when the planning commission is meeting with the board or by themselves in public on this issue as I and others would like to attend. Thank you.

City Response: *Thank you for your interest and comments. We invite you to attend the May 10th public meeting at 5 pm.*

FAQ in response to public comments on St. Helena Zoning Code Update

- **If I propose a remodel to non-conforming structure, do I have to remove the part of the structure that is non-conforming?**

Response: No, please refer to 17.09.050 (B). "A nonconforming building structure or physical feature may be remodeled, rehabilitated, or structurally altered if the new work does not increase the degree of nonconformity." To further clarify, a remodel such as adding a window or shade structure to a non-conforming structure does not require the non-conforming component of the structure be eliminated.

- **Nonconforming Code addition Chapter 17.09.050 (A) creates problems for owners of non-conforming structures who desire to expand:**
"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."

Response: Upon further review and consideration of the older building stock in the City, much of which was built prior to the adoption of a zoning ordinance, if the City did codify this added provision to the code, staff agrees it would prevent many homeowners from being able to add code compliant additions to their existing homes. One of the objectives of the code update was to allow property owners to invest in and expand the use of their properties so for this reason, staff recommends that this provision be removed from the code, subject to confirmation of policy direction by the City Council.

- **FAR -why is it being deleted?**

Response: 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 the General Plan policy CD3.1 which specifically states that building envelope sizes should be limited in residential neighborhoods. Also please refer to policy and research article from UC Berkley Turner Center for Housing Innovation which indicates (highlight added):

“Findings

While most cities do not use FAR to control building size for residential development, the 1.5 FAR standard in SB 478 would exceed the current residential multifamily FAR in 85% of localities.”

The full article can be found here: <https://turnercenter.berkeley.edu/research-and-policy/sb-478-far-lot-size-requirements/>

- **Why regulating residential by footprint size?**

Response: Please see General Plan policy CD3.1 reference in above response.

- **Why requiring second story stepback?**

Response: A common design standard for second stories involves a stepback to help reduce the overall scale and mass of two story structure. Additionally, this design standard implements General Plan policy CD 3.2.

Staff and consultant have added an additional standard to the design standards that would waive the requirement for a second story stepback if a front porch is integrated into the design (see photo example below) as this creates the similar outcome of reducing the building massing on the front façade.



- **Will adopting Objective Standards reduce creativity and create cookie cutter look?**

Response: Objective standards add more certainty to builders and architects as there is more clarity on what design standards are acceptable while still allowing each residence to have its own individual expression. Since the release of the public review draft and the December 7th public meeting, updates have been made to the design standards section 17.16.040. Some of the key recommended changes to the design standards which respond to the request for “less regulation” include:

- *Removed color standards*
- *Removed roof pitch standards*
- *Removed plate height requirement*
- *Removed building transparency section*
- *Removed requirement for side and rear second story setbacks*
- *Added front porches as an acceptable design alternative to a front second story setback*
- *Updated and expanded list of acceptable materials*

- **“The City needs to fully vet all these concerns now as the code should not be undergoing additional change post adoption.”**

Response: To date, the City has conducted 3 public meetings on the public review draft, not including numerous public meetings prior to the release of the zoning code. Attached to the May 10th, 2023 staff report are comment trackers noting all the comments received since the release of the draft in the fall of 2023. Over 300 comments have been responded to and in response, staff and consultant have recommended some additional refinements to the draft code.

Big picture—all zoning codes post adoption undergo some adjustments to make best fit for the community.



napa valley vintners

May 4, 2023

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

Dear Ms. DeRosa:

On behalf of the Napa Valley Vintners, I am writing to provide comments on the City of St. Helena's Zoning Code Update (Update).

As you may be aware, the Napa Valley Vintners (NVV) is a non-profit trade association that represents more than 540 wineries in the Napa Valley. Our offices have been in the City of St. Helena for more than two decades and several of our members have established, long-standing wineries within the City limits and would be subject to the changes contemplated within the Update.

Aspects of the Update were recently discussed at the NVV's Community and Industry Issues Committee, which made recommendations that were supported by the NVV's Board of Directors in April.

The NVV recommends that on the three issues discussed below, the City utilize established definitions and methods currently used by Napa County. Alignment with the County on these issues would eliminate confusion, support overall business continuity, and give City planning staff reference resources for future implementation.

Certificates of Legal Non-Conformity

These comments are in alignment with others already submitted by wineries subject to the zoning code. We agree that the implementation of a certificate of extent of legal nonconformity ("CLN") process in Chapter 17.09 of the Zoning Code Update provides wineries with a useful tool to document their existing activities. The NVV supports the following updates that would make the CLN process more efficient and effective.

NVV supports the recommendation that non-residential CLN applications be directed to the Community Development Director, rather than the Planning Commission. This will ensure that the review process is consistent with Napa County's successful CLN process, which is decided by its Zoning Administrator. A Planning Commission hearing may not be the most suitable platform for adjudicating existing rights through a CLN, as it is designed for reviewing proposed future development and reviewing CLN applications with extensive histories would monopolize valuable time resources.

post office box 141 st. helena, california 94574 tel 707 963 3388 fax 707 963 3488 www.napavintners.com

Second, the NVV supports the recommendation that the CLN process should give weight to previously issued City permits and allow reasonable inferences from those permits on approved activities. We agree that the standard of proof should not 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.

Adding or Replacing Additional Tanks

The NVV further agrees that requiring a conditional use permit approval for the construction of new tanks can be burdensome for wineries, as there may be several reasons why additional tanks are needed that do not relate to increasing production. In other jurisdictions, tanks are viewed more as equipment, and use permits are only required if there is a change in the intensity of permitted winery production. For instance, the County of Napa has adopted a ministerial Administrative Use Permit process that is less time-consuming, costly, and data-intensive to address minor changes in the wine-making process that do not impact intensity of use. We support the City adopting a similar model.

Defining Wine Production

The NVV supports the City of St. Helena adopting Napa County's definition of "wine production." Our CIIC committee and Board agree that including "all bottled wine received on the premises during the same year" in the definition of production may lead to double counting for wineries. As noted by another comment letter, some wineries may bottle their wine offsite and store it elsewhere for a period of time. When wine from a different vintage is brought back to the winery for sale or storage, it is very likely that it will be a different vintage that was accounted for in a different year and has nothing to do with production.

Thank you for your consideration and we look forward to helping the City see the Update through to its adoption.

Sincerely,



Michelle Novi
Industry Relations and Regulatory Affairs Director
Napa Valley Vintners

Cc: St. Helena City Council

Cindy Tzaopoulos

From: Maya DeRosa
Sent: Tuesday, May 9, 2023 9:20 AM
To: Cindy Tzaopoulos
Cc: joe.mcgrath65@gmail.com
Subject: FW: [External] Redline of objective design standards

Hi Cindy, please post the comment below to the 5/10 joint meeting agenda, thanks!

MAYA DEROSA, AICP

COMMUNITY DEVELOPMENT DIRECTOR

City of St. Helena | Community Development Department

1088 College Avenue | St. Helena, CA 94574

Direct: (707) 967-2783 | mderosa@cityofstheleena.org | <http://cityofstheleena.org/planning>



From: Joe McGrath <joe.mcgrath65@gmail.com>
Sent: Monday, May 8, 2023 5:18 PM
To: Polly Ogden <polly@pollyogden.com>; Jennifer La Liberte <jennifer@ourtownstheleena.org>; Joe McGrath <joe.mcgrath65@gmail.com>
Cc: Maya DeRosa <MDeRosa@cityofstheleena.org>; greg desmond <greg.desmond@gmail.com>; Dan Hale <danielhale64@yahoo.com>; Roger Eastman <roger@lisawiseconsulting.com>
Subject: Re: [External] Redline of objective design standards

Hi Maya/Roger:

I finally got a chance to review your response to my (and others) input re: Design Standards.

Thank you for taking the time and effort to accommodate many of the requests.
 While it is not perfect still, it has improved since the last draft.

I am still very concerned regarding the upstairs open space (ie. balcony) requirement for Multi-Family.
 60 (sixty) SF is still too large. That is a 10' x 6' balcony.
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I highly encourage the staff to reconsider reducing this further by at least 50% more (<= 32 SF).

St. Helena is full of parks and walking paths and has easy access to the outdoors.
 What it doesn't have is enough workforce affordable apartments units.
 Please help us build these more economically.

Thx,

Joe

On Fri, Apr 21, 2023 at 8:02 AM Polly Ogden <polly@pollyogden.com> wrote:

Thank you, Maya. Really appreciate this. I will pick up my copy today.

--

Polly Ogden

Polly Ogden Associates

Phone: 707.963.7999

Cell: 707.363.7247

Email: polly@pollyogden.com

From: Maya DeRosa [mailto:MDeRosa@cityofsthelena.org]

Sent: Thursday, April 20, 2023 5:16 PM

To: joe.mcgrath65@gmail.com; Polly Ogden <polly@pollyogden.com>; greg desmond <greg.desmond@gmail.com>; Dan Hale <danielhale64@yahoo.com>

Cc: Roger Eastman <roger@lisawiseconsulting.com>

Subject: Redline of objective design standards

Good afternoon Joe, Polly, Greg and Dan,

As you may know, the City is preparing for the next public meeting on the zoning code update and has been working many hours on addressing the comments we received from the public meetings in in 2022. Roger and I appreciate the time that each of you invested in reviewing the code and we know there were a number of comments and concerns about the objective design standards. We have responded to each of those in the comment tracker which will be published with the staff report. Additionally, we have complete a redline of the chapter on the residential design standards and have a courtesy copy for you to review in advance of the next public meeting planned for May 10th at 5 pm. I hope you will see that we have made some significant changes to remove what may appear as limitations and in turn add more clarity as well.

The City will be issuing a press release about the upcoming meeting date and should have the agenda packet ready for publishing early the week of May 1st.

The redline hard copy is available for you to pick up at the Building counter during our open office hours. It is not for public distribution so I ask that you not circulate it. There will be ample time for the general public to review that and all the other staff report materials when published.

If you would like to share any feedback with Roger and I prior to submitting public comment we welcome that communication via a call or meeting or email.

Thank you,

Maya

MAYA DEROSA, AICP

COMMUNITY DEVELOPMENT DIRECTOR

City of St. Helena | Community Development Department

1088 College Avenue | St. Helena, CA 94574

Direct: (707) 967-2783 | mderosa@cityofstheleena.org | <http://cityofstheleena.org/planning>



Cindy Tzaopoulos

From: Mark Smithers <msmithers@tfewines.com>
Sent: Monday, May 8, 2023 8:46 PM
To: Paul Dohring; Eric Hall; Lester Hardy; Anna Chouteau; Billy Summers
Cc: Anil Comelo; Maya DeRosa; Cindy Tzaopoulos
Subject: [External] Zoning code update meeting May 10 - Small Winery Ordinance

To our Mayor and all City Council members,

Thank you all for your service and the many hours you spend for our community.

I will not be able to attend the joint zoning meeting scheduled for May 10 and will express my concerns in this email. In general, I appreciate the city's efforts to update our zoning codes and make them clearer and work better for all. However, I'm concerned with a couple of comments and suggested changes related to areas within the Small Winery Ordinance. As we all know the Small Winery Ordinance is very important to ensure our neighborhoods are not industrialized by wineries out of character and beyond scope with their locations.

Nowhere in the communication to date has it been pointed out to the public that the Small Winery Ordinance was up for change. That should have been broadcast loud and clear. Most importantly, it is not appropriate to make piecemeal changes to the Small Winery Ordinance. If our city wants to take up the ordinance and consider changes, it should be its own separate public process such that we can all focus on it, be reminded of the purposes behind its regulations and requirements, and make well thought out changes if warranted.

The first area of the ordinance suggested for change is the requirement that the owner lives on the premises. One small winery owner has suggested this restriction be removed. To review the intent of the regulation:

"Allowing the development of small wineries is also intended to support the establishment of smaller, locally owned and operated wineries. The Small Winery is distinguished from the larger wineries that are allowed in the W: Winery zoning district and other specified commercial zoning districts because small wineries are accessory uses to the primary residential use of a property, and because public events and public-oriented uses are not permitted at the small wineries."

"Small wineries shall be an accessory use to a residential use. The residential use shall be the primary residence of the winery owner or winery operator."

It is important for the family small winery owner to live on the premises as the winery itself is an industrial activity within a neighborhood and as such neighbors are able to have direct communications with their winery neighbor if there are issues due to noise, odors, non-approved activities, etc. Additionally, if the city were to remove the family small winery owner living on the premises requirement, this would encourage more second home ownership. **Our housing shortage is significant.** Any change to our regulations that would create more absentee owners would worsen the situation. (Additionally, as we saw with short-term rentals, corporate ownership of small neighborhood wineries would open up Pandora's box. The small winery home would be a revolving door of guests not concerned with adjacent families and neighbors.) **Small wineries are supposed to be family wineries.**

The second area of the ordinance suggested for change is the fruit sourcing. Currently 85% of the fruit for a small family winery is required to be grown from their own contiguous vineyards. To review the regulation:

“A minimum of eighty-five percent (85%) of the grape source utilized for the wine produced at the small winery shall be grown on the premises and contiguous parcels as approved by use permit.” “There shall be a direct correlation between the yearly production limit of the small winery and the anticipated tonnage of grapes. A general guideline for establishing the production limit is 1,000 gallons per acre of vineyard planted on the property where the small winery is located; however, the general guideline can vary depending upon the crop yield of the particular vineyard.”

The 85% requirement is important to ensure the small winery is “sized” properly and is consistent with the total size of the contiguously owned properties that include the small winery. If the city enlarged the sourcing to include any grapes from within St Helena city limits, you most likely would end up with some LARGE small wineries completely inconsistent and not in proportion to the size of the property hosting the small winery. The small winery would no longer be an accessory use to the residence and vineyards. Larger wineries require more deliveries, more visitors, more noise, more odors, etc. This could industrialize certain neighborhoods (Vallejo, Fulton, Scott, Sulphur Springs, South Crane, Pratt, upper Madrona, Dean York).

Of note, small wineries generally don’t provide much revenue to our city. They sell wine to mailing list customers; sales tax is collected in the county the wine is received. So we don’t receive much sales tax and we receive little property tax (most property tax goes to the school district). As such, revenue is not a reason to loosen their requirements.

Please do not make piecemeal changes to the Small Winery Ordinance. These regulations went through much discussion and were developed to preserve our neighborhoods where they exist. I remind you there are some 120 sites within St Helena that could allow development of a small winery. If the city loosens the requirements intended to support small family wineries, many of the sites will be developed by speculators and corporations resulting in dramatic changes to St Helena and its wonderful neighborhoods.

Thank you for considering my comments.

Mark Smithers

Mark Smithers | Senior Vice President, Finance
Trinchero Family Estates
 Office: 707-302-3027 | Ext. 2612 | Mobile: 707-290-4508
 msmithers@tfewines.com

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From: [Kelly Wheaton](#)
To: [cityclerk](#)
Subject: [External] Comment on Zoning Update
Date: Saturday, May 6, 2023 11:16:40 AM

To: Mayor Dohring, City Council and Planning commissioners.

I previously made a comment about Zoning ordinances addressing basements and underground facilities like wine caves. The response was "Typically underground spaces are excluded from zoning development standards as they do not impact building massing. No change recommended. Confirmed in email exchange with City staff Feb. 13, 2023."

I would like to point out that carving underground spaces out of the existing landscape has a great impact on what you can see above ground. To wit the project on Madrona and Fir Hill with over 7,000sf of basement will mean the removal of at least 70,000 cubic feet of dirt. It means tons of concrete will be poured and it means that 50,000 cubic feet of groundwater will be displaced in times of high rainfall. This means that when the groundwater reaches the surface and is causing sheet flooding you will be adding a huge volume of water to the already taxed system. The sizing of water retention basins and swales is not adequately sized to deal with this displacement.

The sump pumps required to keep the basement free of water are also an environmental concern. Just because we don't see its mass above ground does not mean that we should not be paying attention to what happens below ground. I URGE the council and Planning to address this gaping hole in EITHER in the new Zoning Update or when considering the new Water Regulations.

Thank you.
Kelly Wheaton

From: [Mariam Hansen](#)
To: [Public Comment](#)
Cc: [Maya DeRosa](#)
Subject: [External] CITY COUNCIL AND PLANNING COMMISSION JOINT MEETING | COMPREHENSIVE ZONING CODE UPDATE
Date: Tuesday, May 9, 2023 10:45:34 AM

Regarding the new Historic Preservation overlay zoning proposed, here are my comments:

The City of St. Helena streetscape, historic fabric and the past are being replaced one by one. Someday the town will be unrecognizable and filled with “modern farmhouses” in a bland, but trendy world.

What are the values St. Helena purports to stand for? It “embraces and retains its historic, small-town character, beautiful natural environment and high quality of life”.

If this is true, it must be reflected in city actions, such as approving the Historic Preservation Overlay zoning. Property owners have an economic interest, which (for them) trumps our historic, small town character. This must not happen.

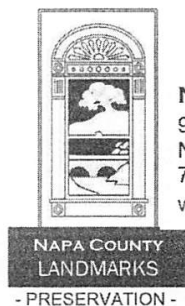
Please save our historic structures and approve the new HP overlay zoning.

Mariam Hansen

5-10-23 St. Helena City Ltr.docx.pdf

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NAPA COUNTY LANDMARKS

937 Coombs Street

Napa, CA 94559

707-255-1836

www.napacountylandmarks.org

May 10, 2023

Mayor Paul Dohring
St. Helena City Council
1088 College Avenue
St. Helena, CA 94574

Mayor Dohring,

Napa County Landmarks (NCL) supports the City of St. Helena Zoning Ordinance update and the inclusion of a Historic Preservation Overlay.

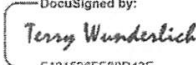
The intent of the proposed Historic Preservation Overlay zone is not to prevent improvements and additions to existing historic buildings and structures but to provide design standards that ensure exterior changes respect the important architectural features of a historic resource.

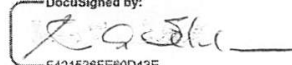
The City of St. Helena currently has an adopted Historic Preservation Overlay District, however, very few properties are designated within this overlay, given the number of eligible resources in St. Helena. Most of the undesignated resources could be vulnerable to alterations and demolition without proper designation.

NCL agrees that CEQA offers protections to those resources that meet the criteria of a historic resource. However, the proposed HP Overlay establishes a number of important implementation actions from General Plan that St. Helena adopted in 2019.

In conclusion, NCL supports the City of St. Helena Zoning Ordinance update and the provisions of the Historic Preservation Overlay as detailed in the Staff Report to the City Council. The proposed changes will respect the rights of property owners while preserving St. Helena's built heritage for future generations.

Sincerely,

DocuSigned by:

F421536FE0D43E...
Terry Wunderlich
Board President
Napa County Landmarks

DocuSigned by:

F421536FE0D43E...
Ernest Schlobohm
Executive Director
Napa County Landmarks

NAPA COUNTY LANDMARKS fosters appreciation and preservation of historic buildings, sites and districts through education programs, public policy, research, and technical assistance.

Cindy Tzaopoulos

From: Maya DeRosa
Sent: Tuesday, May 9, 2023 12:43 PM
To: Cindy Tzaopoulos
Subject: FW: [External] Redline of objective design standards

Please post to public comment for 5/10.

MAYA DEROSA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
 City of St. Helena | Community Development Department
 1088 College Avenue | St. Helena, CA 94574
 Direct: (707) 967-2783 | mderosa@cityofsthelelena.org | <http://cityofsthelelena.org/planning>



From: jennifer@ourtownsthelelena.org <jennifer@ourtownsthelelena.org>
Sent: Tuesday, May 9, 2023 11:51 AM
To: Maya DeRosa <MDeRosa@cityofsthelelena.org>
Cc: Joe McGrath <joe.mcgrath65@gmail.com>; Polly Ogden <polly@pollyogden.com>; greg desmond <greg.desmond@gmail.com>; Daniel Hale <danielhale64@yahoo.com>; Roger Eastman <roger@lisawiseconsulting.com>
Subject: Re: [External] Redline of objective design standards

Hi Maya,

I thought it might be helpful to add that for affordable projects, the financing source (often Tax Credits or TCAC) has limitations on project costs, and it requires public open space in its funded projects. Often city codes require private open space at certain ratio like what SH is proposing, which then makes the open space requirements somewhat duplicative and costly. Perhaps a provision that makes the open space an either/or scenario where private open space can be traded for public open space would be a good compromise (we think Healdsburg has that in their code as an example).

Also, balconies can pose other problems like water intrusion and storage of items that can become unsightly, and are often not utilized for their intended purposes. Burbank Housing's pipeline projects don't have private balconies for these reasons and the maintenance costs that ensue. Based on Burbank's extensive experience, balconies tend not to be used for their intended purposes, they don't create a sense of community because they aren't active spaces, and they become eyesores that collect junk. It would be nice to promote active, useable open space, especially in family projects.

Thank you for your consideration. You may include this in public comments.

Jen

On May 9, 2023, at 8:00 AM, Maya DeRosa <MDeRosa@cityofsthelelena.org> wrote:

Thank you Joe for your email and feedback. We certainly want to minimize cost barriers for building multi-family while also balancing quality of life for residents. Let me review this

request with Roger and please also confirm if you would like this comment submitted for public comment on Wednesday?

MAYA DEROSA, AICP

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1088 College Avenue | St. Helena, CA 94574

Direct: (707) 967-2783 | mderosa@cityofstheleena.org | <http://cityofstheleena.org/planning>

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From: Joe McGrath <joe.mcgrath65@gmail.com>

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To: Polly Ogden <polly@pollyogden.com>; Jennifer La Liberte <jennifer@ourtownstheleena.org>; Joe McGrath <joe.mcgrath65@gmail.com>

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Polly Ogden

Polly Ogden Associates

Phone: 707.963.7999
 Cell: 707.363.7247
 Email: polly@pollyogden.com

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Sent: Thursday, April 20, 2023 5:16 PM
To: joe.mcgrath65@gmail.com; Polly Ogden <polly@pollyogden.com>; greg desmond <greg.desmond@gmail.com>; Dan Hale <danielhale64@yahoo.com>
Cc: Roger Eastman <roger@lisawiseconsulting.com>
Subject: Redline of objective design standards

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Thank you,
 Maya

MAYA DEROSA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
 City of St. Helena | Community Development Department
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 Direct: (707) 967-2783 | mderosa@cityofstheleena.org | <http://cityofstheleena.org/planning>
 <image001.png>

Jennifer La Liberte
 Executive Director, Our Town St. Helena
 (707) 812-9839 cell

Tamara Traeder
834 Pope St.
St. Helena CA 94574

May 5, 2023

Maya DeRosa
Community Development Director
City of St. Helena
St. Helena CA 94574
[by email]

Dear Ms. DeRosa:

Thank you for your work on the proposed zoning plan for St. Helena. I have owned the property at 834 Pope Street since 1999. The property includes my home and two barns, and is bounded by Pope Street, Miely Park and Sulphur Creek. I have reviewed the provisions related to the Historic Preservation Overlay District (HPOD), public comments on these provisions and recent staff responses to these comments. I have several questions and concerns related to these provisions. In particular, I am concerned that the imposition of a HPOD designation upon my property (and others) has been done without sufficient notice, that it has a detrimental effect on the value of my property and that my property rights are being taken without compensation.

1. Support for inclusion/process for delisting. I am wondering where I can find the support for inclusion of a particular property on the HPOD. I do not recall receiving notice that my home had been designated a historical property, the basis for the designation or the consequences, and would like to understand what historical significance my property represents. Per the proposed requirements, would I need to apply to the Planning Commission to declassify my property?

2. Additional costs and restrictions on property owner without compensation. The staff cites a student's dissertation to support the idea that historical designations improve property values (although the author of the dissertation also acknowledges that restrictions imposes additional costs on individual property owners). I leave aside the question of whether higher property values are an appropriate goal for a community when housing and retail space is already out of reach for so many people and businesses. Also, without questioning the advisability of relying on one dissertation to support policy change, the paper addressed the value of historical districts (whole neighborhoods or downtowns) in which presumably multiple properties complement each other and create a particular atmosphere. However, the designation of individual homes that are surrounded by new or newer homes, apartment buildings and modern subdivisions seems to put an unfairly heavy load on a single property to impart a historical atmosphere.

These additional zoning restrictions impose a layer of regulation and limitations on changes to a property, increasing their costs of repairs and maintenance, making it more difficult to make desired updates, and likely reducing the number of available buyers. What benefits do owners of the HPOD homes receive in exchange for these costs and loss? In other communities (such as the relatively newly established San Diego South Park historical district), subjecting a property to historical restrictions offers benefits for doing so, such as a reduction in property taxes and other benefits. These mandatory restrictions, imposed after owners have purchased properties without these restrictions, appear to be taking value from our properties without compensation.

Tamara Traeder
834 Pope St.
St. Helena CA 94574

3. Coverage. Do the provisions cover all sides of the property or the street facing side? On my particular property, one side faces the street, and two sides face a public walkway through a neighboring park. Are all three sides subject to these restrictions?

4. Coverage and maintenance requirements. Do the provisions cover all ancillary buildings on the property? In the comments, staff referred to historic resource demolition reports (required to demolish an old building) as a means to discourage “demolition by neglect.” Can you define this? For instance, I have two old barns on my property, neither of which are habitable or useful except for storage of garden materials (and have not been since my purchase). They are also immediately adjacent to Sulphur Creek, and any work on them may require relief from possibly onerous environmental requirements. What am I expected to do and spend to maintain these buildings? If a homeowner cannot afford to do so, are there funds available to support such projects?

5. Roofing materials. It appears in the comments that corrugated metal roofs are not a material that would be allowed for properties in the HPOD, although in a response to one of Dan Hale’s comments, the staff indicates that these roofs will be allowed in all districts. Please clarify. If there is a restriction on HPOD properties, and if there are corrugated roofs currently on my outbuildings, would I not be able to replace them with the same material?

6. Environmental updates. How does one update one’s home to service environmental needs? For instance, my front facing windows are extremely inefficient and were likely handcrafted. Replacing them would be an environmentally appropriate step, yet if I am required to do so with something similarly constructed, it would be prohibitively expensive. In the city’s response to Roy Piper’s email that asked a similar question, it was noted that “The City currently relies on historic reports prepared by architectural historians to determine what architectural features need to be retained.” Are these reports currently available or are they to be prepared in each instance? At whose cost?

7. ADU construction. If I were to replace my current barns with an ADU to support additional housing availability (presumably a desirable community goal), what would be required and how would it be different from ADU construction for a non-HPOD property? (I have had two architects look at the barns for this purpose, and both agreed that the current structures were not viable structures to convert to housing.)

In general, I do not believe that HPOD property owners are aware of the restrictions that are being imposed on them, and need more time to understand the full extent of these provisions. Because of work obligations, I was not able to attend the November 2022 meeting about the HPOD, and the joint city council/planning commissions meeting I attended re the proposed zoning changes primarily addressed other proposed zoning provisions. I respectfully request that there be additional time to inform property owners and discuss the HPOD.

Thank you for your consideration.

Tamara Traeder

May 9, 2023

Sent Electronically (publiccomment@cityofsthelelena.org)

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

RE: Public Meeting #4 for Zoning Code Update – Letter of Support

Dear Ms. DeRosa,

My name is Terrence M. McGrath, and I am writing to express my strong support for the proposed zoning code update, which is scheduled for a planning hearing on May 10, 2023.

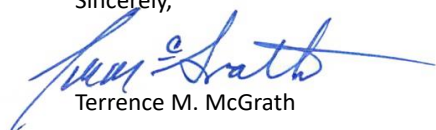
As a local resident and active member of the St. Helena community, I believe the zoning code update will greatly benefit our area and improve the lives of our community members and those visiting the city. Specifically, I believe that the zoning code update aligns with the visions and goals of the city, addressing several critical needs in our community. The following are some key reasons why I support the zoning code update:

1. Economic Growth: The update will contribute to the economic growth of our community by attracting new businesses and helping existing businesses grow their operations. Additionally, the update will make it easier for businesses to offer services to the large number of visitors to the area by promoting businesses along Main Street.
2. Sustainable Development: The update will better enable sustainable developments within our community by reducing parking requirements for pedestrian focused developments, adding and clarifying design standards, and improving the permitting process. Removing the covered parking requirement will also help with these issues.
3. Housing: The update will also aid with much-needed housing options, including affordable units, and essential community services to help create a more inclusive and connected community.

I understand that there may be concerns from some community members about the impact of the zoning code update. However, I believe that the City of St. Helena staff (including its Planning Department) and the City's consultant have thoroughly addressed these concerns through careful planning, community engagement, and a commitment to ongoing collaboration with stakeholders.

I urge the Planning Commission and City Council to approve the zoning code update at the upcoming planning hearing. Thank you for considering my letter of support. I look forward to the positive impact that the zoning code update will have on our community.

Sincerely,



Terrence M. McGrath

**WALKER
WARNER**
ARCHITECTS

City of St. Helena
Planning Department
c/o Maya DeRosa
1572 Railroad Ave.
St. Helena, CA 94574
(707) 968-2659

May 10, 2023

Re: 855 Pratt Avenue
APN: 009-030-063-000

Dear Ms. DeRosa,

I just became aware that the City Council and Planning Commission is scheduled to conduct a joint special meeting this evening, May 10, 2023. As you know, I submitted a letter dated December 29, 2022, regarding the referenced property and concerns with zoning the property within the HP Overlay District. Due to insufficient public notice, I am not able to attend this evening's meeting, but my position remains the same. Furthermore, due to insufficient public notice, I would respectfully request that this meeting be continued to provide sufficient notice so that I may have an opportunity to attend a meeting and participate in the discussion. I would also request to be placed on the notification list for future meetings related to the comprehensive zoning code update.

Best regards,



Clark Sather
415.318.8910 **direct**
csalther@walkerwarner.com

cc. Mayor Dohring and City Council Members
Planning Commissioners
City Clerk

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San Francisco, California 94105
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From: [Charles Covell](#)
To: [Public Comment](#)
Subject: FW: [External] Draft Zoning Ordinance
Date: Wednesday, May 10, 2023 7:01:40 AM

From: Charles Covell
Sent: Tuesday, May 9, 2023 5:12 PM
To: publiccomments@cityofsthelena.org; mderosa@cityofsthelena.org;
citymanager@cityofsthelena.org; Contactcitycouncil@cityofsthelena.org
Subject: Draft Zoning Ordinance

Dear Ms. DeRosa, Mr. Comelo, Mayor Dohring, Members of City Council and the Planning Commission:

I write from 1700 Park Street, in the Crinella neighborhood regarding the zoning draft under consideration.

Our home is a small single-story ranch style in a neighborhood of similarly styled 1960's era homes, and is in the MR zoning district. We have three tiny bedrooms and no family room, but sits on over 1/3 of an acre.

We bought the property in 2017, right when we were married. We have dreamed of adding onto it once we could afford to. We have already invested a lot of sweat and money into updating this property. I would be happy to have you drop by and see it (again, for some of you.)

Only now we learn that the City is seriously considering mandating a 2000 s.f. maximum footprint for the primary residence in our zoning district. The mandate under consideration would dictate that our addition could never happen, despite our ample lot size. Building codes, CCR's and finances require that 'adding on' would mean adding outward, *not* upward.

Previously we were only constrained by a floor-area ratio in the neighborhood of 0.28 of lot size. Constraining the footprint to 2000 s.f. eliminates well over 1000 s.f. we could have added, and technically means that you would rather we tear down 200 s.f of what we have. As my wife, Michelle put it succinctly when I explained the proposed change to her, "What will they do next, tell us how many children we can have?"

It has been suggested that the new regulations are in response to SB 330. However SB 330 was designed to remove legal barriers to residential development, not just to "streamline" the planning application process, which seems to be the stock justification to concerned residents. The footprint and FAR reductions under consideration more severely limit single-family residential development in our zone instead of liberalizing the standards.

I also read that the Community Design section of the General Plan of 2019 was the genesis of these density reduction measures. Perhaps there was some vigorous debate about the wisdom of reducing

the allowable footprints and FAR's that we missed out on, but SB 330 clearly mandates against "downzoning," i.e. development density reduction. These mandates appear to me to function as a form of backdoor downzoning for single family residences, which is the primary use of the MR zoning district (17.040.020).

The proposed regulations also impose numerous 'one-size fits all' design standards that never previously existed, would increase the cost of design, and throttle the eclectic character of St Helena. As former Planning Commissioner Dan Hale wrote in his public comments, "The City should not be engaged in the design business." Other local design professionals echoed similar comments.

I was glad to see that a number of the design regulations have since been scrapped. What would truly streamline the planning process is to forgo them altogether, and leave design matters to professionals. Failing that, we ask that you, as a representative of our city, please appoint a committee of locals with design, legal and planning expertise to bring a more measured and informed approach to revising the zoning ordinance.

I appreciate the time, effort, and good intentions that have gone into creating the zoning draft. I also appreciate where liberalization is occurring in the CBD. However, we are very alarmed and concerned that so many radical changes are being considered that would negatively impact the usability of the residential property we have sacrificed so much to own and restore; and expect that many others who do not read zoning codes would be as well.

Sincerely,

Charles and Michelle Covell



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CHRISTINE R. WADE
DIRECT TEL: 415.243.2088
chris@sslawfirm.com

May 10, 2023

VIA ELECTRONIC MAIL

Maya DeRosa, Director
Planning and Building Department
1572 Railroad Avenue, St. Helena, CA 945
mderosa@cityofsthenela.org

**Re: Proposed Ordinance – Historic Preservation Overlay
855 Pratt Avenue, St Helena – APN 009-030-063-000 (“Property”)
May 10, 2023 – Special Joint City Council Planning Commission Meeting
Agenda Item - 8**

Dear Ms. DeRosa,

This firm represents the Owner of the above-referenced Property and submits this comment letter on the Owner’s behalf.

I previously provided written comments regarding this proposal in December 2022. When I submitted those comments, I specifically asked to be added to any and all public notices related to this proposed ordinance. I did not, however, receive notice of the May 10, 2023 meeting as requested and as a result have not been able to adjust my schedule to attend this meeting in person.

The failure to notify individuals who specifically request notification is a violation of state law and warrants either rescheduling this meeting or at the very least, continuing this meeting to a future date without closing the public comment period. I understand that I am not the only individual who has previously requested notice regarding this proposed ordinance and did not receive such notice.

I have reviewed staff’s responses to my comments and the other comments submitted on behalf of my client.

Staff response acknowledges that the California Environmental Quality Act (“CEQA”) already provides significant protection for historic resources as do various sections of St. Helena’s municipal code. The staff response does not address the significant burden that these additional regulations will place on property owners, particularly homeowners, as well as limited St. Helena city staff. In a time where many municipalities are implementing procedures to streamline permitting, this proposal would add significant time and expense for homeowners in St. Helena.

Regarding the possibility of demolition of a listed structure, staff’s response points to Section 17.05.040 (which was indeed referenced in my letter), but does not address the actual issue. The provisions of the proposed ordinance need to be amended to clearly indicate that listed structures are eligible for demolition under those provisions.

In addition, the ordinance must provide property owners the chance to establish that a building or structure does NOT meet the necessary criteria. This is particularly evident, given that the survey relied on is over 15 years old and buildings identified therein may have significantly deteriorated and lost the necessary integrity in that time. There is no provision for this in the current draft.

Staff acknowledges that the proposed ordinance ignores structures that were either missed by the 2006 survey or those that may have since or at some point in the future, become historically significant. The result is an unfair burden on those properties that happened to have made the preliminary list 17 years ago, highlighting the haphazard nature of this proposal.

My letter pointed out that the proposed standards violate due process because they are vague and unclear. Fairness and regulatory efficiency dictate that local ordinances contain clear standards that result in predictable decisions by staff and review commissions and limit administrative discretion. Staff’s response is merely to cite two subsections in Section 17.21.040, which does nothing to address the confusing and contradictory language in the proposal. The summary dismissal of this comment raises the question as to the purpose of having public comment on the proposed ordinances at all.

SSL
 MAYA DEROSA
 May 10, 2023
 LAW
 FIRM
 LLP
 Page 3 of 3

In short, although I am unable to attend this meeting to state my client's case, my client remains opposed to the imposition of these standards generally and on the property at 855 Pratt Avenue in particular. We once again respectfully request that the City reconsider this proposed overlay district or at least consider significant modifications to the language to address the comments set forth above.

Sincerely,

SSL LAW FIRM LLP



Christine R. Wade

cc:

Planning Department

- Aaron Hecock (Senior Planner) - ahecock@cityofsthelena.org

Planning Commission

- John Ponte (Chair) - jponte@cityofsthelena.org
- Autumn Anderson (Vice Chair) - aanderson@cityofsthelena.org
- Christopher Warner - cwarner@cityofsthelena.org
- Rosaura Segura - rsegura@cityofsthelena.org
- Marika Rothfeld - mrothfeld@cityofsthelena.org

City Council

- Paul Dohring (Mayor) - pdohring@cityofsthelena.org
- Eric Hall (Vice Mayor) - ehall@cityofsthelena.org
- Anna Chouteau - achouteau@cityofsthelena.org
- Lester Hardy - lhardy@cityofsthelena.org
- Billy Summers - bsummers@cityofsthelena.org

City Manager

- Anil Comelo - acomelo@cityofsthelena.org



May 10, 2023

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 have a positive impact on 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.

Section 17.21.030 Parking Exemption District

I strongly support adopting the new code to remove the current parking requirements. The current requirements place an undo burden on property owners and

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constrains new commercial investment throughout downtown. A longer-term parking solution should continue to be explored as part of a comprehensive parking plan, but we need to act now while we work through that solution.

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 is a positive step forward which I strongly support.

I would further 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 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.

Sincerely,

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

David Walker
President

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Lone Cypress Consulting, LLC

Erik V. Lundquist, AICP, 2105 Main Street, Napa, CA 94559, Phone 707.888.6386, erik@lonecypressconsulting.com

Via Email

May 9, 2023

Honorable Mayor Dohring, City Council and Planning Commission Members
1088 College Avenue
St. Helena, CA 94574

**Re: Comprehensive Zoning Code Update
A-20 Agricultural Zoning District & HP Overlay District**

Dear Honorable Mayor Dohring, City Council and Planning Commission Members,

I did not receive sufficient notification of the May 10, 2023 Special Meeting of the City Council and Planning Commission even though I requested to be placed on the public meeting notification list related to the comprehensive zoning code update and also had signed up to receive notification through the City's online agenda notification portal. On January 1, 2023, City Clerk Cindy Tzafopoulos confirmed via email that I would receive notification of further meetings related to the comprehensive zoning code update but such notification was not received. On May 3, 2023, I discovered the agenda for the May 10, 2023 meeting only providing 7 day's advance notice. Unfortunately, due to the inadequate notice of the public meeting I am not able to attend in person and since there does not appear to be the ability to participate virtually, I respectfully request that the matter be continued to a date certain or continued to another date with adequate notice provided wherein the City Council and Planning Commission may consider the matter during another Special Joint Meeting.

As a representative of several property owners within the City of St. Helena, I continue to have major concern with the severity of the HP Overlay District and policy direction of the A-20 zoning District. For the reasons expressed in my December 29, 2022 letter to Ms. DeRosa, the HP Overlay District should not be applied to the property located at 855 Pratt Avenue. Placing the property at 855 Pratt Avenue within the HP Overlay District without reevaluating the 2006 Historical Resource Inventory is placing a heavy constraint on a property without appropriate evaluation of its current validity.

Moreover, the proposed HP Overlay District creates a new administrative responsibility for city staff resulting from the numerous properties planned to be within the HP Overlay District. Processing all of the design review applications will become cumbersome and time consuming for staff to manage. The public will experience extreme processing delays that will cause frustration with staff and applicants. There is also uncertainty and conflict in the proposed code language related to what authority establishes the local register. For example, proposed Section 17.10.040 of the code indicates in subsection A that Resolution 2019-54 is the established local list but subsection B conflicts by stating that the Planning Commission maintains the register. Which list will become the actual list? The uncertainty of these seemingly conflicting code provisions creates confusion for staff and the public. More time is needed to work through these issues or explicitly remove the property at 855 Pratt Avenue from the HP Overlay District and local historic resource list to avoid further delay.

Lone Cypress Consulting, LLC

Erik V. Lundquist, AICP, 2105 Main Street, Napa, CA 94559, Phone 707.888.6386, erik@lonecypressconsulting.com

The policy direction of the proposed A-20 zoning district development standards are in direct conflict with Measure J, the Agricultural Lands Preservation Initiative of 1990. In essence, Measure J protected valuable lands in the County by directing development within the incorporated city limits. Measure J preserves the larger land holdings outside of the city limits leaving the smaller parcels within the city for light agriculture or urban development. By limiting the A-20 development standards, the city will create an imbalance of agriculture and urban development. Retaining the existing A-20 development standards provides more opportunity to transition development into adjoining agricultural lands rather than a clear agricultural edge within the city limits.

The proposed A-20 zoning district standards will effectively down-zone properties and create development standards that will make allowable uses infeasible. My clients at 855 Pratt Avenue, and others that hold property in the A-20 zoning district, had an investment-back expectation when purchasing the properties under the current regulations. The property appraisals and resulting assessments were, in part, based upon the development potential at the time of purchase. Substantially reducing the development potential substantially reduces the land value.

The proposed A-20 zoning district development standards will make it infeasible to develop safe and habitable Agricultural Employee Housing due to the infrastructure and structural needs of necessary housing. The A-20 development standards also make it infeasible for the property owners to operate the required agricultural uses. Small farmers need space to store equipment and supplies. The limiting nature of the A-20 development standards do not consider or accommodate barns or workshops that will be used to support the onsite agricultural operations. The proposed A-20 zoning district development standards should be preserved as currently established or revised to include exceptions for Agricultural Employee Housing, barns and hardscapes that support the existing or proposed agricultural operations.

In closing, I respectfully request this matter be continued to a date certain or continued to another date with adequate notice provided wherein the City Council and Planning Commission may consider the matter during another Special Joint Meeting. I would also request that the property located at 855 Pratt Avenue not be included in the HP Overlay District and that the existing A-20 development standards be preserved, as currently established.

Sincerely,



Erik Lundquist, AICP

cc. Maya DeRosa, Planning and Building Director
Cindy Tzaopoulos, City Clerk



Council members, planning commission members, and planning staff,

Please the attached letter pertaining to the proposed zoning code update. Thank you for your time.

The conflict of nonconforming aspects within a site not being eliminated within the project scope of an application appears to not have been addressed within staff comments. Best not to leave this up to interpretation. Please kindly address this conflict specifically as it pertains to 17.04.040 rather than referring to 17.09.050 as a response. If I am mistaken in this analysis please kindly clarify as to why.

17.04.040

Initial Completeness Review. The Community Development Director shall determine whether an application is complete within 30 days of the date the application is filed and required fee received.

Part II: Administration and Procedures

Incomplete Application. Permits authorizing the use, construction, reconstruction, or alteration of any structure may be withheld when information submitted is inadequate or incomplete. If an application is deemed incomplete, the Community Development Director shall provide a written notification to the applicant listing information necessary to complete the application.

Zoning Code Violations. An application shall not be found complete if conditions exist on the site in violation of this Title or any permit or other approval granted in compliance with this Title, unless the proposed project includes the correction of the violations.

Staff response:

"The commentor is misinterpreting the non- conforming draft code which as written in the public review draft, allow for remodeling (not additions) of existing non-conforming structures. Please refer to 17.09.050 (B) "Remodel, Rehabilitation and Alteration"."

Understanding that 17.09.050 addresses the ability for alterations as distinguished from additions the conflict within the code for planning rejection of all applications in violation of the revised code is not addressed by staff response. 17.04.040 specifically states that an application will be deemed incomplete if a condition on the site exists that is in violation of the revised zoning code **unless the proposed project includes the correction of the violations.**

Any remodel, rehabilitation or alteration is subject to planning approval wether moving a window or interior wall etc. per 17.05.080. An exception or distinction needs to be made regarding complete applications for properties pursuing work under 17.09.050 that contain non-conforming aspects on the site under the new zoning code title.

Please provide clarification as the staff response does not address 17.04.040 as requested. It refers specifically to 17.05.080. This clarification needs to be made as the implication of rejection for any violations to the updated title would render any application for proposed work or use etc as void until the application for the parcel is brought into compliance with all aspects of the new title.

Minor design review and clearly states all site activities require planning approval including repair and maintenance, window relocation etc.

17.05.080 Minor Design Review

Purpose. The purpose of the Minor Design Review process is to allow for the administrative review and approval of development applications that do not have site or architectural design impacts.

Applicability. The following activities are subject to all design criteria of the City of St. Helena; however the review shall be conducted administratively by City Planning Staff as a component of the building permit review:

Those activities not described in Section 17.05.070.B.

Any form of repair or maintenance where the work solely involves the replacement of materials in like kind and form or to any such work in areas not visible to the public from the public right-of-way or areas accessible to the public.

The alteration, modification or addition to an existing single-family or multi-family residential structure or building except as identified in Section 17.05.070.B.

The construction of an accessory structure in keeping with all development criteria of the zoning district in which the structure is proposed.

Minor changes to the exterior of existing non-historic nonresidential buildings that require a building permit. This includes, but is not limited to, facade changes, relocation of storefront doors, and relocation of windows.

Changes to a nonresidential site not involving major structural or site changes or changes of use. This includes site alterations such as construction of parking shade structures or other accessory structures; and

The intentional destruction and removal of less than 50 percent of the finished floor within the exterior walls of a non-historic structure in conjunction with a remodel or addition.

17.16.040 Design Standards

The standards in this Section apply to all development within the residential zones. These design standards supplement the development standards of Table 17.16.030: Development Standards – Residential Zoning Districts.

A. Design Standards for All Residential Development Types.

1. General Standards. All development is subject to the provisions of Part IV, Citywide Standards.

2. 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.

Many of the properties in St Helena do not adhere to this restriction and many of those that don't are some of the most prized in town. Why is this requirement put in place? Is it to limit vertical wall presence at street frontage? If this is the case why is it stated as all encompassing regardless of placement of the structure on the lot? Why not simply request that a second story within the district needs to be placed at least 28' from the front property line. If a project is designed with the front of the main dwelling 40' from the front property line is the second story still required to be set back? Many of the front porch exception examples used in the city flyer do not meet the proposed 8' front porch depth that would be required.

This requirement prejudices toward a very specific type of vernacular architecture and is erroneously uniformly applied for every residential project in town. A second story extending over a first story is a desirable configuration that helps serve in a reduction of perceived massing but the option is eliminated with this requirement Why? This requirement should be removed or amended to allow for all forms of architecture integrating a second story. Example photos of existing properties in violation of this standard are attached at the end of the document.

Please respond.

Min. Garage or Carport Setback from Building Façade stated as 10' from building facade in the MR district. The vast majority of houses in the MR do not comply with this. On the one hand we seem to be saying create usable outdoor space, then on the other we are saying the garage or carport has to be pushed into the parcel in the MR. Lot size varies greatly within this district and the implication of requiring these structures to be pushed into the lot is not a small one. Why is this a requirement in MR? It should be removed.

Please respond.

17.16.040 Design Standards

In the MR district, the front door of any primary single-family unit must be visible to the public street. Why is this a requirement? Is this intentional along with the stated garage setback? These two regulations combined make for a very specific isolated context of lot formation and eliminate diversity of architecture. We have entry gates, landscaping, primary dwelling units recessed within parcels and other conditions that do not allow compliance with this. This seems to be another solution for a non problem. This should be eliminated as a requirement.

Please respond.

17.06.060 Modifications by City Council

The following provisions shall be observed when the City Council determines to modify any proposed amendment to the General Plan:

The City Council may modify any proposed amendment by making non-substantive changes in the wording of a proposed text amendment. However, any substantive change proposed

Part II: Administration and Procedures

by the City Council that was not discussed by the Planning Commission shall be referred back to the Planning Commission for a report and recommendation.

When the City Council has referred a matter back to the Planning Commission, it shall report back to the City Council within 30 days after the date of the City Council referral unless the City Council specifically allows for a longer period of time for the Planning Commission report and recommendation. Where action cannot be taken within 30 days by the Planning Commission, a longer period of time may be requested and the City Council may at its discretion grant such a request. Although no additional public hearing shall be required, the Planning Commission may at its discretion hold a public hearing prior to a report and recommendation on any matter referred to it by the City Council.

What qualifies as "substantive" what is the mechanism for review and change of any section to come before the council and planning commission. Currently a variance application is 5,100\$ and an application for zoning code text amendment is 9,600\$

The proposed path forward seems to be adopt this iteration and we will continue to tweak after the fact. With all the known major issues left unresolved and the many more to come to light once enacted is a citizen who wants to address an issue expected to pay 9,600\$ for each text amendment? There needs to be a more streamlined affordable option available that does not

ZWISCHEN STUDIO

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require planning commission review coupled with council review.

Why adopt this iteration now with so many aspects clearly in need of attention? Is it due to AB2011 and fear of builder's remedy? The soon to be adopted HCD certified housing element should eliminate this concern. Please advise whether this is a misinterpretation of the statute. Once AB2011 goes into effect it would seem extending the commercial district further North on main would help to provide opportunity for more affordable housing density while concurrently extending the opportunity for more retail tax revenue.

17.21.040 Historic Preservation Overlay (HP)

How have the properties within the new HP been selected? What were the criteria? Many appear to have no historic significance such as the new commercial development on the corner of Main and Adams.

What is the process of application for a property currently within the district to be removed?

There are several sections within the code that need to be amended or eliminated. A few examples are attached below.

iv. Brick surfaces must not be sandblasted in an attempt to remove old paint. Sandblasting damages the natural fired surface of the brick, and causes it to lose its water repellent qualities. Also, mechanical grinders must not be used to remove mortar as this can damage the brick surrounding the joint.

Secretary of Interior's Standards specifically state that "skilled labor" should be implemented for this endeavor. Eliminating the ability for masons to be able to utilize mechanical grinders could have untended detrimental effects. Most historic brick/masonry buildings were constructed using lime based mortar which regulates moisture and behaves differently than contemporary portland cement based mortars. Portland cement based mortars which need to be abated from historic masonry require grinding tools as they are more dense than the surrounding brick or stone and if attempted to be chipped away the surrounding masonry will remain attached and be damaged.

v. Where the original structure includes transom windows in the St. Helena Historic Commercial District, this traditional storefront must be retained. If the ceiling inside the structure has been lowered, the ceiling must be stepped up to meet the transom so that light will penetrate the building interior.

If the intent of the code is preserve the observable architectural fabric of facades why is the condition of the interior of the space addressed within the code? Is there a distance the windows must be open to the interior, if a moment frame was installed within the footprint of interior of the windows is the space in violation of the code? This section seems to be misguided.

b. Architectural Considerations.

vi. New structures which are wider than the traditional width must be designed to read as smaller modules reflecting the traditional building widths.

What does this mean?

viii. Design of new development must reflect the horizontal elements of adjacent buildings. Horizontal elements may include an alignment of window frames, roof lines, facades and clear distinction between first floors and upper floors.

What is the intent of this requirement? It is contrary to the variation of building facades which make the different eras of historic buildings stand out and differentiates different styles and approaches. Implication of this requirement seems to risk requirement of a false “sameness” of new structures within the commercial district.

c. Single-Family Residences.

ii. Foundation and floor-to-ceiling heights must be aligned within one foot of floor to ceiling heights on adjacent buildings.

What is the intent of this requirement? Is it referring to adjacent buildings on separate parcels? If this is the case many of the HP parcels are adjacent non HP parcels. Does this requirement still apply in these instances? If the goal is to create a historic context then this requirement should certainly be removed. A main house on a parcel would normally be raised on a foundation while a carriage house would be at grade etc. Historic buildings are not limited to the 1800’s and varying degrees of development occurs on parcels over time. This requirement seems contrary to SIS intentions.

From Secretary of Interior’s Standards:

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION
RECOMMENDED NOT RECOMMENDED

Recommended-

Designing new construction on a historic site or in a historic setting that it is compatible but differentiated from the historic building or buildings.

Not Recommended-

Replicating the features of the historic building when designing a new building, with the result that it may be confused as historic or original to the site or setting.

From proposed zoning code:

iii. Historic architectural styles (e.g., craftsman, Victorian, bungalow, etc.) are not mandated. However, contemporary architectural treatments proposed for new residences must complement and not detract from the qualities of the historic overlay district and the neighborhood setting of the proposed development.

e. Accessory Structures.

i. New accessory structures (e.g., garages, second units, sheds, etc.) that are visible from the public right-of-way must incorporate the distinctive architectural features (e.g., color, materials, roof pitch and style, etc.) of the main structure.

ii. Design features must be applied with less detail on the accessory structure so that it does not compete with the main structure and is clearly subordinate to it.

This requirement for new accessory structures is completely against the Secretary of Interior’s Standards. It is very important that new construction of accessory structures within the district is not relegated to poorly detailed reproductions of original actual historic pieces of architecture. In one section the code is stating that historic architectural styles are not mandated, in the next it is

mandating that historic architectural styles are mandated and that they need to match color, materials, roof pitch and style of the main structure. It then goes on to dictate that although the structure is to match, the design features must be applied with less detail to not compete with the main structure.

This does not make sense and will relegate all accessory structures as poor quality fake miniature reproductions of the original actual historic architecture. Accessory structures need to be free to be expressed as architecture that clearly departs from the original architecture else they will be inaccurately perceived as historic. Falsely attempting to create period architecture on a historic site is against the standards.

This code section is clearly in direct contrast to Secretary of Interior's Standards and needs to be eliminated.

17.34.050

Measuring Floor Area and Floor Area Ratio

Areas included in floor area measurement. The floor area is measured as the sum of the gross horizontal floor areas of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings. Areas included and excluded from floor area are listed below.

1. Included in Floor Area Calculation.

- a. All habitable space (as defined in the Building Code) that is below the roof and within the outer surface of the main walls of principal or accessory buildings or the centerlines of party walls separating such buildings or portions thereof.
- b. In cases where no walls exist, the area covered by the roof excluding two feet on each side of the structure for a standard roof projection.
- c. Interior walkways or corridors, interior courtyards, walkways, paseos, or corridors covered by a roof or skylight.
- d. All floors of enclosed stairways, stairwells or elevator shafts.

Why is this definition included in the code when there is no district that references it's inclusion?

This version of calculating FAR completely disincentivizes outdoor sitting areas, exterior covered walkways, etc. and it is very confusing as to what might be considered an inclusion or not. Areas included in FAR should be limited to conditioned space versus unconditioned space excluding attics and basements, and conditioned space. If an area is covered usable space on a parcel ie covered dining space etc. the covered area should simply be calculated as function of lot coverage. The current definition of what is included or excluded for FAR is simple and does a fine job of clarification.

Regarding calculation of FAR for habitable conditioned space the area should be calculated from inside or outside face of structure. Defining as from outer surface of main walls. Current energy efficient building assembly technology rely on exterior insulation and rain screen assemblies. FAR should be calculated from surface of structure and area beyond should be calculated and attributed to lot coverage.

This all seems simple, roof projections beyond a certain distance from structure equals lot coverage. Covered seating areas or dining areas, lot coverage etc.

Projects currently being designed under existing zoning code:

It takes many months and sometimes years to plan projects and gain entitlements. What happens with all of the projects that are currently being planned within the City? We do not and cannot know a date of adoption

of the revised code and cannot reliably design to the existing code do not know what the revised code will state. This puts professionals in jeopardy and leaves no reliable path. There should be a grace period put into place with a metric to be met for qualification. For instance if a project has been discussed with planning staff by X date and an application is submitted within X number of months of meeting then the project falls under current zoning code if desired. It's not possible to rely on planning commission timetables or staff comments and time to review and revise.

Current zoning code iteration:

The format of using comment tracker rather than a red lined version of the latest iteration is incredibly confusing and there is no way to accurately apply staff comments to the code and interpret implications consistently. This coupled with the fact that there are no hyper links or constant page references for the document as a whole makes scrolling through hundreds of pages for each line reference the only way to view the document. There has not been enough time to adequately review and the format complicates this exponentially.

The methodology of simply responding to each comment individually without analyzing the document holistically leaves implications of adopting the new title an unknown at this point.

The photos attached are a few examples of properties in town which do not have the second story set back at front facade or have general nonconforming aspects to the current update iteration within their district. Please note this is a very small representation and within the MR the number of properties with carports or garages that are not set back 10' from the main building frontage is the vast majority.



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Public comment: Re: Zoning code updates and Joint Meeting on 5/10/23 – Part 2
5/12/2023

My apologies, I have a little more I'd like to say in addition to the public comment I emailed yesterday. Since I don't think I can be as eloquent in 4 minutes at the podium, I have a few additional thoughts I wanted to share as I think of the zoning code draft, and the larger context this fits into.

I am fairly new to this town, moved here in 2015. I know many of you who are serving roles in this community as Mayor, Vice Mayor, City Council, Planning Commissioners, and Staff, have been here much longer, and have witnessed more of the evolution that has happened in this little town, as well as in Napa Valley.

I apologize that I have taken a long time to submit my comments in this process. In my busy schedule of being an architect, running a practice and business, being a mom of a toddler (in covid times), I have waited a long time to put effort in attending meetings, digesting the material, and putting my thoughts together. I had assumed many others would make comments, and it would all work out in the end.

In the one Spotlight town meeting at the Cameo that I was able to attend recently (again with my toddler), the current Vice Mayor Eric Hall was presenting the state of St Helena, the economic issues, that past decisions, and the situation we are in now.

My key take-aways of that:

- Wow, we live in such a beautiful town, in such a prosperous valley, and the town is one natural disaster from going bankrupt and becoming a ghost town.
- Some things have got to change.
- This town lacks diversity, diversity in all facets just to name a few – socioeconomics, types of businesses, age, housing.

As I think of the proposed revisions of the zoning code, I'm not saying there aren't good edits. I honestly have not read all of it. Again apologies, my free time is very limited, and I don't really jump to the idea of reading zoning code in the little spare time that I have. But this is why we have you!

When I have trouble thinking through complex issues such as this zoning code, I try to zoom out and think of the larger picture, and put it into simpler ideas. As we may have learned in grade school, and are maybe re-learning it with our children's homework now, I think of the science experiment of creating a habitat, with the goal of making it thrive and last as long as you can. I think my project was a fish tank in school, and I had put some goldfishes, plants, water snails, and gravel in there, and then it was set to survive. Others in the class brought in their habitats. Press play, the clock ticks, and we waited to see whose project lived the longest. We learned the more biodiverse, the more lifecycle loops that come in full circle, the better the habitats did, the longer they survived, and the better it thrived.

Our town is on the brink of failing. Empty storefronts, shortage of workers, lack of funds, unaffordable housing, lack of low-income housing, lack of diverse shops and restaurants that are affordable for everyone, and closing schools, are signs of an unbalanced habitat. I mean honestly, the bigger picture of the world right now has a lot of unbalances. Failing banks, not a good sign. I can't even start.

There is a saying a colleague just reminded me of, "If you put a frog in a pot of boiling water it will instantly leap out. But if you put it in a pot filled with pleasantly tepid water and gradually heat it, the frog will remain in the water until it boils to death." I think we all recognize the water is getting warmer.

I have another example. Fake grass. Not long ago, fake grass was the new fad. And maybe people still think it is. Fake grass is a material that probably in production puts a lot of carbon into the air. In order to install it well, my understanding is that you have to excavate and remove your top soil, install several inches of compacted gravel, and then lay the fake grass in. (I've never installed it so I am only conceptualizing what I hear about it) This is great right? We are saving water. I get it. Everyone should do it, right? Imagine all of St Helena was mandated by some policy to install fake grass in order to conserve water. We're doing the right thing, right? What did we just do? We created a heat island. Fake grass does not photosynthesize, it doesn't take in carbon dioxide, sequester it in the ground, and produce oxygen. Fake grass doesn't attract pollinators. Say a person who installed fake grass sells their property. The new owner wants to plant native water wise plants, and now has to excavate this fake grass and gravel to dump it into a landfill. To undo the damage is very hard. We cannot try to solve for one thing, without thinking about the others.

I write this to you, as you all signed up and worked hard to get to the positions that you hold. No one assigned you. You chose to take this position on. And I applaud you for your energy and efforts, and I appreciate your drive to make this city a better place. My hope with my comments is to offer everyone a moment to take a step back to see the zoning code changes in a larger context. To not be afraid to ask questions, to seek clarifications, to decide to take more time if needed to review, and to get more information and research about the changes, to question them until they are vetted out fully. Think outside of the box. Do your due diligence. Don't assume someone else is figuring it out, and that you just have to vote like them.

We do need change. This town needs change, in a thoughtful and measured way. The zoning code edits can help, and they can also hurt. Please take enough time, and gather the professionals needed, vet it all out, before you make it into law, do your homework, before you press play.

One person can affect change. Each of you can affect change.

I affected change in St Helena. The speed limit between Madrona/Fulton to Pratt, heading northbound was 35mph. Heading south, coming into town, it is 25mph. Two speed limits on the same stretch of road. I'm sure you all have thought as you drove north, oh yes, I can finally speed up after Fulton/Madrona. There are four pedestrian crosswalks after the speed limit sign of 35. Two at Crinella, one at Elmhurst, one at Pratt. There is a middle school just west of this stretch of road, and a community of many young families on the east. I watched many times in fear, as kids walked home from school, young little middle-schoolers, crossing that street, with giant trucks and speeding cars, and I was terrified. I just became a mom 3.5 years ago. Any other child out there, feels like they're my child. I understand the deep love for a child a mom can have. I thought, I'm going to do something about this.

I wrote emails and made phone calls to the public works dept, city manager, talked to the Mayor at the time. I made a map and diagram, pointed to the sign, the four crosswalks, the school, took a picture of the 35mph sign with the crosswalk just beyond. I followed up, months and months trying to get an understanding of what steps could be done to reduce the speed limit. I had long conversation with Mayor Ellsworth, and he recommended that I join the committees, come to meetings that he was working on,

and that speed limit signs are expensive, and there are a lot of bureaucratic hoops that you have to jump through to get a speed limit sign changed. I accepted all of the challenges.

One day I called the Police department, and asked about the situation, and someone politely told me that they only enforce the signs, but that Caltrans is the jurisdiction who could change the sign. I picked up the phone and I called Caltrans signs and maintenance. A person said I need to speak with the north bay signage supervisor Mr. Gutierrez. I called him, and let him know my concerns, and emailed him with the diagrams I had done. He said he would send it up through engineering. Months passed, and I would gently check in with him. He would respond letting me know that he didn't forget about me, and that engineering was making progress with it. Even more months passed, and it had been over a year since my first inquiry with Public Works about this sign.

I was at work when my husband texted me a photo of a 25mph sign. It took me a moment to realize what it was, and my jaw dropped. Caltrans had a crew out there, installing zebra striping, pedestrian crossing signs, and the 35mph was replaced with a 25mph. I texted Mr. Gutierrez the picture of the sign and a big thank you, I told him he made my year. I was floored that I made that happen, little ol' me. I talked to Mr. Gutierrez, expressed so much gratitude that he helped me reduce the speed limit. He mentioned that the speed limit change actually wasn't part of the engineering, and that he had made that change because it was obvious that it should not be 35mph. He said to me, "You know, I have kids too."

What I want to bring to everyone's attention is that when you think with your heart, doing the right thing follows. As you sit in that chair, holding that pen, having that mic, you hold the power to affect change, so much change. I hope you're not looking over your neighbors' shoulder thinking they're doing the homework so I don't have to. Are you convinced you're ready to put your name on it?

Michelle L. Covell

I would like to make an edit the to my previous comment submitted.

My Bachelor's degree is in Architecture, *at the school* of Environmental Design at UC Berkeley, with High Honors

Public comments Re: Zoning Draft and Joint Meeting held 5/10/2023

My name is Michelle Liu Covell and I am a resident of St Helena since 2015.

Dear Mayor, Vice Mayor, City Council, Planning Commissioners, Staff, and the public.

There are a few points I would like to address regarding the comments made during the meeting held 5/10/23. This is mainly regarding the FAR vs Building Footprint item towards the end of the meeting.

To reference the recording, this begins about 2 hour 19 minutes where Roger Eastman, of Lisa Wise Consulting, addresses FAR for residential zones in response to Mr. Covell's public comment. I have transcribed Mr. Eastman's comment below.

"The decision was made long time ago, working with staff to eliminate FAR from the residential zones. FAR is a blunt instrument for controlling building form for the best of times and a lot of codes in today's best practices are eliminating FAR from residential zones. So you will still see [it] in the commercial zones, and a lot of the form-base code work that I do, where form is a principal code that you're trying to drive, FAR is just too blunt of an instrument, so it's not included. The comment was made that maybe the 2000 SF was too small and that we should eliminate that and we should go back to FAR. Perhaps the answer is, especially given the situation where Mr. Covell had at 2200 SF home, can we not just rely on the setbacks for the zone and just leave it at that? It's just one option that I have not discussed with Director DeRosa but maybe instead of that building footprint limitation, which in their case, would require a second story, because you can certainly build up but it is more expensive of course, he can certainly build up rather than out, so it becomes do we just rely on the setbacks to limit the footprint, or do we stick to we don't want the footprint to grow anymore than it is, therefore require the building up, and he wouldn't have to lose 200 SF. That's his nonconforming building. So that's really the question for you. For someone like Mr. Covell to build up if he wants to expand his home to allow him to expand within the footprint of the setback."

His points in summary as I interpret it:

- FAR is not a good approach in residential zoning
- Perhaps the 2000 SF Max Building Footprint is also not a good approach
- Perhaps letting the setbacks be the only limitation is a better approach

Mayor Dohring mentioned he is a visual learner. Let me provide some graphics of these three approaches.

FAR APPROACH:

The current residential zoning code uses FAR to calculate how much building area can be on a particular parcel. FAR is Floor Area Ratio. In simple terms, it is a percentage. I have copied the MR FAR table below for your visual and provided a graphic example. For example, if you have a 10,000 SF lot, the FAR is .31 (31% of 10,000 sf) and you are allowed 3,100 SF of gross floor area. This approach does not define the building "footprint" but just the max square footage of the building.

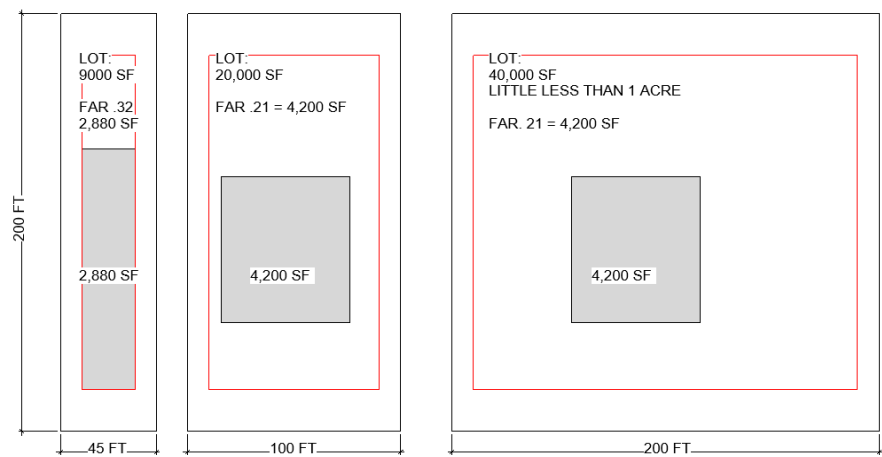
1. The maximum gross floor area is the product of the parcel area multiplied by the floor area ratio (F.A.R.) shown on the table below:

LOT X % =

Net Parcel Area (Square Feet)	Floor Area Ratio (F.A.R.)	Maximum Gross Floor Area (Square Feet)
4,999 and less	—	1,800
5,000	0.36	1,800
6,000	0.35	2,100
7,000	0.34	2,380
8,000	0.33	2,640
9,000	0.32	2,880
10,000	0.31	3,100
11,000	0.30	3,300
12,000	0.29	3,480
13,000	0.28	3,640
14,000	0.27	3,780
15,000	0.26	3,900
16,000	0.25	4,000
17,000	0.24	4,080
18,000	0.23	4,140
19,000	0.22	4,180
20,000 or greater	0.21	4,200

Here is a graphic of the FAR approach based on a 45 x 200ft lot, a 100 x 200ft lot, and a 200 x 200ft lot, with the areas highlighted above. Red line is building setbacks, black line is parcel outline.

FAR

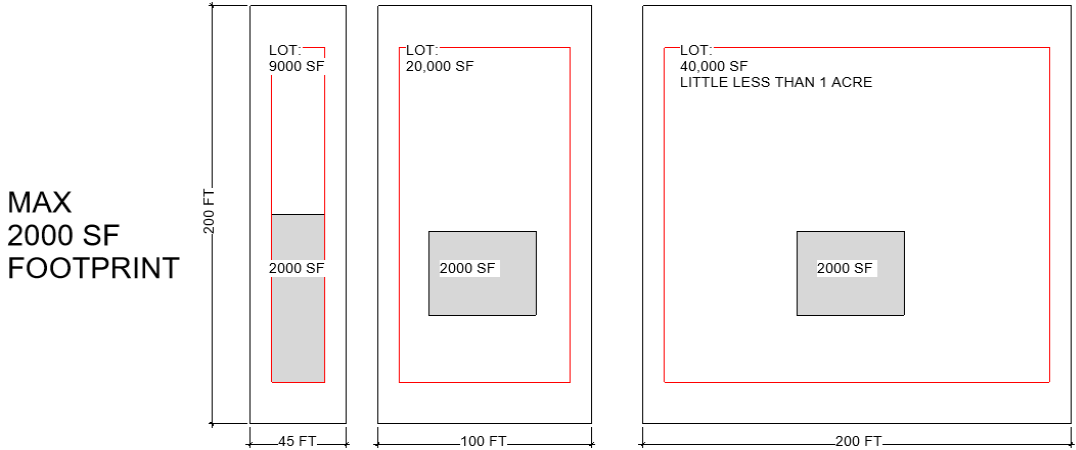


MAX FOOTPRINT APPROACH:

From the Draft Zoning Code October 2022 the suggested change in the code was to put a Max. Primary Building Footprint based on lot widths, which removes the parcel area out of the equation, and gives you a Max. building footprint size based on your lot width. If your lot width is greater than 45ft, your max building footprint is 2000 SF. You could have a lot that is 45ft wide by 200ft long (9000sf) or a 100ft wide by 200ft long (20,000 sf), or a 200ft wide by 200ft (40,000 sf just less than an acre), your Max. building footprint is 2000 sf. See graphic.

Part III: District Regulations

Table 17.16.030: Development Standards – Residential Zoning Districts				
Standard	LR	MR	HR	Key
Max. Primary Building Footprint (excludes accessory structures)	Max. 2,400 sq ft for lots ≤15,000 sq ft; Max. 4,800 sq ft for lots >15,000 sq ft; 1,400 sq ft for detached small lot development	1,800 sq ft for lot widths ≤45 ft; 2,000 sq ft for lot widths >45 ft; 1,400 sq ft for detached small lot development	None; 1,400 sq ft for detached small lot detached	2



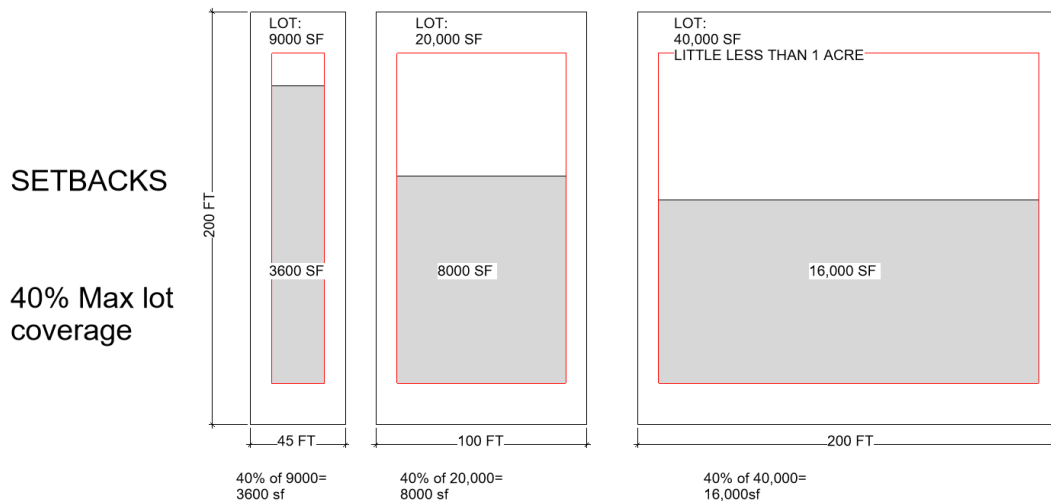
The Max. 2000 SF building footprint approach forces you to build up, a second floor, if you would like to expand your existing home. In existing older homes, foundations and walls were not built with this kind of “future proofing” of building up. To go up, these existing homes could need major foundation retrofits and rebuilding structural walls to handle the added loads of a second story, which in some cases, you might as well tear down the house. Surgery to existing homes can be more costly than just starting from scratch, and building anything in this valley is extremely expensive. Not just construction costs, but all of the design and permitting fees that go along with it.

SETBACKS APPROACH:

Mr. Eastman said FAR is a blunt instrument and is not included in today's best practices. He suggests instead of a building footprint limitation, maybe just rely on setbacks to limit the footprint.

Here's a graphic for that. No FAR, no building footprint limitation, just the setbacks, and maximum lot coverage.

The red lines show the MR zone setback, 20ft front and rear setback, and 10ft sideyard, and using a 40% Max. Lot coverage for MR per the draft code:



My point of these graphics and pause on the two minutes of discussion, is to give you a visual sense of how codes – laws - can significantly impact people, properties, and communities. If you are unable to visualize these significant differences in the words that are written, then please pause and take a moment to try to gain that visual before deciding it should become law.

I'd like to take a moment to discuss social impacts of just this code item. I offer a playout of the option of maximum footprint 2000sf.

A middle-class family of two working parents with 2 children, with aging parents, working in covid times remoting from home, has a 3-bedroom 2-bathroom house, 2000 sf of habitable space here in St Helena, with 1 bedroom converted to a home office, 1 bedroom for the children, 1 bedroom for the parents. There is no space for the grandparents to stay, and the parents would like to have another child. They would like to add 500 sf to their home. With this max 2000 sf footprint, they would need to build up. With construction costs of \$800/SF, construction costs come in around \$400,000.00. As a rough estimate of professional and permit fees around \$200,000 (architect, structural engineer, civil engineer, energy consultants, surveyor, reports etc) and their home is luckily not deemed historic, to add 500 SF, they're looking at \$600,000.00. In this valley, they already are facing extreme costs to live here, to eat here, to support local, and to try to make their \$1million 1960s flipper ranch home work. These are the

“affordable modest” homes of this town currently. How many people can afford to make this addition? Not many.

So what happens? People move farther away, they take their money to buy a bigger house, and work farther away. Let’s say remote work stops for them and they have to start commuting back to the valley for their jobs. Traffic congestion gets worse, pollution gets worse. This change to this code just pushed out a young family trying to make it work here.

More families move away. Schools close. Businesses cannot find employees to fill the jobs we need. Does this sound familiar? We are already living in ripple effects that have been caused by policy makers in this town. Poor foresight and poor planning. Water, lack of funds, etc. This is happening not just in this town, but all over. We are part of the larger urban fabric.

I ask you, are you qualified to make these types of changes? Do you feel like you have a good enough understanding of the codes to understand the repercussions and ripple effects that these laws have on people? Zoning code is Urban planning; Urban planning affects society in so many ways. IT IS NOT JUST WORDS.

Councilmember Lester Hardy said (in addressing Mr. Eastman’s comments regarding FAR vs Setbacks, approx. 2hrs 24 minutes in the video:)

“I think this is an area that merits some care and thought before we make a final determination, what we really want in standards and how they’re going to work. We need to look at what is proposed, thinking that what we will see ultimately is a built environment where some significant number of property owners will build to the limits of whatever envelope is allowed. That’s just how things work in our context. And if we think about that, and we don’t like what that looks like in our imaginations, then you know that’s a reason to think about doing some things differently. And if we look at it, and given the way which we’ve limited that envelope and the other key elements of the standards that we think we’re going to like that environment as it builds out, then we’re good. But I, my own situation, is that I haven’t really thought about it enough to be sure I have a clear sense in my own mind how to grapple with the kinds of questions that Mr. Covell has presented. And as I say, it looks to me like it has different consequences in different settings and I don’t think we should ignore that. So that raises a kind of larger and problematic question about how we manage our process moving forward. I did have a conversation with Director DeRosa earlier today about this and I know there is a lot of interest in getting this all done, and I appreciate and tell anyone who talks to me about this, that perfection can’t be the goal, that doesn’t work, but I think we want to take enough time to be sure on the more challenging questions that have come up through comments and discussions that we’ve taken enough time to be sure we’re comfortable with the answer.... I think when things get hard, I think that’s when we need to slow down. If the decision is difficult and it’s not easy or obvious, that’s when we need to take a little bit more time.”

Key takeaways as I interpret Councilmember Hardy:

- Don’t make a change unless you are **sure** you understand the depth of every word that you are making into law.
- “a lot of interest in getting this all done” – Don’t change something just to get it done, unless you know for sure what you are changing works better than the previous code, and are ready to face the repercussions.

I think this is good advice coming from a lawyer.

As Mayor, Vice Mayor, City Council, Planning Commissioners, staff, as you partake in this law decision making – do you feel qualified to make a ruling on this? If not, recuse yourself. Please don't just vote if you're unsure. Be 100% sure.

Writing zoning codes should be done by people who understand historically, visually, economically, and socially the impacts that will come out of it.

Once you put this zoning code into effect, it applies to everyone. It is unclear whether there will even be any recourse. If anyone has a special case, or an undue hardship, they may have to go through a Variance process if even allowed. If a code turns out not well thought-out, the city will need to try to amend this code. In either case, this is time-consuming and costly, not just the processing fees, but also the professional fees. This will have made it harder for people to build, to live, and to thrive here. This will push out the low income, middle class, and any diversity.

If the goal is to make things easier, please do so. Really understand what you are doing. The words become Law, and that has ripple effects that will reverberate for years to come.

Here is screen cap of the Variance fees for reference, not including what professional fees cost to do the drawings/reports/documents for the submittal.

PROCESSING FEES:		
☐	Variance	\$4,500
☐	Public Hearing Notice	\$600

ADDITIONAL SUBMITTAL FEES:		
The City of St Helena development application fee schedule anticipates review of up to two submittals for each project. Full application fees are due upon the first submittal.		
If after review of a second submittal, any department identifies additional issues or discrepancies which require further plan revision and resubmittal, the applicant may be required to pay an additional fee to cover the staff time involved to review these revised plans.		
Any additional plan check fees are due at the time of resubmission and will be based on the hourly costs associated with the review of the plan revisions, typically resulting in an additional fee of approximately 25%-50% of the initial application fee.		
Providing a complete resubmittal package which clearly responds to all identified issues and comments is the best way to avoid these additional fees being assessed.		

My background: I am an architect licensed in California; I have been working in St Helena since 2015 with my husband Charles Covell. Prior to that, I worked in San Francisco for another 10 plus years in single family residential, master planning, hospitality, higher education, and commercial projects. I have a Masters in Architecture from CCAC and a Bachelors in Environmental design and Architecture from UC Berkeley.

I can visualize these words. My question is, can you? Even with my background, I am not an urban planner, and I do not claim to know the answers. However, I can see within just a few minutes of the meeting yesterday, that visuals are needed, and the team making these proposed law changes need to talk more about what they are writing. **And if you are unsure of something, don't write it into law.**

(I am the lady with the very well-behaved toddler at the joint meeting yesterday)

Thank you for your time. Respectfully, Michelle Liu Covell



BLUE ZONES PROJECT

May 10, 2023

**City of St. Helena City Council
& Planning Commission**

1088 College Avenue
St. Helena, CA 94574

Dear Council Members & Commissioners,

Blue Zones Project Upper Napa Valley would like to express support for the City of St. Helena's comprehensive zoning code update. This update presents the city with an opportunity create a more livable community for all residents.

Blue Zones Project supports changes and enhancements to the community's built environment, which can be accomplished by revising zoning codes to create the type of community that residents envision. Adopting best practices in the city's zoning codes can foster a more walkable and bikeable city, support affordable housing, and create a city where innovative businesses thrive.

In closing, we encourage the city adopt proven best practices on the built environment, prioritizing modes of active transportation and livable community development to align with the long-term needs and goals of the entire community.

In health,



Joaquin E. Razo
Executive Director



Kelly Bond
Kelly Bond
Public Policy Advocate

1422 Main Street
St. Helena, CA 94574

POWERED BY:

