



City of St. Helena
Regular City Council Meeting
Tuesday, April 23, 2024 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes. The Mayor may reduce the four minute time limit for all speakers in circumstances where a large number of citizens intend to make public comment.

Public comment for meetings will be accepted via email to publiccomment@cityofstheleena.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.

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://stheleena.civicweb.net/portal/>.

Page

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

Estimated start time: 6:05 p.m.

- 5.1. Consideration and proposed approval of Regular Meeting Minutes of April 9, 2024.

9 - 16

[04-09-2024 Regular City Council - Minutes](#)

6. PUBLIC FORUM:
Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Each person's comments shall be limited to 4 minutes. Each person is entitled to speak on any non-agendized item only once at any meeting. Brief questions by Council Members for clarifications may be posed and answered, and Council Members may make requests that items be placed on future agendas, but in accordance with state law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.

Estimated start time: 6:10 p.m.

7. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, AND

AB 1234 REPORTS:

Reports by staff and/or Council Members on items of general interest. Brief questions for clarification may be posed and answered, and Council Members 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.

Estimated start time: 6:15 p.m.

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 8.1. Proclamation for Historic Preservation Month May 2024 presented to Executive Director of Napa County Landmarks, Christine French

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Estimated start time: 6:20 p.m.

[Proclamation](#)

9. STAFF BRIEFING

10. CONSENT ITEMS

Members of the Council or the public (present at the meeting) may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

Estimated start time: 6:30 p.m.

- 10.1. Approval of a resolution approving a Professional Services Agreement with Land Revision for Fire Fuel Abatement Services for a Two (2) year contract period for a total amount Not-To-Exceed \$300,000 with one additional 1-year extension and authorizing the City Manager to execute the agreement.

19 - 39

CEQA Determination: Not a CEQA project

Prepared By: Lesley Milton, Asst. to the City Manager

Recommendation:

Approve a resolution authorizing execution of the contract.

[Staff Report - Pdf](#)

- 10.2. Consideration of a Resolution to set a Public Hearing for 6:00 p.m. Tuesday, June 11, 2024, to consider objections to the proposed annexation of the property known as 2126 Madrona Avenue, St. Helena, CA (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.

41 - 49

CEQA Determination: Not a CEQA project

Prepared By: Rebecca White, Administrative Assistant

Recommendation:

It is recommended City Council approve the Resolution and set a Public Hearing for June 11, 2024 to consider objections to the proposed annexation of the property known as 2126 Madrona Ave (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.

[Staff Report - Pdf](#)

- 10.3. Approval of a Resolution authorizing a Sign-on and Retention Bonus for the Water Chief Plant Operator and Wastewater Chief Plant Operator classifications in the amount of \$25,000 paid over a 36-month period. 51 - 54
- CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Administrative Services Director
Recommendation:
Staff recommends approval of the attached resolution.
[Staff Report - Pdf](#)
- 10.4. Consideration and proposed approval of a resolution approving a joint use agreement with St. Helena Unified School District for City use of the Vintage Hall Board Room through June 30, 2028 for a total cost not to exceed \$55,000. 55 - 63
- CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzafopoulos, City Clerk
Recommendation:
Adopt the resolution.
[Staff Report - Pdf](#)
- 10.5. March 2024 Review and Forecasting of City Water Supply Availability. 65 - 70
- CEQA Determination: Not a CEQA project
Prepared By: Ian Dale, Environmental Services Tech
Recommendation:
Receive and file.
[Staff Report - Pdf](#)
- 10.6. Proposed Approval of Resolution Approving Amendment No. 5 to the Professional Services Agreement with Willdan Financial Services in the amount of \$9,800 for a Total Contract Not-to-Exceed Amount of \$131,235 for a User Fee Study Update. 71 - 112
- CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Administrative Services Director
Recommendation:
Staff recommends approval of the attached resolution.
[Staff Report - Pdf](#)
- 10.7. Proposed approval of a resolution authorizing an administrative budget line-item correction in the amount of \$86,308 for an administrative amendment correction related to Murray Building, Inc. for the completed project No. C22-0001, Napa Valley Tenant Improvements. 113 - 151
- CEQA Determination: Not a CEQA project
Prepared By: Yosselyn Valencia, Finance Manager
Recommendation:
Staff recommends approval of the attached resolution.
[Staff Report - Pdf](#)
- 10.8. Consideration and approval of a resolution authorizing the City Manager to execute a Professional Services Agreement with 153 - 200

Devastating Pyrotechnics, Inc., in the amount of \$40,000 for the July 4, 2024 fireworks display.

CEQA Determination: Not a CEQA project

Prepared By: Dave Jahns, Parks & Recreation Director

Recommendation:

Staff recommends reviewing the proposed plan for the 4th of July and provide direction to staff. If comfortable moving forward with a fireworks display, authorize the City Manager to enter into a Professional Services Agreement with Devastating Pyrotechnics, Inc.

[Staff Report - Pdf](#)

11. PUBLIC HEARINGS

Estimated start time: 6:40 p.m.

- 11.1. Approval of introduction and first reading of an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) to update the General Plan's Land Use Map (Figure 2.1) and Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) referenced in St. Helena Municipal Code Section 17.01.070, to bring these maps into conformance with the City's adopted 2023-2031 Housing Element, and find that the proposed changes are consistent with the adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element. 201 - 1173

CEQA Determination: General Plan Environmental Impact Report Addendum pursuant to CEQA Guidelines Section 15164

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Approval of introduction and first reading by title only and waive further reading of the proposed Ordinance to:

1. Find that the proposed changes to General Plan Figure 2.1 and the City's Zoning Map are consistent with adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element and in compliance with the California Environmental Quality Act; and
2. Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps; and
3. Consider directing staff to analyze the feasibility of other units to replace Site 10 after adoption of the Ordinance and recertification of the Housing Element by HCD.

[Staff Report - Pdf](#)

[Presentation](#)
[FAQ Opportunity Site 10](#)
[Public Comment. Ariana Peju](#)
[Public Comment. Caroline Sjostedt](#)
[Public Comment. Jessica Stielu](#)
[Public Comment. Lizette Fiallo](#)
[Public Comment. Pat Friday](#)
[Public Comment. Brian Driscoll](#)
[Public Comment. Patrice Ferguson](#)
[Public Comment. Gemma Hanna.](#)
[Public Comment. Linda Reiff.](#)
[Public Comment. Nancy King.](#)
[Public Comment. Tina & Tom DeGeorgio.](#)
[Public Comment. William Wagner.](#)
[Public Comment. Ian White.](#)
[Public Comment. Laura Keir](#)
[Public Comment. Anthony Filippis](#)
[Public Comment. Karen Williams](#)
[Public Comment. Christy and Peter Palmisano](#)
[Public Comment. Garth Neil](#)
[Public Comment. LisaMarie Andersen](#)
[Public Comment. Danielle Davis.](#)
[Public Comment. Susan Kenward.](#)
[Public Comment. Mike Quaglia](#)
[Public Comment. Maxine L. Angell](#)
[Public Comment. Amy Particelli](#)
[Public Comment. Ana Canales & Bruce Streblow](#)
[Public Comment. Jessica Hague](#)
[Public Comment. David Prueter](#)
[Public Comment. 20240423 Water Audit Comment Letter re Housing Element](#)
[Public Comment. 20240423 Attachment to Water Audit Comment re Housing Element](#)
[Public Comment. Elaine Lund](#)
[Public Comment. Rick Tooker](#)
[Public Comment. Jeannie Kerr](#)
[Public Comment. Patti Antonaccio](#)

- 11.2. Introduction and First Reading of an Ordinance Adding Chapter 8.44 to Title 8 (Boarded and Vacant Buildings) of the St. Helena Municipal Code. 1175 - 1184

CEQA Determination: Exempt

Prepared By: Ethan Walsh, City Attorney

Recommendation:

Introduce by title only and waive further reading of an Ordinance Adding Chapter 8.44 to Title 8 (Boarded and Vacant Buildings) of the St. Helena Municipal Code.

[Staff Report - Pdf](#)

12. OLD BUSINESS

None

13. NEW BUSINESS

None

14. CITY COUNCIL REPORTS:

14.1. A. Association of Bay Area Governments (ABAG) - Executive Board

B. Association of Bay Area Governments (ABAG) - General Assembly

C. Napa Valley Tourism Corporation (Umbrella for Napa County)

D. League of California Cities – North Bay Division

E. Napa County City Selection Committee

F. Napa County Flood Control and Water Conservation District

G. Youth Opportunities Commission

H. Napa County Local Agency Formation Commission (LAFCO)

I. Napa Valley Transportation Authority (NVTa)

J. Napa County Watershed Information Center & Conservancy (WICC)

K. Upper Valley Waste Management Agency

L. Napa County Groundwater Sustainability Plan Advisory Committee

M. Napa County Regional Climate Action Committee

N. Council Ad Hoc and Standing Committee Reports

15. ADJOURNMENT

The next Regular City Council meeting is scheduled for May 14, 2024, 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 April 18, 2024.



Cindy Tzaferopoulos, City Clerk

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 72 hours prior to the meeting as required by

Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the City Clerk's Office located at 1088 College Avenue, St. Helena, California, during normal business hours and by appointment. In addition, such writings or documents will be made available on the City's web site at <https://sthelena.civicweb.net> and will be available for public review at the respective meeting.

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, April 9, 2024 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

A complete video recording of this meeting, except for closed session, can be found at <https://sthelena.civicweb.net/Portal/> or by calling the City Clerk at (707) 968-2742. The City Council video is the official record of the Council meeting.

Present: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

Absent: None

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF THE AGENDA**

4.1

Vice Mayor Eric Hall moved to adopt the agenda as presented. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

5. APPROVAL OF MINUTES

- 5.1** Consideration and proposed approval of Regular Meeting Minutes of March 26, 2024.

Vice Mayor Eric Hall moved to approve the Regular Meeting Minutes of March 26, 2024. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna

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Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

6. PUBLIC FORUM:

No public comment was received.

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

Staff provided reports.

Council Member Chouteau and Vice Mayor Hall provided report.

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 8.1 Proclamation recognizing "National Donate Life Month Proclamation" presented to Donene Vukovich, Donor Network West Community Engagement Specialist and former Mayor of St. Helena Ann Nevero

9. STAFF BRIEFING

None

10. CONSENT ITEMS

Members of the Council or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

- 10.1 Consideration of a resolution approving a permit allowing the possession of open alcoholic beverages on the closed portion of Adams Street during the Rianda House Car Show Event scheduled for May 4, 2024.

CEQA Determination: Not a CEQA project
Prepared By: Rebecca White, Administrative Assistant
Recommendation:
Staff recommends approval of the attached resolution.

- 10.2 Approval of second reading of Ordinance adding Chapter 18.01 to the St. Helena Municipal Code adopting the Vehicle Miles Traveled (VMT) metrics for new development.

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CEQA Determination: Not a CEQA project
Prepared By: Eric Janzen, Assistant Public Works Director
Recommendation:

Approval of a second reading by title only and waive further reading of the proposed ordinance.

- 10.3 Consideration of a Resolution to set a Public Hearing for 6:00 p.m. Tuesday, May 14, 2024, to consider objections to the proposed annexation of the property known as 2126 Madrona Avenue, St. Helena, CA (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.

CEQA Determination: Not a CEQA project
Prepared By: Rebecca White, Administrative Assistant
Recommendation:

It is recommended City Council approve the Resolution and set a Public Hearing for May 14, 2024 to consider objections to the proposed annexation of the property known as 2126 Madrona Ave (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.

Vice Mayor Eric Hall moved to approve 10.1 through 10.3. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 10.4 This item was removed from consent.

~~Consideration and proposed approval of a resolution: (1) Duly approving and adopting a publicly available pay schedule in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5, which includes a revised salary schedules for the Mid-Managers and the Executive Staff, and (2) Approving reclassifications for three positions and updating the Mid-Manager and Executive Unrepresented Compensation Program (14th Amendment) to reflect this change per Council direction to create a new Community Services Department.~~

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Assistant City Manager, Mandy Kellogg,
Administrative Services Director
Recommendation:

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Approve the attached resolution.

- 10.4 Consideration and proposed approval of a resolution: (1) Duly approving and adopting a publicly available pay schedule in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5, which includes a revised salary schedules for the Mid-Managers and the Executive Staff, and (2) Approving reclassifications for three positions and updating the Mid-Manager and Executive Unrepresented Compensation Program (14th Amendment) to reflect this change per Council direction to create a new Community Services Department.

Vice Mayor Eric Hall moved to approve 10.4. The motion was seconded by Council Member Billy Summers and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

11. PUBLIC HEARINGS

- 11.1 First Public Hearing of the Proposed Adoption of a City Charter.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Assistant City Manager

Recommendation:

Approve the proposed city charter language for the November 5, 2024 ballot.

Assistant City Manager Mitts reported on item.

Public Comment was received by: Rich Corsetti, Chris Warner, Anthony Micheli and Karen Responski

Vice Mayor Eric Hall moved to approve the proposed city charter language for the November 5, 2024 ballot. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

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Mayor Dohring called for a 10-minute break at 7:39 p.m. Council reconvened at 7:49 p.m.

12. OLD BUSINESS

None

13. NEW BUSINESS

- 13.1 Consideration of a Resolution to Appoint an Applicant to Fill the Planning Commission Vacancy

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:
Appoint an applicant to the Planning Commission.

City Clerk Tzaopoulos reported on item.

No public comment was received.

Mayor Paul Dohring moved to appoint Hector Lopez to the Planning Commission. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 13.2 Direct staff to prepare a report to the City Council pursuant to California Elections Code Section 9212 analyzing the impacts and effects of the Noble House proposal titled, "St. Helena Agritourism Initiative."

Estimated start time: 7:00 p.m.

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Assistant City Manager
Recommendation:
Authorize the preparation of a 9212 Report.

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City Manager Ethan Walsh reported on item.

Public Comment was received by Rich Corsetti, Anthony Micheli and Tom Belt.

It was the consensus of the City Council to direct staff to complete the California Elections Code Section 9212 report analyzing the impacts and effects of the Noble House proposal titled, "St. Helena Agritourism Initiative."

Vice Mayor Eric Hall moved to extend the meeting beyond 9:00 pm. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

13.3 Item 13.4 was heard out of order from the agenda and before item 13.3.

Discussion and Direction Regarding Downtown Sidewalk Rehabilitation strategies between Adams Street and Mitchell Drive

CEQA Determination: Not a CEQA project

Prepared By: Joseph Leach, Public Works Director and City Engineer, Lesley Milton, Asst. to the City Manager

Recommendation:

Provide direction to staff regarding preferences of the proposed options for sidewalk improvements.

Director Joseph Leach presented on item.

Public comment was received by Deanna Griffin and Anthony Micheli.

It was the consensus of Council to direct staff to move forward with option A1 which would remove and re-install all existing pavers, remove 34 trees and replant trees at a \$51,000 cost. Sewer laterals would not be replaced at this time and existing concrete sidewalk would remain.

Vice Mayor Eric Hall moved to extend the meeting beyond 9:30 pm. The motion was seconded by Council Member Billy Summers and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna

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Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 13.4 Proposed Approval of a Resolution Authorizing Hiring of Professionals for a Water Bond Financing Transaction Related to Funding for Water Capital Improvement Projects.

CEQA Determination: Not a CEQA project

Prepared By: Joseph Leach, Public Works Director and City Engineer, Mandy Kellogg, Administrative Services Director

Recommendation:

Approve the attached resolution.

Public Works Director Joseph Leach presented on item.

There was no public comment.

Vice Mayor Eric Hall moved to approve the resolution. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

14. CITY COUNCIL REPORTS:

- 14.1 A. Association of Bay Area Governments (ABAG) - Executive Board
- B. Association of Bay Area Governments (ABAG) - General Assembly
- C. Napa Valley Tourism Corporation (Umbrella for Napa County)
- D. League of California Cities – North Bay Division
- E. Napa County City Selection Committee
- F. Napa County Flood Control and Water Conservation District

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G. Youth Opportunities Commission

H. Napa County Local Agency Formation Commission (LAFCO)

I. Napa Valley Transportation Authority (NVTa)

J. Napa County Watershed Information Center & Conservancy (WICC)

K. Upper Valley Waste Management Agency

L. Napa County Groundwater Sustainability Plan Advisory Committee

M. Napa County Regional Climate Action Committee

N. Council Ad Hoc and Standing Committee Reports

15. ADJOURNMENT

Mayor Dohring adjourned the meeting at 9:41 p.m.

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzafopoulos, City Clerk



St. Helena City Council

PROCLAMATION

Historic Preservation Month - May 2024

WHEREAS, the National Historic Preservation Act of 1966 inaugurated the National Historic Preservation Act, championing the protection and adaptive re-use of America's historic, cultural, and archaeological treasures;

WHEREAS, St. Helena is rich with diverse historic assets, including mid-century modern design, Art Deco civic structures, ghost wineries, Victorian-era commercial buildings, and one-of-a-kind residences, which tell the unique story of our region and the community;

WHEREAS, since its founding in 1974, Napa County Landmarks has been pivotal in safeguarding our architectural heritage through education, advocacy, and direct action, ensuring that our historical landscape endures for future generations;

WHEREAS, Napa County Landmarks enhances community engagement and economic vitality by organizing events and programs that highlight the importance and benefits of preserving our historical environment;

WHEREAS, Napa County Landmarks honors the dedication of individuals and groups throughout the year, celebrating outstanding efforts in restoration and adaptive reuse that exemplify best practices in historic preservation;

Now, Therefore, Be It Resolved that I, Paul Dohring, Mayor of St. Helena, along with the St. Helena City Council, do hereby proclaim, May as Historic Preservation Month recognizing Napa County Landmarks and the vital role of historic preservation in enhancing our quality of life, strengthening our communities, promoting economic development, and fostering a deeper connection to our shared heritage.

Dated: April 23, 2024

Paul Jamison Dohring, Mayor



Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Public Works

DATE:	April 23, 2024
FROM:	Lesley Milton, Asst. to the City Manager
SUBJECT:	Approval of a resolution approving a Professional Services Agreement with Land Revision for Fire Fuel Abatement Services for a Two (2) year contract period for a total amount Not-To-Exceed \$300,000 with one additional 1-year extension and authorizing the City Manager to execute the agreement.
RECOMMENDED ACTION:	Approve a resolution authorizing execution of the contract.
PREVIOUS COUNCIL ACTION:	None.
STATEMENT OF THE PURPOSE:	To approve a contract for fire fuel weed abatement services.
FINANCIAL IMPACT:	The Financial Impact for the initial two-year contract period is a total not-to-exceed amount of \$300,000, with an option for one (1) one-year extension for an additional \$150,000 per year. The FY24 Operating Budget includes the \$150,000 for FY24 services, therefore no budget adjustment is required. If approved staff would incorporate ongoing costs into future fiscal years for the length of the contract.

BACKGROUND:

In 2020 there were two wildfires that occurred in St. Helena and there are remnants of dead and downed trees. Additionally, each year spring rains bring additional vegetation that by summer can create hazardous fuel opportunities. As a way to mitigate this fuel situation and protect the community from future wildfire, city code requires the elimination of fire fuel by June 1st of each year.

St. Helena's Municipal Code Section 8.08.010 reads:

"On or before June 1st every year, dead, decayed, uncultivated vegetation, which are hazardous, or may cause a danger to public safety, cut and/or removed to a maximum of 4" in height. This expectation applies to private properties and public properties."

Public Works staff have historically been maintaining all public spaces independently, but the level of work has exceeded the capacity of existing staff. It is in the public's best

interest to request the assistance of an outside firm to augment the existing staff capacity to reduce vegetation that could be used as fuel preventing, future wildfires.

On February 12, 2024, the City initiated a request for proposals specifically was seeking a qualified firm to provide on-call fuel and vegetation abatement services for annual fuel reduction, weed abatement, maintaining fire breaks, additional vegetation removal and other minor maintenance items, as needed throughout the city on public lands. The proposed agreement would be for two years initially with the ability to extend for an additional one year. Services are expected to commence no later than April each year and will continue until the culmination of fire season through October. All services must comply with the standards set by the U.S. Fire Administrations Wildland Urban Interface best practices and regulations.

DISCUSSION:

On February 22, 2024, the Fire Chief and Assistant Public Works Operations Manager conducted a site visit of the 12 specific locations that were to be included as part of this contract. Nine firms were present during the site visit. Proposals were due on March 4, 2024 and there were six proposals were received.

The Fire Department in partnership with the Public Works Department reviewed all of the submitted proposals and deemed them all to be responsive. The review team also ranked each service provider based on demonstrated competence and qualifications for the types of services to be performed at a fair and reasonable price to the public. The team evaluated all proposals according to the following criteria:

- Qualifications of Team
- Project Understanding and Approach
- Work Plan / Scope of Work
- Similar Experience / References
- Cost
- Local Preference

The Service Provider Rankings are as follows:

Hanford Applied Restoration and Conservation	89.3
Land Revision	84.7
Professional Tree Care	79.3
Atlas Tree Care	62.3
Mountain F Enterprises	54.7
VP Hauling	48.7

Although Hanford was the highest ranked vendor, they did not accept the City services within the budgeted amount of the contract. The next responsive bidder was Land Revision. City Staff met with Land Revision who agreed to the contract terms provided

in the RFP. The City now seeks to enter into a two-year contract for fire fuel weed abatement Services with Land Revision. While this service will help augment the impact of our Public Works Crews, the bids came in higher than the budgeted service amount. Staff will be working with both the St. Helena Professional Firefighters Association as well as the St. Helena Employee Association to gauge ability to offer overtime opportunities to qualified positions to assist during non-working hours for additional weed abatement services. Through a portfolio approach, the City will have the ability to mitigate wildfire possibilities and keep our public spaces maintained within our allowable budget.

ENVIRONMENTAL REVIEW:

This is not a CEQA project.

GOAL:

Goal 2: Improve Infrastructure & Further Environmental Sustainability
Goal 5: Enhance Quality of Life

DOCUMENTS ATTACHMENTS:

[20240423 Draft Resolution Fire Fuel Maintenance RFP](#)
[20240423 PSA Land Revision](#)

CITY OF ST. HELENA

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST.
HELENA APPROVING A PROFESSIONAL SERVICES
AGREEMENT WITH LAND REVISION FOR FIRE FUEL
ABATEMENT SERVICES FOR A TWO (2) YEAR CONTRACT
PERIOD FOR A TOTAL AMOUNT NOT-TO-EXCEED COST OF
\$300,000 WITH UP TO ONE ADDITIONAL 1-YEAR EXTENSION
AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
AGREEMENT**

RECITALS

- A. WHEREAS, In 2020 there were two wildfires that occurred in St. Helena and there are remnants of dead and downed trees; and
- B. WHEREAS, Additionally each year spring rains bring additional vegetation that by summer can create hazardous fuel opportunities; and
- C. WHEREAS As a way to mitigate this fuel situation and protect the community from future wildfire, St. Helena's Municipal Code Section 8.08.010 requires that "or before June 1st every year, dead, decayed, uncultivated vegetation, which are hazardous, or may cause a danger to public safety, cut and/or removed to a maximum of 4" in height. This expectation applies to private properties and public properties."; and
- D. WHEREAS Public Works staff have historically maintained all public spaces independently, but the level of work has exceeded the capacity of existing staff; and
- E. WHEREAS it is in the public's best interest to request the assistance of an outside firm to augment the existing staff capacity to reduce vegetation that could be used as fuel preventing, future wildfires.
- F. WHEREAS on February 12, 2024 the City issued a request for proposals specifically was seeking a qualified firm to provide on-call fuel and vegetation abatement services for annual fuel reduction, weed abatement, maintaining fire breaks, additional vegetation removal and

other minor maintenance items, as needed throughout the city on public lands.

- G. WHEREAS, bids were received on March 4th and there were six responsive proposals. All six were reviewed by a team of staff from the Fire and Public Works departments and ranked according to the established criteria.
- H. WHEREAS City Staff have determined that Land Revision the most responsive bidder and seeks to enter into a two-year contract for fire fuel weed abatement Services.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

1. Authorizes the execution of a Professional Service Agreement with Land Revision for fire fuel abatement services for an initial two years for an amount not-to-exceed \$300,000.00 with one optional one-year extension.
2. Authorizes the City Manager to execute the agreement.

Approved at a Regular Meeting of the St. Helena City Council on April 23, 2024, by the following vote:

Mayor Paul Dohring: _____

Vice Mayor Eric Hall: _____

Council Member Anna Chouteau: _____

Council Member Billy Summers: _____

Council Member Patrick Kenealy: _____

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzafopoulos, City Clerk

**CITY OF ST. HELENA
PROFESSIONAL SERVICES AGREEMENT
Fuel Vegetation (Weed) Abatement Services**

This Agreement is made and entered into as of April 23, 2024 by and between the City of St. Helena, a public agency organized and operating under the laws of the State of California ("City"), and Land Revision with its principal place of business at 3702 Petaluma Boulevard North, Petaluma, CA 94952 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. City is a public agency of the State of California and is in need of professional services for the following project:

Annual Fuel Vegetation Abatement services at various locations throughout the City.

B. Consultant is duly licensed and has the necessary qualifications to provide such services.

C. The Parties desire by this Agreement to establish the terms for City to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the City with the services described in the Scope of Services attached hereto as Exhibit "A."

2. Compensation.

a. Subject to paragraph 2(b) below, the City shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit "B."

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of \$300,000.00. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the City, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a written proposal outlining the changes shall be forwarded to the City by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the City and executed by both Parties before performance of such services, or the City will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

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Fire Fuel and Weed Abatement Services – Land Revision

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by City.

5. Term of Performance

The term of this Agreement shall be from **April 23, 2024** to **April 22, 2026** unless earlier terminated as provided herein. The Parties may, by mutual, written consent, extend the term of this Agreement if necessary to complete the Project. Consultant shall perform its services in a prompt and timely manner within the term of this Agreement and shall commence performance upon receipt of written notice from the City to proceed ("Notice to Proceed"). The Notice to Proceed shall set forth the date of commencement of work.

Consultant shall perform its services in a prompt and timely manner and shall commence performance upon receipt of written notice from the City to proceed ("Notice to Proceed"). Consultant shall complete the services required hereunder according to the schedule established in the Scope of Work Exhibit A. The Notice to Proceed shall set forth the date of commencement of work.

6. Delays in Performance.

a. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the City, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care; Performance of Employees

a. Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

b. Consultant's employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them. Consultant represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, including a City Business License, and that such licenses and approvals shall be maintained throughout the term of this Contract. As provided for in the indemnification provisions of this Contract, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein. Any employee of the Consultant or its sub-consultants who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

9. Assignment and Subcontracting

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the City, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates and subcontractors as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of City. No employee or agent of Consultant shall become an employee of City. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from City as herein provided.

11. Insurance. Consultant shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

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Fire Fuel and Weed Abatement Services – Land Revision

(iii) Commercial General Liability Insurance must include coverage for the following:

- (1) Bodily Injury and Property Damage
- (2) Personal Injury/Advertising Injury
- (3) Premises/Operations Liability
- (4) Products/Completed Operations Liability
- (5) Aggregate Limits that Apply per Project
- (6) Explosion, Collapse and Underground (UCX) exclusion deleted
- (7) Contractual Liability with respect to this Agreement
- (8) Property Damage
- (9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give City, its officials, officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give City, its officials, officers, employees, agents and City designated volunteers additional insured status.

(iv) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be endorsed to include contractual liability applicable to this Agreement and shall be written on a policy form specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

Combined Single Limit

Commercial General Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	\$1,000,000 combined single limit
Employer's Liability	\$1,000,000 per accident or disease
Professional Liability	\$1,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and

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amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the City or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

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Fire Fuel and Weed Abatement Services – Land Revision

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(iii) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(iv) Neither the City nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

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a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions as applicable shall include, but shall not be limited to: (A) adequate life protection and life-saving equipment and procedures; (B) instructions in accident prevention for all employees and subcontractors, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

15. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

16. INTENTIONALLY DELETED17. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a the Superior Court of California for the County of Napa.

18. Termination or Abandonment

a. City has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, City shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. City shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by City and Consultant of the portion of such task completed but not paid prior to said termination. City shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to City only in the event of substantial failure by City to perform in accordance with the terms of this Agreement through no fault of Consultant.

19. Ownership of Documents and Confidential Information.

a. All deliverables and other documents generated by Consultant in the performance of the Services, including all work papers, work-in-progress, designs, drawings, documents, data, computations, specifications, studies and reports prepared by Consultant as a part of the Services or authorized Additional Services ("Consultant Work Product") shall belong to and be subject to the sole ownership and use of City.

b. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, drawings and specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the City.

c. During the course of the performance of this Agreement, Consultant may receive written or verbal information from City, its representatives or agents, not in the public domain. Such information may include City's know how, trade secrets, and other proprietary

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Fire Fuel and Weed Abatement Services – Land Revision

and confidential information and Consultant agrees to treat such information as confidential information belonging to City. Consultant agrees that neither it, nor its officers, employees, representatives, agents, successors, or assigns, will disclose such information to any third party or use the same in any manner without the prior written consent of City. Moreover, Consultant agrees to safeguard such proprietary and confidential information from unauthorized disclosure and/or use using the same degree of care it uses to protect its own proprietary and confidential information, but not less than a reasonable standard of care. In the event that disclosure of such information is sought pursuant to any law or regulation, Consultant shall promptly notify City of such fact to allow City to assert whatever exclusions or exemptions may be available to it under applicable law or regulation.

20. Organization

Consultant shall assign David Levy as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the City.

21. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above.

22. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

CITY:

City of St. Helena

1088 College Avenue

St. Helena, CA 94574

Attn: Fire Chief

CONSULTANT:

Land Revision

3702 Petaluma Boulevard North

Petaluma, CA 94954

and shall be effective upon receipt thereof.

23. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

24. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

25. Entire Agreement

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Fire Fuel and Weed Abatement Services – Land Revision

This Agreement, with its exhibits, represents the entire understanding of City and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

26. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

27. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

28. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

29. Time of Essence

Time is of the essence for each and every provision of this Agreement.

30. City's Right to Employ Other Consultants

City reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

31. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

[SIGNATURES ON FOLLOWING PAGE]

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Fire Fuel and Weed Abatement Services – Land Revision

**SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF ST. HELENA
AND LAND REVISION**

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ST. HELENA

Land Revision

By: _____
Anil Comelo
City Manager

By: Shane Hudlin Shane Hudlin
Shane Hudlin
Owner LAND Revision

ATTEST:

By: _____
Ethan Walsh, City Attorney

EXHIBIT A

Scope of Services

General

The properties upon which weed abatement and/or removal shall be done consist of publicly owned property, both undeveloped and developed upon which combustible material and/or hazardous vegetation could form a fire hazard. The scope of services includes all work to perform hazard abatement at numerous sites as identified in Attachment A and any additional locations deemed necessary by the Fire Department

These properties contain all or some of the following:

- Dead annual grasses and weeds
- Brush
- Dead, Dying and Diseased trees
- Healthy trees which not been maintained to remove ladder fuels
- Rubbish

The minimum areas of fuel and weed abatement are indicated Attachment A, however, other areas to be determined based on need, acquisition of property, and budget. Not all locations may be subject to the same levels for fuel and weed abatement, and all services needed will be dependent upon rainfall and propagation of vegetation over the course of the season.

By June 1st of each year, services will be required at all sites. Contractor will notify the City Fire Chief or Public Works designated staff member within 48 hours of site completion and inspect the site. Through the remainder of the season, the Fire Chief will monitor vegetation growth and request services from the Contractor any time the vegetation may be non-compliant with the Municipal Code. Once the Contractor has been notified for the request for additional, site-specific services, the Contractor has 48 hours to acknowledge receipt of the request and inform the City of the schedule to perform services. It is estimated that each site will have a minimum of 1 service and a maximum of 4 abatement services. The Fire Chief will declare the end of fire season, which runs typically through October. All vegetation will need to be cut to no less than 2" and no more than 3" for each service to verified and inspected by the Fire Chief.

Performance Standards and Specifications

1. Intent of Specifications

The intent of the specifications is to describe the details for the completion of the work, which the Contractor agrees to perform in accordance with the terms of the contract. Where the specifications describe portions of the work in general terms but not in complete detail, it is understood that only the best general practice is to prevail and that only materials and workmanship of the first quality are to be used. Unless otherwise specified, the Contractor shall furnish tools, equipment and incidentals, and perform all the work involved in executing the contract in a satisfactory and workmanlike manner.

2. General Specifications

a) **Reporting/Tracking**

The Contractor shall provide a description of their methods and Quality Control Program. The Contractor shall provide the City with updates of areas that are completed and ready for inspection within 48 hours of abatement. The Contractor shall monthly submit to the City a maintenance report covering the billing period, containing detailed information on the abatement services performed during that period. The report should provide information including, but not be limited to:

- i. Time and date the work was performed;
- ii. Any pending additional work needed at each site (if applicable);
- iii. Photos demonstrating the completion of work at each site; and
- iv. Detailed cost break-down.

b) **Annual Fuel and Weed Abatement Standards**

- i. All work shall be done in general accordance with St. Helena Municipal Code and the U.S. Fire Administration Wildlife Urban Interface specifications unless otherwise superseded by the specifications in this document.
- ii. Perform annual fuel abatement mowing at all sites to meet fire regulation dates (estimated to be between April 1 and no later than June 1 each year) and ongoing maintenance through the end of fire season.
- iii. Mow grass and weeds on entire area to a height of no less than 2" and no more than 3" including sloped areas.
- iv. All weeds, brush, debris or growth, when cut, can be left within the boundary of the weed abatement area.
- v. When terrain is too constrained, steep or rugged for a tractor, hand mowing will be required.
- vi. A uniform appearance shall be obtained on all sites where work is completed.
- vii. Except as noted, the Contractor may leave regular grass clippings in the annual weed abatement areas as well as the creek, water quality control pond and bioswale areas, with the exception of thistle, and woody material, which should be removed, and provided that the clippings are uniformly distributed. In addition, all cut materials shall be removed from adjacent v-ditches.
- viii. Contractor shall hand mow weed growth around trees, light poles, fences, ditches and other obstructions, which cannot be abated by mechanical, or tractor mowers.
- ix. Contractor shall be responsible for any damages to trees, ornamental plants, utilities, irrigation boxes, drainage cleanouts, ditches, flatwork, fences and structures, etc. caused by abatement activities.
- x. Work will not be conducted on "red flag days".
- xi. Work must be compliant with City of St. Helena Regulations including the following:
 - a. Noise regulations
 - b. Hours of operations
 - c. Compliance with gas leaf blower prohibition ordinance
- xii. Selected weed abatement locations will include all areas leading up to creeks but does not include the embankments and/or stream beds.
- xiii. Work must not create unnecessary erosion to embankments. Any damage on behalf of the contractor is required to be mitigated according to the City's Storm Water Protection Plan (SWPP).
- xiv. If the use of biological methods are used (i.e. goats) a care and management plan must be provided and must include a minimum strategy to address hydration, fencing, protection, monitoring and labor hours.

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Fire Fuel and Weed Abatement Services – Land Revision

- c) **Annual Fuel and Weed Abatement Specifications by Location**
All locations are indicated on the Fuel and Weed Abatement Map (Attachment A). All sites are to be abated no later than June 1 of each year. Fire Chief will notify contractor when additional abatement is needed on each site, no more than 4 times per year.
- d) **Additional Abatement and Vegetation Removal**
This service may consist of fuel and weed abatement in additional areas not listed above, but does not include removal of other vegetation such as raising tree limbs up to 5 feet above the ground surface, removal of dead wood, removal of shrubs such as brush and other similar work.

Additional Work performed under this specification shall be conducted on a time and materials basis in accordance with the hourly crew rates provided by the contractor with the Bid Price Schedule or other rates as appropriate and agreed to by the City. This work shall be initiated by the City through a request for an estimate of costs to conduct the work.

The contractor shall provide the estimate within one week. If the City desires to proceed with the work, then a task order stating the scope, cost and schedule for completion of the work will be issued.
- e) **Future Changes to the Scope of Work**
 - i. **Changes Initiated by the City**
The City reserves the right to add, delete or change areas under the Agreement and may do so upon giving written notice to the Contractor. Money not appropriated by City agreement may result in modification, cancellation, reduction in scope, and/or reduction in compensation. If these changes cause an increase or a reduction in the maintenance costs included in this agreement, they shall be adjusted and, when agreed upon, incorporated into an Amendment to the Agreement.
 - ii. **Changes Requested by the Contractor**
Changes requested in the specifications shall be made in writing. Approved changes shall be made by written amendment to the agreement between the Contractor and City at a reduction in cost or at no additional cost to the City. Nothing herein shall be construed as granting a right to the Contractor to demand acceptance of such changes.

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice City on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform City regarding any out-of-scope work being performed by Consultant. This is a time-and-materials contract.

Item No.	Location	Acres	Annual Bid Unit Price (Lump Sum or Per Mow Cost)
Parks			
1.	Wappo Park	6.62	\$2,824.20/Per Mow
2.	Stone Bridge Park	0.59	\$2,095.20/Per Mow
Bell Canyon			
3.	Bell Can. Dam Face	2.8	\$4,001.4/Per Mow
4.	Bell Can. Dam Road	1.36	\$2,667.60/Per Mow
5.	Crystal Spring Easement	4.6	\$6,733.80/Per Mow
6.	PD Gun Range	1.25	\$2,667.60/Per Mow
7.	Bell Can. Dam Toe	1.06	\$2,667.60/Per Mow
Large Parcels			
8.	LSWTP	11.74	\$16,871.40/Per Mow
9.	Lower Reservoir	22.31	\$16,871.40/Per Mow
10.	WWTP (fire break Napa River)	11.66	\$5,222.20/Per Mow
11.	Flood Project	23.72	\$20,061.40/Per Mow
Moderate Parcels			
12.	Hunts Grove Easement	0.55	\$4,023.40/Per Mow

Extra Work Rates:

1 Tractor	\$142.2/Hr
1 Operator	\$76.5/Hr
2-Man Hand Crew	\$76.5/Hr
2 Weed Whips	\$66.6/Hr
Water Buffalo	\$94.5/Hr
Transportation	\$142.2/Hr
4-Man Hand Crew	\$76.5/Hr
1 Dump Truck	\$142.2/Hr
4 Weed Whips	\$66.6/Hr

Emergency Response Work rates (Weekday, outside of normal work hours) would be charged at the above rates for service, plus 50%.

Weekend Response Work rates (Saturday and/or Sunday, anytime) would be charged at double the above rates for services.



Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Public Works

DATE:	April 23, 2024
FROM:	Rebecca White, Administrative Assistant
SUBJECT:	Consideration of a Resolution to set a Public Hearing for 6:00 p.m. Tuesday, June 11, 2024, to consider objections to the proposed annexation of the property known as 2126 Madrona Avenue, St. Helena, CA (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.
RECOMMENDED ACTION:	It is recommended City Council approve the Resolution and set a Public Hearing for June 11, 2024 to consider objections to the proposed annexation of the property known as 2126 Madrona Ave (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.
PREVIOUS COUNCIL ACTION:	None.
STATEMENT OF THE PURPOSE:	Consideration of a resolution to set a public hearing to consider objections to the proposed annexation into the St. Helena Municipal Sewer District No. 1.
FINANCIAL IMPACT:	None.

BACKGROUND:

Any property that wishes to connect and utilize the sanitary sewer system in the City of St. Helena must be annexed into the Municipal Sewer District No. 1. All applications for annexations shall be approved by the City Council pursuant to the requirements of state law (SHMC § 13.20.040). State law details the requirements for special district annexations in Health and Safety Code Section 4600. City Council Approval of the annexation is the formal administrative process to change the property's tax rate area code from septic to sanitary sewer.

The process for a property to be annexed requires that a resolution be adopted ordering a public hearing by an affirmative vote of at least two-thirds of all the members of the City Council (HSC § 4643). The resolution is required to contain the following information and finding:

- (a) Describe the boundaries of the territory proposed to be annexed.
- (b) Designate the proposed annexation by an appropriate number.
- (c) Declare that the area to be annexed to the district will be benefited by such annexation.

(d) Name the time and place for the hearing of objections by any person interested in the proposed annexation, to the inclusion in the district of any land described in the resolution.

Once adopted, the resolution, together with the names of the members of the City Council voting for and against it, must be published for two successive weeks in a newspaper of general circulation and published in the City. The first publication shall not be more than 60 days nor less than 30 days prior to the date fixed for the hearing. Additionally, copies of the resolution shall also be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing. Similarly, a copy of the resolution shall also be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the City Clerk.

At the time established for the public hearing, the City Council will hear and consider any objections to the annexation and exclude any territory which in the Council's opinion will not be benefited by the annexation. After making changes to the boundaries of the area to be annexed, if any, the City Council may then adopt a resolution approving the annexation of the property into the District, which will also require at least four affirmative votes. Upon a determination by the Council that the property will be benefited by the annexation; certified copies of the resolution will then be recorded and filed in the manner and with the same force and effect as provided in Section 4613. Upon recordation of the resolution, the property annexed becomes a part of the District and is subject to all the liabilities and entitled to all the benefits of the District. If the City Council approves the resolution following the public hearing on June 11, 2024, City staff will then process the annexation with Napa County and the State Board of Equalization to change the tax rate area code for the property. Staff will work with the applicant to collect outstanding fees and obtain required encroachment and building permits.

DISCUSSION:

The City of St. Helena Public Works has received annexation applications from the following parties:

2021 JKB Generation Skipping TR, owner of 2126 Madrona Ave, St. Helena, CA (APN 009-047-010), has applied to be annexed into the St. Helena Municipal Sewer District No. 1 ("District"), MSD Annexation No. 149.

The application fees have been collected. The location map for the property is attached. Staff request City Council to consider the applicant's annexation request and order a public hearing to be scheduled for June 11, 2024.

ENVIRONMENTAL REVIEW:

Annexations to the District provide access to the City's sanitary sewer and wastewater treatment facilities. The City is agreeable to the abandonment of the onsite wastewater treatment system (septic system).

GOAL:

Goal 2: Improve Infrastructure & Further Environmental Sustainability

Goal 3: Pursue Water Security & Sustainable Management of Water Resources

Goal 5: Enhance Quality of Life

DOCUMENTS ATTACHMENTS:

[Resolution](#)

[Exhibit A - 2126 Madrona Parcel Map](#)

[2126 Madrona Application](#)

CITY OF ST. HELENA

RESOLUTION No. 2024-

Consideration of a Resolution to set a Public Hearing for 6:00 p.m., Tuesday, June 11, 2024, to consider objections to the proposed annexation of the property known as 2126 Madrona Avenue, St. Helena, CA (APN 009-470-010), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 149.

RECITALS

- A. The owner of 2126 Madrona Avenue, St Helena, CA (APN 009-470-010) has requested annexation into the St. Helena Municipal Sewer District No. 1 ("District"), MSD Annexation No. 149; and
- B. The legal boundary for the property to be annexed is provided in Exhibit A.

RESOLUTION

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

- 1. The City Council declares that the areas to be annexed to the district will be benefited by such annexation; and
- 2. A hearing to consider any objection to the proposed annexation of the properties into the City of St. Helena Municipal Sewer District No. 1 is hereby set for Tuesday, June 11, 2024, commencing at 6:00 PM or soon thereafter as the matter can be heard, at the Vintage Hall Board Room, 465 Main Street, St. Helena, California; and
- 3. The City Clerk shall cause a certified copy of this resolution, together with the names of the members of the City Council voting for and against it, to be published once a week for two successive weeks in a newspaper of general circulation in accordance with Health and Safety Code Section 4610; and
- 4. The City Clerk shall cause a certified copy of this resolution to be posted in three public places within the area to be annexed in accordance with Health and Safety Code Section 4610; and
- 5. The City Clerk shall cause a certified copy of this resolution to be mailed to each person to whom land in the area to be annexed as shown on the last county assessment roll in accordance with Health and Safety Code Section 4610.

Approved at a Regular Meeting of the St. Helena City Council on April 23, 2024 by the following vote:

Mayor Dohring:	_____
Vice Mayor Hall:	_____
Councilmember Chouteau:	_____
Councilmember Kenealy:	_____
Councilmember Summers:	_____

APPROVED:

ATTEST:

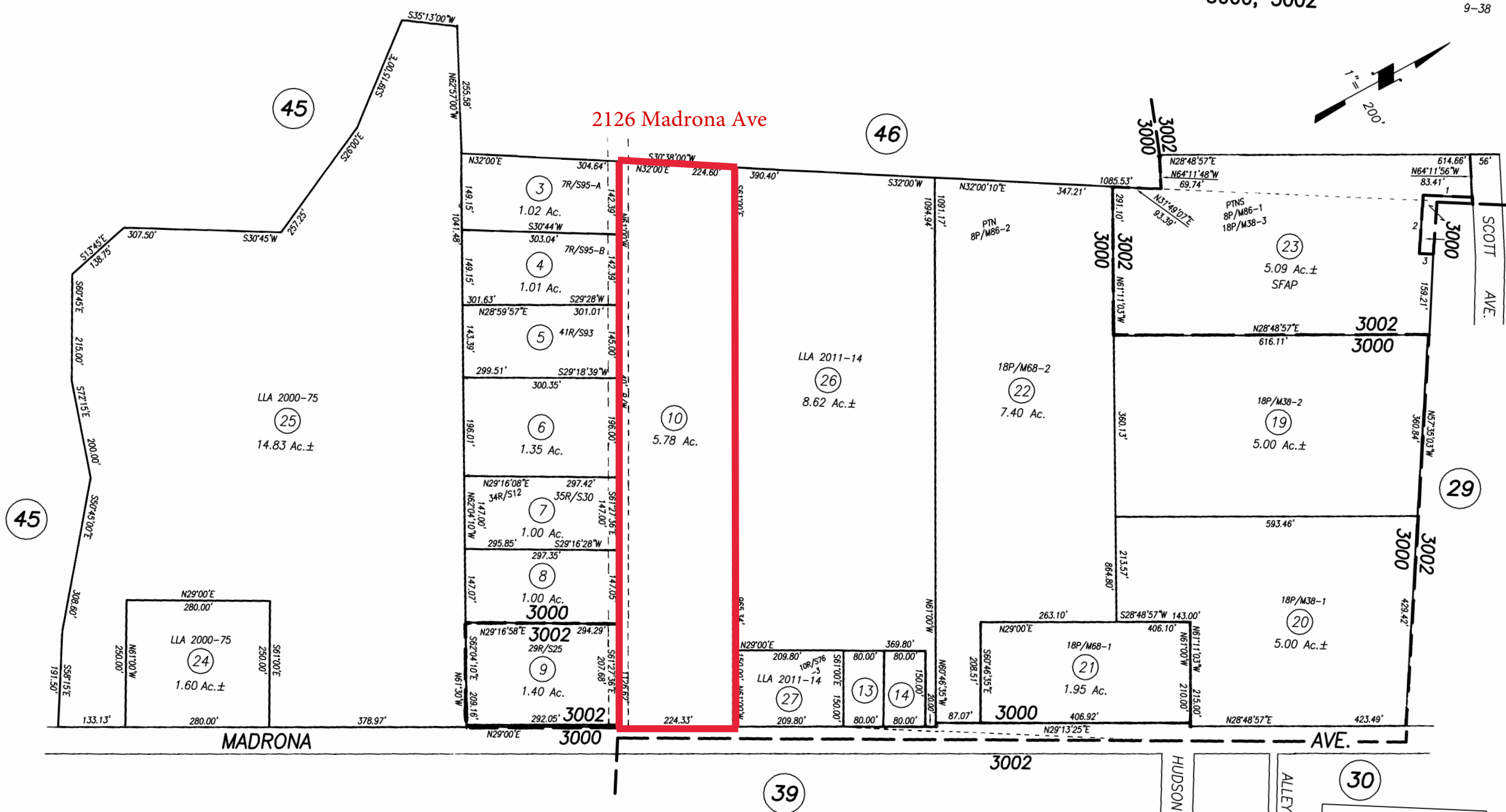
Paul Jamison Dohring, Mayor

Cindy Tzaopoulos, City Clerk

COUNTY ASSESSOR'S PARCEL MAP
PTN. RANCHO CARNE HUMANA

Tax Area Code
3000, 3002

9-47
9-38



NOTE: This Map Was Prepared For
Assessment Purposes Only , No
Liability Is Assumed For The
Accuracy Of The Data Delineated
Hereon.

1.	S31°52'00"W	95.22'
2.	S57°35'03"E	119.22'
3.	N28°22'40"E	20.05'

6-3-94	
470-24 & 25 LLA	6-14-01
470-07 RS	8-1-01
470-07 RS	2-25-03
470-26 & 27 LLA	7-8-11
470-05 RS	11-28-12
REVISION	DATE



CITY OF ST. HELENA

DEPARTMENT OF PUBLIC WORKS

1088 COLLEGE AVENUE
ST. HELENA, CA.
94574
707-968-2658

Sewer Annexation and/or Connection Application Packet and Instructions

The City of St. Helena Municipal Sewer District No. 1 is considered a “community sanitary sewer” which is a sanitary sewer system owned and operated by the City of St. Helena. The municipal sewer district is not defined by a geographical boundary or city limit line it is simply those properties that are connected to the public system and are considered users of the system. A property located within the city limits does not necessarily imply that the property has been annexed to the sewer district. A Tax Rate Area (TRA) on the Assessor’s Tax Roll will indicate if the property is in or out of the district. A TRA 3002 indicates the property is located within the sewer district, a TRA 3000 indicates it is not part of the sewer district.

Any project, property or person wishing to connect the municipal sewer district and become a user of the system is required to be annexed into the district if the property generating the wastewater is not already a part of the district as indicated by TRA 3000.

Procedures for Annexation into the Municipal Sewer District No. 1 are as follows:

1. To process the application process **ALL** of the following items must be completed and submitted to the St. Helena Public Works Director:
 - Application
 - St. Helena Application Fee, Process Fee and Connection Fee
 - Board of Equalization (BOE): Statement of Boundary Change Form
 - Board of Equalization Fee

For more information of the BOE requirements please visit:
<https://www.boe.ca.gov/proptaxes/pdf/jurboundaryreq.pdf> and
<https://www.boe.ca.gov/proptaxes/pdf/400ta.pdf>

 - Napa County Mapping Flat Fee
2. Upon receipt of the application forms and appropriate fees, staff will review packet and determine if the proposed application meets the annexation requirements, and notify the applicant of determination.
3. Complete application meeting all annexation requirements will then be submitted for City Council review.
 - If the annexation is **denied** by City Council, applicant shall be refunded the State Board of Equalization Fee and the Napa County Mapping Fee.
 - If the annexation is **approved** by City Council, the applicant shall submit a written geographic description of the project area and map (both hard copy and digital format) depicting the projected area prepared by a Licensed Land Surveyor per BOE guidelines.
4. Upon receipt of the required geographic description of the project area and map, staff will prepare and submit the required information and fees to the State Board of Equalization and Napa County.

Updated 11/2023



5. Prior to user physically connecting to the City’s sewer system:
- Staff shall confirm with the applicant that the annexation proceedings are complete and all fees have been paid
 - Prior to backfill of the trench at the connection point both Building and Public Works Staff will inspect applicable work and connections before final approval is given to applicant

FY 2023/2024	
City Sewer Annexation Fees (Resolution 2012-21)	
Sewer Connection Application Fee	\$800
Annexation Process	\$2,300
Connection Fee Inspection	\$450
City Sewer Impact Fees (per habitable square foot) Municipal Code § 3.32.080	
Single Family Residential	\$.45
Multi-family Residential	\$.66
Office	\$.44
Industrial	\$.59
Commercial/Retail	\$.88
Lodging	\$.87
$\$(\text{type of building}) \times (\text{Habitable SF}) = \text{Sewer Impact Fee}$	
State Board of Equalization (BOE) Fee (Acreage Per Single Annexation)	
Less than 1 acre	\$300
1.00 – 5.99 (most St. Helena properties)	\$350
6.00 – 10.99	\$500
11.00 – 20.99	\$800
21.00 – 50.99	\$1,200
51.00 – 100.99	\$1,500
Greater than 101 acres	Refer to BOE
Napa County Mapping Flat Fee	\$162
TOTAL TO BE PAID WITH APPLICATION SUBMITTAL	\$ _____

Additional Costs	
Construction cost of sewer line from curb to home	Home owner pays independently
Cost to abandon the existing septic system	Home owner pays independently
Geographic description/map by licensed surveyor	Home owner pays independently
Monthly Sewer Service	Home owner pays independently

If you have additional questions please contact the Public Works Department at 707-968-2658.



CITY OF ST. HELENA
DEPARTMENT OF PUBLIC WORKS
1088 COLLEGE AVENUE, ST. HELENA, CA. 94574
707- 968-2658

Application for Sewer Annexation and/or Connection

APPLICANT INFORMATION			
Applicant(s) Name Mike Hubbard		Phone 707-266-2992	
Applicant(s) Street Address 8463 Mercer Way	City Mercer Island	State WA	Zip 98040
Property Owner Name 2021 JKB Generation Skipping TR, c/o Mike Hubbard, Trustee		Phone	
PROPERTY INFORMATION			
Property Address seeking sewer annexation 2126 Madrona Ave		City Saint Helena	State CA
Assessor's Parcel No (APN) 009-470-010		Dwelling Square Footage	Zip 94574
Existing Land Use			
Subsequent Development Plans, if any, and Timing New residential construction starting spring of 2024.			
REQUIRED SIGNATURE			
I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property and have full legal rights to the property.			
Property Owner Signature 		Date 3.11.24	
**** FOR OFFICE USE ONLY ****			
Application Received By		Date Application Received	
Present Zoning		General Plan Designation	
Application Checklist		Date Completed	
St. Helena Application for Sewer Annexation			
Statement of Boundary Change Application: BOE			
Fees submitted			
Staff Report/Resolution Drafted			
City Council Approved			
Legal Description and Map			
Confirm Tax Area Rate			
Submission to BOE			
Submission to Napa County Auditor			
Submission to Napa County Assessor's office			
Napa County Tax Rate Area Change Received			
Grading Permits Approved			
Encroachment Permits Approved			
Finance Notified			
Date Service Began			
		Fee Calculation Worksheet	
		Sewer Connection Application Fee (St. Helena)	\$800
		Annexation Process (St. Helena)	\$2300
		Connection Fee Inspection (St. Helena)	\$450
		Sewer Impact Fee (St. Helena)	
		State Board of Equalization (BOE) Fee	
		Napa County Mapping Flat Fee	\$162
		Total Due at Application	
		Sewer Impact Fee: \$ _____ * X _____ (Habitable SF)	
		(18/19) *PER SF \$.51 SFR \$.77 MFR \$.51 Office \$.69 Industrial	
		\$1.02 Com/Retail \$1.01 Lodging	
		Total Collected with Application	
		Pending Amount Due	
		Fees to other agencies:	
		State Board of Equalization Fee (Check # _____)	
		Napa County Mapping Flat Fee (Check # _____)	\$162.00

Please note there may be additional Building Department fees due for final hookup.
Contact the City of St Helena Building Department at 707.967.2779 with questions.

Updated 11/2023



Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Human Resources

DATE:	April 23, 2024
FROM:	Mandy Kellogg, Administrative Services Director
SUBJECT:	Approval of a Resolution authorizing a Sign-on and Retention Bonus for the Water Chief Plant Operator and Wastewater Chief Plant Operator classifications in the amount of \$25,000 paid over a 36-month period.
RECOMMENDED ACTION:	Staff recommends approval of the attached resolution.
PREVIOUS COUNCIL ACTION:	None.
STATEMENT OF THE PURPOSE:	The purpose is to attract and retain qualified candidates for classifications that are challenging to fill by provide a signing and retention bonus in order to be more competitive in the marketplace.
FINANCIAL IMPACT:	The total Financial Impact is \$50,000 for both classifications over the course of a 36-month period. The immediate impact will result in \$20,000 in FY 2023-24 if both classifications are filled prior to June 30, 2024, which will be covered in the existing budget as a result of salary savings from the unfilled positions.

BACKGROUND:

Over the course of the past four years the City has experienced significant difficulty in recruiting and retaining staff at both the Treatment Plants and the Underground Utilities division in Public Works. Lower than median compensation as resulted in the loss of a number of staff to neighboring agencies with more growth opportunities, such as the Napa Sanitation and the City of Napa.

Due to requirements from the State of California, only individuals with specialized certifications may perform duties related to these positions. Therefore, the City has contracted with Operational Technical Services in order to ensure that we are meeting our state mandated requirements. This has resulted in a significant financial burden.

On July 25, 2023, City staff recommended that the classifications within the Treatment Plants be brought to the 75th percentile effective July 1, 2023 to aid with retention and competitive recruiting efforts, which was approved by City Council. The additional salary increase still has not yielded viable candidates to fill the vacant positions.

DISCUSSION:

The City of St. Helena continues to take proactive steps to address its ongoing vacancies by exploring different options to enhance its competitiveness in the current recruiting environment. This includes evaluation of a sign-on and retention incentive as a strategic move that could help attract and retain qualified candidates for critical positions within the city.

Implementing a sign-on incentive can serve as an attractive incentive for prospective employees, encouraging them to choose the City of St. Helena over other job opportunities. Similarly, a retention incentive can help foster loyalty among current employees, reducing turnover and ensuring continuity in essential roles.

Therefore, City staff is recommending implementing a policy for a sign-on and retention incentive for the Water and Wastewater Chief Plant Operator classifications in order to create a competitive edge in the marketplace in the amount of \$25,000 to be paid out as follows:

Description	Requirement	Amount
Payment No. 1	Date of Hire	10,000
Payment No. 2	Completion of 18 months of continuous employment	5,000
Payment No. 3	Completion of 36 months of continuous employment	10,000

In addition, employees separated from City employment prior to four years of City service will only be paid pro rata and may be required to repay any installment of the incentive not realized.

ENVIRONMENTAL REVIEW: None.

GOAL:

Goal 1: Strengthen Financial Sustainability

Goal 6: Improve Employee Recruitment, Retention, & Morale

Goal 7: Enhance Organizational Effectiveness

DOCUMENTS ATTACHMENTS:

[Resolution Approving Implementation of a Signon Retention Incentive](#)

**CITY OF ST. HELENA
RESOLUTION NO. 2024-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
AUTHORIZING A SIGN-ON AND RETENTION BONUS FOR THE
WATER CHIEF PLANT OPERATOR AND WASTEWATER CHIEF
PLANT OPERATOR CLASSIFICATIONS IN THE AMOUNT OF \$25,000
PAID OVER A 36-MONTH PERIOD.**

RECITALS

- A. Over the course of the past four years the City has experienced significant difficulty in recruiting and retaining staff at both the Treatment Plants and the Underground Utilities division in Public Works; and
- B. Due to requirements from the State of California, only individuals with specialized certifications may perform duties related to these positions.
- C. Therefore, the City has contracted with Operational Technical Services in order to ensure that we are meeting our state mandated requirements, which has resulted in a significant financial burden; and
- D. On July 25, 2023, City staff recommended that the classifications within the Treatment Plants be brought to the 75th percentile effective July 1, 2023 to aid with retention and competitive recruiting efforts, which was approved by City Council; and
- E. The additional salary increase still has not yielded viable candidates to fill the vacant positions; and
- F. Therefore, City staff is recommending implementing a policy for a sign-on and retention incentive for the Water and Wastewater Chief Plant Operator classifications in order to create a competitive edge in the marketplace in the amount of \$25,000 to be paid out over a 36-month period.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

1. The City Council of St. Helena hereby authorizes the City Manager to implement a policy for a sign-on and retention incentive for the Water and Wastewater Chief Plant Operator classifications in order to create a competitive edge in the marketplace in the amount of \$25,000.

Approved at a regular meeting of the St. Helena City Council on April 23, 2024 by the following vote:

Mayor Dohring: _____

Vice Mayor Hall: _____

Councilmember Chouteau: _____

Councilmember Kenealy: _____

Councilmember Summers: _____

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzaopoulos, City Clerk



Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Administration

DATE:	April 23, 2024
FROM:	Cindy Tzafopoulos, City Clerk
SUBJECT:	Consideration and proposed approval of a resolution approving a joint use agreement with St. Helena Unified School District for City use of the Vintage Hall Board Room through June 30, 2028 for a total cost not to exceed \$55,000.
RECOMMENDED ACTION:	Adopt the resolution.
PREVIOUS COUNCIL ACTION:	
STATEMENT OF THE PURPOSE:	To adopt a joint use agreement.
FINANCIAL IMPACT:	The Financial Impact for the total four-year cost of the agreement is \$55,000 and will be included in future operating budgets utilizing General Fund.

BACKGROUND:

Since 2005, the City and the St. Helena Unified School District have had an agreement in place for the shared use of the Vintage Hall Boardroom. The City utilizes the Boardroom to conduct City Council and Planning Commission meetings the first four Tuesdays of each month.

The St. Helena Unified School District and the City of St. Helena conducted a joint review of use and fees, and to prepare an updated agreement for St. Helena Unified School District Governing Board and City Council consideration and approval.

DISCUSSION:

The proposed new four-year agreement term is from June 30, 2024 and extends through June 30, 2028. The annual rent begins at \$13,000 and increases \$500 annually.

GOAL:

Miscellaneous/Other

DOCUMENTS ATTACHMENTS:

[Attachment 1 - Vintage Hall Agreement Resolution](#)

[Attachment 2 - 2024 Joint Use Agreement](#)

CITY OF ST. HELENA

RESOLUTION NO. 2024-

A Resolution of the City Council of the City of St. Helena Authorizing a Joint Use Agreement with the St. Helena Unified School District for the Use of Vintage Hall Boardroom through June 30, 2028 for a for a total cost not to exceed \$55,000

RECITALS

- A. Since 2005, the St. Helena Unified School District has shared Vintage Hall with the City for City Council and Planning Commission meetings; and
- B. The St. Helena Unified School District and the City conducted a joint review of use and fees; and
- C. The St. Helena Unified School District is granting the City a four (4) year lease for use of facilities as described in the use agreement, commencing from June 1, 2024 and concluding on June 30, 2028; and
- D. The District will invoice the City annually per the agreement as follows:
 - \$13,000 which was due as of March 1, 2025 for the first retroactive year of the term; and
 - \$13,500 shall be due on March 1, 2026 for the second year of the term; and
 - \$14,000 shall be due on March 1, 2027 for the third year of the term; and
 - \$14,500 shall be due on March 1, 2028 for the fourth and final year of the term.

RESOLUTION

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

1. The City Council authorizes the City Manager to approve the joint use agreement with the St. Helena Unified School District.

Approved at a regular meeting of the St. Helena City Council on April 23, 2024 by the following vote:

Mayor Dohring: _____

Vice Mayor Hall: _____

Council Member Chouteau: _____

Council Member Kenealy: _____

Council Member Summers: _____

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzafopoulos, City Clerk



JOINT USE AGREEMENT - VINTAGE HALL BOARD ROOM

This Joint Use Agreement ("Agreement") is entered into between the St. Helena Unified School District of Napa County, California (hereinafter referred to as the District) and the City of St. Helena, a municipal corporation (herein after referred to as the City), each of whom shall be referred to as a "party" and together shall be referred to as the "parties."

RECITALS

- A. The District and the City have been cooperating in the use of facilities for many years.
- B. Since 2005, the District has shared Vintage Hall with the City for official meetings.
- C. The City shared in the renovation of Vintage Hall and equipment for improved communication with the community.
- D. The District desires to make available the Vintage Hall Board room for both City Council and City Planning Commission meetings.

The following terms and conditions are accepted and agreed upon by the District and the City.

- 1. Term- The District hereby grants the City a four (4) year lease for use of facilities as described in #2 below, commencing from July 1, 2024 and concluding on June 30, 2028. The District, City Manager and City Clerk shall communicate as needed to review the joint-use of the Vintage Hall Board Room. As a result of this review, the use schedule as identified in this Agreement may be revised upon mutual consent of both the District and the City. Such changes, when made, shall become part of this Agreement upon approval of the District's Board and the City.
- 2. Facility Use- The Vintage Hall Board Room, the CCTV Room located within the Board Room, and the Wellness Center located on the first floor of Vintage Hall (when available for Closed Session meetings) are the facilities covered by this Agreement.
 - A. The City shall have use of the Vintage Hall Board Room every Tuesday in connection with its regularly scheduled City Council and City Planning Commission meetings. It is understood that these meetings shall take place on the first through fourth Tuesday of each month, with no meetings scheduled on any fifth Tuesdays that fall within a month. Meetings shall

commence no earlier than 4:00 pm and shall be concluded by 10:30 pm with the meeting room vacant by 11:00 pm. The City Clerk or designee will arrive to Vintage Hall for set-up purposes no earlier than 3:45 pm.

- B. The District understands that the City from time to time has the need to hold special meetings outside of its regularly scheduled City Council and Planning Commission meetings. The District and City agree to work together to allow the City use of the Vintage Hall Board Room as available using the School District online facility use registration system (ie., Facilitron), when the City is unable to have such a meeting at one of its own facilities.
 - C. Restrooms and emergency use of the District copy machine shall be available. Use of the Break Room will be made available for access to the sink for water use and temporary refrigerator space as needed for a meeting. Parking shall be provided on a first come, first serve basis and generally will be available unless spaces are used for District educational purposes. The City may display City items (such as the City flag, maps, and mission statement) during its meetings, provided that such items are removed upon the conclusion of the meetings.
 - D. This Agreement includes use of the Wellness Center located on the first floor of Vintage Hall for Closed Session meetings when it is available. If the Wellness Center is unavailable, the District will work with the City to identify an alternative meeting space for one-time use during Closed Session meetings.
3. District use of facilities- The District will have exclusive use of the Vintage Hall Board Room, CCTV Room, and Wellness Center located on the first floor of Vintage Hall at all other times not stated above. The City may negotiate with the District for additional hours not included in this Agreement. Agreed upon hours shall be at the usual rate charged by the District to other governmental agencies, or, if there is no such rate, the usual rate charged by the district to local non-profit organizations. All additional hours will be scheduled, as available, using the District's online facility use registration system.
 4. District responsibilities - The District agrees to provide the Board Room described in section 2 to include, but not limited to, acoustically appropriate wall, window and floor surfaces; the CCTV Room equipped for broadcasting teleconferencing equipment, sound system and equipment, two mounted large screen TV's for PowerPoints, videos and such; furniture to include dais, tables and chairs, temporary and occasional storage access for Council and Commission supplies with District approval, custodial services, and normal use utility costs. The City will provide an encoder for live streaming meetings.
 5. Communication – The parties shall each identify one person to serve as the point of contact for all communications related to this agreement. The City designates the City Clerk, and the District designates the Chief Business Official for this purpose.
 6. Rent-The City shall pay to the District a sum of

- \$13,000 shall be due on March 1, 2025 for the first year of the term; and
- \$13,500 shall be due on March 1, 2026 for the second year of the term; and
- \$14,000 shall be due on March 1, 2027 for the third year of the term; and
- \$14,500 shall be due on March 1, 2028 for the fourth and final year of the term.

If the City terminates the lease during the term, the City shall be reimbursed a prorated share of the balance. The City shall provide the District with a 30-day notice of termination.

7. Consideration- Good, valuable, and adequate consideration exists in the mutual benefit by the District and the City as a result of their entering into and fulfilling this Agreement.
8. District modifications to the property- The District, at the District's sole discretion, may make any modifications, improvements or place equipment within the leased area with a seven (7) day notice to the City Manager and City Clerk. The improvements, modifications or placements may be for the purpose of, but not limited to the operation of public education and/or other education related activities. In no case shall the changes deprive the City's use of this facility as specified herein.
9. Internet access-During the term of this Agreement the City will be provided access to the Internet provided by the school district; the cost of which is included in the rental amount.
10. Equipment and Improvements- The District shall own all broadcasting and technical equipment necessary to conduct and broadcast formal meetings. The City shall have the right to operate this equipment. The District will be responsible for preventative and normal maintenance of the equipment. Repair and replacement costs for equipment shall be borne by the parties in proportion to their use of the equipment, except that if one party damages the equipment through its own negligence, that responsible party shall bear the entire cost of repair or replacement. All equipment, maintenance, repair and purchase will be through District contract and the equipment will remain the property of the District. The City will be billed once the repair/purchase is complete and will include all copies of invoices for repair/purchase.
11. Emergencies-In the event of an emergency, power outage, or elevator malfunction the District will notify the City Clerk as soon as possible. In the case of an elevator malfunction, the District will set up a viewing monitor to stream the City meeting with telephone access for public comment in the Cafeteria (located on the first floor of Vintage Hall) if feasible given District staffing and time constraints.
12. Improvements- The City shall make no improvements until plans and specifications for such improvements are reviewed, approved and signed by both parties. Any such improvement made to the property described herein shall remain the property

of the District.

13. Quiet Possession- The City, subject to performing the covenants and agreements herein, shall during the terms of the Agreement, peacefully and quietly have, hold and enjoy the property listed in section two (2) of this Agreement.
14. Security- As agreed herein, the District shall provide an electronic security system for Vintage Hall, which will be operated by District staff until completion of the meetings.
15. Assignment- The City shall not assign this Agreement or any interest herein without prior written consent of the District. Any such assignment without such consent shall be voided.
16. Compliance With Law- At its sole cost and expense the City shall comply, and shall secure compliance by persons within its control and authority, with all requirements of State and Federal authorities now in force, or which may herein after be in force, pertaining to the premises or the operations conducted thereon, and shall faithfully observe and secure observances of all State and Federal statutes now in force, or which may herein after be in force, in the use of the premises by persons within its control and authority.
17. Assigns - Time is of the essence of each and all of the terms and provisions of this Agreement, and this Agreement shall inure to the benefit of and be binding upon the parties hereto and any successors thereof as fully and to the same extent as though specifically mentioned in each instance, and all covenants, stipulations, and agreements in this Agreement shall extend to and bind any successor(s) of the parties.
18. Waiver- The waiver by either party of any breach of any term, covenant, or conditions herein contained shall not be deemed to be a waiver of any other term, covenant, or condition of this Agreement.
19. Administration Of Agreement: Notices- Control and administration of this Agreement is under the jurisdiction of the Superintendent as to District's interest herein and any communication relative to the terms or conditions or any changes thereto or any notice or notices provided for by this Agreement or by law required to be given or served upon the District may be given or served by certified letter deposited in the United States mail, postage paid, and addressed to attentions: Superintendent, St. Helena Unified School District, 465 Main Street, St. Helena. CA 94574 or may be personally served upon District or any person hereafter authorized by district to receive such notice. Any notice or notices provided for by this Agreement or by law to be given or served upon City may be given or served by depositing in the United States mail, postage prepaid, a certified letter addressed

to the City Manager, City of St. Helena, 1088 College Ave., St. Helena, CA 94574, or may be personally served upon City or any person hereafter authorized by City to receive such notice. Any notice or notices given or served as provided herein shall be effectual and binding for all purposes upon the principals of the parties so served upon personal service, or 48 hours after mailing in the manner required herein.

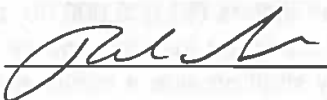
20. Remedies- In the event that either party shall default in the performance or fulfillment of any covenant or condition herein required to be performed or fulfilled by that party and shall fail to cure such default within sixty (60) days following the service on the defaulting party of a written notice from the second party specifying the default complained of, then the second party may, at its option, without further notice or demand upon the defaulting party or upon any person claiming through the defaulting party, immediately terminate this Agreement and all rights of the defaulting party and of all persons claiming rights through the defaulting party. Notwithstanding the above provisions, in the event that any default cannot be cured within sixty (60) days after the service of written notice upon the default, this Agreement shall not be terminated if the defaulting party immediately commences to cure such fault and diligently pursues such cure to completion.
21. Hold Harmless- District shall indemnify, hold harmless, and defend City, its officers, agents and employees from and against all claims, damages, losses and expenses, including reasonable costs and attorney's fees, arising out of or resulting from District's sole negligence in the performance of this Agreement. City shall indemnify, hold harmless, and defend District, its officers, agents and employees from and against all claims, damages, losses and expenses, including reasonable costs and attorney's fees, arising out of or resulting from City's sole negligence in the performance of this Agreement.
22. Insurance- City, at its own cost, shall maintain public liability and property damage insurance with liability limits of not less than one million dollars (\$1,000,000.00) per person and three million dollars (\$3,000,000.00) per occurrence insuring against all liability of City, its officers, agents and employees. City shall provide a certificate of insurance to District naming District as additional insured.
23. Legal Proceedings- The parties agree that the law of the State of California shall be used in interpreting this Agreement and will govern all disputes under this Agreement and will determine all rights hereunder.
24. Verbal Agreements- This Agreement contains the complete expression of the whole agreement between the parties hereto, and there are no promises, representations, agreements, warranties or inducements either expressed verbally or implied except as are fully set forth herein. This Agreement cannot be enlarged, modified, or changed in any respect except by written agreement between the said parties.

25. Severance- If any part of this Agreement is found by a court of competent jurisdiction to be void or voidable, that portion which is so held to be defective shall be severed from the remainder hereof, the latter to remain in full force and effect.
26. Amendment or Renewal- This Agreement may be amended or renewed in writing by mutual consent of District and City as permitted by law.
27. Nondiscrimination- District, City and all others who from time to time may use the property described herein with the permission and on the terms and conditions specified by both parties shall not discriminate in any manner against any person or persons on account of race, color, sex, creed or national origin including, but not limited to, the providing of goods, services, facilities, advantages and the holding and obtaining of employment.
28. Loss of Use of Premises- If City is unable to use the facility for any reason beyond the parties' control including damage to the facility by fire, or other casualty, the District will provide and alternate facility of equal capacity or, should the loss of use continue for six months or longer, the City may, at its election, terminate this Agreement.
29. Termination - The City at its discretion may terminate this Agreement at any time with 30 days notice.

IN WITNESS WHEREOF, this Agreement is executed by the St. Helena Unified School District acting by and through its Superintendent pursuant to resolution of its Board of Education authorizing such execution, and by the City of St. Helena acting by and through its City Manager.

St. Helena Unified School District of Napa County, California

Date: March 14, 2024

By: 

Ruben Aurelio, Superintendent

City of St. Helena
A Municipal Corporation

Date: _____

By: _____

Anil Comelo, City Manager



Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Public Works

DATE:	April 23, 2024
FROM:	Ian Dale, Environmental Services Tech
SUBJECT:	March 2024 Review and Forecasting of City Water Supply Availability.
RECOMMENDED ACTION:	Receive and file.
PREVIOUS COUNCIL ACTION:	Monthly Receive and File reports to City Council.
STATEMENT OF THE PURPOSE:	To provide monthly updates of the amount of water produced at the Louis Stralla Water Treatment Plant and the Stonebridge Potable Water Wells, and potable water delivered from the City of Napa.
FINANCIAL IMPACT:	None.

BACKGROUND:

The City of St. Helena publishes a monthly water report on the City website (www.cityofstheleena.org/publicworks/page/water-reports). The report includes the amount of water produced at the Louis Stralla Water Treatment Plant and the Stonebridge Potable Water Wells, and potable water delivered from the City of Napa. In addition to presenting data on the amount delivered monthly, the report includes year-to-date information and prior year data. Water elevation and capacity at the Bell Canyon Reservoir is included as well as information on rain and temperatures.

At the City Council meeting of May 9, 2023, the City Council adopted Resolution 2023-46 adopting City Council goals for FY 2023-24. Five new City Council Goals for FY 2023-24 which include Goal 1: Financial Sustainability, Goal 2: Infrastructure and Environmental Sustainability, Goal 3: Water Security, Goal 4: Community Information and Engagement, and Goal 5: Quality of Life. City Council has the responsibility of establishing broad goals and the City's leadership has the responsibility to develop a work plan to achieve them.

DISCUSSION:

In connection with City Council Goal 2, City staff has developed a forecasting tool to facilitate its ability to optimize water use and track water availability. Included as Attachment 1 is the Monthly Water Report for March 2024. The water produced for March 2024 is up by 136% when compared to March 2023 and is up by 80% compared to the average of March 2018-2020. Below is a chart summarizing the water produced per source:

Water Produced per Source

Source	Average (2018 - 2020) (Acre-Feet)	March 2023 (Acre-Feet)	March 2024 (Acre-Feet)
Bell Canyon	37	14	5.66
Stonebridge Wells	7	14	87.81
Napa Water	48	43	74.27
Total	92	71	167.74

- Percent change from March 2023: 136%
- Percent change from average of March 2018 - 2020: 80%

Bell Canyon Reservoir

The City is no longer in water emergency conditions based upon the Phase I Water Emergency measures being terminated by City Council adopting Resolution No. 2023-94 on July 25, 2023. Bell Canyon Reservoir has adequate water to support the City's needs through this calendar year. The storage in Bell Canyon graph (Attachment 2) has been revised to include historic reservoir supply levels since July 2021. It also shows the water availability forecast through June 2026 based on the highest water usage during a non-drought year (FY 2019/20) and 10 inches of rainfall (lowest recorded).

As of April 1, 2024, Bell Canyon Reservoir elevation was at 422 feet representing approximately 2,383.69 acre feet (AF) and 100% capacity. Bell Canyon spillway level is 422 feet representing 2,383.69 acre feet in water supply volume. Below is a chart comparing Bell Canyon elevation levels, water supply availability in acre feet, and percent capacity of the reservoir on April 1st in 2022, 2023, and 2024.

Year	2022	2023	2024
Bell Canyon Elevation Level	418.50 Ft.	422.30 Ft.	422 Ft.
Acre Feet	2,121 AF	2,383 AF	2,383 AF
Percent Capacity	89%	100%	100%

As a follow up to the May 24, 2022, City Council meeting, staff developed a graph (Attachment 3) highlighting the relationship between the reservoir elevation level and water supply availability in acre feet. The graph shows the current status of the reservoir. Furthermore, the graph also displays the points where City Council decided to declare Phase I and Phase II Water Emergencies in 2020.

Continued Water Conservation

California experienced two consecutive dry years 2020 and 2021. Due to the combination of warmer-than-average temperatures and minimal precipitation in the state, the Department of Water Resources (DWR) declared 2021 as the fourth-driest year on record statewide. The record-breaking dry period in January and February 2022, and the absence of significant rains in March 2022, required DWR to reduce anticipated deliveries from the State Water Project (SWP). However, the reduction at

the time did not affect St. Helena as the City has multiple robust water sources not affected by the executive order. Water availability from the Bell Canyon reservoir is based on the City's State Water Rights permit and not the SWP. The City has not received any curtailment order from DWR nor does the City anticipate receiving one.

It should be noted that on July 25, 2023, the City Council adopted Resolution No. 2023-94 to formally end the Phase I Water Emergency. The projected demand on the system versus the anticipated rainfall over the next year reflects an available supply in Bell Canyon approximately 1,895 acre-feet, significantly above the 1,481 acre-feet standard for declaration of a Phase I Water Emergency. Staff will monitor State-wide and local drought conditions, weather conditions, and provide updates on a monthly basis. The corresponding staff report provided a variety of data to reflect the disposition of the water supply at that time in relation to the Council-adopted Safe Yield Policy.

City of Napa Water Supply

Normal operations continue at Rutherford Pump Station (RPS) and the City is taking delivery of the allotment purchased from City of Napa. During the month of March 2024, Rutherford Pump Station was producing an average of 0.78 MG/day for a total of 74.27 acre feet (AF) for the month.

ENVIRONMENTAL REVIEW: Not applicable.

GOAL:

Goal 3: Pursue Water Security & Sustainable Management of Water Resources

Goal 4: Provide Effective Community Information & Opportunities for Engagement

DOCUMENTS ATTACHMENTS:

[MWR March 1-31 2024](#)

[Attachment 2 - Bell Canyon Water Storage Forecast](#)

[Attachment 3 - Bell Canyon Reservoir Storage Phase I II](#)

CITY OF ST. HELENA
MONTHLY WATER REPORT

CC: CC__X__ PC__X__ FILE____
 RECEIVED:____ BY: __

March 1-31, 2024

	LOUIS STRALLA WATER PLANT	STONEBRIDGE POTABLE WELLS	SBW IRRIGATION WATER	NAPA WATER	TK #1 & #2 ADJUST
AMOUNT PRODUCED in AF	5.66	87.81	0.03	74.27	-0.44
AMOUNT PRODUCED in MG	1.84	28.60	0.01	24.19	-0.14
PERCENT	3.4%	52.5%		44.4%	-0.3%

WATER PRODUCED DELIVERY (AGGREGATE)

	THIS YEAR	LAST YEAR
TOTAL PRODUCED THIS PERIOD	54.64 MG	23.55 MG
MAXIMUM DAILY PRODUCED	n/a MG	2.16 MG
MINIMUM DAILY PRODUCED	n/a MG	0.45 MG
AVERAGE DAILY PRODUCED	1.76 MG	0.76 MG

WATER YEAR TOTALS

	THIS FISCAL YEAR	%	LAST FISCAL YEAR	%
LOUIS STRALLA WATER PLANT	228.76 AF	19.9%	349.31 AF	36.8%
	74.51 MG		113.78 MG	
NAPA WATER	468.59 AF	40.9%	413.96 AF	43.7%
	152.64 MG		134.84 MG	
STONEBRIDGE POTABLE WELLS	449.32 AF	39.2%	185.06 AF	19.5%
	146.36 MG		60.28 MG	
TOTAL WATER PRODUCED DELIVERY (ALL)	1146.67 AF	100.0%	948.33 AF	100.0%

SBW IRRIGATION WATER

	THIS MONTH	THIS MONTH, LAST YR.
STONEBRIDGE APARTMENTS	0.00 MG/Mar. 1 -31	0.00 MG/Mar. 1-31
NAPA VALLEY COLLEGE	0.01 MG/Mar. 1 -31	0.00 MG/Mar. 1-31

WATER ELEVATION, CAPACITY & RAINFALL

	THIS FISCAL YEAR	LAST FISCAL YEAR
ELEVATION BELL CANYON RESERVOIR	422.00 FT.	422.30 FT.
MONTHLY RISE OR DROP	0.00 FT.	-0.02 FT.
CAPACITY AT END OF PERIOD	2383.69 AF	2383.69 AF
PERCENT OF FULL CAPACITY	100.0 %	100.0 %
RAINFALL IN THIS PERIOD	2.64 IN	14.08 IN
TOTAL RAINFALL SEASON TO DATE	21.37 IN	40.01 IN

TEMPERATURES

	THIS MONTH, THIS YEAR	THIS MONTH, LAST YR.
DEGREES IN FAHRENHEIT	41-72.9	37-68
AVERAGE	56.95	52

REMARKS

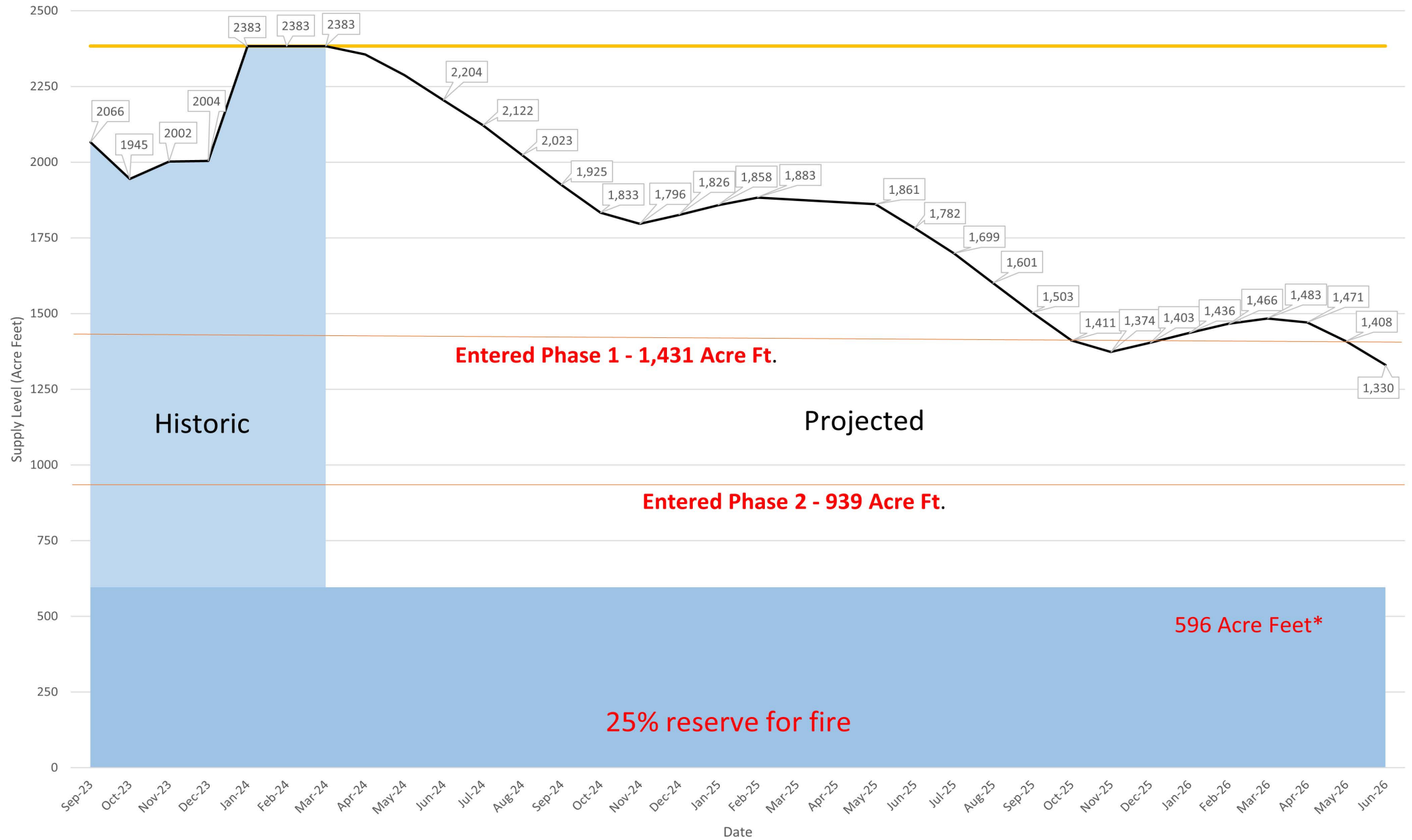
City of Napa Water Delivery: RPS producing an average of 0.78 MG/day during March 2024.

DISCLAIMER: The data presented in this report is approximate and for informational purposes only.

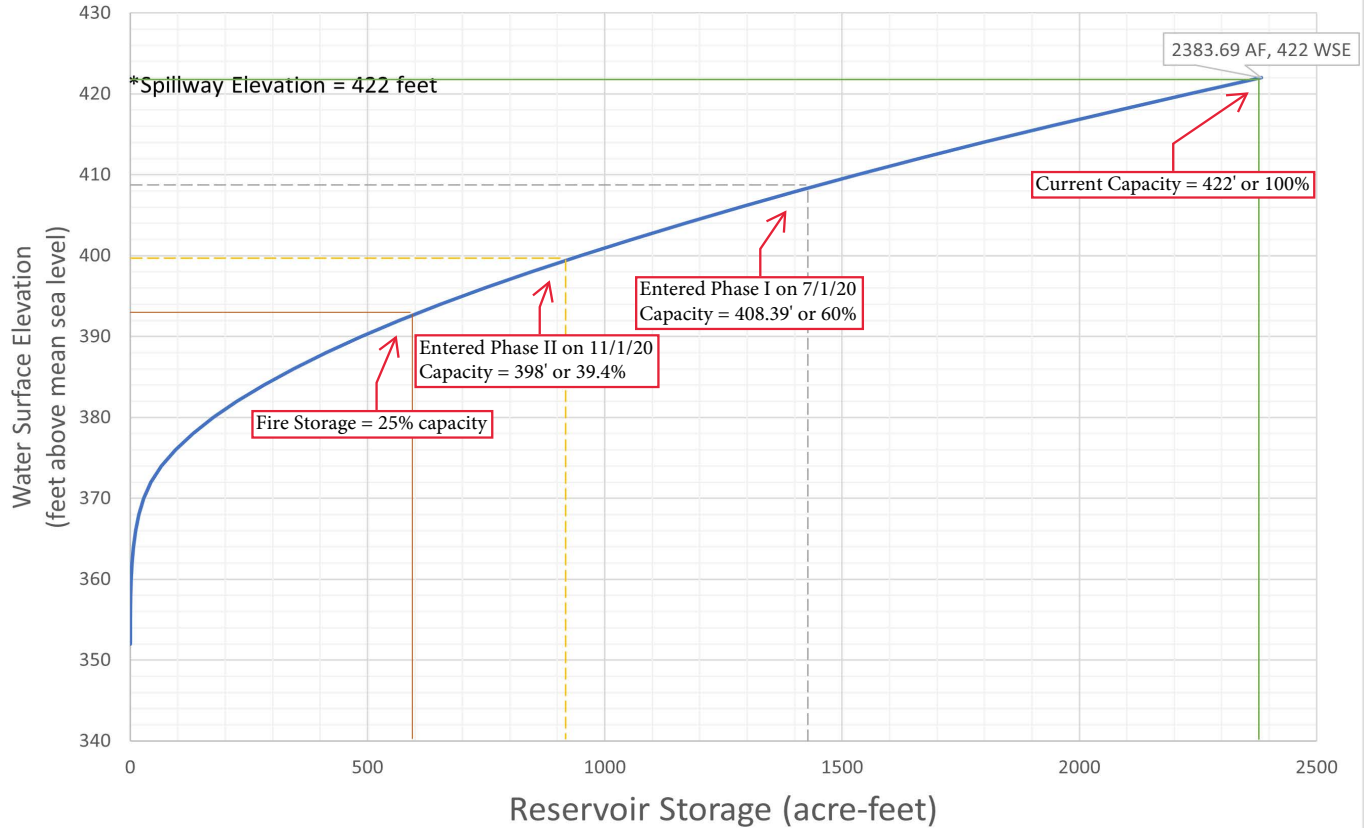
Updates will be provided if any errors are identified.

Bell Canyon Water Storage Forecast

Assumes: (1) Highest usage during non-drought year (FY2019/20)
 (2) 10" of Rainfall (Lowest Recorded)



Bell Canyon Reservoir Stage-Storage Relationship





Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Finance

DATE:	April 23, 2024
FROM:	Mandy Kellogg, Administrative Services Director
SUBJECT:	Proposed Approval of Resolution Approving Amendment No. 5 to the Professional Services Agreement with Willdan Financial Services in the amount of \$9,800 for a Total Contract Not-to-Exceed Amount of \$131,235 for a User Fee Study Update.
RECOMMENDED ACTION:	Staff recommends approval of the attached resolution.
PREVIOUS COUNCIL ACTION:	November 15, 2015 - Approval of Professional Services Agreement. November 14, 2017 - Approval of Amendment No. 1. October 9, 2018 - Approval of Amendment No. 2. August 24, 2021 - Approval of Amendment No. 3. July 25, 2023 - Approval of Amendment No. 4. October 24, 2023 - Approval of the User Fee Study. October 24, 2023 - Adoption of an ordinance amending Title 17 (Zoning) of the St. Helena Municipal Code.
STATEMENT OF THE PURPOSE:	The purpose is to approve a contract amendment to conduct a User Fee Study update.
FINANCIAL IMPACT:	The Financial Impact is an additional \$9,800 for a total contract-not-to exceed \$131,235. Funding is available in the existing operating budget utilizing General Fund; therefore, no budget adjustment is required.

BACKGROUND:

The principal goal of the User Fee Study is to help the City determine the full cost of the services that the City provides. The full cost of providing a service may not necessarily become the City's fee but serves as an objective basis as to the maximum amount that may be collected. The total cost of each service included in the analysis is based on the full cost of providing City services, including direct salaries and benefits of City staff, direct department costs, and indirect costs from central service support.

In September 2015, staff issued a Request for Proposals for a Full Cost Services and Development Impact Fee Study to include a Cost Allocation Plan, User Fee Study, and a Development Impact Fee Study. On October 9, 2015, the City received four proposals, which were reviewed by City staff and an outside consultant. In November 2015, the City selected Willdan Financial Services (Willdan) to conduct a Full Cost

Services and Development Impact Fee Study and entered into a professional services agreement on November 24, 2015 by Resolution 2015-146.

Willdan completed the Full Cost of Services Study in Fall 2023, and it was presented to City Council for approval on October 24, 2023. The recommendations were approved, and the fee adjustments were implemented on January 1, 2024.

DISCUSSION:

On October 24, 2023, the City Council adopted an ordinance amending Title 17 (Zoning) of the St. Helena Municipal Code. As part of the zoning code update, new permits with staff approval were added to streamline the review process. These included the following:

1. Minor Use Permit: Review at staff level encourages business investment by limiting review time, fees and uncertainty.
2. Minor Design Review: Allows applicant to obtain approval at staff level review instead of Planning Commission Public Hearing.

Additional planning processes were added with the update that require the creation of a new planning application and development of a fee as follows:

- Certificate of Present Extent of Legal Nonconformity of Uses
- Density Bonus Application
- Historic Demolition Permit
- Local Historic District Designation
- Local Registry Historic Resource Designation
- Minor Modifications
- Planned Development
- Pre-zoning for Annexation
- Reestablishment of an Abandoned Non-Conforming Use
- Sidewalk Dining Permit
- Specific Plans
- Urban Lot Split
- Zoning Map Amendment

Since Willdan Financial is familiar with City's processes having recently completed the User Fee Study, it is more cost effective to utilize them to complete the User Fee Study update to include the new planning fees.

The task involves the updating of the existing fee model to include the desired fee additions and identifying the desired changes to existing Planning fee descriptions, development of the model ultimately used to calculate the departmental fees, based on data and information. Overhead rates and fully burdened hourly rates used in the analysis will be those developed during the prior study.

Additionally, City staff is seeking assistance from Willdan to develop a fee related to weed abatement to assist with the enforcement of vegetation management. The total additional cost to update the User Fee Study is \$9,800, which includes a presentation to City Council to consider adoption of the updated fee schedule.

ENVIRONMENTAL REVIEW: None.

GOAL:

Goal 1: Strengthen Financial Sustainability

DOCUMENTS ATTACHMENTS:

[Resolution Approving Amendment No. 5](#)
[Willdan PSA Amendment #5](#)
[Executed Agreement 2015](#)

**CITY OF ST. HELENA
RESOLUTION NO. 2024-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
AUTHORIZING AMENDMENT #5 TO A PROFESSIONAL SERVICES
AGREEMENT WITH WILLDAN FINANCIAL SERVICES FOR THE
AMOUNT OF \$9,800 WITH A TOTAL CONTRACT NOT-TO-EXCEED
\$131,235, TO COMPLETE THE USER FEE STUDY UPDATE.**

RECITALS

- A. On November 24, 2015 City Council approved Resolution No 2015- 146 approving a Professional Services Agreement with Willdan Financial Services to provide a Full Cost Services and Development Impact Fee Study for an amount not to exceed \$81,540.00; and
- B. In November 2017, the City Council approved Amendment No. 1 via resolution No. 2017-51 to this agreement to increase the contract amount by \$16,350.00 for a total not to exceed amount of \$97,890.00 to include impact fee studies of the water and wastewater systems which were not included in the initial agreement; and
- C. In October 2018, the City Council approved Amendment No. 2 via resolution No. 2018-139 to this agreement to increase the contract by \$4,500 for a total not-to-exceed amount of \$102,390.00 to reassess the cost allocation plan due to the addition of two full-time firefighters, implementation of a compensation and classification study, and a Public Works reorganization that were not factored into the original cost allocation plan; and
- D. In August 2021, the City Council approved Amendment No. 3 via resolution No. 2021-107 to this agreement to increase the contract by \$6,065 for at total not-to-exceed amount of \$108,235 for the analysis of the Affordable Housing Fees to prepare recommendations for the amounts and classifications for a housing linkage fee for St. Helena; and
- E. In July 2023 the City Council approved Amendment No. 4 via resolution No. 2023-101 to this agreement to increase the contract by \$13,000 to refresh the data in order to capture organizational updates; and
- F. On October 24, 2023 the City Council approved the User Fee Study and the recommendations were implemented on January 1, 2024; and
- G. On October 24, 2023 the City Council adopted an ordinance amending Title 17 (Zoning) of the St. Helena Municipal Code, which included the addition of new planning fees; and

- H. The City and Consultant desire to amend the Agreement to conduct a User Fee Study update for planning fees that originated with the zoning code update and a weed abatement fee for an additional cost of \$9,800; and
- I. The total amended contract with Willdan Financial Services will not exceed \$131,235.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

- 1. The City Council of St. Helena hereby approves the Amendment #5 to the contract with Willdan Financial Services for an additional \$9,800 for a total contract amount not-to-exceed \$131,235.

Approved at a regular meeting of the St. Helena City Council on April 23, 2024 by the following vote:

Mayor Dohring:	_____
Vice Mayor Hall:	_____
Councilmember Chouteau:	_____
Councilmember Kenealy:	_____
Councilmember Summers:	_____

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzaopoulos, City Clerk

**FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL
SERVICES WITH WILLDAN FINANCIAL SERVICES.**

This Fifth Amendment to Professional Services Agreement dated November 24, 2015 ("Agreement") is made as of this 23rd day of April 2024 by and between the City of St. Helena, a municipal corporation ("City"), and Willdan Financial Services. ("Consultant").

RECITALS

- A. On November 24, 2015, the City and Willdan Financial Services (Consultant) entered into the Professional Services Agreement ("Agreement") for a Full Cost Services and Development Impact Fee Study for an amount not to exceed \$81,540.00; and
- B. In November 2017, the City Council approved Amendment No. 1 via resolution No. 2017-51 to this agreement to increase the contract amount by \$16,350.00 for a total not-to-exceed amount of \$97,890.00 to include impact fee studies for the water and wastewater systems which were not included in the initial agreement; and
- C. In October 2018, the City Council approved Amendment No. 2 via resolution No. 2018-139 to this agreement to increase the contract by \$4,500 for a total not-to-exceed amount of \$102,390.00 to reassess the cost allocation plan due to the addition of two full-time firefighters, implementation of a compensation and classification study, and a Public Works reorganization that were not factored into the original cost allocation plan; and
- D. During the analysis of the Affordable Housing fees, it was determined that to properly complete the analysis it would be necessary to include a commercial linkage fee analysis, which will allow for Willdan to prepare recommendations for the amounts and classifications for a housing linkage fee for St. Helena; and
- E. In conjunction with the housing market data collected as part of the residential housing impact fee analysis and the data gathered during the commercial linkage fee analysis, Willdan will develop a pro forma and determine the affordability gap per unit for each income level by industry and occupation; and
- F. City and Consultant desire to amend the Agreement to update the development impact fee study for an additional cost of \$6,045.00; and
- G. In August 24, 2021, the City Council approved Amendment No. 3 via resolution in the amount of \$6,045.00 to the Agreement for Consultant Services with Willdan Financial Services is hereby approved and entered into on August 24, 2021; and
- H. In July 25, 2023, the City Council approved Amendment No. 4 in the amount of \$13,000 to the Agreement for Consultant Services with Willdan Financial Services hereby approved and entered into on July 25, 2023; and
- I. The City Council desires to enter into this Amendment No. 5 in the amount of \$9,800 to the Agreement for Consultant Services with Willdan Financial Services to conduct a User Fee Study update for planning fees that originated with the zoning code update and a weed abatement fee.

J. The total amended contract not-to-exceed \$131,235.00.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements herein contained, for good and valuable consideration, the adequacy of which is hereby acknowledged, the parties agree to amend the Agreement as follows:

1. Section 4. Compensation of the Agreement is hereby amended to increase the authorized compensation under the Agreement by the amount of \$9,800.00, for a total amended contract not to exceed \$131,235.00; and
2. The Scope of Services for the Agreement is hereby amended to include the conducting of a User Fee Study update for planning fees that originated with the zoning code update and a weed abatement fee, as more particularly described in Willdan's proposal for such Study update, attached hereto and incorporated herein by this reference.

All other terms of the Agreement shall remain in full force and effect.

Entered as of the day and year first above stated.

CONSULTANT:

CITY OF ST. HELENA
a Municipal Corporation

Signatures of Authorized Persons:

By: _____

By: _____

Print Name: Anil Comelo

Print Name: _____

Title: City Manager

Title: _____

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

ATTACHMENT A



March 29, 2024

Ms. Mandy Kellogg
 Administrative Services Director
 City of St. Helena
 1088 College Avenue
 St. Helena, CA 94574

Re: Letter Proposal to Conduct a User Fee Study – Planning and Weed Abatement Fee Update for the City of St. Helena

Dear Mandy:

As discussed, the following is our proposed scope of services and fee to conduct a User Fee Study Update for the City of St. Helena ("City").

Scope of Work

Our proposed work plans, described in detail by task, are provided below. We explain how each task will be accomplished and identify associated meetings and deliverables. We will work in concert with the City to adjust scopes as needed during the course of the studies.

User Fee Study Update - Planning and Weed Abatement Fee Update

Task 1: Kick-off Conference Call / Refine Scope	
Objective:	Confirm goals and objectives for the User Fee Study Update. Identify and discuss policy considerations typically associated with a User Fee Study.
Description:	Verify our understanding of the City's goals with the new fee additions, the City's cost-recovery policy for the new fees, and to fill any gaps in data/information necessary for the project. It is important for the City and Willdan to identify and address any foreseeable challenges and maintain open communication throughout the process. During this call, we will ask that the City identify a project manager who will serve as the primary contact for the project. The project manager shall have responsibility for ensuring that all available data is provided in a timely manner, thereby maintaining adherence to the project's schedule.
Meetings:	One (1) project kick-off call to initiate the entire project, discuss data needs, and address policy objectives.
Deliverables:	Willdan: 1) Revised project scope and schedule (if needed); and 2) brief summary of policy decisions (if needed). City: 1) Provide further data needs; and 2) determine/introduce City's project manager.
Task 2: Update User Fee Model with New Planning and Weed Abatement Fee Changes	
Objective:	Add the new fees to the User Fee model used in the recently completed study.
Description:	This task involves the updating of the existing fee model to include the desired fee additions and identify the desired changes to existing Planning fee descriptions. development of the model ultimately used to calculate the departmental fees, based on data and information gathered in previous tasks and in the Time Survey Interviews described in Task 5. Overhead rates and fully burdened hourly rates used in the analysis will be those developed during the prior study. If there are positions that are needed that are not in the model currently, Willdan will request the salary and benefit cost for those missing. The hourly rates along with the time data requested in Task 3 will identify the full reasonable cost of service for each new fee.
Deliverables:	Willdan: One (1) user-friendly model in Microsoft Excel format, which, when finalized, will identify the full cost of all new fees.

City of St Helena, CA

Task 3: Staff Interviews and On-site Information Gathering	
Objective:	Meet with City staff to complete Time Surveys and understand service delivery processes for the new Planning and weed abatement fees and based on the desired changes to any existing Planning fees.
Description:	In order to assist staff with the completion of the survey worksheets, we will schedule virtual meetings with staff. The Willdan Team will conduct interviews with supervisors/managers, as well as other staff, as deemed appropriate and/or necessary, from staff involved in the new fees to determine the reasonable time required by City staff to provide each of the services. During these meetings changes to the current Planning fees will also be discussed to determine if the changes necessitate a change to the time data for those services. The fee model is designed so that full cost recovery fees are calculated immediately upon input of staff time. This will allow Willdan and City staff to conclude with a final meeting to review the draft full cost recovery fees and adjust any times as necessary once all information has been compiled and input into the fee model. We will schedule the interviews with staff to minimize any disruption to their normal workflow.
Meetings:	Web meetings with staff to discuss the new fees and collect and update time data as needed.
Deliverables:	Willdan and City: Time surveys and draft full cost recovery fees.
Task 4: Data Analysis and Final Fee Schedule	
Objective:	Incorporate information obtained from on-site surveys to fully develop model.
Description:	We will update the model, based on information received during the on-site surveys, and any follow up communication to generate an updated fee schedule. The user fee data analysis and model development may take three (3) to four (4) weeks with frequent correspondence with City staff to discuss full cost calculations, and initial suggested fees based on the City's cost recovery policy for related fees.
Meetings:	emails and virtual meetings, as necessary, to gather additional input, complete analysis and finalize fee schedule.
Deliverables:	Final fee schedule for City Council presentation and discussion.
Task 5: Prepare and Present Draft Memorandum	
Objective:	Prepare draft memorandum (memo).
Description:	This task involves the preparation of the draft memo for the updated fees that discusses the study's background, the methodologies utilized in the study, and the results and presentation to various stakeholder groups. As noted below, meetings may occur during this or the next task as appropriate. The calculations used to generate the fee study will be included textually, as well as in easy-to-understand tables. Individual fee summaries for the department and the fee schedule will be included. The draft memo will include the following: ▪ Key results and findings; ▪ Basic descriptions of each service; ▪ The reasonable full cost of each service and current cost recovery levels; ▪ Fee recommendations with associate levels of cost recovery; ▪ Projections of potential fee revenue (if estimated activity level is known); and ▪ Summary and recommendations. The objective of the memo is to communicate the recommendation of appropriate fees, which include the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.
Meetings:	One (1) web meeting with City staff, to present draft results address questions and receive feedback.

City of St Helena, CA

Deliverables: **Willdan:** Draft memo for City review and comment.
City: Review of draft memo, with comments and edits.

Task 6:	Revise Draft Memorandum
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Objective: Review of draft memo.

Description: The goal of this task is to update the memo based on staff feedback and desired changes. Often through the course of an engagement, City staff will volunteer insightful likes and dislikes regarding the draft memo's format and content. We listen to this feedback carefully because your staff members know the community best. Following one (1) round of comments from City staff on the draft memo and feedback from City staff, we will prepare the final memo for presentation to the City Council.

Deliverables: Final memo, revised draft /final memo.

Task 7:	Present Final Memorandum
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Objective: Present final memo to City Council.

Description: This task is the culmination of the entire project. We will prepare the presentation for the public hearing with Council to consider adoption of the updated fee schedule.

Meetings: One (1) meeting with City Council to present the results and adopt the updated fee schedule.

Deliverables: Provide one (1) electronic PDF file copy of the final memo and model; and, if requested, provide five (5) bound copies, and one (1) unbound copy to the City. Using Microsoft Word and Excel, an updateable electronic copy of the memo and model, as well as related schedules, will also be provided via email.

City Staff Support

To complete our tasks, we will need the cooperation of City staff. We suggest that the City of St. Helena assign a key individual to represent the City as the project manager who can function as our primary contact. We anticipate that the City's project manager will:

- 1) Coordinate responses to requests for information;
- 2) Coordinate review of work products; and
- 3) Help resolve policy issues.

Willdan will endeavor to minimize the impact on City staff in the completion of this project. We will ask for responses to initial information requests in a timely manner. If there are delays on the part of the City, we will contact the City's project manager to steer the project back on track. We will keep the City's project manager informed of data or feedback we need to keep the project on schedule.

City of St Helena, CA

Schedule of Fees

Based on the corresponding work plan identified within the scope of services, we propose a **fixed fee of \$9,800** to prepare a User Fee Study update.

Notes:

- Our fee includes all direct expenses associated with the project.
- We will invoice the City monthly based on percentage of project completed.
- Additional services may be authorized by the City and will be billed at our then-current hourly overhead consulting rates.
- City shall reimburse Willdan for any costs Willdan incurs, including without limitation, copying costs, digitizing costs, travel expenses, employee time and attorneys' fees, to respond to the legal process of any governmental agency relating to City or relating to the project. Reimbursement shall be at Willdan's rates in effect at the time of such response.
- The cost of preparing the user fee study can be included in the resulting new fee schedule. Therefore, over time, the City can recover the initial outlay of funds that was required to complete the studies.
- Willdan will rely on the validity and accuracy of the City's data and documentation to complete the analysis. Willdan will rely on the data as being accurate without performing an independent verification of accuracy and will not be responsible for any errors that result from inaccurate data provided by the client or a third party.

Additional Services

Additional services may be authorized in writing by the City and will be billed at our current hourly consulting rates. Our current hourly rates are identified in the table below.

Willdan Hourly Rate Schedule		
Position	Team Member	Hourly Rate
Vice President - Director	Chris Fisher	\$250
Managing Principal		\$240
Principal Consultant	Tony Thrasher Bob Quaid	\$210
Senior Project Manager		\$185
Project Manager		\$165
Senior Project Analyst	Priti Patel	\$135
Senior Analyst		\$125
Analyst II		\$110
Analyst I		\$100

We look forward to continuing to serve the City of St. Helena. If you have any questions, please feel free to contact me directly at (951) 587-3530 or via email to thrasher@willdan.com.

WILLDAN FINANCIAL SERVICES



Tony Thrasher
Principal Consultant

**CITY OF ST. HELENA
RESOLUTION NO. 2015-146**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH WILL DAN
FINANCIAL SERVICES TO PROVIDE A FULL COST SERVICES AND
DEVELOPMENT IMPACT FEE STUDY**

RECITALS

- A. The City conducted its most recent cost of services study in November 2011 and an updated fee schedule was adopted by City Council on March 27, 2012; and
- B. The City conducted its last development impact fee study in April 2013 and an updated development impact fee schedule was adopted by City Council on November 12, 2013; and
- C. In September 2015, staff issued Full Cost Services and Development Impact Fee Study Request for Proposals; and
- D. Based on the proposal, consultant's relevant experience, references and interview, staff recommends Willdan Financial Services.

RESOLUTION

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

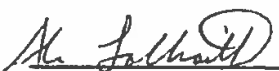
- 1. Council authorizes the agreement with Willdan Financial Services for a total not to exceed amount of \$81,540.
- 2. Council authorizes the City Manager to execute the agreement on behalf of the City.

Approved at a Regular Meeting of the St. Helena City Council on November 24, 2015, by the following vote:

Mayor Galbraith:	<u>yes</u>
Vice Mayor White:	<u>yes</u>
Councilmember Crull:	<u>yes</u>
Councilmember Dohring:	<u>absent</u>
Councilmember Pitts:	<u>yes</u>

APPROVED:

ATTEST:


Alan Galbraith, Mayor




Cindy Black, City Clerk

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into on November 24, 2015 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Willdan Financial Services (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as Full Cost Services and Development Impact Fee Study.

B. Consultant has represented that Consultant has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Consultant agrees to perform the services and work (together, “services”) set forth in Exhibit A, “Scope of Services” and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to or outside of those set forth in this Agreement or Exhibit A, “Scope and Provisions”, unless such additional services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of services shall be as identified in Exhibit A, “Scope and Provisions”.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in Exhibit B, “Compensation”, attached hereto and made a part hereof. Total compensation shall not exceed \$81,540.00, unless additional compensation is approved in accordance with Section 2.

B. Consultant shall furnish to City an original invoice for all services performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subconsultant contracts, and miscellaneous expenses. City shall independently review each invoice submitted to determine whether the services performed and expenses incurred are in compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved and City will use its best efforts to cause Consultant to be paid within

30 days of receipt of invoice. If any charges or expenses are disputed by City, the original invoice shall be returned by City to Consultant for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the Agreement price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Consultant. In no event shall City be obligated to pay late fees or interest, whether or not such requirements are contained in Consultant's invoice.

C. Payment to the Consultant for services performed pursuant to this Agreement shall not be deemed to waive any defects in services performed by Consultant.

SECTION 5 – STANDARD OF PERFORMANCE

Consultant represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. In meeting its obligations under this Agreement, Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Consultant under this Agreement.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Consultant's services under this Agreement, either during performance or when completed. City shall reject or finally accept Consultant's services within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject services by a timely written explanation, otherwise Consultant's services shall be deemed to have been accepted. City's acceptance shall be conclusive as to such services except with respect to latent defects and fraud. Acceptance of any of Consultant's services by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the services hereunder by the Consultant, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

B. Minimum Limits of Insurance. Consultant shall maintain limits no less than:

1. General Liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

C. Professional Liability Insurance. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance.

D. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.

E. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of services or operations performed by the Consultant or Consultant's subconsultants; or automobile owned, leased, hired or borrowed by the Consultant.
2. For any claims related to Consultant's conduct while performing the services of this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

F. Waiver of Subrogation. The workers compensation policy is to be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the services performed by the named insured for the City.

G. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.

H. Verification of Coverage. Consultant shall furnish the City with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before services commence. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. Consultant shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Consultant, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Consultant agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Consultant under this Agreement is a design professional, the provisions of this section regarding Consultant's duty to defend and indemnify apply only to claims that arise out of or relate to the negligence, recklessness, or willful misconduct of the design professional.

C. If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Consultant has agreed to indemnify Indemnitees as provided above, Consultant, upon notice from City, shall defend Indemnitees at Consultant's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Consultant shall ensure Consultant's obligations under this section, but the limits of such insurance shall not limit the liability of Consultant hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

D. The provisions of this section do not apply to claims to the extent occurring as a result of the City's sole negligence or willful acts or misconduct.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

A. Consultant is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Consultant shall have no authority to bind City in any manner, nor to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

B. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as

set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees or agents of City.

C. Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST

A. Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Consultant agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

B. City understands and acknowledges that Consultant is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Consultant is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

SECTION 11 – OWNERSHIP OF DOCUMENTS

A. All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Consultant in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Consultant. When requested by City, but no later than three years after project completion, Consultant shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

B. All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Consultant during the course of providing services (collectively the "Work Product") shall belong exclusively to City. The Work Product shall be considered a "work made for hire" within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Consultant hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Consultant may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 - CONFIDENTIAL INFORMATION: RELEASE OF INFORMATION

A. All information gained or Work Product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or Work Product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

B. Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the services performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided consultant gives City notice of such court order or subpoena.

C. If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or Work Product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Consultant's conduct.

D. Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the services performed thereunder. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 - SUSPENSION OF SERVICES

City may, at any time, by ten (10) days written notice suspend further performance by Consultant. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Consultant shall be paid for services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 - COMPLIANCE WITH LAW

Consultant shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Consultant shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Consultant to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this Agreement, Consultant agrees as follows:

A. Equal Employment Opportunity. In connection with the execution of this Agreement, Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

B. Nondiscrimination Civil Rights Act of 1964. Consultant will comply with all federal regulations relative to nondiscrimination to federally-assisted programs.

C. Solicitations for Subcontractors including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations, made by Consultant for services to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Consultant of Consultant's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – RECORDS

A. Records of Consultant's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Consultant's final invoice.

B. Consultant's records and design calculations will be available for examination and audit if and as required. The cost of any reproductions shall be paid by City.

SECTION 17 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the services as outlined in the Exhibit A, "Scope of Services", shall be furnished to Consultant in every reasonable way to facilitate, without undue delay, the services to be performed under this Agreement.

SECTION 18 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first class mail, addressed as follows:

To City: City Manager
1480 Main Street
St. Helena, California 94574

To Consultant: Willdan Financial Services
Chris Fisher
27368 Via Industria, Suite 200
Temecula, CA 92590
CFisher@Willdan.com
951-587-3500

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 19 – TERMINATION

A. City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Consultant. If such notice is given, Consultant shall cease immediately all services in progress.

B. If either Consultant or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Consultant, or City may terminate this Agreement immediately upon written notice.

C. Upon termination of this Agreement by either Consultant or City, all property belonging to City which is in Consultant's possession shall be delivered to City. Consultant shall furnish to City a final invoice for services performed and expenses incurred by Consultant, prepared as set forth in this Agreement.

SECTION 20 – ATTORNEY FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 21 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Consultant and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 22 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Consultant without written consent of the City.

SECTION 23 – CONTINUITY OF PERSONNEL

Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff assigned to perform the services required under this Agreement, prior to any such performance.

SECTION 24 – DEFAULT

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any services performed after the date of default and may terminate this Agreement immediately by written notice to Consultant.

SECTION 25 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 26 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 27 – SEVERABILITY

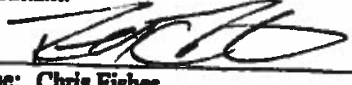
If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 28 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

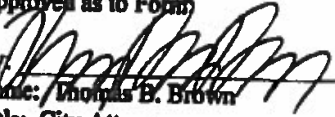
Consultant:

By: 
Name: Chris Fisher
Title: Vice President - Group Manager

City:

By: 
Name: Jennifer Phillips
Title: City Manager

Approved as to Form

By: 
Name: Thomas B. Brown
Title: City Attorney



CITY OF ST. HELENA

Exhibit A

F. Scope and Provisions

Proper Understanding

Willdan is confident that we can meet the City of St. Helena's request for services for a Cost Allocation Plan, User Fee Study and Development Impact Fee Study.

The end products will include user-friendly Excel-based models, which City staff will retain, and can be easily updated to add or remove services and/or costs, update budgets in future years, determine the proper allocation of expenditures, and on-going full cost of services provided by the City. Most importantly, we will ensure that the results and recommendations are clear and understandable, defensible, and easily implementable.

We will coordinate directly with departmental representatives at the City at the beginning of the project, to discuss the approach and process for the studies. Discussions will include ways to combine tasks and efforts among the study components in order to maximize efficiencies, and ensure adherence to specified timelines.

It is important to have a thorough understanding of specific City policies and objectives, the structure and organization of the City, and the relationships between the central and operating departments for a successful and effective engagement.

For the Cost Allocation Plan Study, we will review the City's existing plans and structure, to ensure that general government costs are fairly and equitably allocated to the appropriate programs and funds. This effort will ensure that each enterprise and program bears its fair share of general governmental expenses.

We will work directly with personnel at the City who provide the services applicable to the User Fee Study, in order to understand the procedures and processes involved, and to identify the associated costs.

For the Development Impact Fee Study, Willdan will review the existing impact fee schedule and report prior to the kick-off to determine what has changed in terms of facilities and needs for the fee categories. We will update the demographics, and present the City with the facilities list and discuss the current status for each fee type. We will work with the City to implement an impact fee program that ensures that new development pays its fair share of infrastructure while being mindful of the impact of fees on development.

Willdan possesses the resources, practical experience, creative thinking, and collaborative consulting skills necessary to complete this important project. Key distinct advantages that Willdan brings to the City include the following:

On-site Data Gathering: Our experience has taught us that working together, via face-to-face discussions, is the most efficient and thorough way to ensure that results are accurate, and that studies are completed in a timely manner. Consequently, through on-site interviews with your staff, Willdan will collect the majority of required data for the studies. This method is better than the typical "time and motion surveys" that are provided to agency staff when studies like these are conducted. This process ensures that we gather the data needed in one coordinated step, rather than having to go through repeated follow-up and clarification. This approach and the dedication of several of our staff will help ensure we meet the City's timeline and objectives, and provide important information to City staff and the Council as soon as possible.

Public Engagement: Our models and project approach are geared toward delivering our work on schedule and presenting our analysis results at public meetings and Council workshops. While we understand that the City Council and local business community may be generally supportive of increasing fees where necessary, it will be important to present recommendations to them in a way that clearly demonstrates the rationale and supporting analysis. The Willdan Team is experienced at communicating complex analytical results in a manner that is easy to understand by non-finance oriented individuals and facilitates discussion. Our proposed project manager for this engagement has coordinated, or participated in numerous public and staff workshops regarding fees and cost of service based charges. As previously mentioned, our objective is to provide useful, detailed information to the Council and City staff, necessary to make important decisions. Our experience ensures that we can meet this objective.



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User-friendly Models and Reports: Willdan prides itself on creating user-friendly Excel-based models that the City can retain, and **conducting our analysis and developing the models collaboratively with City staff.** With City staff's immediate input and collaboration, Willdan will design extremely flexible, intuitive Excel-based models. In the future, as the City assumes new responsibilities, modifies existing processes, and/or eliminates unnecessary services or programs, the models will be capable of adding or deleting funds, objects, departments, programs, staff positions, and activities. Willdan understands that issues facing the City are unique; consequently, we design our models to match your immediate and desired needs to ensure that end-results exceed staff expectations.

These models are then the City's to retain, after our services are completed, and allows for the creation of revenue projections, highlighting potential new revenues, and levels of subsidy.

A key element of these studies are presenting results and recommendations in a straightforward manner, that allows Council and staff to confidently make fee setting policy decisions, and understand the impacts of those decisions. Rather than using an inflexible proprietary software program, we construct our models from the ground up, as previously discussed, mirroring the City's budget format wherever possible. As a result, the information contained in our models is easy for City staff to interpret, and the familiar software ensures ease of navigation. As the models are being designed and constructed, we will work together with City staff to determine the best and most effective features to include. After the project is completed, we will provide training, so that your staff can independently and efficiently evaluate the effects of changes in certain factors. Created directly from the models, our reports clearly and graphically illustrate bases for the full cost recovery level of fee programs, provide projections of revenue from fee programs, both at full cost recovery and at recommended levels, and present the fee methodologies.

The models will be developed to allow the City to run "what if" scenarios to address possible changes in staffing levels, working hours, etc.



Cost Allocation Plan Methodology

The purpose of this cost allocation plan engagement is to ensure that the City of St. Helena is maximizing the recovery of indirect costs from identified operating departments, as well as enterprise and other chargeable funds and capital projects. Furthermore, a sound cost allocation plan is a foundational element of a user fee study, and the development of internal hourly rates, including CIP billing rates. We will work closely with staff in identifying the proper balance of allocation factors appropriate for the City. In order to achieve the maximum cost recovery objective, the City must have a method of identifying and distributing administrative costs that is fair, comprehensive, well documented, and fully defensible. A cost allocation plan coupled with comprehensive overhead rates will enable the City to achieve this goal.

Approach for Managing the Project

Willdan's "hands-on" supervision of Cost Allocation Plan studies, include the following methods:

- **Effective Project Management** — Project Manager Chris Fisher will manage the entire project with an eye toward high responsiveness, while ensuring that all stakeholders are "on board" with the direction of the project, as well as with the final results. Mr. Fisher will ensure that regular status updates are provided to City staff, conference calls are scheduled, and that in-person meetings are conducted (as necessary).
- **Adherence to Time Schedule** — Willdan recognizes that the use of "timelines" is highly effective in meeting all required deadlines. To keep the project on schedule, there are several tasks that must be completed in a timely manner. Therefore, we will present a project timeline at the kick-off meeting that should be closely followed.

Although the establishment of an experienced project team and a detailed project timeline work extremely well in general, Willdan understands that outside influences can create uncontrollable situations for everyone involved in the project. In rare circumstances like these, our team quickly adapts to changes, and communicates our recommended schedule adjustments to the City.

Approach in Communicating with the City

Willdan staff is accustomed to interfacing with local government councils, boards, staff, community organizations, and the public in general in a friendly and helpful manner; we are always mindful that we represent the public agency. We are sensitive to the need of delivering a quality product, with the highest level of service and professionalism. Therefore, as the work on the project progresses, we understand that it will be necessary for our staff to work closely with you and City personnel. To accomplish this, we employ a variety of tools, including monitoring project status and budget costs; and ensuring effective communication through several options that are based on the City's preferences.

Experience with Development Service Processes

A unique aspect of our firm is our relationship with our Engineering Division. For many agencies throughout California and other Western states, this division provides contracted services in planning, engineering, and building and safety. When conducting cost recovery studies, we regularly consult with our engineering and land-development staff of experts on development-related issues. By working with our planners, engineers, and building officials, we understand development-related agency service procedures and workflow functions, which often make the entire user fee study process smoother for your staff.

User Fee Study Methodology

In order to comprehensively update fees, the City should develop a comprehensive user fee schedule that accurately accounts for the true cost of providing services. Once the study is complete, the fee study model must be flexible so that the City can add, delete, and revise fees in the future. To meet this goal, we will bring our expertise and unique perspectives to your fee study by approaching the project with these three principles:

1) Defensibility

Our user fee projects have not been legally challenged since the inception of this practice area in our firm. We have accomplished this by closely working with legal counsel familiar with user fee studies, our engineering division and with agency staff. In this way, we can tailor the correct approach to ensure full cost recovery combined with a sound and reasonable basis for each user fee you implement.

While Proposition 218 does not directly apply to non-property-related fees, we employ principles from this important constitutional article to make certain that your user fee and rate schedule is developed with fairness, equity, and



proportionate cost recovery principles in mind. With the addition of Proposition 26, Willdan will review each analyzed user fee for compliance and appropriateness to ensure continued defensibility.

The City must have a sound and technically defensible fee schedule to ensure costs are appropriately recovered, as applicants approach the City for its services. Our standards and approaches serve to get to the issues of your fee study quickly. Starting with the project kick-off, we will make certain that your staff understands the purpose and scope of the study and its corresponding on-site departmental interview. As Willdan is able to communicate directly with the service providers, this face-to-face interaction provides valuable time estimates.

We take great pride in providing responsive service to our client agencies. Frequent communication is critical to a successful user fee study experience. We will provide a list of data requirements in advance of the project kick-off. Due to this simple step, the introductory meeting can focus on the survey input process, answering questions, determining policy goals, and defining next steps in the project. We will follow up weekly with you at each step in the fee study process to make sure that staff "buys in" to the fee study approach and results.

Approach

Our approach to preparing the user fee study and documentation for St. Helena includes:

- Close coordination with your staff to devise a consensus approach. Different programs and/or different service delivery methods will necessitate different approaches. We will discuss specific pros and cons with City staff as we determine which methods work best for various categories of fees;
- Strict adherence to key legal and policy issues with regard to user fees, including the percent of cost recovery that the City seeks to achieve. A user fee shall not be set higher than the reasonable cost of providing a fee-generating service. Our approach provides you with a fee schedule that achieves maximum legal cost recovery while ensuring that each fee is supported by technically defensible documentation; and
- Technical analysis necessary for project participants to resolve policy issues.

As described below, there are two basic approaches to calculating user fees:

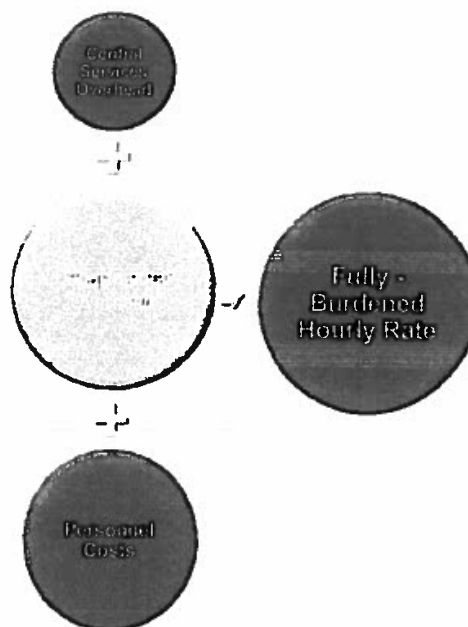
Approach 1: Case Study Method

This is also sometimes referred to as a cost build-up approach. Using a time and materials approach, the "Case Study Method" examines the tasks, steps and City staff involved in providing a particular 'unit' of service, such as a permit review, and then uses that information to develop estimates of the actual labor and material costs associated with providing a unit of service to a single user. It is often used when a service is provided on a regular basis, and staff and other costs associated with the service can be segregated from available budget data.

A typical case study fee model should comprise the following three general cost layers:

1) **Central Services Overhead:** This category may involve such costs as labor, services, and supplies that benefit more than one department, division, or project. The exact benefits to specific areas are impossible to ascribe to a single activity. Examples are purchasing, human resources, and liability insurance. As part of the user fee study, these costs are calculated in the overhead cost review.

2) **Department Overhead:** This category may include expenses related to such items as office supplies, outside consultants, and membership dues. It may include management, supervision, and administrative support that are not provided to a direct fee-generating service. Typically, these items are charged, on an item-by-item basis, directly to the department, division, or project.





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3) Personnel Costs: This category refers to direct salary and benefit costs of staff hours spent on providing a fee-generating service (e.g., on-site building inspector).

Approach 2: Average Cost Method

This is also sometimes referred to as a programmatic approach, because it looks at costs at a program level, and then allocates them to participants on an occurrence basis. By taking total service costs across a substantial sample period (a year), and dividing by the total number of service units delivered over that same period, costs per unit of service is estimated.

This approach is useful when services or programs are provided in a more aggregate manner, where it might be difficult to identify a specific sequence of steps associated with one user or participant; or where it is not feasible to cost-effectively segregate costs associated with specific activities.

Development Impact Fee Study Methodology

Willdan's methodology for calculating public facilities fees is both simple and flexible. Simplicity is important so that the development community and the public can easily understand the justification for the fee program. At the same time we use our expertise to reasonably ensure that the program is technically defensible.

Flexibility is important so we can tailor our approach to the available data, and the agency's policy objectives. Our understanding of the technical standards established by statutes and case law suggests that a range of approaches are technically defensible. Consequently, we can address policy objectives related to the fee program, such as economic development and affordable housing. Flexibility also enables us to avoid excessive engineering costs associated with detailed facility planning. We calculate the maximum justifiable impact fee and provide flexibility for the agency to adopt fees up to that amount.

Development impact fees are calculated to fund the cost of facilities required to accommodate growth. The four steps followed in an impact fee study include:

- **Estimate existing development and future growth:** Identify a base year for existing development and a growth forecast that reflects increased demand for public facilities;
- **Identify facility standards:** Determine the facility standards used to plan for new and expanded facilities;
- **Determine facilities required to serve new development and their costs:** Estimate the total amount and cost of planned facilities, and identify the share required to accommodate new development; and
- **Calculate fee schedule:** Allocate facilities costs per unit of new development to calculate the public facilities fee schedule.

We discuss key aspects of our approach to each of these steps in the subsections that follow.

Growth Projections

In most cases, we recommend use of long-range market-based projections of new development. By "long-range" we suggest 20 to 30 years to:

- 1) Capture the total demand often associated with major public facility investments; and
- 2) Support analysis of debt financing, if needed. In contrast to build out projections, market based projections provide a more realistic estimate of development across all land uses. Build out projections typically overestimate commercial and industrial development because of the oversupply of these land uses relative to residential development.

Facility Standards

The key public policy issue in development impact fee studies is the identification of facility standards (step #2, above). Facility standards document a reasonable relationship between new development and the need for new facilities. Standards ensure that new development does not fund deficiencies associated with existing development.

Our approach recognizes three separate components of facility standards:

- 1) **Demand standards** determine the amount of facilities required to accommodate growth. Examples include park acres per thousand residents, square feet of library space per capita, or gallons of water per day. Demand standards may also reflect a level of service such as the vehicles-to-capacity (V/C) ratio used in traffic planning;



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- 2) Design standards determine how a facility should be designed to meet expected demand, for example park improvement requirements and technology infrastructure for office space. Design standards are typically not explicitly evaluated as part of an impact fee analysis but can have a significant impact on the cost of facilities. Our approach incorporates current facility design standards into the fee program to reflect the increasing construction cost of public facilities; and
- 3) Cost standards are an alternate method for determining the amount of facilities required to accommodate growth based on facility costs per unit of demand. Cost standards are useful when demand standards were not explicitly developed for the facility planning process. Cost standards also enable different types of facilities to be analyzed based on a single measure (cost or value), useful when disparate facilities are funded by a single fee program. Examples include facility costs per capita, per vehicle trip, or cost per gallon of water per day.

Identifying New Development Facility Needs and Costs

We have a number of approaches that can be used to identify facility needs and costs to serve new development. Often this is a two step process: (1) identify total facility needs; and (2) allocate to new development its fair share of those needs. Total facility needs are often identified through a master facility planning process that typically takes place concurrent with or prior to conducting the fee study. Engineered facility plans are particularly important in the areas of traffic, water, sewer, and storm drain because of the specialized technical analysis required to identify facility needs.

There are three common methods for determining new development's fair share of planned facilities costs: (1) the existing inventory method; (2) the planned facilities method; and (3) the system plan method. Often the method selected depends on the degree to which the community has engaged in comprehensive facility master planning to identify facility needs.

The formula used by each approach and the advantages and disadvantages of each method is summarized on the page that follows:

Existing Inventory Method

The existing inventory method allocates costs based on the ratio of existing facilities to demand from existing development as follows:

$$\frac{\text{Current Value of Existing Facilities}}{\text{Existing Development Demand}} = \$/\text{unit of demand}$$

Under this method new development funds the expansion of facilities at the same standard currently serving existing development. By definition, the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available. Only the initial facilities to be funded with fees are identified in the fee study. Future facilities to serve growth are identified through an annual Capital Improvement Plan ("CIP") and budget process, possibly after completion of a new facility master plan.

Planned Facilities Method

The planned facilities method allocates costs based on the ratio of planned facility costs to demand from new development as follows:

$$\frac{\text{Cost of Planned Facilities}}{\text{New Development Demand}} = \$/\text{unit of demand}$$

This method is appropriate when specific planned facilities can be identified that only benefit new development. Examples include street improvements to avoid deficient levels of service or a sewer trunk line extension to a previously undeveloped area. This method is appropriate when planned facilities would not serve existing development. Under this method new development funds the expansion of facilities at the standards used for the master facility plan.



System Plan Method

This method calculates the fee based on the ratio of the value of existing facilities plus the cost of planned facilities divided by demand from existing plus new development:

$$\frac{\text{Value of Existing Facilities} + \text{Cost of Planned Facilities}}{\text{Existing} + \text{New Development Demand}} = \$/\text{unit of demand}$$

This method is useful when planned facilities need to be analyzed as part of a system that benefits both existing and new development. It is difficult, for example, to allocate a new fire station solely to new development when that station will operate as part of an integrated system of fire stations that together to achieve the desired level of service. Police substations, civic centers, and regional parks are examples of similar facilities.

The system plan method ensures that new development does not pay for existing deficiencies. Often, facility standards based on policies such as those found in General Plans are higher than existing facility standards. This method enables the calculation of the existing deficiency required to bring existing development up to the policy-based standard. The local agency must secure non-fee funding for that portion of planned facilities, required to correct the deficiency, to ensure that new development receives the level of service funded by the impact fee.

Calculating the Fee Schedule

The fee schedule uses the cost per unit of demand discussed in the last subsection to generate the fee schedule. This unit cost is multiplied by the demand associated with a new development project to calculate the fee for that project. The fee schedule uses different demand measures by land use category to provide a reasonable relationship between the type of development and the amount of the fee. We are familiar with a wide range of methods for identifying appropriate land use categories and demand measures depending on the particular study.

Related Approach Issues

Funding and Financing Strategies

In our experience, one of the most common problems with impact fee programs and with many CIPs is that the program or plan is not financially constrained to anticipated revenues. The result is a "wish list" of projects that generate community expectations that often cannot be fulfilled. Our approach is to integrate the impact fee program into the local agency's existing CIPs while encouraging those plans to be financially constrained to available resources. We clearly state the cost of correcting existing deficiencies, if any, to document the relationship between the fee program and the need for additional non-fee funding.

We can also address one of the most significant drawbacks of an impact fee program – the inability to support conventional public debt financing, so projects can be built before all fee revenues have been received. In collaboration with financial advisors and underwriters, we have developed specific underwriting criteria so that fees can be used to pay back borrowing as long as another source of credit exists. Typically, this approach involves the use of Certificates of Participation or revenue bonds that are calibrated so that they can be fully repaid using impact fee revenues.

Economic Development Concerns

The development community often is concerned that fees and other exactions will become too high for development to be financially feasible under current market conditions. Local agencies have a number of strategies to address this concern, including:

- Conducting an analysis of the total burden placed on development, by exactions, to see if feasibility may be compromised by the proposed fees;
- Gathering similar data on the total fee burden imposed by neighboring or competing jurisdictions;
- Developing a plan for phasing in the fees over several years to enable the real estate market to adjust;
- Providing options for developers to finance impact fees through assessment and other types of financing districts; and
- Imposing less than the maximum justified fee.

If less than the maximum justified fee is imposed, we will work with staff to identify alternative revenues sources for the CIP. The CIP should remain financially feasible to maintain realistic expectations among developers, policy-makers, and the public.



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Stakeholder Participation

Stakeholder participation throughout the study supports a successful adoption process. Our approach is to create consensus first, around the need for facilities based on agreed upon facility standards. Second, we seek consensus around a feasible funding strategy for these needs, leading to an appropriate role for impact fees.

Gaining consensus among various groups requires a balanced discussion of both economic development and community service objectives. Often, our approach includes formation of an advisory committee to promote outreach to and input from the development community and other stakeholders. We have extensive experience facilitating meetings to explain the program and gain input.

Program Implementation

Fee programs require a certain level of administrative support for successful implementation. Our final report will include recommendations for appropriate procedures, such as:

- Regularly updating development forecasts;
- Regularly updating fees for capital project cost inflation;
- Regularly updating capital facility needs based on changing demands;
- Developing procedures for developer credits and reimbursements; and
- Including an administrative charge in the fee program.



City of ST. HELENA

Work Plans

Our proposed work plans, described in detail by task, are provided below. We propose to maximize efficiency and cost-effectiveness by combining meetings and data gathering efforts between the studies wherever possible.

We explain how each task will be accomplished, and identify associated meetings and deliverables. We want to ensure our scope provides quality and clarity, and is responsive to the City's needs and specific local circumstances. We will work in concert with the City to adjust scopes as needed during the course of the studies.

Cost Allocation Plan

Task 1: Initial Document Request

Initial due diligence.

Prior to the kick-off call, relevant documentation will be obtained and reviewed in order to confirm our understanding of the City's cost allocation plan and internal structure of the agency. A written request for specific data will be sent to the City. The data provided in this task will provide the building blocks for later model development.

Our request may include (but is not limited to):

- Detailed budget and accounting data;
- Prior year's financial data, salary, position and staffing data;
- Organizational structure; and
- Data related to various allocation bases that may be incorporated as part of the methodology, i.e. City Council agenda frequencies by department, AP/AR transactions by department, IT equipment distribution by department, etc.

Willdan: Submit information request to City.

City: Provide requested data to Willdan (prior to Task 2, Kick-off Call/Refine Scope). We will follow up with the City to confirm in writing the data that we have received, or which is still outstanding.

Task 2: Kick-off Call / Refine Scope

Confirm project goals and objectives. Identify and resolve policy issues raised by the study and determine appropriate fee categories.

Willdan will identify and resolve policy issues typically raised by these studies and address data gaps in order to gain a full understanding of the City's goals for the cost allocation plan. We will establish effective lines of communication and processes for information gathering and review.

During this meeting, we will ask that the City assign a project manager to serve as its primary contact. The selected City project manager will ensure that available data is provided to Willdan in a timely manner, thereby maintaining adherence to the project's schedule.

We will review the current cost allocation methodology and discuss with City staff. The objective of this review is to determine specific areas of focus as they relate to the City's objectives, and to discuss and evaluate current and potential allocation factors.

One (1) project kick-off conference call to initiate the project, discuss data needs and methodologies and to address policy issues. We would propose to conduct the comprehensive user fee study kick-off during this same meeting to maximize efficiency and cost effectiveness of staff and Willdan time.

Willdan: If needed, a revised project scope and schedule.

City: Provide further data requirements and select / introduce City's project manager.



Task 3: Gather Staffing Information and Develop Cost Allocation Plan Model

Confirm existing information related to indirect staffing and functions. Prepare updated draft cost allocation plan and model.

This task involves the gathering of specific information, directly from City staff, through interviews and discussion, related to the functions served by indirect staff and the departments served by their activities. This task also focuses on the adjustment of existing, allocation bases, and the development and testing of an updated model that will ultimately be used to calculate the proper cost allocations derived from data gathered in prior tasks.

The model will be developed to incorporate any recent changes in the provision of City services, and fully allocate central service costs, as well as to allocate only those costs eligible under OMB A-87 guidelines. This is accomplished by loading relevant data into the model, then employing a toggle that will remove the OMB A-87 ineligible costs as appropriate. The OMB A-87 compliant model is valuable as the City may receive Federal or State grant funding that mandates compliance with the Federal OMB regulations.

We will utilize budget and organizational information, and other required information gathered from City staff to complete the work in this task. Specific discussions will be held to discuss bases, how central overhead services are provided to and utilized by other departments, cost categories and allocation criteria, and how these will factor into the overall cost allocation methodology.

We will work with the City to review any existing Internal Service Funds (ISF) and their functions and structures, and incorporate them into the model and methodology.

The model and methodology will also produce fully loaded hourly billing rates for City staff positions. These rates will be suitable for a variety of uses, including billing to CIP projects, and in the OMB A-87 compliant CAP, to Federal grants.

Conference call with staff to understand structure and operations as model and allocation bases are developed. Key staff will be interviewed to best understand central overhead staffing and functions and the departments served.

Willdan: One (1) user-friendly model in Microsoft Excel format that provides both a full cost allocation plan and an OMB A-87 compliant cost allocation plan.

Task 4: Test and Review Cost Allocation Methodology

Test and review model and results with City.

The draft cost allocation plan model will be reviewed with City staff, and adjusted as necessary, to ensure that preliminary allocations provide an accurate depiction of how the central overhead costs should be borne by the operating programs and funds. Over the past several years, we have successfully integrated online meetings by using GoToMeeting™ as an element to our approach. This allows us to remotely guide staff through the model review, and allows you the opportunity to interactively change inputs and test approaches.

One (1) conference call and online demonstration (GoToMeeting) to review the model.

Willdan and City: Draft cost allocation plan model review.

Task 5: Prepare and Present Draft Report

Prepare the draft cost allocation report.

This task involves the draft report preparation. The cost allocation plan's background, model methodologies, and results will be discussed; calculations and supporting data will be presented textually and in easily understood tables, and provided to the City.

One (1) meeting to present the draft report to the City Manager, City staff, and if called upon to do so, the City Council.

Willdan: Draft report for City review and input.

City: Review of draft report, with comments, and edits.



Task 6: Discuss and Revise Report

Review of draft report, cost distribution methods, and model.

An in-depth review of the draft report and model will be conducted to arrive at an optimum allocation method for each expenditure type. Often, through the course of an engagement, comments usually revolve around issues of: understandability; appropriate levels of enterprise funds' cost recovery, etc.; ease of calculation; and overhead costs' distribution methods.

Following a round of comments from City staff concerning the draft report, the final report will be prepared for presentation to the Council.

One (1) conference call with City staff to review the report.

Draft report, and revised draft/final report.

Task 7: Prepare and Present Final Report/Train Staff on Model

Prepare and present the final report to City Council. Educate City staff on the operation and use of the model for future modifications.

This task is the culmination of the cost allocation plan project. Based on staff comments on the draft report, Willdan will prepare the final report for presentation to City Council.

We will also provide staff training on the operation and use of the model.

Willdan: Provide five (5) bound copies, one (1) unbound copy, and one (1) electronic PDF file copy of the final report and models (full and OMB A-87 compliant) to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and models, as well as related schedules, will also be provided on CD-ROM.

User Fee Study

Task 1: Initial Document Request

Initial due diligence; obtain study-related data.

Prior to the kick-off meeting, we will review relevant documentation to confirm our understanding of the services, fees, and rates to be studied. A written request for data will be sent to the City.

We will request information and documentation on current fees and fee programs, activity levels, and budget and staffing information (to the extent not already available) related specifically to programs and activities which have associated fees, and for which the City has this level of detail.

Willdan: Submit information request to City.

City: Provide requested data to Willdan (prior to Task 3, Kick-off Call/Refine Scope). As with the cost allocation plan, we will follow up with the City to confirm receipt of requested data and information, and highlight data elements that are outstanding.

Task 2: Confirm Inventory of Current and Potential Fees

Willdan will confirm, and update if necessary, the schedule of fees and methodology for calculating the fees.

Based on the results of the initial document request and independent research, incorporate into our model the existing fees, provided by the City, to comprise the parameters of the fee study.

It is possible that a conference call with the City may be necessary to discuss new fees to implement or existing fees that may no longer be required.

Willdan: One (1) draft list of current fees based on initial data provided (to be discussed and finalized during the kick-off call).

City: Review completed fee schedule with comments/revisions to be discussed during the kick-off.



Task 3 Kick-off Call/Refine Scope

Confirm goals and objectives for the User Fee Study. Identify and resolve policy issues typically raised by a User Fee Study, address gaps in data, and refine appropriate existing or new fee categories (based on Task 2).

Verify our understanding of the City's goals, the City's cost-recovery policy for user fees, and to fill any gaps in data/information necessary for the project. It is important for the City and Willdan to identify and address any foreseeable problems, and maintain open communication throughout the process.

During this meeting, we will ask that the City identify a project manager who will serve as the primary contact for the project. The project manager shall have responsibility for ensuring that all available data is provided in a timely manner, thereby maintaining adherence to the project's schedule.

One (1) project kick-off conference call to initiate the entire project, discuss data needs, and address policy issues. This will be held in conjunction with the kick-off for the cost allocation plan. As mentioned in the cost allocation plan work plan, we suggest combining the kick-off call to increase efficiency.

Willdan: 1) Revised project scope and schedule (if needed); and 2) brief summary of policy decisions (if needed).

City: 1) Provide further data needs; and 2) determine/introduce City's project manager.

Task 4 Develop Comprehensive Fee Model

Develop and test updated model.

This task involves the development of the model ultimately used to calculate the departmental fees, based on data and information gathered in previous tasks and in the Time Survey Interviews described in Task 5. To ensure that City policies are met through the imposition of the calculated fees, the model will be formatted to include appropriate costs.

Key model inputs will include staff and allocated overhead costs per position, and relevant budget data on salaries and benefits. Most of this information will be developed during the cost allocation plan phase of this project, and will be incorporated directly into the user fee model. We will request clarification and/or additional data if necessary.

The model will build upon the cost allocation plan results, to provide an allocation of administrative and overhead costs to fee related activities and departments providing services to customers, so that fees and billable rate schedules incorporate applicable costs. Furthermore, the fees and rates charged to customers will also reflect the cost of the services being provided, to the extent possible given policy and/or political considerations.

Willdan: One (1) user-friendly model in Microsoft Excel format, which, when finalized, City staff can use to calculate fee changes annually, or as often as deemed appropriate by the City Council.

Task 5 Time Survey Interviews and On-site Information Gathering

Meet with City staff to update and confirm Time Surveys and understand service delivery processes. As this is an updated, it is anticipated that a wholesale study of times and levels of effort will not be necessary. We will review the data compiled for the original study, and update it where necessary to reflect new or modified processes and effort levels.

We will schedule one (1) full day of on-site meetings with staff; however, the number of meetings needed may vary depending on the number of staff and departments involved.

The Willdan Team will conduct interviews with supervisors/managers, as well as other staff, as deemed appropriate and/or necessary, from each department involved in the user fee study to confirm and/or update the average time required by City staff to provide each of the services for which a fee is collected.



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The fee model is designed so that full cost recovery fees are calculated immediately upon input of staff time. These full costs are also compared to current cost recovery levels. This will allow Willdan and City staff to conclude with a final meeting to review the draft full cost recovery fees, and adjust any times as necessary, once all information has been compiled and input into the fee model. We will schedule the interviews with staff to minimize any disruption to their normal workflow.

One (1) full business day of on-site meetings/staff interviews.

Willdan and City: Time surveys and draft full cost recovery fees.

Task 6: Common Fees Comparison

Examine the user fees charged by comparable Napa County, or jurisdictions that are similar to the City of St. Helena.

We will access and use our knowledge of other jurisdictions to benchmark the City's five (5) most common fees or highest yielding fees with comparable jurisdictions agreed.

Fee schedules are rarely readily or directly comparable from agency to agency due to definitional and operational differences. For example, a grading permit in one jurisdiction may include the plan check service, while the same permit in another jurisdiction may not, resulting in similar sounding services with widely varying costs. For this reason Willdan takes a selection of the City's most commonly used and/or highest yielding fees.

The survey will contain the following:

- Comparison of common or similar fees and charges used by the City and other jurisdictions;
- Current and proposed fees and charges unique to the City of St. Helena;
- Fees and charges used by other public entities not currently used in the City; and
- If possible, identify characteristics and processes unique to the City that account for significant variances in fees and charges used by other jurisdictions.

Willdan: Recommendations provided in Task 8 will incorporate the data gathered during our examination.

Task 7: Data Analysis and Final Fee and Rate Schedule

Incorporate information obtained from on-site surveys to fully develop model.

We will update the model, based on information received during the on-site reviews, to generate a comprehensive user fee schedule. In addition, a supplemental data request may be necessary, based on new fees identified that the City is not currently collecting. Where appropriate, we will suggest and discuss with staff alternate approaches to existing fee programs (i.e. building fees), and suggest potential areas where fees could be collected where they are not currently. We will present the full cost recovery level for fees, both current and projected under the new calculated fees, and revenue projections, given certain assumptions about the levels of subsidy for different fees. Current levels of cost recovery will be compared to actual full costs calculated during the course of this study. Cost will be calculated at reasonable activity levels, and include all appropriate direct and indirect costs and overhead. We will review fee programs for compliance with Propositions 218 and 28.

The user fee data analysis and model development may take three (3) to four (4) weeks with frequent correspondence with City staff to discuss current cost recovery amounts, necessary to recover full cost and frequency activity.

Conference calls to finalize fee schedule.

Final user fee and rate model for City Council presentation and discussion.



Task 8: Prepare and Present Draft Report

Prepare draft report.

This task involves the preparation of the draft report that discusses the study's background, the methodologies utilized in the study, and the results and presentation to various stakeholder groups. As noted below, meetings may occur during this or the next task as appropriate. The calculations used to generate the fee and rate study will be included textually, as well as in easy to understand tables. Individual fee summaries by department and a comprehensive fee schedule will be included. The draft report will include the following:

- Key results and findings;
- Basic descriptions of each service;
- The full cost of each service and current cost recovery levels;
- Costs broken down graphically into indirect and direct components, with a graphic display of the level of cost recovery;
- Fee recommendations with associated levels of cost recovery;
- Projections of potential fee revenue;
- Assessment of reasonableness of each City's costs;
- Review of reasonableness of current consultant cost structure (for Building Division services);
- As appropriate, recommend alternative methodologies for building permit fee calculation; and
- Summary and recommendations.

The objective of the report is to communicate the recommendation of appropriate fees, which include the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.

One (1) conference call or online meeting to present the draft report to City staff and the City Manager.

Willdan: Draft report for City review and comment.

City: Review of draft report, with comments and edits.

Task 9: Revise Draft Report Determine Cost Recovery Levels for Recommended Adoption

Review of draft report and fee model.

The goal of this task is to conduct an in-depth review of the draft report and model, and finally arrive at an optimum fee structure. Often through the course of an engagement, City staff will volunteer insightful likes and dislikes regarding the existing fee structure. We listen to this feedback carefully because your staff members know the community best. Comments usually revolve around issues of:

- Understandability;
- Fairness to applicants;
- Ease of calculation;
- Appropriate levels of cost recovery; and
- Full cost recovery hourly rates.

When adjusting fee recovery levels, we believe it is important to address these concerns.

Following one (1) round of comments from City staff on the draft report, we will prepare the final report for presentation to the City Council.

One (1) online demonstration (GoToMeeting) to review the model.

Draft report, revised draft /final report.



Task 10: Prepare and Present Final Report/Train Staff on Model

Prepare and present final report to City Council. Train staff on the operation and use of the model for future modifications.

This task is the culmination of the entire project. Based on staff comments received regarding the draft report, we will prepare the final report for presentation.

One (1) meeting with City Council to present the results. We will also provide staff training on the operation and use of the model on the same day, during regular business hours.

We will provide up to five (5) bound copies, one (1) unbound copy and one (1) electronic PDF file copy of the final report and model to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and model, as well as related schedules, will also be provided on CD/ROM.

Development Impact Fee Update

Willdan will work with the City to update the following fees.

- Public safety
- Civic improvement
- Parks
- Storm Drainage
- Traffic
- Housing

Task 1: Identify and Resolve Policy Issues

Identify and resolve policy issues raised by the study.

Review agency documents related to existing capital planning policies and funding programs including existing impact fees. Bring policy issues to City staff's attention, as appropriate, during the project and seek guidance prior to proceeding. Potential policy issues include:

- Adequacy of General Plan and other public facility planning policies (e.g. level of service standards); impact fee ordinances and resolutions, and prior nexus studies;
- Availability of existing public facility master plans and CIPs to identify needed facilities;
- Types of facilities to be funded by each fee;
- Land use categories for imposition of fees;
- Nexus approach to determining facility standards;
- Nexus approach to allocating cost burden among land uses, including need for separate fee zones;
- Potential alternative funding sources, if needed;
- Funding existing deficiencies, if identified; and
- Implementation concerns and strategies.

(1) information requests; (2) revised project scope and schedule (if needed); and (3) brief summary of policy decisions (if needed).

Task 2: Identify Existing Development and Future Growth

(1) Identify estimates of existing levels of development; and (2) identify a projection of future growth consistent with current planning policy.

Identify base year for estimating existing levels of development and for calculating facility standards based on existing facility inventories (see Task 3). Include entitled development that would be exempt from fee program.



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Consult with City staff to identify growth projections to a defined long range planning horizon (10 to 30 years). Projections provide a basis for determining the facilities needed to accommodate growth (see Task 4). Consider projections from regional metropolitan planning agencies and other available sources - City staff to provide estimates and projections by zone if needed.

Develop approach for converting land use data to measure of facility demand. For example, identify population and employment density factors to convert population and employment estimates to dwelling units and building square footage. Select appropriate approach for each impact fee based on:

- Available local data on facility demand by land use category;
- Approaches used by other agencies; and
- Support for other agency policy objectives.

Changes to estimates and projections during subsequent tasks could cause unanticipated effort and require an amendment to the scope of services and budget. Obtain approval of estimates and projections from City staff prior to proceeding.

Memorandum to City staff summarizing estimates of existing development and projections for new development.

Task 3

Determine Facility Standards

Conduct Tasks 3, 4, and 5 separately for each facility and fee type. Conduct tasks concurrently because of the effect of facility standards (Task 3), facility needs (Task 4), and alternative funding (Task 5) on the fee calculation.

Determine standards to identify facilities required to accommodate growth.

Identify and evaluate possible facility standards depending upon the facility type, current facility inventory data, and available facility planning documents. Consider use of: (1) adopted policy standards (e.g. General Plan, master facility plans); (2) standards derived from existing facility inventories; or (3) standards derived from a list of planned facility projects. City staff to provide policies, inventories, and project lists.

Task 4

Determine Facilities Needs and Costs

Identify the type, amount and cost of facilities required to accommodate growth and correct deficiencies, if any.

Quantify total planned facilities based on growth projection from Task 2 and facility standards from Task 3. Express planned facilities in general quantiles such as acres of parkland, or as a specific list of capital projects from a master facility plan. Location of planned facilities may or may not be specified. If only a general description of planned facilities is available through the planning horizon, City staff to provide a list of specific capital projects for use of fee revenues during the short term (e.g. five years).

Distinguish between: (1) facilities needed to serve growth (that can be funded by impact fees); and (2) facilities needed to correct existing deficiencies (that cannot be funded by impact fees). Use one of three cost allocation methods (existing inventory, system plan, or planned facilities).

Gather planning-level data on new facilities costs based on lump sum project cost estimates, or unit costs and project quantities (acres, building square feet, lane miles, etc.). Consider recent City experience, local market data such as land transactions, and consultant team experience from prior projects. Inflate older cost estimates to base year using appropriate cost indices.

This scope of work does not include additional engineering analysis to identify total facility needs, existing deficiencies, or cost estimates.



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Task 5: Identify Funding and Financing Alternatives

Determine the extent of alternative (non-fee) funding available for new facilities.

If impact fees are going to only partially fund a capital project, the *Mitigation Fee Act* requires the agency report on the anticipated source and timing of the additional funding every five years. There are two types of alternative funding sources that we will identify:

1. Funding from non-impact fee sources to correct existing deficiencies; and
2. Funding from new development other than impact fees that must be credited against new development's impact fee contributions, possibly including taxes paid to finance facilities.

Identify anticipated alternative funding based on information from City staff, or note that funds are still to be identified based on a list of probable funding alternatives. If fees will fund debt service include financing costs in the total cost of facilities.

Assume facilities to be funded predominantly on a pay-as-you-go basis. Scope does not include a cash flow analysis to analyze effect of timing of fee revenues on financing costs.

Task 6: Calculate Fees and Prepare Report

Provide technically defensible fee report that comprehensively documents project assumptions, methodologies, and results.

Generate fee schedule to apportion facility costs to individual development projects. Use facility costs per unit of demand multiplied by demand by land use category based on data developed in prior tasks.

Prepare draft report tables for City staff to review that document each step of the analysis, including schedule of maximum justified fees by facility type and land use category.

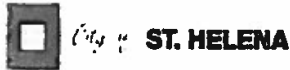
Following one (1) round of comments from City staff on the quantitative analysis and fee schedules, prepare administrative draft report. Following one (1) round of comments on administrative draft, prepare public draft for presentation to interested parties, the public and elected officials. Prepare final report if necessary based on one (1) round of comments received on the public draft report. If requested, post report on our website for public access.

Provide legal counsel with copies of fee resolutions and ordinances used by other jurisdictions.

We will provide up to four (4) bound copies of the draft report, one (1) unbound copy, one Microsoft Word copy, and up to eight (8) bound copies of the final report, one (1) unbound copy, and one Microsoft Word copy.

Task 7: Meetings

The project manager or other necessary Willdan staff will attend project meetings. A member of the development impact project team will attend up to four meetings throughout the Development Impact Fee Study engagement. Phone conferences are not considered meetings for the purposes of this scope. Additional meetings may be requested for an additional fee based on our hourly billing rates.



City Staff Support

To complete our tasks, we will need the cooperation of City staff. We suggest that the City of St. Helena assign a key individual to represent the City as the project manager who can function as our primary contact. We anticipate that the City's project manager will:

- Coordinate responses to requests for information;
- Coordinate review of work products; and
- Help resolve policy issues.

We will ask for responses to initial information requests in a timely manner. If there are delays on the part of the City, we will contact the City's project manager to steer the project back on track. We will keep the City's project manager informed of data or feedback we need to keep the project on schedule.

Willdan will endeavor to minimize the impact on City staff in the completion of this project.

Willdan will rely on the validity and accuracy of City data and documentation to complete our analysis. Willdan will rely on the data as being accurate without performing an independent verification of accuracy, and that we will not be responsible for any errors that result from inaccurate data provided by the City or a third party.

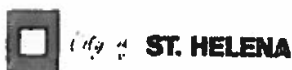


Exhibit B

G. Cost Data

Not to Exceed For

Willdan proposes a **not-to-exceed fee of \$81,540** for the project as a whole. Below we have presented a breakdown of each specific phase of the project.

Cost Allocation Plan

Based on the previously identified cost allocation plan scope, we propose a **fee of \$10,305**. The table below provides a breakdown of this fee by task and project team member.

City of St. Helena Cost Allocation Plan					
	C. Fisher Principal-in- Charge	T. Thrasher Analytical Support	R. Quaid QA/Tech Advisor	Hours	Total Cost
	\$ 210	\$ 120	\$ 185		
Task 1: Initial Document Request	-	2.0	-	2.0	\$ 240
Task 2: Kick-off /Refine Scope	1.0	2.0	-	3.0	480
Task 3: Gather Staffing Information, Develop Cost Allocation Plan Model	1.0	18.0	-	19.0	2,370
Task 4: Test and Review Cost Allocation Methodology	2.0	10.0	2.0	14.0	1,960
Task 5: Prepare and Present Draft Report	4.0	12.0	2.0	18.0	2,810
Task 6: Discuss and Revise Report	2.0	8.0	1.0	11.0	1,545
Task 7: Prepare and Present Final Report/Train Staff on Model	2.0	8.0	-	8.0	1,140
Subtotal - Cost Allocation Plan Study:	12.0	58.0	5.0	75.0	\$ 10,305
Total Willdan Labor - Cost Allocation Study	12.0	58.0	5.0	75.0	\$ 10,305

User Fee Study

Based on the previously identified user fee study scope, we propose a **fee of \$22,320**. The table below provides a breakdown of this fee by task and project team member.

City of St. Helena User Fee Study					
	C. Fisher Principal-in- Charge	T. Thrasher Analytical Support	R. Quaid QA/Tech Advisor	Hours	Total Cost
	\$ 210	\$ 120	\$ 185		
Task 1: Initial Document Request	-	2.0	-	2.0	\$ 240
Task 2: Confirm Inventory of Current and Potential Fees	4.0	8.0	-	10.0	1,560
Task 3: Kick-off Call /Refine Scope	2.0	4.0	-	6.0	900
Task 4: Develop Comprehensive Fee Model	2.0	20.0	2.0	24.0	3,150
Task 5: Time Survey Interviews and On-site Information Gathering	14.0	18.0	-	32.0	5,100
Task 6: Common Fees Comparison	2.0	10.0	1.0	13.0	1,785
Task 7: Data Analysis and Final Fee and Rate Schedule	4.0	20.0	2.0	26.0	3,570
Task 8: Prepare and Present Draft Report	2.0	18.0	2.0	20.0	2,670
Task 9: Revise Draft/Determine Cost Recovery Levels	2.0	10.0	1.0	13.0	1,785
Task 10: Prepare and Present Final Report/Train Staff on Model	4.0	8.0	-	10.0	1,560
Subtotal - User Fee Study:	38.0	112.0	8.0	158.0	\$ 22,320
Total Willdan Labor - User Fee Study	38.0	112.0	8.0	158.0	\$ 22,320



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Development Impact Fee Study

Based on the previously identified impact fee study scope, we propose a fee of \$48,915. The table below provides a breakdown of this fee by task and project team member.

City of St. Helena Development Impact Fee Study				
	J. Edison Project Manager	C. Villarreal Analytical Support	Hours	Total Cost
	\$ 200	\$ 145		
Task 1: Identify and Resolve Policy Issues	12.0	18.0	30.0	\$ 5,010
Task 2: Identify Existing Development and Future Growth	10.0	16.0	26.0	4,320
Task 3: Determine Facility Standards	25.0	55.0	80.0	\$ 12,975
Task 4: Determine Facilities Needs and Costs	28.0	52.0	80.0	13,140
Task 5: Identify Funding and Financing Alternatives	6.0	12.0	18.0	\$ 2,940
Task 6: Calculate Fees And Prepare Report	16.0	22.0	38.0	6,390
Task 7: Meetings	12.0	12.0	24.0	4,140
Subtotal - Development Impact Fee Study:	109.0	187.0	296.0	\$ 48,915
Total Willdan Labor - Development Impact Fee Study	109.0	187.0	296.0	\$ 48,915

Notes:

- The cost of preparing the User Fee Study and Cost Allocation Plan can be included in the resulting new fee schedule. Therefore, over time, the City can recover the initial outlay of funds that was required to complete the studies.
- There is no additional expense for the proprietary software program.
- Our fee includes direct expenses associated with the project.
- We will invoice the City monthly based on percentage of project completed.
- Additional services may be authorized by the City, and will be billed at our then-current hourly overhead consulting rates.

Hourly Fee Schedule

Our current hourly rates are listed below.

Hourly Rate Schedule	
Position	Hourly Rate
Group Manager	\$210
Principal	\$200
Senior Project Manager	\$165
Project Manager	\$145
Senior Project Analyst	\$130
Senior Analyst	\$120
Analyst	\$100
Assistant Analyst	\$75





Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Finance

DATE:	April 23, 2024
FROM:	Yosselyn Valencia, Finance Manager
SUBJECT:	Proposed approval of a resolution authorizing an administrative budget line-item correction in the amount of \$86,308 for an administrative amendment correction related to Murray Building, Inc. for the completed project No. C22-0001, Napa Valley Tenant Improvements.
RECOMMENDED ACTION:	Staff recommends approval of the attached resolution.
PREVIOUS COUNCIL ACTION:	December 12, 2023, Council authorized to prepare a Notice of Completion and the release of retention for the final contract amount \$1,539,127 and total expended of \$1,503,035.
STATEMENT OF THE PURPOSE:	Approve a budget amendment to increase the budget in Fiscal Year 2023-2024 related to the final invoice and the release of retention.
FINANCIAL IMPACT:	The Financial Impact of the budget amendment is \$86,308 for a total Financial Impact of \$1,503,035. These funds were previously authorized by council and accounted for in the previously reported estimated fund balance and net position.

BACKGROUND:

On June 28, 2022, the City Council approved a construction contract with Murray Building Inc, (MBI) to be the General Contractor for the Napa Valley College Tenant Improvement Project C22-0001 for an amount not-to-exceed \$1,167,379 and a 10% contingency. On December 7, 2022, staff recommended an approval of contract change order totaling \$150,000 for a total not-to-exceed \$1,317,379 and another change order on January 10, 2023, for a total of \$105,009.83 not-to-exceed \$1,422,388.83. Finally, on December 12, 2023, City Council authorized to prepare a Notice of Completion and the release of retention for the final total expended amount of \$1,503,035.07, which included the 10% contingency.

DISCUSSION:

As per Financial Policy P-FI-0016, any increases in budget appropriations must be approved by the City Council. On June 28, 2022, the City Council approved a 10% contingency, which should have been carried over to FY 2023-2024, amounting to \$116,737.90. However, due to an administrative error, the 10% contingency was not encumbered in the City's accounting software, Springbrook. This resulted in the unspent

budget not being carried over to FY 2023-2024 and instead released the funds to the general fund balance reserves.

The Napa Valley College (C22-0001) project was completed, and the City Council approved the notice of completion and the release of retention on December 12, 2023. The total expended for Murray Building was \$1,503,035.07. The vendor, Murray Building, Inc., submitted a final payment request in August 2023, and the final payment was issued in October 2023.

The budget appropriation approved by the City Council on June 28, 2022, included a 10% contingency along with the original contract amount for the project. The remaining budget appropriation that was not spent should have rolled over from FY 2022-2023 to FY 2023-2024. However, due to the budget not being rolled over and to be explicit about the budget, Finance is requesting the unspent budget in FY 2022-2023 to be reallocated in FY 2023-2024 to comply with Financial Policy P-FI-0016. This action will not impact the general fund net position as the expense was already accounted for, but it is required to correct the budget recorded in Springbrook.

ENVIRONMENTAL REVIEW:

None.

GOAL:

Miscellaneous/Other

DOCUMENTS ATTACHMENTS:

[Resolution - Murray Building Administrative Correction](#)

[CoSH NVC Campus CCO 4 - signed](#)

[06-28-2022 Murray Building Contract with Insurance and Bond FINAL](#)

CITY OF ST. HELENA

RESOLUTION NO. 2024-

**Resolution of the City Council of the City of St. Helena
Authorizing a Budget Increase in the Amount of \$86,308
for an Administrative Amendment Correction Related to
Murray Building; Inc., for Project No. C22-0001, Napa
Valley Tenant Improvements.**

RECITALS

- A. On May 25, 2021 the City Council approved Resolution 2021-73 authorizing a lease for a portion of the Napa Valley Community College District Upper Valley Campus for space to serve as City Hall and Police Facility; and
- B. Pursuant to St. Helena Municipal Code Chapter 3.04; Article 3 Public Works Projects; Section 3.04.220 on May 25, 2022, a notice inviting bids was posted and mailed to contractors inviting bids for Project NO. C22-0001, Napa Valley Tenant Improvements; and
- C. On June 15, 2022 four (4) bids were received and opened in accordance with applicable law; and
- D. The lowest responsive and responsible bidder for the Project was Murray Building, Inc, of Sonoma, CA in the amount of \$1,167,379; and
- E. The Public Works Director/City Engineer authorized four (4) contract change orders during the project in the total amount of \$486,150.63; and
- F. The final construction contract amount is \$1,503,035, which includes four contract change orders; and
- G. The project has been inspected and Murray Building, Inc has completed the work in accordance with the contract documents for the project; and
- H. If no liens or claims have been filed within 35 days of filing the Notice of Completion, the retained payment funds, and any amount due, will be released to Murray Building, Inc; and
- I. The contract entitled Project NO. C22-001, Napa Valley Tenant Improvements, with the final contract amount of \$1,539,126.73, is accepted as complete, subject to the

Contractor, Murray Building, Inc, completing the punch list work prior to the release of the retention, and the Contractor's continuing warranty and other obligations pursuant to the contract; and

- J. The Public Works Director/City Engineer is authorized to prepare a Notice of Completion and the City Clerk is directed to file a Notice of Completion with the Napa County Recorder.

RESOLUTION

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

1. Authorizes an administrative budget amendment correction to the FY 2023-2024 budget, account 101-40-00-21-45 Contract Services, in the amount of \$86,308 for the final invoice and the release of the retention payment to Murray Building, Inc.—funding source: the general fund reserves.

Approved at a Regular Meeting of the St. Helena City Council on April 23rd, 2024, by the following vote:

Mayor Dohring:	_____
Vice Mayor Hall:	_____
Councilmember Chouteau:	_____
Councilmember Kenealy:	_____
Councilmember Summers:	_____

APPROVED:

ATTEST:

Paul Jamison Dohring, Mayor

Cindy Tzafopoulos, City Clerk



August 9, 2023

City of St Helena
City Council
1088 College Ave
St Helena, CA. 94574

RE: **Change Order #4 – Murray Building, Inc.**
City of St Helena at Napa Valley College Campus

Item #1 – Split Cost of Final Dumpster for City's Use – COR #51

This change is the result of an owner request. A negotiated agreement between Murray Building, Inc., and the City of St Helena to share the costs of the final dumpster load, allowing the City of St Helena the ability to remove and dispose of unwanted furniture and miscellaneous in the building prior to the City's occupancy. The total cost for Item #01 includes the added costs associated with the labor and equipment. **\$818.27**

Item #2 – Paint Touch Up Due to Water Damage – COR #52

This change is the result of a design change. Several interior wall areas which weren't included in the scope of the construction project had suffered water damage and were bubbled and discolored. This COR is for the patching and painting of these areas prior to the City taking occupancy of the building. **\$1,834.47**

In our capacity as the District's Construction Manager, we have completed a review of Change Order #4. Change Order #4 amounts to \$2,652.74.

Based upon the review of the merit and compensation, it is our recommendation that this change order be approved. If you have any questions, please do not hesitate to call.

Sincerely,

John Dilena

John Dilena
Greystone West Company



Change Order #004 – City of St. Helena at NVC North Campus

Contractor: Murray Building, Inc.
1181 Broadway
Sonoma, CA. 95476

Date: August 8, 2023

Page 1 of 2

RE: City of St. Helena
NVC North Campus

CO No. **004**

Description of Work: Change of Scope Items per Potential Change Order as itemized:

COR #	Description of Work	Amount	Reference
51	Split cost of final dumpster for City's use	818.27	
52	Owner requested paint touch up due to water damage	1,834.47	

Total CCO #3 **\$ 2,652.74**

Time Impact: 0 Days

Original Construction Contract	\$1,167,389.00
Total CCO #002:	\$ 109,857.05
Total CCO #003:	\$ 228,488.06
Total CCO #004	\$ 2,652.74
Revised Contract Amount	\$1,508,696.85

Phan Dung
Phan Dung (Aug 16, 2023 15:09 PDT)
Architect
Noll and Tam Architects
Date

Aug 16, 2023

John Dilella
John Dilella (Aug 16, 2023 14:55 PDT)
Construction Manager
Greystone West
Date

Aug 16, 2023

Scott Murray
Scott Murray (Aug 11, 2023 11:49 PDT)
Contractor / Developer
Scott Murray, Murray Building
Date

Aug 11, 2023

Joseph Leach
Joseph Leach (Aug 22, 2023 09:18 PDT)
City of St. Helena
Date

Aug 22, 2023

When signed, the City of St. Helena authorizes Developer to proceed with the work described above. Additionally, the Developer is authorized to charge all associated costs described herein to the Owner Contingency. Time impacts, if any, will be included in a revision to the Lease Agreement.

The undersigned Developer approves the foregoing as to the changes, if any, and to the Guaranteed Maximum Price specified for each item and as to the extension of time allowed, if any, for completion of the entire Work as stated herein, and agrees to furnish all labor, materials and service, and perform all work necessary to complete any additional work specified for the consideration stated herein. Submission of sums which have no basis in fact or which the Developer knows are false are at the sole risk of Developer and may be in violation of the False Claims Act set forth under Government

Code section 12650 et seq. and U.S. Criminal Code, 18 U.S.C. § 1001. It is understood that the changes herein to the Contract Documents shall only be effective when approved by the governing board of the District.

It is expressly understood that the value of the extra Work or changes expressly includes any and all of the Developer's costs and expenses, both direct and indirect, resulting from additional time required on the Project or resulting from delay to the Project. Developer is not entitled to separately recover amounts for overhead or other indirect costs. Any costs, expenses, damages, or time extensions not included are deemed waived.

Change Order #4 – City of St Helena at NVC North Campus

CHANGE ORDER REQUEST

Distribution to:

☐
☐
☐
☐
☐

OWNER

ARCHITECT

CONTRACTOR

INSPECTOR

COR

51

TITLE: **Dumpster For Owner Items**

PROJECT:	ARCHITECT:	C. O. R. No.	51
NVC UVC T.I.	Noll & Tam	Date:	6/8/2023
1088 College Avenue	729 Heinz Avenue	Arch. Project No.	
94574	Berkeley, Ca 94710	Contract For:	
	Fax:	Contract Date:	7.25.22
		DSA File No.	
OWNER:	INSPECTOR OF RECORD:	DSA App. No.	01-119725
Napa Valley CCD		OPSC App. No.	
2277 Napa Vallejo Hwy		Response to:	
Napa , Ca 94558		Arch. RFP No.	Own. Req.
Fax:	Fax:		

DESCRIPTION:

COR for the 1/2 the cost of the final dumpster that was used by Owner to dispose of non-wanted items in building as per agreement.

MODIFICATION TO

CONTRACT SUM:

(Line 22 from Page 2)

\$818.27

MODIFICATION TO

CONTRACT TIME:

Supporting schedule information attached

CONTRACTORS CERTIFICATION AND WAIVER OF CLAIMS:

"The undersigned Contractor approves the foregoing as to the changes in work, if any, and as to the contract price specified for each item and as to the extension of time allowed, if any, for completion of the project as stated herein, and agrees to furnish all labor, materials, and service and to perform all work necessary to complete any additional work specified for the consideration stated herein. Submission of claims which have no basis in fact or which Contractor knows are false are made at the sole risk of the Contractor and may be a violation of the False Claims Act, as set forth in Government Code Sections 12650 et seq. It is understood that the changes to the Contract Documents set forth herein shall only be effective upon approval by the governing board of the District."

"It is expressly understood that the value of the extra work or changes expressly includes any and all of the Contractor's costs and expenses, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages, or time extensions not included herein are deemed waived."

"Any alteration or revision of this Document, it's terms, or this Certification is deemed a waiver of any costs, expenses, damages, or time extensions included herein."

CONTRACTOR

		<i>Architect's Action</i>	
		☐	REJECT - Received Too Late.
		☐	REJECT - Inadequate Back-Up.
		☐	REJECT - Not in Proper Form.
		☐	Review and Comment Only
By.	Scott Murray	Fax:	
Date	6/8/2023		

SUMMARY OF ATTACHMENTS TO:	C.O. R. No.:	51
PROJECT:	Project No.:	
NVC UVC T.I.	Date:	6/8/2023
1088 College Avenue	DSA App. No.:	01-119725
	Page	2
	of	3

Line	TITLE:	Dumpster For Owner Items	ADDED	CREDIT
------	--------	--------------------------	-------	--------

ALL LINES SHALL BE FILLED IN, (zero values acceptable).

GENERAL CONTRACTOR'S WORK

1	Material (attach itemized quantity and unit cost <u>excluding</u> sales tax)	\$697.59	\$0.00
2	Labor (attach itemized hours and rates)	\$0.00	\$0.00
3	Equipment (attach invoices)	\$0.00	\$0.00
4	Subtotal	\$697.59	\$0.00
5	General Contractor's Overhead and Profit, not to exceed fifteen percent (15%) of lines 1 & 4.	\$104.64	\$0.00
6	Subtotal	\$802.23	\$0.00
7	Liability and Property Damage Insurance, Worker's Compensation Insurance, Social Security, and Unemployment Taxes, not to exceed thirty-five percent (35%) of line 2.		\$0.00
8	Subtotal General Contractor Work (sum of lines 6 and 7.)	\$802.23	\$0.00
SUBCONTRACT WORK (Provide separate breakdown for each subcontract)*			
9	Material (attach itemized quantity and unit cost <u>excluding</u> sales tax)	\$0.00	\$0.00
10	Labor (attach itemized hours and rates)	\$0.00	\$0.00
11	Vendor (attach invoices)	\$0.00	\$0.00
12	Subtotal	\$0.00	\$0.00
13	Subcontractor's overhead and profit on work performed by Sub-contractor, not to exceed fifteen percent (15%) of line 12.	Incl.	\$0.00
14	Subtotal	\$0.00	\$0.00
15	General Contractor's Overhead and Profit on subcontract work, not to exceed ten percent (10%) of line 14.	\$0.00	\$0.00
16	Liability and Property Damage Insurance, Worker's Compensation Insurance, Social Security, and Unemployment Taxes, not to exceed thirty-five percent (35%) of line 10.	\$0.00	\$0.00

17	Total of Subcontract Work (sum of lines 14, 15 and 16)	<u>\$0.00</u>	<u>\$0.00</u>
18	Subtotal General Contractor and Subcontractor Work (sum of lines 8 and 17.)	<u>\$802.23</u>	<u>\$0.00</u>
19	Applicable Taxes (itemized by levy and by contract)	<u>\$0.00</u>	<u>\$0.00</u>
20	Subtotal (sum of lines 18 and 19)	<u>\$802.23</u>	<u>\$0.00</u>
21	Bond not to exceed one and one half percent (1 1/2%) of line 20.	<u>\$16.04</u>	<u>\$0.00</u>
22	TOTAL (sum of lines 20 and 21.) Copy to cover page.	<u>\$818.27</u>	<u>\$0.00</u>

* Attach additional copies of this page as required to summarize additional subcontracts.



UPPER VALLEY DISPOSAL SERVICE

P.O. BOX 382, ST. HELENA, CA 94574
 PHONE: 707-963-7988 • FAX: 707-963-7641
 www.uvds.com
 MURRAY BUILDING INC
 P O BOX 2201
 SONOMA CA 95476-2201

DEBRIS BOX STATEMENT

Page 1

Service Period: 1088 COLLEGE AVE
 Service Address: 01-0032421-9
 Account Number: 0144417
 Online Access Code: 2/28/23
 Statement Date:
 Previous Balance: \$1,543.97
 Payments/Credits: -\$1,543.97
 Balance Forward: \$0.00
 Current Charges: \$1,395.19
 Amount Due: \$1,395.19
 Payment Due Date: 3/24/23

DATE	DESCRIPTION	QTY	RATE	AMOUNT	BALANCE
	PRIOR BALANCE			1,543.97	1,543.97
2/17/23	PMT: L17840			-1,543.97	0.00
2/24/23	30 YD TEMP-PULL			1,172.02	1,172.02
2/24/23	TONS TRASH TO LANDFILL/CFL CD	3.28			
2/24/23	TEMPORARY DEMURRAGE	1.00	74.390	74.39	1,172.02
2/14/23	TEMPORARY DEMURRAGE	1.00	74.390	74.39	1,246.41
2/07/23	TEMPORARY DEMURRAGE	1.00	74.390	74.39	1,320.80
					1,395.19

DID YOU KNOW WE OFFER AUTOMATIC PAYMENT PROCESSING? PLEASE CALL 707.963.7988 OR E-MAIL
 INFO@UVDS.COM TO LEARN MORE. PAY YOUR BILL ON LINE AT WWW.UVDS.COM. OUR TAX ID IS 94-1671908.
 THANK YOU FOR KEEPING YOUR ACCOUNT CURRENT.

CURRENT	30 DAYS	60 DAYS	90+ DAYS	TOTAL BALANCE
\$1,395.19	\$0.00	\$0.00	\$0.00	\$1,395.19

CHANGE ORDER REQUEST

Distribution to:

☐
☐
☐
☐
☐

OWNER

ARCHITECT

CONTRACTOR

INSPECTOR

COR

52

TITLE: **Owner Requested Paint Touch Up**

PROJECT:	ARCHITECT:	C. O. R. No.	52
NVC UVC T.I.	Noll & Tam	Date:	7/25/2023
1088 College Avenue	729 Heinz Avenue	Arch. Project No.	
94574	Berkeley, Ca 94710	Contract For:	
	Fax:	Contract Date:	7.25.22
		DSA File No.	
OWNER:	INSPECTOR OF RECORD:	DSA App. No.	01-119725
Napa Valley CCD		OPSC App. No.	
2277 Napa Vallejo Hwy		Response to:	
Napa , Ca 94558		Arch. RFP No.	Own. Req.
Fax:	Fax:		

DESCRIPTION:

COR for additional painting, outside of contract scope, that was requested by Owner during punch list phase.
Painting was of water damaged area in South Hallway.

MODIFICATION TO

CONTRACT SUM:

(Line 22 from Page 2)

\$1,834.47

MODIFICATION TO

CONTRACT TIME:

Supporting schedule information attached

CONTRACTORS CERTIFICATION AND WAIVER OF CLAIMS:

"The undersigned Contractor approves the foregoing as to the changes in work, if any, and as to the contract price specified for each item and as to the extension of time allowed, if any, for completion of the project as stated herein, and agrees to furnish all labor, materials, and service and to perform all work necessary to complete any additional work specified for the consideration stated herein. Submission of claims which have no basis in fact or which Contractor knows are false are made at the sole risk of the Contractor and may be a violation of the False Claims Act, as set forth in Government Code Sections 12650 et seq. It is understood that the changes to the Contract Documents set forth herein shall only be effective upon approval by the governing board of the District."

"It is expressly understood that the value of the extra work or changes expressly includes any and all of the Contractor's costs and expenses, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages, or time extensions not included herein are deemed waived."

"Any alteration or revision of this Document, it's terms, or this Certification is deemed a waiver of any costs, expenses, damages, or time extensions included herein."

CONTRACTOR

		<i>Architect's Action</i>	
By. Scott Murray Date 7/25/2023	Fax:	☐	REJECT - Received Too Late.
		☐	REJECT - Inadequate Back-Up.
		☐	REJECT - Not in Proper Form.
		☐	Review and Comment Only

SUMMARY OF ATTACHMENTS TO:

PROJECT:

NVC UVC T.I.

1088 College Avenue

C.O. R. No.: **52**

Project No.:

Date: **7/25/2023**DSA App. No.: **01-119725**Page **2**of **3**

Line	TITLE:	Owner Requested Paint Touch Up	ADDED	CREDIT
------	--------	--------------------------------	-------	--------

ALL LINES SHALL BE FILLED IN, (zero values acceptable).

GENERAL CONTRACTOR'S WORK

1	Material (attach itemized quantity and unit cost <u>excluding</u> sales tax)	\$0.00	\$0.00
2	Labor (attach itemized hours and rates)	\$0.00	\$0.00
3	Equipment (attach invoices)	\$0.00	\$0.00
4	Subtotal	\$0.00	\$0.00
5	General Contractor's Overhead and Profit, not to exceed fifteen percent (15%) of lines 1 & 4.	\$0.00	\$0.00
6	Subtotal	\$0.00	\$0.00
7	Liability and Property Damage Insurance, Worker's Compensation Insurance, Social Security, and Unemployment Taxes, not to exceed thirty-five percent (35%) of line 2.		\$0.00
8	Subtotal General Contractor Work (sum of lines 6 and 7.)	\$0.00	\$0.00
SUBCONTRACT WORK (Provide separate breakdown for each subcontract)*			
9	Material (attach itemized quantity and unit cost <u>excluding</u> sales tax)	\$0.00	\$0.00
10	Labor (attach itemized hours and rates)	\$0.00	\$0.00
11	Vendor (attach invoices)	\$1,635.00	\$0.00
12	Subtotal	\$1,635.00	\$0.00
13	Subcontractor's overhead and profit on work performed by Sub-contractor, not to exceed fifteen percent (15%) of line 12.	Incl.	\$0.00
14	Subtotal	\$1,635.00	\$0.00
15	General Contractor's Overhead and Profit on subcontract work, not to exceed ten percent (10%) of line 14.	\$163.50	\$0.00
16	Liability and Property Damage Insurance, Worker's Compensation Insurance, Social Security, and Unemployment Taxes, not to exceed thirty-five percent (35%) of line 10.	\$0.00	\$0.00

17	Total of Subcontract Work (sum of lines 14, 15 and 16)	<u>\$1,798.50</u>	<u>\$0.00</u>
18	Subtotal General Contractor and Subcontractor Work (sum of lines 8 and 17.)	<u>\$1,798.50</u>	<u>\$0.00</u>
19	Applicable Taxes (itemized by levy and by contract)	<u>\$0.00</u>	<u>\$0.00</u>
20	Subtotal (sum of lines 18 and 19)	<u>\$1,798.50</u>	<u>\$0.00</u>
21	Bond not to exceed one and one half percent (1 1/2%) of line 20.	<u>\$35.97</u>	<u>\$0.00</u>
22	TOTAL (sum of lines 20 and 21.) Copy to cover page.	<u>\$1,834.47</u>	<u>\$0.00</u>

* Attach additional copies of this page as required to summarize additional subcontracts.

KBI Painting Quote Sheet


PROJECT: NVC Upper Valley Campus

Quote #	004
PCO #	
Date Issued	2/10/2023
KBI Job #	22-112
GC Job #	

Submitted To	
GC:	Murray Building, Inc
PM:	Scott Murray
PE:	
SUPER:	

Submitted By	
	KBI Painting Inc.
	Jim Koreen
	President / Estimator
	(707) 753-0933

Subject
NVC Wall Repair

Item #	DESCRIPTION OF WORK	Amount
1	Paint water damaged area only	\$985.00
	TOTAL	\$985.00
2	**Alternate Add - Finish wall & ceiling corner to corner**	\$650.00
	TOTAL	\$650.00

We will proceed with this pricing change request upon written approval via email or receipt of change order to contract.

Murray CCO 4

Final Audit Report

2023-08-22

Created:	2023-08-11
By:	Kristi Janowski (kristi@greystonewest.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAArNgUqBj7RvwJHRah9HbjObW0QKxmm5pg

"Murray CCO 4" History

-  Document created by Kristi Janowski (kristi@greystonewest.com)
2023-08-11 - 3:10:16 PM GMT
-  Document emailed to scott@murraybuildinginc.com for signature
2023-08-11 - 3:12:46 PM GMT
-  Email viewed by scott@murraybuildinginc.com
2023-08-11 - 6:48:22 PM GMT
-  Signer scott@murraybuildinginc.com entered name at signing as Scott Murray
2023-08-11 - 6:49:30 PM GMT
-  Document e-signed by Scott Murray (scott@murraybuildinginc.com)
Signature Date: 2023-08-11 - 6:49:32 PM GMT - Time Source: server
-  Document emailed to John Dilena (john@greystonewest.com) for signature
2023-08-11 - 6:49:34 PM GMT
-  Email viewed by John Dilena (john@greystonewest.com)
2023-08-16 - 9:55:17 PM GMT
-  Document e-signed by John Dilena (john@greystonewest.com)
Signature Date: 2023-08-16 - 9:55:39 PM GMT - Time Source: server
-  Document emailed to phan.dung@nollandtam.com for signature
2023-08-16 - 9:55:40 PM GMT
-  Email viewed by phan.dung@nollandtam.com
2023-08-16 - 10:08:45 PM GMT
-  Signer phan.dung@nollandtam.com entered name at signing as Phan Dung
2023-08-16 - 10:09:45 PM GMT



 Document e-signed by Phan Dung (phan.dung@nollandtam.com)

Signature Date: 2023-08-16 - 10:09:47 PM GMT - Time Source: server

 Document emailed to Joseph Leach (jleach@cityofsthelena.org) for signature

2023-08-16 - 10:09:48 PM GMT

 Document e-signed by Joseph Leach (jleach@cityofsthelena.org)

E-signature obtained using URL retrieved through the Adobe Acrobat Sign API

Signature Date: 2023-08-22 - 4:18:54 PM GMT - Time Source: server

 Agreement completed.

2023-08-22 - 4:18:54 PM GMT



Adobe Acrobat Sign

Napa Valley College - Upper Valley
St. Helena NVC TI
Napa Valley Community College District

STH Contract 2022-8
Bid No. C22-0001



CONTRACT

CITY OF ST. HELENA STATE OF CALIFORNIA

THIS CONTRACT is made and entered into by and between the City of St. Helena, a California municipal corporation, hereinafter called "City", and Murray Building, Inc., hereinafter called "Contractor," for the construction of the Napa Valley College Tenant Improvements project (the "Project").

RECITALS

City has taken appropriate proceedings to authorize construction of the Project herein provided and execution of this Contract.

A notice was duly published for bids, and bids were received for the Project improvement hereinafter described.

On June 28, 2022, after notice duly given, the City Council of the City of St. Helena awarded the Contract for the construction of the Project improvement hereinafter described to Contractor, which the City Council found to be the lowest responsive and responsible bidder for construction of said Project improvement.

City and Contractor desire to enter into this Contract for the construction of said Project improvements.

THE PARTIES HERETO AGREE AS FOLLOWS:

1. Contract Documents

The complete Contract consists of the following documents (hereinafter, the "Contract Documents"):

- A. The Notice to Contractors
- B. The Special Provisions
- C. The Technical Specifications
- D. The Bid Proposal Forms
- E. This Contract
- F. The Standard Specifications and Standard Plans of the State of California, Dept. of Transportation, dated 2018
- G. City of St. Helena General Conditions for City of St. Helena Construction Projects September 1997 (as amended)
- H. The Bid Bond, Faithful Performance Bond, Labor and Material Bond, and Warranty/Maintenance Bond
- I. City of St. Helena Standard Specifications and Standard Plans, dated June 1998
- J. The Plans for NVC Tenant Improvements dated 1/25/2022
- K. Approved and fully executed change orders
- L. Addenda

All rights and obligations of City and Contractor are fully set forth and described in the Contract Documents.

All of the above-named Contract Documents are intended to cooperate so that any work called for in one and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said Contract Documents.

Napa Valley College - Upper Valley
St. Helena NVC TI
Napa Valley Community College District

Bid No. C22-0001

2. Scope of Work

The scope of work is described in the Contract Documents.

3. Performance of Work

Contractor shall furnish all tools, equipment, apparatus, facilities, labor and materials necessary to perform and complete in a good and workmanlike manner the work of construction as called for, and in the time and manner designated in, and in strict conformity with, the Contract Documents for said work.

The equipment, apparatus, facilities, labor and material shall be furnished, and said work performed and completed, as required in said plans and specifications under the direction and supervision, and subject to the approval, of the City Engineer of the City of St. Helena, or his or her designated assistant or assistants.

4. Contract Price

City shall pay, and Contractor shall accept, in full payment for the work agreed to be done, the dollar amounts shown on the attached Bid Schedule. Increases or decreases in the quantities shall operate in the manner provided for in the Contract Documents. Payment in installments shall be as provided for in the Contract Documents.

5. Extra and/or Additional Work and Changes

Should City at any time during the progress of said work request any alterations, deviations, additions or omissions from said plans, specifications or other Contract Documents, it shall be at liberty to do so and the same shall in no way affect or make void the Contract. The value of such will be added to, or deducted from, the contract price, as the case may be, in accordance with the provisions for such contained in the Contract Documents.

6. Liquidated Damages

In accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum set forth in Section 4-1.02 of the Special Provisions for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Section does not exclude recovery of other damages specified in the Contract Documents

7. Indemnification

Contractor shall provide indemnification and defense as set forth in the Special Provisions.

8. Provisions Cumulative

The provisions of this Contract are cumulative and in addition to, and not in limitation of, any other rights or remedies available to City.

9. Notices

All notices shall be in writing and delivered in person or transmitted by certified mail, postage prepaid. Notices required to be given to City shall be addressed as follows:

City of St. Helena
1572 Railroad Avenue
St. Helena, Ca 94574
Attn: Public Works Department

Napa Valley College - Upper Valley
St. Helena NVC TI
Napa Valley Community College District

Bid No. C22-0001

Notices required to be given to Contractor shall be addressed as follows:

Murray Building, Inc.
1181 Broadway
Sonoma, CA 95476

Notices required to be given to Sureties of Contractor shall be addressed as follows:

[insert Surety Company] *Ohio Casualty Insurance Co.*
C/O *Andrea Mapp*

[insert address]

1340 Treat Blvd., Ste 400

[insert City]

Walnut Creek, CA. 94597

DATED this *26th* day of *June*, 2022.

CITY OF ST. HELENA, a Municipal Corporation

CONTRACTOR: Murray Building, Inc., a California Corporation


James C. McCann
Interim City Manager

Contractor's License No. 646709

ATTEST:


Cindy Tzafopoulos, City Clerk

By: 
Claudia Murray - Secretary
By: _____

APPROVED AS TO FORM:

ethan.
walsh@bbklaw.com
Digitally signed by ethan walsh@bbklaw.com
CN = ethan walsh@bbklaw.com
Date: 2022.07.19 15:37:0700

Ethan Walsh, City Attorney

Project Code: No. C22-0001

C-3

Napa Valley College - Upper Valley
St. Helena NVC TI
Napa Valley Community College District

Bid No. C22-0001

BID SCHEDULE

City Council Award Date 6/28/2022

C-4

BID SCHEDULE

Napa Valley College – Upper Campus

St. Helena Tenant Improvements

BASE BID

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total Cost
1	Tenant Improvements per plan (non-ADA)	1	LS	1,035,965	1,035,965

* Note: In case of error in extension of price into the total price column, the unit price will govern.

+ **ADDITIVE/ALTERNATE BID**

Add

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total Cost
1	ADA Improvements per plan	1	LS	131,774	131,774

* Note: In case of error in extension of price into the total price column, the unit price will govern.

TOTAL BID

Total Amount of Base Bid plus Additive/Alternate Bid (written in words) is: <u>One Million</u> <u>One Hundred Sixty - Seven Thousand</u> <u>Seven Hundred Thirty - nine dollars and</u> Dollars and <u>no</u> Cents. In the event of discrepancy between words and figures, the words shall prevail. \$ <u>1,167,739</u> Total in Figures
--

Notes:

- The Contract will be compared and awarded on the basis of the Total Bid.
- The City reserves the right to increase or decrease quantities as deemed necessary, with the unit prices bid above.



MURRAY BUILDING, INC.

CORPORATE RESOLUTION AUTHORIZATION TO EXECUTE CONTRACT

The Board of Directors of Murray Building, Inc. does authorize and direct Claudia Murray, Secretary and Scott Murray, President to enter into a contract with City of St. Helena. The Board further Authorizes and Directs Claudia Murray, Secretary and Scott Murray, President to take such action as necessary in Conjunction with the Performance of said Contract. Authorization was granted through an action of the Board of Directors at their meeting held June 1, 2022.


Scott Murray-President

6.1.22
Date

Corp Seal


Claudia Murray-Secretary

6.1.22
Date

Murray Building, Inc.

P.O. BOX 2201
SONOMA, CA 95476 (707) 939-9001 Ph. (707) 939-9048 Fax
CONTRACTOR'S LIC. #646709



MURRBUI-02

CVOIGHT

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/6/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER George Petersen Insurance Agency, Inc. P.O. Box 3539 Santa Rosa, CA 95402	CONTACT NAME: PHONE (A/C, No, Ext): (707) 525-4150 FAX A/C, No: (707) 525-4175 E-MAIL: info@gplins.com ADDRESS:														
INSURED Murray Building, Inc. P.O. Box 2201 Sonoma, CA 95476	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Landmark American Insurance Co</td> <td>33138</td> </tr> <tr> <td>INSURER B: Mercury Insurance Company</td> <td>27553</td> </tr> <tr> <td>INSURER C: RSUI Indemnity Company</td> <td>13027</td> </tr> <tr> <td>INSURER D: State Compensation Insurance Fund</td> <td>35076</td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Landmark American Insurance Co	33138	INSURER B: Mercury Insurance Company	27553	INSURER C: RSUI Indemnity Company	13027	INSURER D: State Compensation Insurance Fund	35076	INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER POLICY ☐ PROJ- JECT ☐ LOC OTHER	X	LHA141830	3/4/2022	3/4/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY ☒		BA040000064088	12/15/2021	12/15/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☒ CLAIMS-MADE DED RETENTION \$		NHA253367	3/4/2022	3/4/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in RI) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	9093008-22	4/16/2022	4/16/2023	☒ PER STATUTE ☐ OTH ER E L EACH ACCIDENT \$ 1,000,000 E L DISEASE - EA EMPLOYEE \$ 1,000,000 E L DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: C22-0001 Napa Valley College Tenant Improvements
 The City of St. Helena, its agents, officials, officers, employees and volunteers are named as Additional Insured with respects to General Liability, per CG 20 10 12 19; attached.

CERTIFICATE HOLDER City of St. Helena 1480 Main Street Saint Helena, CA 94574	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

ACORD 25 (2016/03)

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The ACORD name and logo are registered marks of ACORD

POLICY NUMBER: LFA141830COMMERCIAL GENERAL LIABILITY
CG 20 10 12 19

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
ANY PERSON(S) OR ORGANIZATION(S) REQUIRED BY WRITTEN CONTRACT OR AGREEMENT AND AS PER PARAGRAPHS A., B., AND C. BELOW	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable limits of insurance;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.

Napa Valley College - Upper Valley
 St. Helena NVC T1
 Napa Valley Community College District

Bid No. C22-0001

FAITHFUL PERFORMANCE BOND
(Construction)

Bond # 070217563
 Premium: \$13,006.00 subject
 to final contract price

KNOW ALL PERSONS BY THESE PRESENTS:

THAT WHEREAS, the City of St. Helena, (hereinafter referred to as "City") has awarded to Murray Building, Inc., (hereinafter referred to as the "Contractor") an agreement for Contract No. C22-0001, (hereinafter referred to as the "Project").

WHEREAS, the work to be performed by the Contractor is more particularly set forth in the Contract Documents for the Project dated January 25, 2022, (hereinafter referred to as "Contract Documents"), the terms and conditions of which are expressly incorporated herein by reference; and

WHEREAS, the Contractor is required by said Contract Documents to perform the terms thereof and to furnish a bond for the faithful performance of said Contract Documents.

NOW, THEREFORE, we, Murray Building, Inc., the undersigned Contractor and The Ohio Casualty Insurance Company as Surety, a corporation organized and duly authorized to transact business under the laws of the State of California, are held and firmly bound unto the City in the sum of One Million One Hundred Sixty-Seven DOLLARS, (\$ 1,167,379.00), said sum being not less than one hundred percent (100%) of the total amount of the Contract, for which amount well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents. * Thousand Three Hundred Seventy-Nine and 00/100

THE CONDITION OF THIS OBLIGATION IS SUCH, that, if the Contractor, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and agreements in the Contract Documents and any alteration thereof made as therein provided, on its part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their intent and meaning; and shall faithfully fulfill all obligations including the one (1) year guarantee of all materials and workmanship; and shall indemnify and save harmless the City, its officials, officers, employees, and authorized volunteers, as stipulated in said Contract Documents, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees including reasonable attorney's fees, incurred by City in enforcing such obligation.

As a condition precedent to the satisfactory completion of the Contract Documents, unless otherwise provided for in the Contract Documents, the above obligation shall hold good for a period of one (1) year after the acceptance of the work by City, during which time if Contractor shall fail to make full, complete, and satisfactory repair and replacements and totally protect the City from loss or damage resulting from or caused by defective materials or faulty workmanship. The obligations of Surety hereunder shall continue so long as any obligation of Contractor remains. Nothing herein shall limit the City's rights or the Contractor or Surety's obligations under the Contract, law or equity, including, but not limited to, California Code of Civil Procedure Section 337.15.

Whenever Contractor shall be, and is declared by the City to be, in default under the Contract Documents, the Surety shall remedy the default pursuant to the Contract Documents, or shall promptly, at the City's option:

- i. Take over and complete the Project in accordance with all terms and conditions in the Contract Documents; or
- ii. Obtain a bid or bids for completing the Project in accordance with all terms and conditions in the Contract Documents and upon determination by Surety of the lowest responsive and responsible bidder, arrange for a Contract between such bidder, the Surety and the City, and make available as work progresses sufficient funds to pay the cost of completion of the

Napa Valley College - Upper Valley
St. Helena NVC T1
Napa Valley Community College District

Bid No. C22-0001

Project, less the balance of the contract price, including other costs and damages for which Surety may be liable. The term "balance of the contract price" as used in this paragraph shall mean the total amount payable to Contractor by the City under the Contract and any modification thereto, less any amount previously paid by the City to the Contractor and any other set offs pursuant to the Contract Documents.

- iii. Permit the City to complete the Project in any manner consistent with California law and make available as work progresses sufficient funds to pay the cost of completion of the Project, less the balance of the contract price, including other costs and damages for which Surety may be liable. The term "balance of the contract price" as used in this paragraph shall mean the total amount payable to Contractor by the City under the Contract and any modification thereto, less any amount previously paid by the City to the Contractor and any other set offs pursuant to the Contract Documents.

Surety expressly agrees that the City may reject any contractor or subcontractor which may be proposed by Surety in fulfillment of its obligations in the event of default by the Contractor.

Surety shall not utilize Contractor in completing the Project nor shall Surety accept a bid from Contractor for completion of the Project if the City, when declaring the Contractor in default, notifies Surety of the City's objection to Contractor's further participation in the completion of the Project.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents or to the Project to be performed thereunder shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Project.

By their signatures hereunder, Surety and Contractor hereby confirm under penalty of perjury that surety is an admitted surety insurer authorized to do business in the State of California.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

Napa Valley College - Upper Valley
St. Helena NVC TI
Napa Valley Community College District

Bid No. C22-0001

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 6th day of July, 2022.

(Corporate Seal)

Murray Building, Inc
Contractor/ Principal

By

Claudia Murray

Title Secretary

(Corporate Seal)

The Ohio Casualty Insurance Company
Surety

By

Catherine A. Pinney
Attorney-in-Fact

Title Attorney In Fact

(Attach Attorney-in-Fact Certificate)

First \$500,000 at \$14.40
Next \$2,000,000 at \$8.70

The rate of premium on this bond is _____ per thousand. The total amount of premium charges is \$ \$13,006.00.

(The above must be filled in by corporate attorney.)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety)

The Ohio Casualty Insurance Company
1340 Treat Blvd Ste 400
Walnut Creek, CA 94597

(Name and Address of Agent or Representative for service of process in California, if different from above)

same as above

(Telephone number of Surety and Agent or Representative for service of process in California)

925-204-4579

C-7



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8205621-975627

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Catherine A. Pinney, K. Dixon Wright, Stacy M. Clinton all of the city of Petaluma, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 21st day of May 2021.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 21st day of May, 2021, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1128044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 6th day of July, 2022



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 800-888-8888 or visit www.libertymutual.com

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

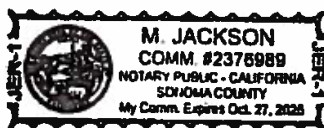
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Sonoma }

On July 7th 2022, before me, M. JACKSON, Notary Public,
personally appeared Claudia Murray

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE

M. Jackson

PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: Faithful Performance Bond

Document Date: 07/06/2022 Number of Pages: _____

Signer(s) Other than Named Above: _____

Napa Valley College - Upper Valley
 St. Helena NVC TI
 Napa Valley Community College District

Bid No. C22-0001

LABOR AND MATERIALS BOND
(Construction)

Bond # 070217563
 Premium: Included in that of
 Performance Bond

KNOW ALL MEN BY THESE PRESENTS That

WHEREAS, the City of St. Helena (hereinafter designated as the "City"), by action taken or a resolution passed June 28, 2022, has awarded to Murray Building, Inc. hereinafter designated as the "Principal," a contract for the work described as follows: **Contract No. C22-0001** (the "Project"); and

WHEREAS, said Principal is required to furnish a bond in connection with said contract; providing that if said Principal or any of its Subcontractors shall fail to pay for any materials, provisions, provender, equipment, or other supplies used in, upon, for or about the performance of the work contracted to be done, or for any work or labor done thereon of any kind, or for amounts due under the Unemployment Insurance Code or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of said Principal and its Subcontractors with respect to such work or labor the Surety on this bond will pay for the same to the extent hereinafter set forth.

NOW THEREFORE, we, the Principal and The Ohio Casualty Insurance Company as Surety, are held and firmly bound unto the City in the penal sum of One Million One * Dollars (\$ 1,167,379.00) lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

* Hundred Sixty-Seven Thousand Three Hundred Seventy-Nine and 00/100

THE CONDITION OF THIS OBLIGATION IS SUCH that if said Principal, his or its subcontractors, heirs, executors, administrators, successors or assigns, shall fail to pay any of the persons named in Civil Code Section 9100, fail to pay for any materials, provisions or other supplies, used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, or amounts due under the Unemployment Insurance Code with respect to work or labor performed under the contract, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department or Franchise Tax Board from the wages of employees of the contractor and his subcontractors pursuant to Revenue and Taxation Code Section 18663, with respect to such work and labor the Surety or Sureties will pay for the same, in an amount not exceeding the sum herein above specified, and also, in case suit is brought upon this bond, all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and investigation expenses.

This bond shall inure to the benefit of any of the persons named in Civil Code Section 9100 so as to give a right of action to such persons or their assigns in any suit brought upon this bond.

It is further stipulated and agreed that the Surety on this bond shall not be exonerated or released from the obligation of this bond by any change, extension of time for performance, addition, alteration or modification in, to, or of any contract, plans, specifications, or agreement pertaining or relating to any scheme or work of improvement herein above described, or pertaining or relating to the furnishing of labor, materials, or equipment therefore, nor by any change or modification of any terms of payment or extension of the time for any payment pertaining or relating to any scheme or work of improvement herein above described, nor by any rescission or attempted rescission or attempted rescission of the contract, agreement or bond, nor by any conditions precedent or subsequent in the bond attempting to limit the right of recovery of claimants otherwise entitled to recover under any such contract or agreement or under the bond, nor by any fraud practiced by any person other than the claimant seeking to recover on the bond and that this bond be construed most strongly against the Surety and in favor of all persons for whose benefit such bond is given, and under no circumstances shall Surety be released from liability to those for whose benefit such bond has been given, by reason of any breach of contract between the owner or City and original contractor or on the part of any obligee named in such bond, but the sole conditions of recovery shall be that claimant is a person described in Civil Code Section 9100, and has not been paid the full amount of his claim and that Surety does hereby waive notice of any such change, extension of time, addition, alteration or modification herein mentioned, including but not limited to the provisions of sections 2819 and 2845 of the California Civil Code.

Napa Valley College - Upper Valley
 St. Helena NVC T1
 Napa Valley Community College District

Bid No. C22-0001

By their signatures hereunder, Surety and Principal hereby confirm under penalty of perjury that surety is an admitted surety insurer authorized to do business in the State of California.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 6th day of July, 2022

(Corporate Seal)

Murray Building, Inc
 Contractor/ Principal

By


Claudia Murray

Title Secretary

(Corporate Seal)

The Ohio Casualty Insurance Company
 Surety

By


Attorney-in-Fact
 Catherine A. Pinney

(Attach Attorney-in-Fact Certificate)

Title Attorney In Fact

OPTIONAL

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8205621-975627

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Catherine A. Pinney, K. Olson Wright, Stacy M. Clinton, all of the city of Petaluma, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 21st day of May 2021



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey

David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 21st day of May, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 6th day of July, 2022



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, contact the undersigned.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

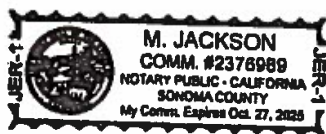
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Sonoma }

On July 7th 2022, before me, M. JACKSON, Notary Public,
personally appeared Claudia Murray

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE M. Jackson

PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: Labor and Materials Bond

Document Date: 07/06/2022 Number of Pages: _____

Signer(s) Other than Named Above: _____

CITY OF ST. HELENA

RESOLUTION NO. 2022-66

(1) APPROVING MURRAY BUILDING, INC, OF SONOMA CALIFORNIA, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; (2) AUTHORIZING THE CITY MANAGER TO EXECUTE, ENTER INTO AND IMPLEMENT THE CONTRACT BY AND BETWEEN THE CITY AND MURRAY BUILDING, INC. FOR PROJECT NO. C22-0001 NAPA VALLEY COLLEGE TENANT IMPROVEMENTS IN THE AMOUNT OF ONE MILLION ONE HUNDRED SIXTY-SEVEN THOUSAND THREE HUNDRED SEVENTY-NINE DOLLARS AND 00/100 (\$1,167,379.00); AND (3) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO APPROVE CHANGE ORDERS NOT TO EXCEED 10% OF THE CONTRACT AMOUNT

RECITALS

- A. It has been determined that current City Hall and Police Department facilities have exceeded their functional life, and;
- B. On May 25, 2021, the City Council approved a Resolution 2021-73 authorizing the City Manager, or designee, to execute a lease for a portion of the Napa Valley Community College District Upper Valley Campus for space to serve as a City Hall and Police facility, and;
- C. On April 13, 2021, the City entered into a contract with Noll and Tam Architects to assist with the design of Phase I of the Napa Valley College Tenant Improvements.
- D. On August 6, 2021, a formal lease agreement between the City and the Napa Valley Community College Upper Valley Campus was executed, and;
- E. On January 24, 2022, the Division of State Architect (DSA) officially approved the proposed plans and specifications for the tenant improvements, and;
- F. On January 26, 2022, the City entered into a Professional Services Agreement with Greystone West Company to perform construction management in the planning and bidding stage of the project, and;
- G. On May 10, 2022 City Council approved the plans and specifications for the Napa Valley College Tenant Improvement Project, Project No. C22-0001 ("Project"), found the Project categorically exempt from the California Environmental Quality Act ("CEQA"), and authorized advertisement for bids; and
- H. On May 25, 2022, a Notice to Contractors inviting construction bids was posted and was also published online (i.e. City website and Blueprints Express), in the newspaper, and sent to the construction exchanges; and

- I. On June 15, 2022, at 2:00 PM the City Clerk received four (4) sealed bids which were read aloud publicly and Murray Building, Inc. of Sonoma, California, submitted the lowest bid of \$1,167,379.00; and
- J. Murray Building, Inc. is the lowest responsible, responsive bid, and holds a valid Class A General Engineering and Class B General Building Contractor's License No. 646709 in the State of California, with no enforcement actions listed. Their license expires on 10/31/22; and
- K. Subsequent review of Murray Building, Inc. bid by City staff indicates that Murray Building, Inc. is a responsible bidder and their bid was in fact responsive, therefore, be it:

RESOLUTION

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

1. On May 10, 2022, the City Council adopted a resolution "[a]pproving the plans and specifications for the Napa Valley College Tenant Improvement Project, Project No. C22-0001 and authorizing advertisement for bids." In addition to approving the Project, the City Council determined at its May 10, 2022 meeting that the Project is categorically exempt from CEQA under the Class 1 exemption set forth in State CEQA Guidelines section 15301, which applies to projects involving the minor alteration of structures and facilities. Here, the Project involves the minor alteration of a portion of the Napa Valley Community College District Upper Valley Campus. Specifically, the Project consists of nonstructural tenant improvements to create office space and Police Department facilities on the existing campus. Improvements will include accessibility in accordance with the Americans with Disabilities Act ("ADA"); telecommunications upgrades; enhanced security including bulletproofing panels; a separate portable building of less than 2,500 feet that will serve as a locker/shower room for police officers, and a generator. These non-structural tenant improvements fall squarely within the Class 1 exemption. For all these reasons, the Project is categorically exempt from CEQA.
2. That the City Council approves and awards the Contract by and between the City of St. Helena and Murray Building, Inc. for Project No C22-0001 – Napa Valley College Tenant Improvements in the amount of One Million One Hundred Sixty-Seven Thousand Three Hundred Seventy-Nine Dollars and 00/100 (\$1,167,379.00), in the form attached hereto as Exhibit A and incorporated herein by this reference.;
3. That the City Council authorizes the City Manager to execute, enter into and

implement the Contract in the amount of \$1,167,379.00 with Murray Building, Inc. for Project No. C22-0001 - Napa Valley College Tenant Improvements

4. That the City Council delegates to and authorizes the Public Works Director to approve change orders not to exceed 10% of the contract price.

Approved at a Regular Meeting of the St. Helena City Council on June 28, 2022, by the following vote:

Mayor Geoff Ellsworth: Yes

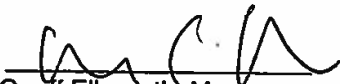
Vice Mayor Paul Dohring: Yes

Council Member Anna Chouteau: Yes

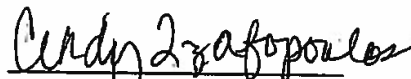
Council Member Lester Hardy: Yes

Council Member Eric Hall: Yes

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafopoulos, City Clerk





Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Recreation

DATE:	April 23, 2024
FROM:	Dave Jahns, Parks & Recreation Director
SUBJECT:	Consideration and approval of a resolution authorizing the City Manager to execute a Professional Services Agreement with Devastating Pyrotechnics, Inc., in the amount of \$40,000 for the July 4, 2024 fireworks display.
RECOMMENDED ACTION:	Staff recommends reviewing the proposed plan for the 4th of July and provide direction to staff. If comfortable moving forward with a fireworks display, authorize the City Manager to enter into a Professional Services Agreement with Devastating Pyrotechnics, Inc.
PREVIOUS COUNCIL ACTION:	June 13, 2023. City Council approved a resolution authorized a Professional Services Agreement with the same vendor for the 2023 fireworks display.
STATEMENT OF THE PURPOSE:	Provide Council with the proposed plan for the 2024 4th of July celebrations and seek authorization to enter into an agreement with a professional fireworks vendor.
FINANCIAL IMPACT:	The Financial Impact of \$40,000 was previously authorized in the adopted 2024-25 Parks and Recreation operating budget.

BACKGROUND:

Since 2015, the Parks & Recreation Department has led the implementation of 4th of July fireworks show at Crane Park. Beginning in 2019, The City committed to fully fund the annual fireworks show, thereby discontinuing the practice of donation solicitation. After a hiatus in providing community fireworks display from 2020-2022, due to COVID and local fire impacts, the City Council authorized to the return of a fireworks display in 2023. The fireworks show has traditionally been the grand finale for the 4th of July celebration and is eagerly anticipated by local residents. The full schedule of activities includes the following:

- Red, white, and blue bicycle parade
- Family fun activities at Lyman Park
- Saint Helena Community Band performance in Lyman Park
- Community festival at Crane Park
- Professional fireworks display at Crane Park

It is estimated that over 2,000 people were in attendance for the Crane festivities and fireworks show last year, with strong turnouts for the activities in the other locations as

well. After a successful event in 2023, staff are currently well into the planning process for this year's 4th of July celebration. The proposed framework for the 2024 4th of July celebration was presented to the Parks and Recreation Commission at their April 15 meeting and the Commission indicated their support to again provide the community with a fireworks display on July 4th.

In preparation for the 2024 fireworks display, staff consulted with the Fire Chief, Police Chief, and City Management prior to entering into discussions with a fireworks operator. Based on the existing weather conditions and associated safety protocols that will be put into place when implementing a professional display, the City is comfortable with proposing a fireworks show for the community once again this year.

DISCUSSION:

Request for Proposals

Staff issued a Request for Proposals (RFP) to secure a qualified fireworks operator for the 2024 show in February and March of this year. After the process closed and review of submitted materials, staff determined that Devastating Pyrotechnics, Inc. met the standards of the RFP as well as demonstrated the ability to implement a high-quality show and professional show. This recommended vendor is the same organization who provided the St. Helena fireworks display in 2023.

If authorized, Devastating Pyrotechnics, Inc., will provide a site and personnel safety plan, licensed pyrotechnic operators, insurance coverage, and obtain the necessary City permits for the show.

Safety & Logistics Preparations

In the weeks leading-up to the event, staff from the Fire, Police, Public Works, and Recreation Departments will be collaborating regarding safety, site, and traffic logistics. Weather conditions will be closely monitored up to and through the day of the fireworks display. In the case of any weather or other conditions that would create an unsafe environment to shoot the fireworks, the show will be postponed or cancelled.

As part of the outreach efforts, City staff will be encouraging community members that are interested in taking part in fireworks festivities to attend the professional, controlled show rather than take part in illegal firework activity in other locations in St. Helena. Additionally, staff will be working closely with administration from St. Helena Unified School District for designated viewing areas, in preparation for a large spectator turnout.

Budget and Funding

The proposed fireworks agreement is for \$40,000. The total cost for all associated events, activities, and materials (not including city personnel costs) for the 2024 4th of July festivities is estimated at \$55,000. This figure is currently accounted for in the adopted 2024-25 Parks & Recreation operating budget.

If the fireworks Professional Services Agreement is approved by City Council, staff will return to the practice of actively seeking sponsorship to help offset the cost of the event. If approved, staff has had several planning meetings regarding sponsorship and is prepared to begin outreach immediately. It should be noted that under section 170 (c) (1) of the Internal Revenue Code, charitable contributions to governmental units are tax-deductible if made for a public purpose.

ENVIRONMENTAL REVIEW:

As part of the cross-departmental planning process, the site and event plan will be reviewed by the City's Environmental Services Technician and staff and the selected vendor will follow all requirements set in place.

GOAL:

Goal 5: Enhance Quality of Life

DOCUMENTS ATTACHMENTS:

[July 4 Fireworks Resolution 04.23.2024](#)
[Devastating Pyrotechnics PSA 04.23.24](#)
[2024 Fireworks Request for Proposals](#)

CITY OF ST. HELENA

RESOLUTION NO. 2024-

**Resolution of the City Council of the City of St. Helena
Authorizing the City Manager to Execute a Professional
Services Agreement with Devastating Pyrotechnics, Inc.
in the Amount of \$40,000 for the 2024 July 4th Fireworks
Show**

WHEREAS, Since 2015, the City of St. Helena Parks and Recreation Department has organized a July 4th fireworks show for the community; and

WHEREAS, The July 4th festivities in 2023, including a professional fireworks display provided Devastating Pyrotechnics, Inc., were deemed a successful event with large community turnout and support; and

WHEREAS, in February 2023, staff issued a Request for Proposals for a qualified and skilled professional fireworks operator and after review, staff determined Devastating Pyrotechnics, Inc. met the standards of the RFP and has demonstrated the ability to provide a high-quality and professional fireworks display; and

WHEREAS, City staff and the selected vendor will collaborate in the weeks leading up to the event to ensure a safe environment to implement a professional and controlled fireworks display for the community in 2024; and

WHEREAS, If the fireworks Professional Services Agreement is approved by City Council, staff will return to the practice of actively seeking sponsorship to help offset the cost of the event..

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. HELENA AS FOLLOWS:

SECTION 1. Authorize the City Manager to execute the agreement with Devastating Pyrotechnics, Inc.

SECTION 2. Authorize the expenditure of \$40,000 from the approved 2024-25 operating budget

Approved at a Regular Meeting of the St. Helena City Council on April 23, 2024, by the following vote:

Mayor Paul Dohring: _____

Vice Mayor Eric Hall: _____

Council Member Anna Chouteau: _____

Council Member Patrick Kenealy: _____

Council Member Billy Summers: _____

APPROVED:

ATTEST:

Paul Dohring, Mayor

Cindy Tzaopoulos, City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on April 23, 2024, by and between the City of St. Helena, located in the County of Napa, State of California (City), and Devastating Pyrotechnics, Inc. (Contractor).

RECITALS:

A. City desires to employ Contractor to furnish professional services in connection with the event described as July 4th Fireworks Show.

B. Contractor has represented that Contractor has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Contractor agrees to perform the services set forth in **Exhibit A, “Scope of Work”** and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Contractor shall not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in this Agreement or **Exhibit A, “Scope of Work”**, unless such additional services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of services shall be as identified in **Exhibit A, “Scope of Work”**.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amount specified in **Exhibit B, “Costs”** attached hereto and made a part hereof. Total compensation shall not exceed \$40,000.00, unless additional compensation is approved in accordance with Section 2.

B. Contractor shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subcontractor contracts, and miscellaneous expenses. Each original invoice furnished shall include the expenses incurred during the preceding month, the cumulative Agreement amount, and the amount remaining on the Agreement (if applicable). City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in

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PSA Template - Pyrotechnics

compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved, and City will use its best efforts to cause Contractor to be paid within 30 days of receipt of invoice. If the City disputes any charges or expenses, the City will return the original invoice to Contractor for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the contract price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Contractor.

C. Payment to the Contractor for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Contractor.

SECTION 5 – STANDARD OF PERFORMANCE

Contractor represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Contractor shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. In meeting its obligations under this Agreement, Contractor shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Contractor under this Agreement.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Contractor's work under this Agreement, either during performance or when completed. City shall reject or finally accept Contractor's work within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject work by a timely written explanation, otherwise Contractor's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects and fraud. Acceptance of any of Contractor's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

Page 2 of 11

PSA Template - Pyrotechnics

- B. Minimum Limits of Insurance. Contractor shall maintain limits no less than:
1. General Liability: \$5,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit – \$10,000,000.
 2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
 3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.
- C. Professional Liability Insurance. When Contractor under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, environmental engineer or other professional engineer, or land surveyor ("design professional"), Contractor shall maintain at least \$2,000,000 of professional liability insurance.
- D. Excess Limits. If Contractor maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.
- E. Primary Coverage. For any claims related to this contract the Contractors insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Contractors insurance and shall not contribute with it.
- F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.
- G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Contractor or Contractor's subcontractors; or automobile owned, leased, hired or borrowed by the Contractor.
 2. For any claims related to Contractor's conduct while performing the work of this project, the Contractor's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
 3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior

written notice by certified mail, return receipt requested, has been given to the City.

4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.
- H. Waiver of Subrogation. Contractor's commercial general liability, automobile liability, workers' compensation, and employer's liability policies shall be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.
- I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.
- J. Verification of Coverage. Contractor shall furnish the City with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. Contractor shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Contractor, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Contractor agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Contractor under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), the provisions of this section regarding Contractor's duty to defend and indemnify apply only to claims that arise out of or relate to the negligence, recklessness, or willful misconduct of the design professional.

C. If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Contractor has agreed to indemnify Indemnitees as provided above, Contractor, upon notice from City, shall defend Indemnitees at Contractor's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Contractor shall ensure

Contractor's obligations under this section, but the limits of such insurance shall not limit the liability of Contractor hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

D. The provisions of this section do not apply to claims to the extent occurring as a result of the City's sole negligence or willful acts or misconduct.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

A. Contractor is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Contractor shall have no authority to bind City in any manner or to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

B. The personnel performing the services under this Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Contractor or any of Contractor's officers, employees or agents, except as set forth in this Agreement. Contractor shall not at any time or in any manner represent that Contractor or any of Contractor's officers, employees or agents are in any manner officials, officers, employees or agents of City.

C. Neither Contractor, nor any of Contractor's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Contractor expressly waives any claim Contractor may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST AND ANTI-FRAUD AND ANTI-CORRUPTION POLICIES

A. Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Consultant agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

B. City understands and acknowledges that Consultant is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Consultant is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

C. Consultant understands and acknowledges City maintains an anti-fraud and anti-corruption policy to protect the City, its operations, and its employees from and against financial risks, operational breaches, and unethical, fraudulent and corrupt activities. Consultant represents

and warrants that Consultant, its subcontractor(s) / subconsultant(s) and their respective employees providing services pursuant to the Agreement are (1) in good standing; (2) have not been previously investigated, convicted, or debarred for fraudulent or corrupt activities; (3) will not participate in fraudulent or corrupt activities, and (4) will take steps to ensure that its employees and subcontractor(s) / subconsultant(s) employees do not participate in any fraudulent or corrupt activities. Consultant acknowledges and agrees further that it has a duty to and will report to City any information or incident(s) about possible fraudulent or corrupt activities Consultant may discover, and will cooperate in any fraud or corruption investigation conducted, with respect to Consultant's service provided pursuant to this Agreement.

SECTION 11 – OWNERSHIP OF DOCUMENTS

A. All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Contractor in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Contractor. When requested by City, but no later than three years after project completion, Contractor shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

B. All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Contractor during the course of providing services (collectively the "Work Product") shall belong exclusively to City. The Work Product shall be considered a "work made for hire" within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Contractor hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Contractor may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

A. All information gained or work product produced by Contractor in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Contractor. Contractor shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

B. Contractor, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Contractor gives City notice of such court order or subpoena.

C. If Contractor, or any officer, employee, agent or subcontractor of Contractor, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Contractor for any damages, costs and fees, including attorney's fees, caused by or incurred as a result of Contractor's conduct.

D. Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Contractor or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 – SUSPENSION OF WORK

City may, at any time, by ten (10) days written notice suspend further performance by Contractor. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Contractor shall be paid for services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 – COMPLIANCE WITH LAW

Contractor shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Contractor shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Contractor to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this contract, Contractor agrees as follows:

A. Equal Employment Opportunity. In connection with the execution of this Agreement, Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, gender, gender identity and gender expression as protected categories specifically and expressively in that category, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

B. Nondiscrimination Civil Rights Act of 1964. Contractor will comply with all federal regulations relative to nondiscrimination to federally assisted programs.

C. Solicitations for Subcontractors including Procurement of Materials and Equipment.
In all solicitations, either by competitive bidding or negotiations, made by Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Contractor of Contractor's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – RECORDS

A. Records of Contractor's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Contractor's final invoice.

B. Contractor's records and design calculations will be available for examination and audit if and as required. The cost of any reproductions shall be paid by City.

SECTION 17 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Exhibit A, "Scope of Services", shall be furnished to Contractor in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

SECTION 18 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first-class mail, addressed as follows:

To City:	City Manager 1088 College Avenue St. Helena, California 94574 Devastating Pyrotechnics, INC
To Contractor:	477 2nd Avenue San Francisco, CA 94118

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 19 – TERMINATION

D. City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Contractor. If such notice is given, Contractor shall cease immediately all work in progress.

E. If either Contractor or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Contractor, or City may terminate this Agreement immediately upon written notice.

F. Upon termination of this Agreement by either Contractor or City, all property belonging to City which is in Contractor's possession shall be delivered to City. Contractor shall furnish to City a final invoice for work performed and expenses incurred by Contractor, prepared as set forth in this Agreement.

SECTION 20 – ATTORNEY FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 21 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Contractor and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 22 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Contractor without written consent of the City.

SECTION 23 – CONTINUITY OF PERSONNEL

Contractor shall make every reasonable effort to maintain the stability and continuity of Contractor's staff assigned to perform the services required under this Agreement. Contractor shall notify City of any changes in Contractor's staff assigned to perform the services required under this Agreement, prior to any such performance.

SECTION 24 – DEFAULT

In the event that Contractor is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Contractor for any work performed after the date of default and may terminate this Agreement immediately by written notice to Contractor.

SECTION 25 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Contractor shall not constitute a wavier of any of the provisions of this Agreement.

SECTION 26 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 27 – SEVERABILITY

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 28 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

Contractor:

City:

By: _____

By: _____

Name: **Neil Li**

Name: Anil Comelo

Title: General Manager

Title: City Manager

Approved as to Form:

By:

Name: Ethan Walsh

Title: City Attorney



March 15, 2024

Dave Jahns
Director of Parks & Recreation
djahns@cityofsthelena.org
City of St Helena
1088 College Avenue
St Helena, CA 94574

Subject: Request for proposal fireworks display

I have designed an exciting display for your consideration. The below program is our initial proposal given the selected shoot site, and the ample setbacks it provides (up to 3-inch shells). The proposed show is consistent with your spectator viewing area and shoot location. We also invite an audit of all product, equipment and crew on the day of the shoot. We guarantee you will get every item listed in our proposal.

Devastating Pyrotechnics will provide all equipment and labor, acquire all permissions and security mandated by authorities having jurisdiction, reserve all transportation required, Workman's Compensation in addition to liability insurance for your fireworks display. I have attached to this proposal a copy of our sample insurance certificate. Devastating Pyrotechnics carries a \$ 5 Million dollars per incident clause to cover the Fireworks Display along with \$1 Million dollars of workers comp liability.

We have taken into consideration the complexities of producing a display at the selected location. All product proposed was selected with your location in mind keeping safety of spectators at the forefront. The proposed display package will contain multi-shot barrage devices that fire continuous sequential effects throughout the duration of the display. This will certainly keep the sky filled for the duration of the display. The finale will leave your spectators in awe.

As the General Manager of the one of California's premier and only local/minority owned (San Francisco) firework companies I can assure you we have done our best to provide you with a quote that will deliver those special memories that your community and guests will have for years to come.

I welcome any questions you may have and I thank you for considering our company to be part of your Independence Day celebrations.

Sincerely,

Neil Li
General Manager, Devastating Pyrotechnics, Inc
(415)793-5332
neil@devastatingpyro.com
477 Second Ave
San Francisco, CA 94118



Experience & Qualifications:

Devastating Pyrotechnics is one of the premier importers and manufacturers of display pyrotechnics in the Western US. We are also the largest importer and distributor of high-quality Chinese Celebration Firecrackers used in professional displays and parades around the US and the globe.

The corporate headquarters and main operations are based in San Francisco, CA. All product is imported directly or manufactured locally keeping costs at a minimum, allowing us to pass those savings on to our customers.

Devastating Pyrotechnics currently employs 3 full-time individuals and maintain dozens of licensed and trained pyrotechnicians. All staff and technicians working on your display will be fully trained, federally approved, Devastating Pyrotechnics employees.

All display technicians have attended Devastating Pyrotechnics' extensive training program and have met all of the rigorous safety requirements, which exceed state and federal requirements. All technicians have passed State and Federal background checks. We offer a number of different training courses with extensive classroom and hands-on training to our crews.

Apprentice Technicians always work alongside experienced technicians (mentors) to gain hands on, supervised experience.

Devastating Pyrotechnics Fireworks is proud to be the only local pyrotechnic display company in Northern California. We must prove our quality and customer satisfaction to every client, on every show, every time. Our goal is to outperform the "Big Display Companies" with every show, no matter how large or small. We are the underdog, and enjoy that position and, most importantly, have a perfect safety record

Devastating Pyrotechnics Key Team Members:

Kenny Chee – Owner/ CEO with 25 years' experience Product Manufacturing, Selection and Import. Devastating Pyrotechnics Fireworks is a Licensed ATF and CalFire Importer & Manufacturer of display pyrotechnics. Member of Western Pyrotechnics Association, NFA, PGI (PGI Certified Operator), NFPA Educated and Trained, and California (CalFire) Licensed Operator.

Neil Li – General Manager 20 years' experience with producing and coordinating pyrotechnic displays.

Jack Lee – Operations Manager overseeing Site Storage and Product Safety and Security. Member of Western Pyrotechnics Association, NFA, PGI (PGI Certified Operator), NFPA Educated and Trained, and California (CalFire) Licensed Operator.



Devastating Pyrotechnics Safety:

All Devastating Pyrotechnic technicians undergo annual safety training and licensing. Devastating Pyrotechnic technicians are governed by strict safety protocols that mandate proper safety protocols be followed, including the use of required safety equipment and clothing.

Devastating Pyrotechnics selects shoot sites and product based on NFPA 1123 requirements, as well as California Title 19 requirements. These protocols reduce any risk to spectators and crew should a catastrophic incident occur.

All product is selected with safety, site location and customer requirements in mind. Product is selected to minimize fallout and reduce fire danger to spectators, property and equipment. Steps are taken to minimize any residual debris associated with the display.

Site safety and security is a top priority. No persons other than Devastating Pyrotechnics crew and the AHJ are to be permitted in the shoot site or the fallout zone.

Devastating Pyrotechnics crews, as a group, review the company emergency action plan prior to the start of every work day.

All fireworks are transported by California Licensed Haz-Mat drivers in secure, locked and placarded trucks in accordance to Federal DOT and California state regulations.

Devastating Pyrotechnics does not contract out hazmat transportation. Devastating Pyrotechnics is a DOT, CHP and California Registered Hazmat Trucking Company.



Scope & Detailed Work Plan

Operations:

Devastating Pyrotechnics will furnish a complete time line and emergency list of contacts to all parties involved.

Devastating Pyrotechnics understands the need to minimize impact on ALL adjacent facilities.

Devastating Pyrotechnics maintains a “good neighbor policy” and can help interface with the local community to prepare for the event.

Devastating Pyrotechnics will work to minimize residual debris while maximizing the visibility from all areas of the shoot site.

Scope of work and plan:

Devastating Pyrotechnics suggests using the proposed shoot site. Safe set back distance for the fallout area are consistent with Devastating Pyrotechnics use of NFPA 1123 setbacks (70+ feet per inch in diameter).

The following is a list of the product proposed by Devastating Pyrotechnics to be used in the Independence Day Celebration display.

The largest diameter of multi-shot(cakes) product to be used will be 3” diameter. The largest aerial firework shell to be used will be 3” diameter.



Main Body

2 Inch Devastating Pyrotechnics Assorted Select Shells 225

2.5 Inch Devastating Pyrotechnics Assorted Premium Shells 225

3 inch Devastating Pyrotechnics Assorted Premium Shells 225

Total Shells 675

Grand Finale

2 Inch Devastating Pyrotechnics Assorted Premium Finale Shells 200

2.5 Inch Devastating Pyrotechnics Assorted Premium Finale Shells 200

3 Inch Devastating Pyrotechnics Assorted Premium Finale Shells 200

Total Finale Shells 600

Total Display Shells 1275

Multi-Shot Devices (Bombardments 1.2 inch to 3 inch)

10,000 Shots

Total Multi Device Shots 10,000

Total Multi Shots and Display Shells 11,275



Devastating Pyrotechnics shall include a minimum crew of 6, including lead operator:

To Be Determined - Lead Operator and California (CalFire) licensed operator.

Devastating Pyrotechnics will interface directly with the local AHJ for all necessary permits, inspections, equipment and product.

Devastating Pyrotechnics will be following established company protocols, industry guidelines (NFPA 1123) as well as state and federal guidelines for safety.

Devastating Pyrotechnics team will work with the AHJ to mitigate any fire danger. Team members are trained in the use of fire suppression technics including the use of approved and certified extinguishers, shovels, brooms and other fire suppression tools.

Devastating Pyrotechnics crew will hose down surfaces or remove debris likely to pose a fire hazard. Lead operator will maintain constant contact with all team members as well as the local AHJ.

Devastating Pyrotechnics team will utilize all excess crew members as "spotters" for the display, looking for falling or burning debris both inside and outside the launch site.

Devastating Pyrotechnics will perform a thorough walk around of the site and perimeters immediately following the shoot identifying any live product or hot spots. Once area is determined to be free of hazards the site will be rested for 15 minutes before communicating "all clear" to the local AHJ. Upon receiving an "all clear" from the lead operator and local AHJ, the crew will commence breakdown and cleanup of the shoot site.



Event Budget

Devastating Pyrotechnics will commit to the event budget of **\$40,000**.

Devastating Pyrotechnics is confident in our ability to exceed expectations on delivery, set up and firing for the proposed budget.

Devastating Pyrotechnics implements specific protocols when determining display budgets using a method that is repeated several hundred times a year.

Devastating Pyrotechnics maintains a year-round lease agreement with Ryder putting thousands of trucks at our disposal at a moment notice. We are also a fully licensed, bonded and insured Hazmat trucking company. We never contract out Hazmat transportation to other companies or contractors.

Devastating Pyrotechnics is one of the largest fireworks importers into the Western United States. We are also a fully licensed manufacturer. We run a lean operation and maintain minimal overhead allowing us to provide the most competitive pricing in the industry. We are able to assure our customer they are getting premium service with exceptional value. We ALWAYS encourage our customers to audit their shoot sites to insure they are getting everything they paid for.



Delivery Schedule and Timeline

July 3, 2024

10:00 - 12:00 Arrival of Truck with Equipment and Product

12:00 – 19:00 Setting up and Staging firework racks in Skate Park

19:00 – 10:00 (next day) overnight security needed from Client for Truck with Fireworks

July 4, 2024

10:00 – 18:00 Loading product and wiring for electronic ignition.

21:30 - 21:48 Fireworks Display

21:50 – 22:10 Shoot site Cooldown (Safety precaution)

22:10-22:20 Licensed shooter walk through of shoot site to determine safe for cleanup

22:20 – 01:00 (next day) Clean up and pack up equipment



Reference Review

1. San Francisco Chinese New Year Parade
Union Square, San Francisco, CA
Harlan Wong, Parade Director, Harlan.wong@chinese-parade.com
February 24, 2024
2. Independence Day Fireworks Display
Del Rio Country Club, Modesto, CA
Marissa Brown, Catering Director Assistant, marissa@delriocountryclub.com
July 4, 2023
3. Independence Day Fireworks Display
Woodward Reservoir, Oakdale, CA
Julie Orona, Events & Marketing Specialist, Stanislaus County Parks & Recreation, jorona@parksrec.org
July 1, 2023



CITY OF ST. HELENA

CITY OF ST. HELENA

PARKS AND RECREATION DEPARTMENT

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

Fireworks Display for July 4, 2024

DATE ISSUED: Tuesday, February 20, 2024

DATE DUE: Friday, March 8, 2024, 5PM

CONTACT: Dave Jahns, Director of Parks & Recreation

djahns@cityofstheleena.org; (707) 967-2798

**The City is only accepting proposals electronically via email to
djahns@cityofstheleena.org**

Only email's sent to djahns@cityofstheleena.org will be considered as responsive to the request for proposals. Emails sent to other City emails may be considered as non-responsive and may not be reviewed

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I. INTRODUCTION

The City of St. Helena, California is located in the center of the world-famous wine growing Napa Valley, 65 miles north of San Francisco.

The area was settled in 1834 as part of General Vallejo's land grant. The City of St. Helena was incorporated as a City on March 24, 1876, and reincorporated on May 14, 1889.

The City, from its inception, has served as a rural agricultural center. Over the years, with the growth and development of the wine industry, St Helena has become an important business and banking center for the wine industry. The City also receives many visitors as a result of the wine industry and the area's scenic qualities. The City's goal is to maintain a small-town atmosphere and to provide quality services to its citizens.

The 4th of July has many aspects to this community that creates fun, nostalgia and hometown feeling including a bike parade through neighborhoods, a community band concert, and an afternoon free concert, carnival and ending the night with a firework display. We will be looking to recreate all aspects this year.

The official population of the City of St. Helena as of 2019 is 6,133 (CA *Department of Finance*). St. Helena is a full-service city and encompasses an area of four-square miles. The City's General Fund Budget is approximately \$15 million.

II. SOLICITATION

The City of St. Helena is seeking proposals from experienced and qualified vendors to provide a fireworks, or comparable display, for the community on Thursday, July 4, 2024. The show should be similar in scope and impact as the 2023 display. The show should be expected to be 15-18 minutes in length. The City welcomes creative proposals, such as including a musical element or other visual effects as part of the show, but not mandatory. The City will consider other visual display proposals, outside of Fireworks, if deemed to have the same impact and experience for attendees within the specified budget. The budgeted amount for this service is set at a cost not to exceed \$40,000.

Prospective vendors will be required to provide qualifications, proposed work plan, proposed schedule, references, insurance coverage, and other related items as part of the proposal submittal (Section V). The deadline for submitting proposals is 4:00PM on Friday, March 8, 2024.

III. SCOPE OF WORK

The City is requesting proposals from qualified Contractors for pyrotechnics, or similar, services. Required services shall include, but are not limited to:

1. Provide a suggested pyrotechnics or equipment list and timeline for planning, delivery, set-up, security of site, detailed show elements, clean-up, and safely reopening site to the public.

Contractor will be required to answer specifics about the proposed timeline and show specifics. At least one site visit with staff meet with City staff to discuss all aspects of the Proposed 4th of July display will be required.

Pyrotechnics and/or Visual display plans shall include, but are not limited to, the following:

- 1. **SITE** | where launching areas will be located, safety perimeter, and fall-out zones
- 2. **PYROTECHNICS/EQUIPMENT USED** | where launching areas will be located, safety perimeter, and fall-out zones
- 3. **STAFFING** | number of team members the Contractor will use, what their role is before, during and after the fireworks show, security needed in area/overnight.
- 4. **INSPECTIONS** | schedule and documentation as required by the City's Fire Marshall
- 5. **FIRE/LIFE SAFETY ISSUES** | Emergency Action Plan
- 6. **FIRE PROTECTION** | on-site tools and methods for addressing unforeseen incidents related to pyrotechnics launching

IV. SCHEDULE

Responses to the RFP must be submitted to the City of St. Helena as outlined in this section.

Responses are due no later than
Friday, March 8, 2024, AT 4:00 PM
Responses received after this date and time will not be considered.

PROPOSED SCHEDULE FOR THE REVIEW AND SELECTION PROCESS AND DESIRED TIMELINES FOR DELIVERABLES		
MILESTONE	DATE	TIME
Release RFP	February 20, 2024	5:00PM
Question submittal deadline	February 27, 2024	5:00PM
Questions posted on City website (cityofsthelena.org/rfps)	February 29, 2024	5:00PM
Proposal due date	March 8, 2024	5:00PM
Review and scoring of submittals	Week of March 11	N/A
Award of Agreement	March 2024	6:00PM

The schedule may be modified and/or extended if necessary.

V. PROPOSAL REQUIREMENTS AND FORMAT

If interested in this RFP, please notify Dave Jahns by email at djahns@cityofsthelena.org so you may be added to the notification list for addendums. Failure to notify Mr. Jahns could result in missing important and required information, and could result in disqualification.

All submittals must follow the format described in this section. Respondents are encouraged to submit clear and concise responses to the RFP. The City of St. Helena reserves the right to include or exclude any part of the submittals in the final agreement with the selected Contractor.

To be considered for selection, submittals must arrive **electronically** by the date and time specified in Section IV. Only email's sent to djahns@cityofsthenana.org will be considered as responsive to the request for proposals. Emails sent to other City emails may be considered as non-responsive and may not be reviewed.

Submittals must include the following components in the order listed below:

- Part 1: Cover Letter/Executive Summary
- Part 2: Experience and Qualifications of Contractor/Team Members
- Part 3: Understanding of Event Scope
- Part 4: Commitment to Event Budget & Detailed Work Plan
- Part 5: Delivery Schedule and Timeline
- Part 6: Proof of Insurance
- Part 7: Reference Review

PART 1 | COVER LETTER/EXECUTIVE SUMMARY

In no more than three (3) pages, the Cover Letter and Executive Summary shall include:

1. The names of the key members of the Contractor team.
2. The mailing address, telephone number, and the name of the main point of contact for the Contractor team.
3. A summary of the Contractor's pyrotechnics experience and qualifications and the significant advantages to selecting the Contractor.
4. An acknowledgement of receiving any addendum(s) to the RFP document sent out by the City.

PART 2 | EXPERIENCE AND QUALIFICATIONS OF CONTRACTOR/TEAM MEMBERS

Provide detail relating to the experience and qualifications of the members of the team, including an organizational chart showing all key personnel who will be assigned to this event. Submit brief resumes demonstrating the training, experience, and other qualifications of the key personnel who will be assigned to this event.

Contractor should further document expertise by including the information regarding the following:

1. Safety of Contractor's team members, as well as spectators and property.
2. Any other information that would assist the review team in understanding the Contractor's team's capacity to efficiently, effectively and safely implement the fireworks show.

PART 3 | UNDERSTANDING OF EVENT SCOPE & DETAILED WORK PLAN

Each respondent shall demonstrate its capacity to deliver professional pyrotechnics. Respondent should outline methodology and logistics capable of meeting the goals outlined in July 4th Fireworks Show event, as well as provide a proposed work plan for development and implementation of the event as described in the scope of work.

Respondents should draw from previous experience and demonstrated competence to articulate how their capabilities are distinct, comprehensive, and add value.

PART 4 | COMMITMENT TO EVENT BUDGET

Contractor shall provide a total base fee for the project, based on an amount not to exceed \$40,000. Each responding Contractor shall include an acknowledgement that it can effectively complete set-up and delivery of a 4th of July fireworks, or similar, display within the budget indicated. Each respondent should clearly explain in this section the methods and process it will use to ensure the project is within budget and that the City will be getting the best value within the budgeted amount. Please note: Any necessary lodging, food, resources for the crew are the responsibility of the Contractor.

PART 5 | DELIVERY SCHEDULE AND TIMELINE

Discuss in this section the steps the Contractor team proposes to use. Clearly outline the delivery schedule and timeline of each stage of event set-up, implementation, and tear-down, if security is needed for overnight. Specific dates should be used assuming an award to this RFP and an executed agreement in late March or early April 2024. Indicate in the proposed scheduling the necessary involvement and various decision points required of the City. A detailed timeline or representation of the delivery timeline with pertinent milestones and events is required in this section.

PART 6 | INSURANCE REQUIREMENTS

Contractor will provide proof of insurance for a minimum of \$5 million in liability coverage listing the City of St Helena as the additionally insured, as well as an endorsement.

1. General Liability: \$5,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit – \$10,000,000.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

PART 7 | REFERENCE REVIEW

The review team will conduct a background reference review of each respondent. Please include the following information for three (3) projects that the proposed contractor team worked on together:

- Name of the Event (e.g. July 4th Fireworks Show)
- Location of the Event (e.g. Crane Park)
- Name, title, and contact information for the client
- Project budget (e.g. amount not to exceed \$40,000.00)
- Date of completion of the Event

VI. PROPOSAL TERMS AND CONDITIONS

1. EXAMINATION OF PROPOSAL MATERIALS

The submission of a proposal shall be deemed a representation and warranty by the proponent that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has

read and understands the RFP. No request for modification of the provisions of the proposal shall be considered after its submission on the grounds the proponent was not fully informed as to any fact or condition.

2. ADDENDA INTERPRETATIONS

If it becomes necessary to revise any part of this RFP, a written addendum will be provided to each firm that requested to be added to the notification list and said addenda will be uploaded to the City website. The City of St. Helena is not bound by any oral representations, clarifications, or changes made in the RFP by the City or its agents, unless such clarifications or change is provided in written addendum from the City of St. Helena.

3. DESIGNATED CONTACT

For the purposes of this RFP, the City's designated contact is Dave Jahns, Director of Recreation. Any questions concerning the scope of work and the selection process shall be directed to Mr. Jahns, at djahns@cityofsthenana.org. Any and all questions and responses concerning this RFP will only be accepted in writing, via email. All questions must be received by February 27, 2024, by 5:00PM.

Responses to questions will be posted on the City's website, cityofsthenana.org/rfps, and will become part of the RFP. It is the contractor's responsibility to check the website for updates.

4. PUBLIC RECORDS

This RFP document and all submittals in response thereto are public records. Prospective contractors are cautioned not to include any material into the proposal that is strictly proprietary in nature.

5. PROPOSAL COSTS

All costs associated with the preparation of RFP submittals shall be borne by the respondent. This RFP does not constitute any form of offer to contract.

6. RESERVATION OF RIGHTS

The City reserves the right, for any reason, to accept or reject any one or more proposals; to negotiate the terms and specifications of the proposal; to modify any part of the RFP; or issue a new RFP.

7. PRODUCT OWNERSHIP

Any documents resulting from the contract will be the property of the City.

8. PROFESSIONAL SERVICES AGREEMENT

All Proposers must identify in their proposal any terms and conditions of the sample Professional Service Agreement (Exhibit C) that they wish to negotiate. Insurance is required as outlined in Section 7 of the sample agreement.

9. CAUSES FOR DISQUALIFICATION

Any of the following may be considered cause to disqualify a proponent without further consideration:

- Evidence of collusion among proponents;
- Any attempt to improperly influence any member of the evaluation panel;

- A proponent's default in any operation of a professional services agreement which resulted in termination of that agreement; and/or
- Existence of any lawsuit, unresolved contractual claim, or dispute between proponent and the City.

EXHIBIT A – SITE MAP WITH LAUNCH ZONE AND VIEWING AREAS



EXHIBIT B – SAMPLE PROFESSIONAL SERVICES AGREEMENT

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on [REDACTED], 2024 by and between the City of St. Helena, located in the County of Napa, State of California (City), and [REDACTED] (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as [REDACTED].

B. Consultant has represented that Consultant has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Consultant agrees to perform the services set forth in **Exhibit A, “Scope of Services”** and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in this Agreement or **Exhibit A, “Scope of Services”** (the “Services”), unless such additional Services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of Services shall be as identified in **Exhibit A, “Scope of Services”**. The parties expressly agree that time is of the essence in the performance of this Agreement.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

B. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in **Exhibit B, “Compensation”** attached hereto and made a part hereof. Total compensation shall not exceed \$ [REDACTED] unless additional compensation is approved in accordance with Section 2.

C. Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subconsultant contracts, and miscellaneous expenses. Each original invoice furnished shall include the expenses incurred during the preceding month, the cumulative Agreement amount, and the amount remaining on the Agreement. City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved, and City will use its best efforts to cause Consultant to be paid within 30 days of receipt of invoice. If the City disputes any charges or expenses, the City will return the original invoice to Consultant for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the Services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the contract price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Consultant.

D. Payment to the Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

SECTION 5 – STANDARD OF PERFORMANCE

A. Consultant represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the Services required under this Agreement in a thorough, competent and professional manner. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all Services described herein. In meeting its obligations under this Agreement, Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons in the same or similar geographical area engaged in providing Services similar to those required of Consultant under this Agreement.

B. In order to induce City to enter into this Agreement, Consultant represents that it is duly organized, existing and in good standing under applicable state law; Consultant is licensed to perform all aspects of the Services; Consultant will employ only persons and Subconsultants with all required licenses and certifications; that Consultant is duly qualified to conduct business in the State; that Consultant has duly authorized the execution, delivery and performance of this Agreement and the Services to be performed herein; and that the Agreement does not violate or create a default under any instrument, agreement, order or decree binding on Consultant.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Consultant's work under this Agreement, either during performance or when completed. City shall reject or finally accept Consultant's work within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject work by a timely written explanation, otherwise Consultant's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects and fraud. Acceptance of any of Consultant's work by City shall not

constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- B. Minimum Limits of Insurance. Consultant shall maintain limits no less than:
 1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
 2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
 3. Employer's Liability: \$1,000,000 per accident for bodily injury or disease.

C. Professional Liability Insurance. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, environmental engineer or other professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance. When Consultant is not a design professional, Consultant shall maintain at least \$1,000,000 of professional liability insurance combined single limit for each occurrence, insuring against professional errors and omissions in the Services performed by Consultant under this Agreement, including, without limitation, claims for negligence, misrepresentation, violation of good faith and fair dealing, and inaccurate advice arising out of, resulting from, or in connection with Services performed by Consultant under this Agreement.

D. Excess Limits. If Consultant maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

E. Primary Coverage. For any claims related to this contract the Consultants insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Consultants insurance and shall not contribute with it.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.

G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Consultant or Consultant's subconsultants; or automobile owned, leased, hired or borrowed by the Consultant.
2. For any claims related to Consultant's conduct while performing the work of this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

H. Waiver of Subrogation. Consultant's commercial general liability, automobile liability, workers' compensation, and employer's liability policies shall be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.

I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.

J. Verification of Coverage. Consultant shall furnish the City with original certificates and amandatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), as may be applicable, Consultant shall indemnify, defend, and hold harmless City, its agents, officers, officials, employees, representatives, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith, including legal fees and expert witness costs) (collectively, “Liabilities”), incurred by reason of any negligent or otherwise wrongful act or omission of Consultant, its officers, agents, employees, subconsultants, and subcontractors, or any of them, under or in connection with this Agreement; and Consultant agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of, pertaining to, or relating to such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor (i.e., a “design professional,” pursuant to Civil Code § 2782.8(c)), the provisions of this section regarding Consultant’s duty to defend and indemnify apply only to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Consultant.

If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Consultant has agreed to indemnify Indemnitees as provided above, Consultant, upon notice from City, shall defend Indemnitees at Consultant’s expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Consultant shall ensure Consultant’s obligations under this section, but the limits of such insurance shall not limit the liability of Consultant hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

The provisions of this section do not apply to claims to the extent occurring as a result of the City’s sole negligence, active negligence, or willful acts or misconduct.

Duty to Cooperate. Each party shall notify the other party immediately in writing of any claim or damage related to activities or Services performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of all Liabilities arising out of the activities or Services under this Agreement.

In the event that Consultant executes any subconsulting agreements in connection with the Services performed under this Agreement, Consultant shall place in all such subconsulting agreements, and cause its subconsultants to agree to, the indemnity and insurance obligations in favor of City and other Indemnitees, as provided herein, in the exact form and substance of those contained in this Agreement.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

Consultant is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Consultant shall have no authority to bind City in any manner or to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

The personnel performing the Services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees or agents of City.

Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST AND ANTI-FRAUD AND ANTI-CORRUPTION POLICIES

Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of Services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Consultant agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

City understands and acknowledges that Consultant is, as of the date of execution of this Agreement, independently involved in the performance of non-related Services for other governmental agencies and private parties. Consultant is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

Consultant understands and acknowledges City maintains an anti-fraud and anti-corruption policy to protect the City, its operations, and its employees from and against financial risks, operational breaches, and unethical, fraudulent and corrupt activities. Consultant represents and warrants that Consultant, its subcontractor(s) / subconsultant(s) and their respective employees providing Services pursuant to the Agreement are (1) in good standing; (2) have not been previously investigated, convicted, or debarred for fraudulent or corrupt activities; (3) will not participate in fraudulent or corrupt activities, and (4) will take steps to ensure that its employees and subcontractor(s) / subconsultant(s) employees do not participate in any fraudulent or corrupt activities. Consultant acknowledges and agrees further that it has a duty to and will report to City any information or incident(s) about possible fraudulent or corrupt activities Consultant may

discover, and will cooperate in any fraud or corruption investigation conducted, with respect to Consultant's service provided pursuant to this Agreement.

SECTION 11 – OWNERSHIP OF DOCUMENTS

All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Consultant in the course of providing any Services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Consultant. When requested by City, but no later than three years after project completion, Consultant shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Consultant during the course of providing Services (collectively the "Work Product") shall belong exclusively to City. The Work Product shall be considered a "work made for hire" within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Consultant hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Consultant may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

All information gained or work product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided consultant gives City notice of such court order or subpoena.

If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorneys' fees, caused by or incurred as a result of Consultant's conduct.

Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 – SUSPENSION OF WORK

City may, at any time, by ten (10) days written notice suspend further performance by Consultant. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Consultant shall be paid for Services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 – COMPLIANCE WITH LAW

Consultant shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Consultant shall obtain any and all licenses, permits and authorizations necessary to perform the Services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Consultant to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this contract, Consultant agrees as follows:

Equal Employment Opportunity. In connection with the execution of this Agreement, Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, gender, gender identity and gender expression as protected categories specifically and expressly in that category, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

Nondiscrimination Civil Rights Act of 1964. Consultant will comply with all federal regulations relative to nondiscrimination to federally-assisted programs.

Solicitations for Subcontractors including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations, made by Consultant for work to be

performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Consultant of Consultant's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – COMPLIANCE WITH CALIFORNIA LABOR CODE REQUIREMENTS

A. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects (“Prevailing Wage Laws”). If the services are being performed as part of an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

B. If the services are being performed as part of an applicable “public works” or “maintenance” project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

C. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

SECTION 17 – AUDIT AND INSPECTION OF RECORDS

A. Records of Consultant's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Consultant's final invoice.

B. Consultant shall maintain all documents and records prepared by or furnished to Consultant during the course of performing the Services for at least three (3) years following completion of the Services. Such records include, but are not limited to, correspondence, internal memoranda, technical reports and investigations, calculations, books and accounts, accounting records documenting its work under its Agreement, and invoices, payrolls, records and all other data related to matters covered by this Agreement.

C. Consultant shall permit City to audit, examine and make copies, excerpts and transcripts from such records, and the Consultant shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any matter whatsoever for three (3) years after City makes the final or last payment or within three (3) years after any pending issues between City and Consultant with respect to this Agreement are closed, whichever is later.

SECTION 18 – LIMITATION OF LIABILITY

A. Consultant agrees that any liability of City arising in connection with this Agreement shall be limited exclusively to the City-entity identified as the "City" under this Contract. Under no circumstance shall any other City-entity be liable to Consultant under any theory, whether in contract, tort, or otherwise, and Consultant waives unconditionally any such claims. Consultant hereby waives and release other City-entities from any liability under this Agreement.

B. Notwithstanding any other provision of this Agreement, in no event shall City be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits or revenue, arising out of or in connection with this Agreement or the Services performed hereunder.

SECTION 19 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Exhibit A, "Scope of Services", shall be furnished to Consultant in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

SECTION 20 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first class mail, addressed as follows:

To City: City Manager
 1572 Railroad Avenue
 St. Helena, California 94574

To Consultant:

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 21 – TERMINATION

City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Consultant. If such notice is given, Consultant shall cease immediately all work in progress.

If either Consultant or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Consultant, or City may terminate this Agreement immediately upon written notice.

Upon termination of this Agreement by either Consultant or City, all property belonging to City which is in Consultant's possession shall be delivered to City. Consultant shall furnish to City a final invoice for work performed and expenses incurred by Consultant, prepared as set forth in this Agreement.

SECTION 22 – ATTORNEYS' FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 23 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Consultant and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 24 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Consultant without written consent of the City.

SECTION 25 – CONTINUITY OF PERSONNEL

Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the Services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff assigned to perform the Services required under this Agreement, prior to any such performance.

SECTION 26 – DEFAULT

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any work performed after the date of default and may terminate this Agreement immediately by written notice to Consultant.

SECTION 27 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or Services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 28 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 29 – SEVERABILITY

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 30 – THIRD PARTY BENEFICIARIES

Consultant's subconsultants shall agree to be bound to the terms of the Agreement to the extent of their scope of Services, including but not limited to, terms regarding indemnity and dispute resolution, and shall agree that City is deemed an express third party beneficiary of their

subconsultant agreements. Nothing contained in this Agreement, however, shall operate to confer such or similar rights or benefits on persons or entities not party to this Agreement.

SECTION 31 – STATUTES OF LIMITATION

As between the parties to this Agreement, any applicable statute of limitations for action arising out of, pertaining to, or relating to any act or failure to act in connection with this Agreement shall commence to run on the date of City’s issuance of the final Certificate for Payment, or termination of this Agreement, whichever is earlier, except for latent defects and/or deficiencies, for which the applicable statute of limitation shall begin to run upon discovery of the defect and/or deficiency and its cause.

SECTION 32 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

Consultant:

City:

By: _____
Name: _____
Title: _____

By: _____
Name: Anil Comelo
Title: City Manager

Approved as to Form:

By: _____
Name: Ethan Walsh
Title: City Attorney



Agenda Report to the City Council

Agenda Section: PUBLIC HEARINGS

Department: Planning

DATE:	April 23, 2024
FROM:	Aaron Hecock, Senior Planner
SUBJECT:	Approval of introduction and first reading of an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) to update the General Plan's Land Use Map (Figure 2.1) and Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) referenced in St. Helena Municipal Code Section 17.01.070, to bring these maps into conformance with the City's adopted 2023-2031 Housing Element, and find that the proposed changes are consistent with the adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element.
RECOMMENDED ACTION:	Approval of introduction and first reading by title only and waive further reading of the proposed Ordinance to: 1. Find that the proposed changes to General Plan Figure 2.1 and the City's Zoning Map are consistent with adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element and in compliance with the California Environmental Quality Act; and 2. Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps; and 3. Consider directing staff to analyze the feasibility of other units to replace Site 10 after adoption of the Ordinance and recertification of the Housing Element by HCD.
PREVIOUS COUNCIL ACTION:	The City Council adopted the 6th Cycle 2023-2031 Housing Element on May 9, 2023.
STATEMENT OF THE PURPOSE:	To introduce an Ordinance bringing the City's General Plan Land Use Map (Figure 2.1) and Zoning Map into conformance with the City's adopted 2023-2031 Housing

	Element so that the California Department of Housing and Community Development (HCD) will recertify the City's Housing Element.
FINANCIAL IMPACT:	Without a state certified Housing Element, the City isn't eligible for various state and federal funding opportunities. There is also the potential for escalating financial penalties of \$10,000-\$100,000 per month (plus potential for multiplication of fines based on continued noncompliance). Additionally, should the City reopen its Housing Element, it could require re-engaging the Housing Element consultants which would require a contract modifications and additional expenditures.

BACKGROUND:

Recent changes in state housing law have resulted in significant reductions in local land use control by local governments. California's Housing Element law provides that in order for the private market to adequately address housing needs and demand, California's local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain) housing development.

The purpose of the Housing Element is to identify and analyze existing and projected housing needs in order to preserve, improve, and develop housing for all economic segments of the community. The Housing Element is one of seven required elements of the general plan. However, it has several unique requirements that set it apart from the other six elements. State law (Government Code Section 65580 (et seq.)) specifies in detail the topics that the Housing Element must address and sets a schedule for regular updates. State law requires each local government to update its housing element every eight years. The Housing Element is also the only element reviewed and certified by the State for compliance with State law. The Department of Housing and Community Development (HCD) is the State department responsible for this certification. Penalties for non-compliance include legal challenges, ineligibility for many State and regional grants, and, in extreme cases, loss of land use control.

The City's 2023-2031 Housing Element was adopted by the City Council on May 9, 2023 and certified by HCD on September 25, 2023. The adopted Housing Element included 12 key housing opportunity sites, of which 7 sites were designated to be rezoned in order for the City to meet its assigned Regional Housing Needs Allocation (RHNA) of 256 units during the course of the 8 year Housing Element cycle (the other key opportunity sites do not require rezoning, as their existing zoning was adequate for the density needed to meet RHNA obligations). Site 4 was designated for a zoning change in the Housing Element, however, it was designated to change (from Service Commercial to Mixed-use) when the General Plan was adopted in 2019 and was subsequently updated when changes were made to the adopted Zoning Map when the Zoning Code was adopted in October 2023; so while it is noted as a change site, it has already been changed and is shown below for reference only. Based on the date HCD certified the Housing Element, **HCD required that the City adopt the map changes**

described above by January 31, 2024. Due to a number of factors, the City was unable to meet this deadline and is now working diligently to complete these updates to be compliant with our Housing Element commitments.

California Department of Housing and Community Development (HCD) Correspondence

On February 5, 2024 the City received a corrective action letter from HCD (Attachment 7) stating that they had reviewed the City's obligations under the Housing Element and found that *"the City has failed to implement Program H-A (Available Sites Inventory)*, including the requirement to rezone several sites to accommodate all of the City's RHNA. The City provided a written response to HCD in which it identified the multiple rounds of review that were required by HCD, leading to the delay of adoption of the Housing Element and, in turn, the imposition of the stricter one-year rezoning deadline rather than the three years the City would have been entitled to had the Housing Element been certified within 120 days of its January 31, 2023 deadline. In that letter, dated February 26, 2024, the City advised that it had scheduled the requisite General Plan amendments and rezoning actions for its March 5, 2024 Planning Commission meeting, with adoption by City Council anticipated to follow in April. Upon receipt of a number of public comments on the agenda item pertaining to the rezone, the Planning Commission rescheduled the item for its April 2, 2024 meeting. On March 26, 2024, the City received a letter from HCD (Attachment 8) stating that they have revoked their finding that the City's Housing Element is in substantial compliance with state housing law (i.e., they de-certified the Housing Element) as we have not completed the rezonings committed to in Program H-A.

Without a state certified Housing Element, it is more important than ever that the City moves forward expeditiously with the rezoning program it has already committed to as part of the previously certified Housing Element. Not having a state certified Housing Element leaves the City vulnerable to the following:

- Suspension of the City's authority over issuance of building and zoning permits and subdivision approvals
- No public noticing or review of new housing development
- Court-required approval of certain types of housing projects without City or community input
- City prohibited from denying certain affordable housing projects even if inconsistent with adopted zoning and General Plan (commonly referred to as the Builder's Remedy)
- Escalating financial penalties of \$10,000-\$100,000 per month (plus potential for multiplication of fines based on continued noncompliance)
- Disqualification from various state and federal funding opportunities.

On April 2, 2024, the Planning Commission held a public hearing to consider the requested map changes. The City received 96 public comments which are attached to

this staff report (Attachments 18 & 19), most of the comments focused on opposition of the upzoning of Site 10 from MR to HR. Staff has prepared responses to the topics raised as well as addressing public questions raised during oral comments (Attachment 17).

The Planning Commission adopted a resolution by a 4-1 vote recommending that the City Council:

1. Find that the proposed changes to General Plan Figure 2.1 and the City's Zoning Map are consistent with adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element and in compliance with the California Environmental Quality Act; and
2. Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps; and
3. Prior to adoption of rezoning ordinance by Council, staff shall explore with HCD the feasibility of replacing Site 10 with other units, or recalculating potentially available units on other sites, as an alternative to high density zoning for Site 10; if such effort is unsuccessful by date of Council adoption of the rezone ordinance, staff shall analyze other units to replace Site 10.

As directed by the Planning Commission, staff reached out to HCD (by phone and email) to discuss the possibility of leaving site 10 as Medium Density Residential (assuming zero low and 35 moderate units) if there was a means to increase and make up the number of High Density Residential units on other opportunity sites without reopening the entire Housing Element document and restarting the Housing Element process. As of the date this agenda was published, staff had not yet received a response from HCD and is therefore proceeding with the GPAs and ZMAs as directed. Should the Council direct staff to replace Site #10 with other sites post adoption of these amendments and recertification by HCD, this will require opening up the Housing Element to further scrutiny by HCD, additional site analysis (i.e., finding 4.4 acres of vacant lands or developed lands with owner interest in development on the west side which are suitable for residential development each of which must meet Affirmatively Furthering Fair Housing (AFFH) requirements), and beginning public outreach for identified potential new sites (assuming suitable sites can be identified on the west side). See Attachment 12 for a discussion of Site 10 extracted from the Housing Element. This would require significant staff time, reengaging with our Housing Element consultant team and additional funding for amending their contract. Further, there is no assurance that HCD will accept potential modifications to the Housing Element presented to them.

The Catholic Church School site on Oak Avenue has frequently been brought up as a potential replacement site for Site 10, however, in addition to having to open up the Housing Element as described above, there are several issues with this site: 1) it is 2

1/2 acres smaller than Site 10 2) the site is currently developed which would require some indication from the property owner that they have interest in developing housing 3) the Church is currently in the beginning phases of Chapter 11 bankruptcy which staff has been told is a 3 year process; any land use changes to this site could potentially disrupt that process causing further delays and complications for the Church.

DISCUSSION:

The requested action is for the City Council of the City of St. Helena adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) to update the General Plan's Land Use Map (Figure 2.1) and Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) referenced in St. Helena Municipal Code Section 17.01.070, to bring these maps into conformance with the City's adopted and certified 2023-2031 Housing Element, and find that the proposed changes are consistent with the adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element.

ZONING MAP AMENDMENTS

The sites requiring rezoning (Attachment 2) as identified in the Housing Element are as follows (a detailed breakdown of these sites can be found in the 2023-2031 Housing Element beginning on page 2-183):

- **Site 1 (009-211-016):** 1480 Main Street (the portion containing old city hall but not the fire station, the fire station is zoned PQP) – Central Business (CB) to Mixed-Use (MU) - ZMA 2024-001 (see Attachment 10).
- **Site 2 (009-193-002):** 1572 Railroad Avenue – Business, Professional and Office (BPO) to High Density Residential (HR) - ZMA 2024-002.
- **Site 4 (009-180-008):** 905 Main Street – Was changed from Service Commercial (SC) to Mixed-Use (MU) with the October 2023 Zoning Code Update, no change required.
- **Site 5 (009-660-005):** Main Street between Mills Lane and Dowdell Lane – Service Commercial (SC) to High Density Residential (HR) - ZMA 2024-003.
- **Site 8 (009-070-043, 044, 045):** 882 through 886 College Avenue – Public and Quasi-Public (PQP) to High Density Residential (HR) - ZMA 2024-004.
- **Site 10 (009-441-023):** Spring Street between Hudson Avenue and Valley View Street – Medium Density Residential (MR) to High Density Residential (HR) - ZMA 2024-005.
- **Site 11 (009-600-018):** 1637 Spring Street – Medium Density Residential (MR) to High Density Residential (HR) - ZMA 2024-006.

GENERAL PLAN AMENDMENTS

In addition to requiring amendments to the City's Zoning Map, referenced in section 17.01.070 of the Zoning Code, the following sites also require that General Plan Figure 2.1 be amended (Attachment 3) to be consistent with the adopted Housing Element as

California state law (Gov. Code §65300.5) requires horizontal and vertical consistency for General Plans and zoning ordinances:

- **Site 1 (009-211-016):** 1480 Main Street (the portion containing old city hall but not the fire station, the fire station is zoned PQP) – Central Business (CB) to Mixed-Use (MU) - GPA 2024-001 (see Attachment 10).
- **Site 2 (009-193-002):** 1572 Railroad Avenue – Business, Professional and Office (BPO) to High Density Residential (HR) - GPA 2024-002.
- **Site 4 (009-180-008):** 905 Main Street – Was changed from Service Commercial (SC) to Mixed-Use (MU) with the June 2019 General Plan Update, no change required.
- **Site 5 (009-660-005):** Main Street between Mills Lane and Dowdell Lane – Service Commercial (SC) to High Density Residential (HR) GPA 2024-003.
- **Site 8 (009-070-043, 044, 045):** 882 through 886 College Avenue – Public and Quasi-Public (PQP) to High Density Residential (HR) - GPA 2024-004.
- **Site 10 (009-441-023):** Spring Street between Hudson Avenue and Valley View Street – Medium Density Residential (MR) to High Density Residential (HR) - GPA 2024-005.
- **Site 11 (009-600-018):** 1637 Spring Street – Medium Density Residential (MR) to High Density Residential (HR) - GPA 2024-006.

Staff Response: The changes noted above bring our General Plan and Zoning Map into conformance with our adopted and formerly state certified Housing Element, consistent with state law. Being listed as a housing opportunity site in no way terminates or otherwise affects existing uses on-site. Furthermore, there are currently no legislative or other means to compel a private property owner in this process, meaning the City can't force or otherwise require that a property owner build housing. Ultimately the purpose of the inventory is to demonstrate to HCD that there are suitable sites to meet the City's RHNA and that policies and programs are in place to reduce barriers to housing developers producing housing.

History Regarding Opportunity Site #10

- Has been designated for residential uses since the 1975 General Plan;
- Has been zoned Medium Density Residential since the early 1990s;
- Was a designated Housing Opportunity Site in both the 4th and 5th Cycle Housing Elements (2009 and 2015); and
- Because the site has not been developed after being included as an Opportunity Site in the last two Housing Elements, the state required it for future up zoning to High Density Residential (HR) in the current 6th Cycle Housing Element (studied in 2020 and adopted in 2023).
- Property owners of site 10 expressed interest in residential development to staff in the early stages of the Housing Element 6th cycle
- Housing Element Focus Group meetings showed high interest in upzoning to HR. No formal action was taken.

It is crucial that the City Council adopt the amendments to the Zoning Map and amendments to Figure 2.1 of the General Plan for the above-described parcels expeditiously, as HCD has de-certified the City's Housing Element which can lead to a host of potential negative outcomes, including but not limited to the availability of the builder's remedy (Gov. Code § 65589.5(d)(5)) and loss of access to state funding.

The "Builder's Remedy," is a provision of California's Housing Accountability Act that prevents jurisdictions without a substantially compliant housing element from denying certain housing projects, even if such projects do not comply with the jurisdiction's zoning ordinance or general plan or are incompatible with adjacent residential neighborhoods. With the Builder's Remedy, the City loses what discretion it has (i.e. development and design standard requirements that limit heights, require setbacks, etc.) allowing for by right development of multi-family projects on these sites (and other sites) with little City oversight or public review or comment.

For further reading about how the Builder's Remedy is impacting communities, see the following news story: <https://calmatters.org/housing/2023/06/california-builders-remedy/>

Additional information regarding this process, site selection, and potential penalties for failure to adopt these amendments can be found in the City Attorney Memorandum (Attachment 4), FAQs (Attachment 5) and Memorandum on the Housing Element Process (Attachment 6) attached to this report.

PUBLIC NOTICING

In accordance with SHMC Section 17.04.080, public noticing for the April 2, 2024 Planning Commission meeting consisted of the following:

1. Legal notice in the Napa Valley Register published on March 21, 2024;
2. Notification via certified mail to each property owner with a zoning or General Plan Amendment (Attachment 16);
3. Mailed notices to all property owners and residents within 300 feet surrounding a site with a General Plan Amendment or zoning change; and
4. An email (sent on March 21, 2024) of the Public Hearing Notice to everyone who signed up for updates on the City's dedicated Housing Element webpage (not a code requirement).

Similarly, public noticing for the April 23, 2024 City Council meeting included a legal notice in the Napa Valley Register, individual notice via certified mail to each property owner with a pending zoning or General Plan Amendment, mailed notices to all property owners and residents within 300 feet of a site with a pending zoning or General Plan Amendment, and an email to everyone who signed up for updates on the City's dedicated Housing Element webpage.

Several commenters asked why they weren't notified of the Housing Element adoption hearings that occurred in May 2023. For noticing in which the number of property owners who would be sent a public hearing notice is greater than 1,000 (i.e., General Plan Amendments such as the Housing Element), only a notice in the newspaper is required. No General Plan or zoning designations were changed with adoption of the Housing Element. For General Plan Amendments and rezonings that change the land use designation of specific properties, including applicant initiated amendments, notifying all neighbors within 300 feet of that/those specific properties is required.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA)

In considering the potential environmental impacts of the Housing Element update, the City determined that the Final Environmental Impact Report (EIR) certified for the 2040 General Plan update (2040 General Plan update Final EIR, State Clearinghouse Number 2010042001) is of continuing informational value. The EIR estimated new development for residential, commercial, office, industrial, hospital and hotel uses throughout the city and sphere of influence and evaluated the potential environmental impacts associated with an estimated total buildout of 400 new dwelling units. The City also determined that the potential environmental impacts (both direct and indirect) of the Housing Element update (including the RHNA assignment of 256 units) are within the scope of the previously certified Final EIR and that none of the conditions requiring subsequent or supplemental environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15162 exist. Based on the information and analysis provided in the EIR Addendum, the City determined that only minor or technical changes to the previously certified Final EIR were necessary and that that preparation of an Addendum (Attachment 13) pursuant to CEQA Guidelines Section 15164 was appropriate. The proposed updates to the General Plan Land Use Map and Zoning Map are solely intended to bring the General Plan and Zoning Map into conformance with the adopted Housing Element and are consistent with the changes analyzed in the EIR Addendum.

On May 9, 2023, the City Council of the City of St. Helena conducted a duly and properly noticed public hearing and adopted the Addendum to the General Plan EIR. Any further comments received regarding proposed updates to the General Plan and related Zoning Code maps have been examined and determined to not modify the significant conclusions of the certified EIR. No additional feasible mitigation measures within the City's authority are necessary to reduce the environmental impacts of the proposed updated maps, because all impacts are either less than significant, will be mitigated to a level of less than significant through compliance with the existing mitigation, or remain significant and unavoidable even with the imposition of all feasible mitigation. Further, based on the substantial evidence set forth in the record, including but not limited to the certified EIR and adopted Addendum, none of the conditions triggering the need for subsequent environmental review have occurred.

Individual project's environmental impacts will be addressed on a case by case basis as they are submitted (as applicable).

GOAL:

Miscellaneous/Other

DOCUMENTS ATTACHMENTS:

[Attachment 1. Council Ordinance Adopting Updated Zoning Map and General Plan Figure 2.1-c1](#)
[Attachment 2. Zoning Map - Updated for Housing Element](#)
[Attachment 3. General Plan Figure 2.1 - Updated for Housing Element](#)
[Attachment 4. City Attorney - Memo re Housing Element Implementation and Rezoning](#)
[Attachment 5. FAQ - General Plan and Zoning Amendments](#)
[Attachment 6. Memorandum - HE Process Summary](#)
[Attachment 7. HCD Corrective Action Letter - 020524](#)
[Attachment 8. HCD Decertification Letter - 032624](#)
[Attachment 9. RHNA Methodology Letter 11-24-2020](#)
[Attachment 10. RHNA Assignment Letter 7-7-2021](#)
[Attachment 11. Preliminary Sites Inventory - February 2022](#)
[Attachment 12. Site 10 extracted from HE](#)
[Attachment 13. Density Visualization Examples](#)
[Attachment 14. Does Affordable Housing Drive Down Property Values?](#)
[Attachment 15. HE Site 1 - 1480 Main Draft Exhibit of Parcel Split](#)
[Attachment 16. Opportunity Site Owner Notifications March 2024](#)
[Attachment 17. Response to Comments Summary 4-2-24 PC Meeting](#)
[Attachment 18. Public Comment Received for 04.02.24 PC Meeting \(Combined\)](#)
[Attachment 19. Public Comment Received AFTER 04.02.24 PC Meeting \(Combined\)](#)
[Attachment 20. 2023 - 2031 Housing Element - certified Sept. 25, 2023 \(reduced\)](#)
[Attachment 21. Housing and Safety Elements EIR Addendum Final April 2023](#)

CITY OF ST. HELENA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA AMENDING ST. HELENA GENERAL PLAN FIGURE 2.1 (GPA 2024-001, 002, 003, 004, 005, 006) AND THE CITY'S ZONING MAP (ZMA 2024-001, 002, 003, 004, 005, 006) REFERENCED IN SECTION 17.01.070 OF THE ST. HELENA MUNICIPAL CODE TO BRING THE MAPS INTO CONFORMANCE WITH THE CITY'S ADOPTED 2023-2031 HOUSING ELEMENT, AND FINDING THAT THESE CHANGES ARE CONSISTENT WITH THE PREVIOUSLY ADOPTED ADDENDUM TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE HOUSING ELEMENT.

WHEREAS, the City of St. Helena ("City") has duly adopted a zoning ordinance, found at Title 17 of the St. Helena Municipal Code; and

WHEREAS, among other things, Title 17 of the St. Helena Municipal Code identifies the zoning designations applicable to parcels within the City and sets forth the standards and processes applicable to the development of parcels within these zones; and

WHEREAS, all cities within the State of California are required by law to adopt a general plan; and

WHEREAS, on May 9, 2023, the City Council of the City of St. Helena adopted the City's 2023-2031 6th Cycle Housing Element; and

WHEREAS, on September 25, 2023, the City's 2023-2031 Housing Element ("Housing Element") was certified by HCD as in compliance with state Housing Element Law; and

WHEREAS, Program H-A of the Housing Element commits the City to rezoning 7 sites to accommodate the City's Regional Housing Needs Allocation ("RHNA"), in accordance with Government Code sections 65583(c) and 65583.2(c); and

WHEREAS, the City's Zoning Ordinance adopted October 24, 2023 allows multi-family housing projects, including those with 20% affordable units, by right in the Medium and High Density zoning districts.

WHEREAS, the City's Zoning Ordinance adopted October 24, 2023 accommodates a minimum density of 20 units/acre for all Housing Opportunity Sites planned for lower-income units.

WHEREAS, the Housing Element was subject to review under the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.) and the State

CEQA Guidelines (Cal. Code Regs, tit. 14 § 15000 et seq.), through the preparation and adoption, in May 2023, of an Addendum to the City's 2040 General Plan Update Final Environmental Impact Report (State Clearinghouse No. 2010042001); and

WHEREAS, California Government Code Section 65860(c) requires cities to amend their zoning ordinances to conform to their respective general plans; and

WHEREAS, the Planning Department has prepared this amendment to the City's Zoning Map, incorporated into the City's Zoning Code by reference in section 17.01.070, in order to implement the General Plan mandates set forth above; and

WHEREAS, the Planning Department has also proposed an update to Figure 2.1 ("Proposed Land Use Diagram") of the City's General Plan to bring the General Plan into consistency with the Housing Element and updated Zoning Map; and

WHEREAS, on April 2, 2024, the Planning Commission held a duly noticed public hearing to receive public input on and consider the proposed amendments to the City's General Plan Figure 2.1 and Zoning Map, and all persons wishing to testify were heard; and

WHEREAS, by adoption of Resolution No. PC2024-004, the Planning Commission recommended the City Council (1) approve the amendments to the Zoning Map referenced in St. Helena Municipal Code section 17.01.070; (2) approve the updates to Figure 2.1 of the City's General Plan; and (3) find both actions consistent with the Addendum to the 2040 General Plan Update Final EIR, adopted on May 9, 2023; and (4) prior to adoption of rezoning ordinance by Council, staff shall explore with HCD the feasibility of replacing Site 10 with other units, or recalculating potentially available units on other sites, as an alternative to high density zoning for Site 10; if such effort is unsuccessful by date of Council adoption of the rezone ordinance, staff shall analyze other units to replace Site 10; and

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

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

SECTION 1. The Community Development Director is hereby authorized and directed to make changes to the Zoning Map of the City of St. Helena, as set forth in this Ordinance and as demonstrated in Exhibit 'A' attached hereto and incorporated herein.

SECTION 2. The Community Development Director is hereby authorized and directed to make changes to Figure 2.1, "Proposed Land Use Diagram," of the City's General Plan, as set forth in this Ordinance and as demonstrated in Exhibit 'B' attached hereto and incorporated herein.

SECTION 3. By adoption of Resolution No. 2023-44 on May 9, 2023, the City Council, as the decision-making body for purposes of CEQA, has approved and adopted an Addendum to the City's 2040 General Plan Update Final Environmental Impact Report (State Clearinghouse No. 2010042001), which was completed in compliance with CEQA and the State CEQA Guidelines. The Addendum fully analyzed any environmental impacts of the Zoning Map and General Plan updates contemplated herein. Based on substantial evidence set forth in the record, including but not limited to the certified EIR and adopted Addendum, none of the conditions triggering the need for subsequent environmental review have occurred.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. This Ordinance shall be effective 30 days following its adoption by the City Council.

The foregoing Ordinance was introduced at a regular meeting of the City Council on the 23rd day of April, 2024, and duly adopted at a regular meeting of the City Council on the ____ day of _____, 2024, by the following vote, to wit:

Mayor Paul Dohring: _____

Vice Mayor Eric Hall: _____

Council Member Anna Chouteau: _____

Council Member Patrick Kenealy: _____

Council Member Billy Summers: _____

APPROVED:

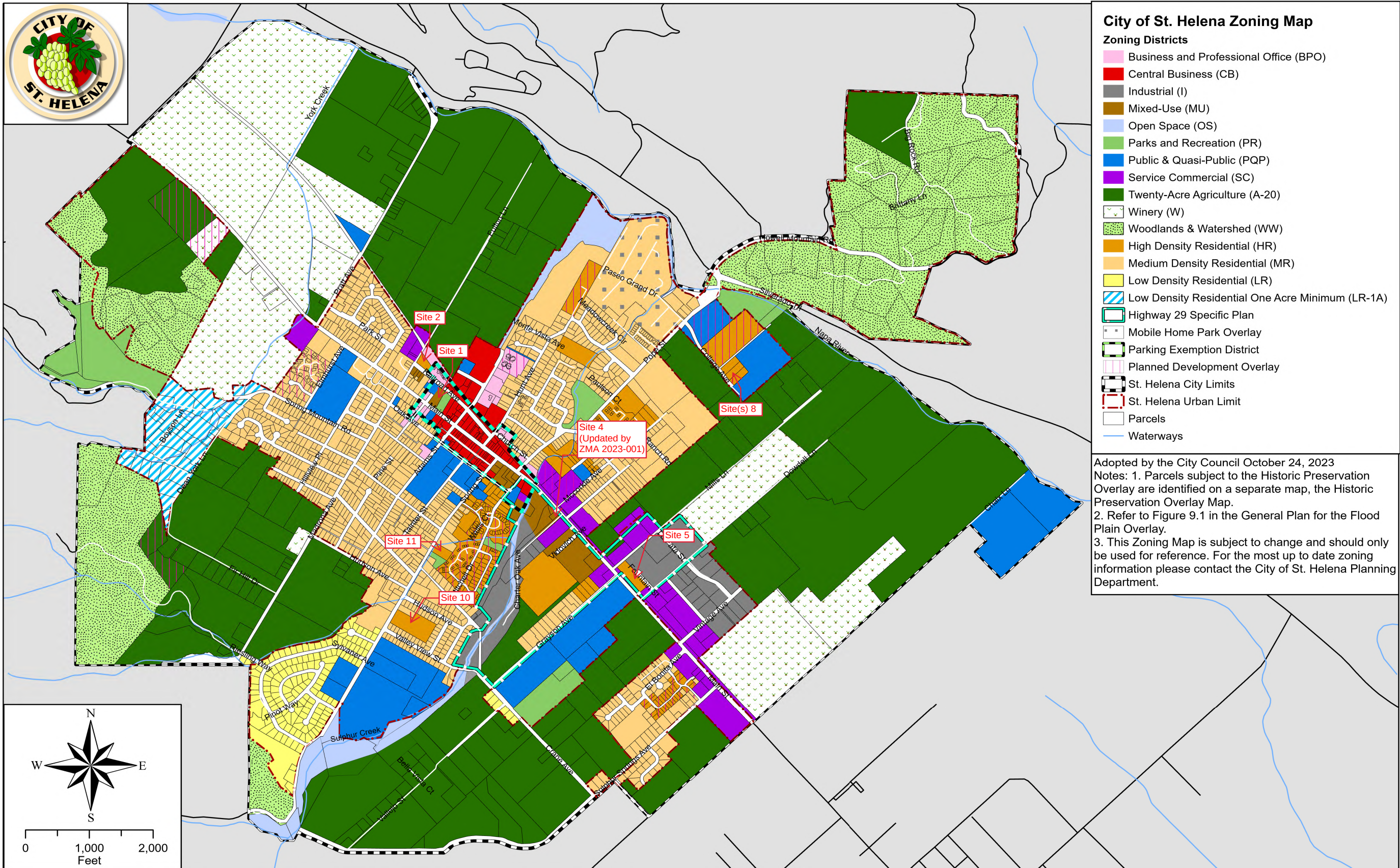
ATTEST:

Paul Jamison Dohring, Mayor

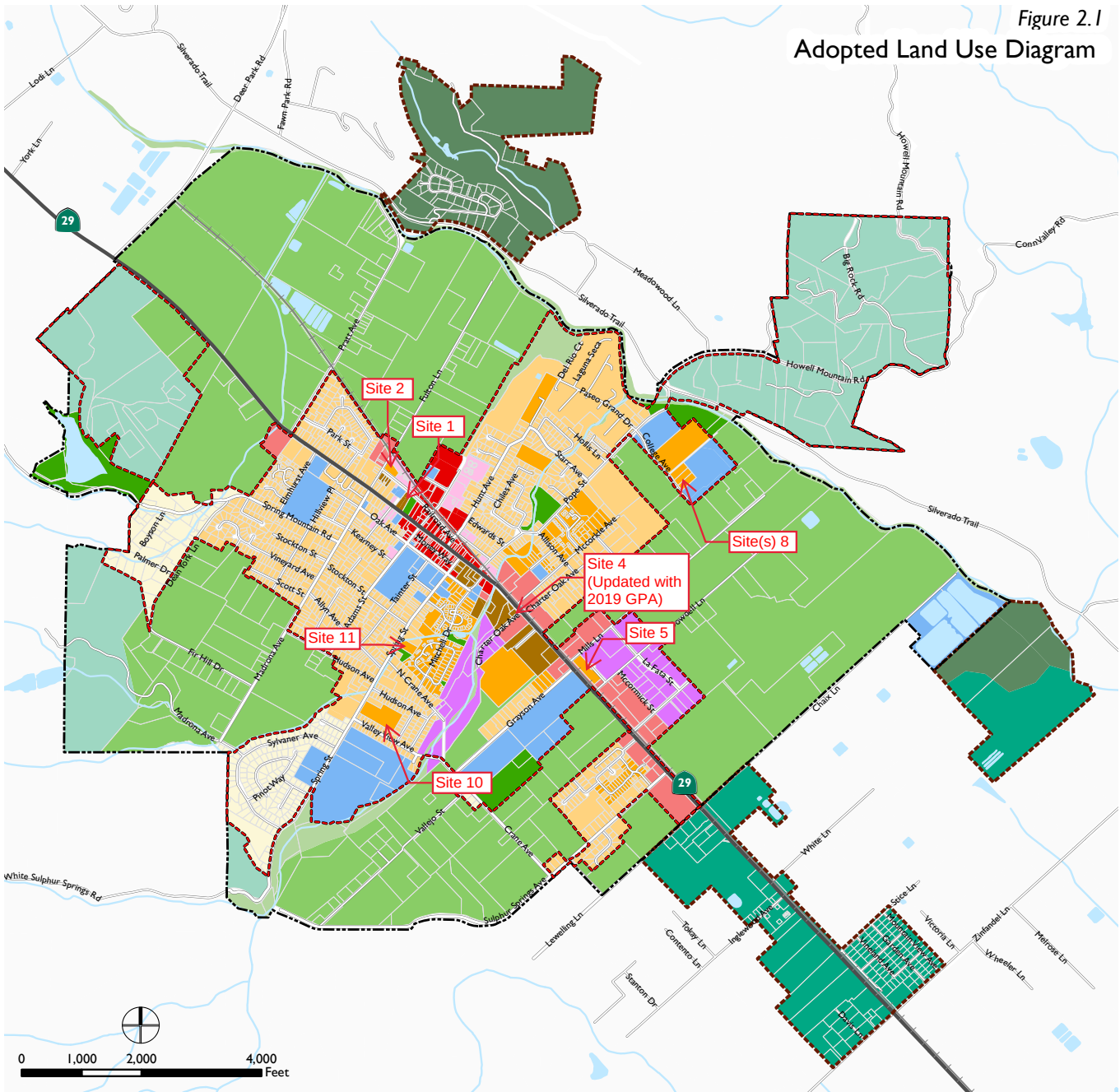
Cindy Tzafopoulos, City Clerk

Exhibits

A – Revised Zoning Map
B – Revised General Plan Figure 2.1



*2024 Update for Housing Element Consistency.



Data Source: City of St. Helena, 2018; Napa County, 2018; Dyett & Bhatia, 2018, updated 2024.

St. Helena General Plan

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Central Business
- Service Commercial
- Mixed-Use

- Office
- Industrial
- Public and Quasi-Public
- Parks and Recreation
- Agriculture
- Open Space
- Woodlands and Watershed

Napa County General Plan

- Agricultural Resource
- Agriculture, Watershed and Open Space

- Railroad
- Water Features
- Urban Limit Line
- Study Areas
- City of St. Helena

GENERAL PLAN UPDATE
City of St. Helena



Memorandum

To: City of St. Helena
From: City Attorney's Office
Date: March 19, 2024
Re: Housing Element Certification and Required Rezoning

I. INTRODUCTION

On May 9, 2023, the City of St. Helena adopted its Sixth Cycle Housing Element ("Housing Element"). After the City received feedback from the California Department of Housing and Community Development ("HCD") and made minor changes in response, the City's Housing Element was certified on September 25, 2023. "Certification" of the Housing Element means that HCD found it to be in substantial compliance with all legal requirements, reducing the legal risks to the City that are associated with being out of compliance (including, among other things, the ability for developers to propose "Builder's Remedy" projects wholly inconsistent with zoning and development standards, loss of City access to state funding, and administrative fines and/or lawsuits). However, HCD's certification relied on the City fulfilling certain ongoing commitments to implement the adopted Housing Element, and failure to fulfill these commitments can result in decertification of the Housing Element.

This memorandum addresses (1) the commitments made by the City to implement the Housing Element, (2) how the City advised HCD that it would fulfill those commitments, and (3) potential ramifications for failing to meet some or all of the City's commitments.

II. LEGAL BACKGROUND

A. Legal Requirements for Housing Element and Implementation Program

In general, state law requires all housing elements to identify and analyze existing and projected housing needs, and establish goals, policies, quantified objectives, financial resources, and time-bound programs for meeting the city's allocation of anticipated housing demand (referred to as the Regional Housing Needs Allocation, or "RHNA").¹ In particular, the City's Housing Element is required to include an inventory of sites throughout the City that are suitable and available for residential development, and which have "realistic and demonstrated potential" for being residentially developed during the planning period.² Land that is considered suitable for residential development includes:³

¹ Gov. Code §§65580-65583.2.

² Gov. Code §§65583(a)(3), 65583.2(a).

³ Gov. Code §65583.2(a).

83578.00008\42088950.2

- Vacant sites within the City already zoned for residential use;
- Vacant sites within the City zoned for nonresidential use but which allow for residential development;
- Sites zoned for residential use (including City-owned sites) that are capable of being developed at a higher density; and
- Sites zoned for nonresidential use (including City-owned sites) that can be redeveloped for residential use for which the Housing Element includes a program to rezone the site or permit residential use.

After the City has engaged in this analysis, if it has not identified sufficient sites that meet those parameters and can satisfy the City's RHNA at all income levels, the City must designate specific sites that will be rezoned to accommodate the remaining need.⁴ Once these sites are identified and designated, the Housing Element must go on to lay out a specific schedule of actions that it will take during the planning period to implement its objectives, including identifying when rezoning will be completed.⁵ If rezoning is required to accommodate lower-income portions of the City's RHNA, such rezoning action must also allow housing development "by right" (without any discretionary approval other than subdivision review), require minimum densities of 16-20 units per acre, and meet other criteria mandated by HCD.⁶

The deadline by which rezoning of these sites must occur depends on when the Housing Element was adopted. If the Housing Element is adopted within 120 days of the statutory deadline (for St. Helena, that was January 31, 2023), then the City has three years to complete necessary rezoning.⁷ However, when (as is the case here) the City adopts a compliant Housing Element more than 120 days after the statutory deadline, then the rezoning must be completed no later than *one year* from the statutory deadline.⁸ As the City's Housing Element was not certified by HCD until September 25, 2023, the City was expected to complete its necessary rezoning by no later than January 2024.

As a reminder, pursuant to Implementation Program H-A, the City has committed to rezoning at least 14 acres to the high density residential (HDR) zoning district, in order to accommodate its remaining lower-income RHNA of 156 units, after accounting for existing available sites.⁹ This designation will allow for exclusively residential uses, and a density range of 20-28 units per acre. In addition, because sites 2, 3, 5, 8, and 10 (identified in Table 58 of the Housing Element) will be rezoned specifically to accommodate lower-income housing, these sites will be required to allow housing development "by right" (without any discretionary permitting other than subdivision approvals) for owner-occupied or rental multifamily projects in which 20%

⁴ Gov. Code §§ 65583(c)(1)(B), 65583.2.

⁵ See Gov. Code § 65583(c).

⁶ Gov. Code § 65583.2(h), (i).

⁷ Gov. Code § 65583(c)(1)(A); see also Gov. Code § 65588.

⁸ *Id.*

⁹ St. Helena Certified 2023-2031 Housing Element Update (Sept. 25, 2023) p. 1-10, *available at* https://sthelenahousing.com/images/docs/SHHEU_HE_Certified_2023_09_25_RL-Total.pdf.

or more of the units are reserved as affordable to lower-income households.¹⁰ With respect to Site #10 in particular, it has in fact previously been included as an opportunity site in both the Fourth and Fifth Cycle Housing Elements (for which public input was similarly solicited at the time). The inclusion of this site in previous housing cycles means the City is constrained by state law and the site *must* be rezoned at the “default” densities specified by Housing Element law,¹¹ and allow residential uses by right when at least 20% of the units are affordable to lower-income households.¹²

Although the City has a legal obligation to rezone the sites it has identified in its certified Housing Element, this *does not* impose a requirement on any property owner to actually develop the property, sell the property to an affordable housing developer, or in any way change the existing land use. It only ensures that *if* the property is developed, it is developed consistently with the City’s plan to meet its RHNA requirements.

In addition, the current proposed action before the Planning Commission and the City Council—to adopt updates to the General Plan and Zoning Code to reflect changes in zoning for implementation of the Housing Element—does not permit or presuppose any specific development project for the sites that will be rezoned. The rezone action will only change the scope of the land uses that are authorized on the site; it will not preapprove any particular development on any of the rezoned parcels. Any subsequent project proposals, assuming they are consistent with the rezone to high density residential, will be processed by the City in accordance with its standard development application procedures, entirely separately from the rezone. Approval of the rezone will therefore not provide any kind of “regulatory shortcut” for potential future developments—all such potential developments will still be required to obtain separate City approval. In fact, *failing* to approve the proposed rezone, bringing the City out of compliance with its certified Housing Element, is what could enable potential developers to circumvent City zoning and permitting approval, pursuant to the “Builder’s Remedy” provided in state law for cities who are out of compliance with Housing Element laws. (See section C., Penalties Associated with Housing Element Noncompliance, for more discussion.)

B. City’s Past Commitments and Next Steps

Before adoption of the final Housing Element, the City engaged in a robust public review and comment process—at both the Planning Commission and City Council level—to ensure all residents were aware of the pending City action and had an opportunity to provide feedback. This effort included branding, a project website, business cards, newsletters and e-blasts, announcements on the City’s website and social media pages, multiple workshops, a Housing

¹⁰ Gov. Code §§ 65583.2(c), (h), (i).

¹¹ In this case, default density is at least 20 dwelling units per acre. See Gov. Code § 65583.2(c)(3)(B)(iii) and HCD Memorandum “Default Density Standard Option – 2020 Census Update” (March 21, 2022) *available at* <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/defaultdensity2020censusupdate.pdf>.

¹² Gov. Code § 65583.2(c)

Element Focus Group, and Planning Commission and City Council study sessions and hearings. Specifically, the discussion of sites to be included for rezoning as part of the updated Housing Element occurred during at least two Citywide public workshops (on January 20, 2022 and March 16, 2022) and three joint meetings of the City Council and Planning Commission (March 23, 2021, February 22, 2022, and July 21, 2022). There was also a dedicated City webpage for the Housing Element update process, and multiple local newspaper articles published on the topic in 2022 and 2023.

In July 2022, letters were sent to all property owners whose sites were being considered for inclusion as an “opportunity site” in the Housing Element.¹³ This letter notified each owner of the City’s intent to include their parcel in the City’s inventory for rezoning, reminded owners that this did not impose any kind of mandate to build housing, and gave owners information about how to engage with the City to have their concerns heard. This letter was sent in addition to all legally required noticing obligations for the public workshops, study sessions, and hearings the City also held.

At this time, it is not feasible or legally advisable to “reopen” the Housing Element process to reconsider sites that were selected for rezoning. The City undertook a thorough, well-publicized, two-year long process to reach this point, and, as further discussed below, risks losing its “certified” status with HCD if rezoning is not completed promptly. Members of the public were afforded many opportunities to attend City meetings and advise the City of any concerns with the inclusion of certain sites on the rezone list (and residents were always welcome to reach out to planning staff outside of the formal process for one-on-one meetings). At this stage, revisiting the sites that were approved by HCD for rezoning would not be viewed by HCD as an administrative “adjustment” to the Housing Element, but would instead constitute a major change that could subject the City to a wide range of outcomes, including a high likelihood of HCD’s immediate rescission of the certification of the Housing Element.

C. Penalties Associated with Housing Element Noncompliance

In February 2024, the City received a letter from HCD identifying the City’s failure to implement Program H-A (Available Sites Inventory), including the requirement to rezone at least 14 acres to accommodate all of the City’s RHNA. The City provided a written response to HCD in which it identified the multiple rounds of review that were required by HCD, leading to the delay of adoption of the Housing Element and, in turn, the imposition of the stricter one-year rezoning deadline rather than the three years the City would have been entitled to had the Housing Element been certified within 120 days of its January 31, 2023 deadline.¹⁴ In that letter, dated

¹³ These letters were sent to the property owners of record for all sites identified in the City’s inventory of land potentially suitable for rezoning; it is unclear why the owners of Site #10 have indicated they did not receive any correspondence, as they were included as part of the mailing list.

¹⁴ Regardless of timing, the City committed to the specified opportunity sites in the adopted Housing Element, so while the City would have had a longer time to implement the rezoning, it would not have changed the City’s commitment to the rezone sites identified in Table 58 of the Housing Element.

February 26, 2024, the City advised that it had scheduled the requisite General Plan amendments and rezoning actions for its March 5, 2024 Planning Commission meeting, with adoption by City Council anticipated to follow in April. Upon receipt of a number of public comments on the agenda item pertaining to the rezone, the Planning Commission rescheduled the item for its April meeting.

As HCD has noted, because the City is now past the January 2024 rezoning deadline, it is crucial that the rezoning actions identified in the Housing Element occur as soon as possible, so that the City may retain its certification status. Although the proposed action approving the rezones was tabled at the March 5, 2024 Planning Commission meeting, further delaying the process, it is more important than ever that the City moves forward expeditiously with the rezoning program it has already committed to as part of obtaining certification of the Housing Element. Failure to complete the required rezoning in the near future will put the City at risk of HCD rescinding its certification, which can lead to such cascading effects as:

- Suspension of the City's authority over issuance of building and zoning permits and subdivision approvals¹⁵
- Court-required approval of certain types of housing projects without City input¹⁶
- City prohibited from denying certain affordable housing projects even if inconsistent with adopted zoning and General Plan (commonly referred to as the Builder's Remedy)¹⁷
- Escalating financial penalties of \$10,000-\$100,000 per month (plus potential for multiplication of fines based on continued noncompliance)¹⁸
- Disqualification from various state and federal funding opportunities.

III. CONCLUSION

Because the City has received certification of its Housing Element, and is required by state law to complete a program of rezoning (as established by Implementation Program H-A) for the sites identified in the Housing Element, continued delays on this action could result in a number of adverse outcomes for the City, including, among other things, decertification and developer access to the Builder's Remedy. All property owners were given adequate notice of their rights to attend various City meetings throughout 2022 and 2023 at which the potential sites identified for rezoning were discussed; the current proposed rezoning action is simply intended to carry out the implementation program the City has already committed to.

¹⁵ Gov. Code § 65755(a)(1)-(3).

¹⁶ Gov. Code § 65755(a)(4)-(6).

¹⁷ Gov. Code § 65589.5(d).

¹⁸ Gov. Code § 65585(l)(1).



Frequently Asked Questions (FAQ) and Information Related to General Plan and Zoning Map Amendments for Housing Element Compliance

- **What is the Housing Element?**
→ The Housing Element is an element of the General Plan. The process is administered by the California Department of Housing and Community Development (HCD). The purpose of the Housing Element is to identify existing and projected housing needs in order to preserve, improve, and develop housing for all economic segments of the community. Every eight years, every City in the State is assigned a housing target or Regional Housing Needs Allocation (RHNA). The Housing Element demonstrates to the state how the City plans to zone residential land to accommodate its portion of the RHNA (St. Helena's share is 256 housing units from 2023-2031).
- **Why did the City continue the General Plan and Zoning Map Amendments (Item 5.3) from the Planning Commission Meeting on March 5th?**
→ It was brought to the City's attention that property owners within 300 feet of the sites proposed for land use changes did not receive notice of the proposed action by the Planning Commission. In order for this to occur, it was necessary to postpone the action by the Planning Commission to April 2, 2024, so the City could fulfill all the public noticing requirements of SHMC 17.04.080.
- **Does being listed as a Housing Element Housing Opportunity Site mandate that housing units be built?**
→ No. Current or future property owners of opportunity sites are in no way obligated or required to build any housing units. The sites inventory is simply how the City demonstrates to the state that we have adequate sites with the right kind of zoning to accommodate our regional housing allocation. Property owners of opportunity sites maintain complete control over whether or not their site develops in the future irrespective of zoning changes. The City may meet its RHNA through the development of other sites that are not noted as opportunity sites.
- **Is a 3-story multi-family housing project currently in process or pending approval by the City on the Spring Street parcel (Housing Element Opportunity Site #10)?**
→ No. There are no applications nor projects in process or pending approval for the site on Spring Street. Any potential project proposed in the future would be required to meet City design and development standards including parking, landscaping, setbacks, etc. noted in the zoning code which will ultimately determine the number of units that can be accommodated onsite.
- **What happens if these map amendments/zoning changes are not approved by the City Council?**
→ The state can take corrective action if the City is not in compliance with its Housing Element obligations. Such corrective actions might include de-certifying the Housing Element or notifying the Attorney General of the alleged violation. De-certification can lead to a host of potential outcomes that can negatively impact both the City and residents, including but not limited to the availability of the builder's remedy and loss of access to state funding. Government Code section 65589.5 (d) (5), known as the "Builder's Remedy," is **a provision of California's Housing Accountability Act that prevents jurisdictions without a substantially compliant housing element from denying certain housing projects, even if such projects do not comply with the jurisdiction's zoning ordinance or general plan.** Should this occur, the City may lose what discretion it has (i.e. development and design standard requirements that limit heights, require setbacks, etc.) allowing for by right development of multi-family projects on these sites (and other sites) with little City oversight.
- **How are Housing Element Opportunity Sites Selected?**
→ The state of California has strict requirements for what can and can't be included as a housing opportunity site and the City is required to meet Affirmatively Furthering Fair Housing (AFFH) mandates aimed at overcoming patterns of segregation and fostering inclusive communities free from barriers that restrict access to opportunity. The state requires plans for increased housing capacity in low density, high resource areas. A "high resource area" is an area with a greater concentration of place-based opportunities such as transit, jobs, high performing

schools, access to amenities, etc. Vacant and underutilized sites already designated for housing are given priority. Sites are evaluated for environmental concerns, utility and infrastructure access, feasibility of redevelopment during the next planning period and realistic capacity. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores. Parcels utilized as vineyards outside the Urban Limit Line (ULL) and zoned for agricultural purposes are not prioritized over sites within the ULL and zoned for residential purposes. Additionally, several policies in the City's adopted and state certified Housing Element require that the City promote and incentivize housing in the western portion of the City to comply with AFFH including Policies H-A, H-N, H-V and H-00.

- **Why was the Spring Street parcel (Site 10) selected?**

→ This parcel was included as a Housing Opportunity Site in the City's previous two Housing Elements (4th and 5th Cycles). This means that per state law, this site is already subject to by right approval for housing projects with at least 20% affordable units; the City can only require development and design standards in the zoning code. Per the discussion above, this site is considered vacant and underutilized, it is within the Urban Limit Line and already zoned for residential uses, it is the appropriate size, it has access to infrastructure (water, sewer and storm), and has access to high performing schools, jobs, amenities, health care facilities, and grocery stores. Furthermore, the site is on the west side of town where HCD is requiring low income units be located. Although currently a vineyard, Site 10 has been designated for residential uses in the City's General Plan since 1975 and was identified as "vacant or underutilized lands suitable for development" in the City's 1993 General Plan. The site has been zoned medium density residential since at least 1994.

- **What is the difference between Medium Density Residential and High Density Residential zoning?**

→ Medium Density Residential (MR) allows for densities between 5.1 to 16 units/acre and for two-story buildings up to 30 feet in height. High Density Residential (HR) allows for densities between 16.1 to 28 units/acre and for three-story buildings up to 42 feet in height. A proposed MR project at the maximum density is nearly identical to a proposed HR project at the minimum density in terms of unit count. State density bonus law also permits affordable housing developers to ask for concessions, incentives and the waiver of City required development standards for housing projects that meet certain affordability requirements. This means a proposed project in the MR district with a certain number of affordable units can, per state law, ask for and receive a waiver of development standards, including height. This result is that a project in the MR district could end up the same height as one in the HR district.

It is important that the City's Housing Element remains certified by the state so the City can maintain land use controls, such as requiring development and objective design standards to ensure proposed development is compatible with the surrounding area as much as possible. The newly adopted zoning code includes robust design standards specific to multi-family housing for the purposes of ensuring the buildings meet design criteria to mitigate concerns such as massing or continuous rooflines (17.16.040 C). Should the state decertify the City's Housing Element, we will be subject to the Builder's Remedy and will have little control over what types of housing is constructed.

- **Why does the City assert that there was public outreach during the Housing Element process and public engagement, particularly as it relates to Site 10 on Spring Street?**

→ The City prepared a summary of the public engagement process for the Housing Element which is posted to the March 5th agenda page. The City did receive public comment on the proposed rezoning from MR to HR on Site 10 during the Housing Element adoption process and those public comments are included in the Appendix to the Housing Element. The commentators who submitted comments on that topic specifically were Laura Keir, Mary Wilson and Rick Crebs, therefore this information was part of the public record prior to the City Council approving the resolution for adoption of the Housing Element on May 9, 2023.

- **Who can I contact for more information?**

→ Senior Planner Aaron Hecock: ahecock@cityofsthelena.org

MEMORANDUM



DATE: March 4, 2024

TO: Planning Commission

FROM: Aaron Hecock, Senior Planner

RE: Housing Element Public Participation Process Summary

As the 2023-2031 6th Cycle Housing Element process began over 3 years ago, staff prepared this memorandum to summarize some important information and dates for those who may not have followed the process along the way.

Kickoff / Purpose

In February 2021, the City of St. Helena kicked off the update to the City's Housing Element for the 2023-2031 planning period. The purpose of the Housing Element is to identify and analyze existing and projected housing needs in order to preserve, improve, and develop housing for all economic segments of the community.

Focus Group

As part of the Housing Element Update, the City formed a Focus Group to assist in the development and review of the document. The Focus Group served as a technical working group that assisted in generating ideas and commenting on direction. Recommendations from the Focus Group were used to revise drafts of the Housing Element and provide recommendations to the Planning Commission and City Council. The members of the Focus Group were as follows:

- City Councilmember Paul Dohring (now Mayor)
- Planning Commissioner Autumn Anderson
- Planning Commissioner Rosaura Segura (former Planning Commissioner)
- Jennifer La Liberte (Our Town St. Helena)
- Mary Koberstein (former Councilmember)

Public Engagement

In response to the need for public participation, City planning staff worked with its consultants to develop a robust community engagement program tailored to ensure the community and other stakeholders were engaged in the process and are given ample opportunities to provide input. The engagement program included branding, a project website, business cards, newsletters and eblasts, announcements on the City website and social media, multiple workshops, a Housing Element Focus Group (described above), and Planning Commission and City Council study sessions and hearings. The workshop and study sessions are summarized below:

The City held three public workshops on the Housing Element.

- Workshop #1, held September 16, 2021, provided an introduction to Housing Elements and the Regional Housing Needs Allocation (RHNA).
- Workshop #2, held January 20, 2022, included a discussion of the sites inventory process and a walkthrough of potential housing sites.
- Workshop #3, held March 16, 2022, focused on Affirmatively Furthering Fair Housing (AFFH) in St. Helena. The workshop included a discussion of state requirements, initial findings from the draft AFFH analysis, and potential meaningful actions to overcome fair housing issues in the community.

The City held three joint Planning Commission and City Council public study sessions.

- Session #1, held on March 23, 2021, provided information on housing element requirements, legislative guidelines, project schedule and public outreach.
- Session #2, held on February 22, 2022, discussed the RHNA and the draft sites inventory.
- Session #3, held on July 21, 2022, was to receive public comment on the public review draft Housing Element Update and for the Planning Commission and City Council to provide direction on revisions and additions.

In addition to having a dedicated Housing Element Update website (www.sthelenahousing.com), there were several newspaper articles written on the Housing Element Update process (see below) and the City provided regular updates through social media posts and eblasts. More than 30 people signed up to receive housing element update emails. Staff attempted to make the process extremely transparent and open for public participation. The St. Helena Star published periodic articles about the Housing Element update process which can be viewed at the links below (this list is not intended to be exhaustive):

January 12, 2022 – Housing Sites Community Workshop:

https://napavalleyregister.com/news/community/star/news/city-of-st-helena-hosts-community-workshop-on-housing/article_1969d331-188b-59ec-962d-bbc21bf3d88d.html

January 25, 2022 – Housing Sites:

https://napavalleyregister.com/news/community/star/news/st-helena-mulls-potential-housing-sites/article_066395c4-66cd-5dcf-80f9-18b2cbdcdd1d4.html

February 15, 2022 – Housing Opportunity Sites Joint PC/CC Meeting:

https://napavalleyregister.com/news/community/star/news/st-helena-to-discuss-housing-opportunity-sites/article_a3f7cc3d-6348-517a-9a86-78910914b04b.html

March 8, 2022 – AFFH Community Workshop:

https://napavalleyregister.com/news/community/star/news/st-helena-hosts-housing-workshop-march-16/article_875ff706-0785-5258-9fbd-9e71cb7a259a.html

July 5, 2022 – Draft Housing Element Released for Public Review:

https://napavalleyregister.com/news/community/star/news/st-helena-releases-draft-housing-element-for-public-review/article_f2e29c56-fc97-11ec-882d-331c870311f3.html

July 19, 2022 – Joint PC/CC Meeting on Draft Document:

https://napavalleyregister.com/news/community/star/news/st-helena-to-hear-input-on-housing-plan/article_0ad2b244-0781-11ed-b1a0-63a6d91f1859.html

May 13, 2023 – Housing Element Adoption:

https://napavalleyregister.com/news/local/st-helena-adopts-long-range-housing-plan/article_cdba794e-ef85-11ed-a41b-5f658bfe695d.html

September 26, 2023 – State Approved Housing Element:

https://napavalleyregister.com/news/community/star/housing-st-helena/article_74be9f28-5bd2-11ee-98c0-87121f8f88f5.html

Opportunity Sites Selection

Vacant and underutilized sites throughout the city were considered as potential for housing development. Site selection for the residential site inventory started with City owned sites where residential development is in line with short-term City goals, then vacant and nonvacant sites zoned for residential use, and lastly sites that could be rezoned to accommodate residential development or residential development at a higher density. Several constraints were considered for each site, including environmental concerns, utility or infrastructure access, feasibility of redevelopment during the next planning period, and realistic capacity assumptions. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores.

In July 2022, letters were sent to all property owners of sites being considered as a housing opportunity site notifying them that their property had been identified, that they are under no mandate or obligation to build housing, and that the City would like to discuss the matter with them including any site constraints, long-term plans for the property, etc. so that we could better understand their position on a potential land use change. The template used for this letter is attached to this Memorandum for review. While this letter did not identify a specific zoning change, the housing opportunity sites were discussed in detail beginning on page 2-149 and shown on Figure 48 in the Public Review Draft Housing Element released to the public on June 29, 2022. The proposed General Plan and zoning changes for each site were identified on Tables 38 to 49 of the draft Housing Element. The draft document and all subsequent versions were available for review on the City's website, on the dedicated Housing Element website, and at City Hall throughout the process.

Public Hearings for Adoption

In addition to the public workshops and joint Planning Commission/City Council meetings described above, the following noticed public hearings were conducted in order to consider and adopt the City's 2023-2031 6th Cycle Housing Element and legal ads were published in the Napa Valley Register in accordance with public hearing procedures:

- May 2, 2023: Planning Commission recommendation that the City Council adopt the draft Housing Element.

- May 9, 2023: Formal adoption of the draft Housing Element by the City Council.

Attachments

- 1) Property Owner Notification – Opportunity Sites

July 27, 2022

City of St. Helena
Planning Department
1572 Railroad Avenue
St. Helena, CA 94574



Property Owner
Address
St. Helena, CA 94574

Re: Planning for Future Housing in St. Helena – Your Property at Address Here and the City of St. Helena Housing Element Update

Dear Property Owner:

The City of St. Helena is updating its Housing Element, a state-mandated document establishing the city's long-term housing plan, which is updated at specific time intervals. The current update will cover an eight-year period, 2023-2031, termed the 6th Cycle. Part of the Housing Element involves designating areas of the city for new homes to accommodate the city's fair share forecasted housing growth (also known as the regional housing allocation). To do that, and to comply with state law, St. Helena must look at various properties throughout the city that could feasibly and practically accommodate the over 250 housing units that the Association of Bay Area Government (ABAG) and the State has assigned St. Helena. Attached is an informational bulletin that provides additional information on the Housing Element update process.

Based on certain site criteria, your property has been identified as a possible site that could help accommodate future housing units. Please note that this is a state required planning exercise and as the current property owner you are in no way obligated or required to build any homes if your property is ultimately selected as a housing opportunity site as part of the Housing Element update. Listing sites in inventory is simply how we demonstrate to the state that we have adequate sites with the right kind of zoning to accommodate our regional housing allocation, which is explained in greater detail in the attached bulletin. Property owners of sites listed in opportunity sites inventory will maintain complete control over whether or not their sites develop in the future. Furthermore, being identified as a housing opportunity site does not necessarily mean that the current use on the site would be removed and replaced; in some cases, potential future housing could be added in conjunction with existing uses.

As the city continues to analyze potential sites, we would like to discuss the matter with you to answer any questions you may have regarding the site selection and long term housing plan process. We would also like to understand more about any constraints on the property, such as

long-term leases or plans for development, so that we can better understand your position regarding a potential change in land use on your property.

Please contact Aaron Hecock, Senior Planner, via email at ahecock@cityofsthelena.org or via phone at (707) 968-2747. More information on the city's Housing Element update is available on the designated website st.helenahousing.com. The Housing Element update process will continue throughout the next year and there will be numerous opportunities for additional public participation and input.

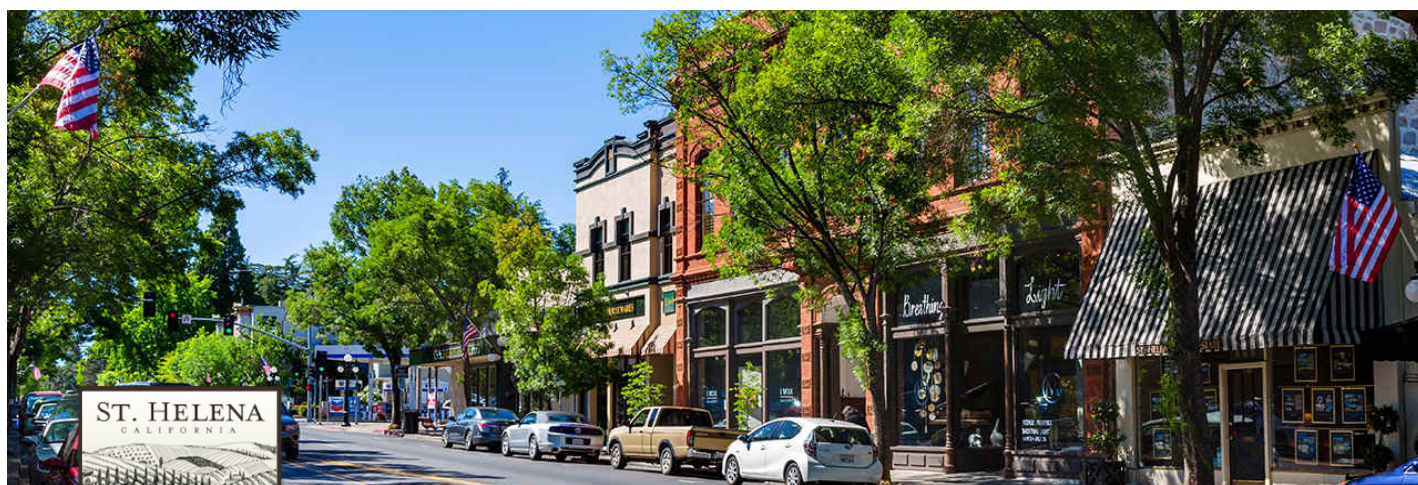
We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Hecock', enclosed within a thin black rectangular border.

Aaron Hecock, AICP
Senior Planner

Attachment: Newsletter #1



NEWSLETTER #1: HOUSING ELEMENT OVERVIEW

St. Helena Housing Element Update!

We are excited to announce that in February 2021, the City of St. Helena kicked off the update to the City's Housing Element. The update is scheduled to take approximately two years, and throughout the process, we invite the public to be part of the planning process and provide input on how St. Helena should provide housing over the planning period (2023-2031).

What is a Housing Element?

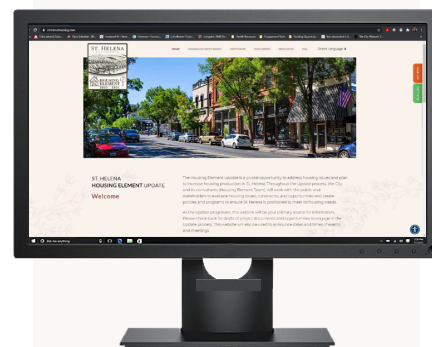
Since 1969, every jurisdiction in California has been required to have a Housing Element as part of their General Plan. Unlike other mandatory General Plan elements, the Housing Element must be updated every eight years and is subject to review and approval by the California Department of Housing and Community Development (HCD). Major components of the Housing Element include a housing needs assessment, the identification of sites for housing at all income levels, a review of constraints to housing, and updated policies and programs to carry out the goals of the updated element.

The City's current 2014-2022 Housing Element was adopted in 2015 and was part of the 5th Cycle of housing element updates in the State. This update for the 2023-2031 Housing Element is part of the 6th Cycle of housing element updates. Between the 5th and 6th Cycles, the State has passed over a dozen of new housing laws, many of which aim to lower barriers to building affordable housing. These will all be addressed with this update.

Another major addition to the 6th Cycle Housing Element Update is the inclusion of an Affirmatively Furthering Fair Housing analysis. This analysis will examine housing practices in the city to identify any areas that may perpetuate housing inequities in the community. Once identified, the Housing Element will create policies and programs to help work towards more equitable housing practices.

Visit the Project Website to:

- Stay informed
- Find out about upcoming meetings and events
- Sign-up for email updates
- Share your ideas



sthelenahousing.com

Have questions?

City of St. Helena
Aaron Hecock, Senior Planner
ahecock@cityofsthelena.org

What does a Housing Element do?

The purpose of a Housing Element is to:

- Provide an assessment of current and future housing needs
- Identify opportunities and constraints on housing production
- Establish goals, policies, and programs to meet those needs
- Update City practices and regulations to reflect new State laws

A Housing Element identifies strategies and programs that focus on:

- Conserving and improving existing affordable housing
- Maximizing housing opportunities throughout the community
- Assisting in the provision of affordable housing
- Removing governmental and other constraints to housing investment
- Promoting fair and equal housing opportunities



PROCESS

Phase 1: INITIATION

What to expect:

- Website goes live
- Newsletter #1
- City Council (CC) and Planning Commission (PC) Joint Study Session

Phase 2: HOUSING ELEMENT UPDATE

What to expect:

- Community Workshops #1-3
- CC/PC Joint Study Session
- Public Review Draft Housing Element

Phase 3: PUBLIC HEALTH AND SAFETY ELEMENT UPDATE

What to expect:

- Community Workshop #4
- CC/PC Joint Study Session
- General Plan and Zoning Code Amendments

Phase 4: PUBLIC REVIEW DRAFT HOUSING ELEMENT

What to expect:

- Community Workshop #5
- Newsletter #2
- PC Study Session
- CC Study Session

Phase 5: HCD REVIEW AND COORDINATION

What to expect:

- HCD Draft Housing Element
- Meeting with HCD
- Response to HCD comments

Phase 6: ENVIRONMENTAL DOCUMENTATION

What to expect:

- Preparation of environmental analysis
- Addendum to General Plan EIR

Phase 7: PUBLIC REVIEW AND ADOPTION

What to expect:

- Planning Commission public hearings
- City Council public hearings
- Final Housing Element
- Transmittal to HCD

What is RHNA?

In the process of updating the Housing Element, each jurisdiction is required to accommodate its fair share of the regional housing need. The Regional Housing Needs Allocation (RHNA) is the process used to determine housing allocations for each jurisdiction. As part of the RHNA, HCD determines the total number of housing units needed across California over the next decade. The Association of Bay Area Governments/Metropolitan Transportation Commission (ABAG/MTC) is then tasked with developing a methodology to determine the number of housing units for which each Bay Area jurisdiction is required to provide sites.

Under State law, the RHNA is assigned to the following four income categories:

- Very low household income
- Low household income
- Moderate household income
- Above moderate household income

The household income for each of these categories is based on a percentage of the Area Median Income (AMI). The breakdown of these categories is shown in Table 1.

Table 1: Income Categories

Income Category	Percent of AMI
Very low	<50%
Low	51-80%
Moderate	81-120%
Above Moderate	>120%



In February 2021, ABAG/MTC updated their methodology for RHNA allocations to all Bay Area jurisdictions, which is expected to be finalized in Spring 2021. The City of St. Helena's draft RHNA requirement is shown in Table 2. Table 2 also illustrates that St. Helena will be responsible for identifying housing sites that can support 223 more housing units than required in the 5th Cycle. Across the state, jurisdictions are facing similar challenges.

Table 2: 5th Cycle and 6th Cycle RHNA Comparison

Cycle	Lower		Moderate	Above Moderate	Total RHNA
	Very Low	Low			
5th Cycle	8	5	5	13	31
6th Cycle	103	59	26	66	254
Change	+95	+54	+21	+53	+223

The inventory and analysis of adequate sites is a labor-intensive and potentially controversial component of the Housing Element Update process. St. Helena will need to evaluate General Plan land uses and the zoning ordinance to determine whether there is enough land available to accommodate the assigned RHNA allocation for each income category. If unable to accommodate the RHNA, St. Helena will need to plan to rezone enough land to meet the RHNA obligation.



How can you make a difference?

Get Involved!

For the Housing Element to truly represent the community's vision for the future, we need your help. The success of this planning effort will depend on the input of the community, and we have provided a range of ways to hear your ideas for the future of St. Helena. You can participate as much or as little as you like, from attending public meetings and community workshops to providing input online from the comfort of your home.

Visit the Project Website

The project website (sthelenahousing.com) is the hub for timely updates with information on the status of the project, announcements of upcoming workshops and meetings, and publication of key documents.

Sign-up for Email Updates

You can join the email list on the project website (sthelenahousing.com). By signing up, you will be notified when the City releases new documents and announces meetings, workshops, and other events.

Join Meetings and Public Workshops

Not only are these great opportunities to learn about the Housing Element update, but meetings and workshops are also a great place to share your ideas and connect with the community.

Visit sthelenahousing.com for more information.



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500
 Sacramento, CA 95833
 (916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



February 5, 2024

Maya DeRosa, Director
 Community Development Director
 City of Saint Helena
 1572 Railroad Avenue
 St. Helena, CA 94574

RE: Saint Helena Housing Element Implementation – Corrective Action Letter

Dear Maya DeRosa:

The California Department of Housing and Community Development (HCD) has reviewed the City of Saint Helena's (City) obligations under the housing element and hereby issues its written findings that the City has failed to implement Program H-A (Available Sites Inventory) included in its housing element.

HCD requests that the City review this correspondence and provide a written response to these findings within 30 days and no later than March 6, 2024. HCD will review and consider the City's written response before taking any action authorized by Government Code section 65585, subdivisions (i) and (j). As noted below, such action could include revoking HCD's finding that City's housing element is in substantial compliance with California's Housing Element Law and/or referral to the California Office of the Attorney General.

State Housing Element Law

Pursuant to Government Code section 65588, subdivision (e)(4)(C), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning pursuant to Government Code sections 65583, subdivision (c), and 65583.2, subdivision (c), shall be completed no later than one year from the statutory deadline (January 31, 2024).

In addition, HCD must review any action or failure to act by a City that it determines to be inconsistent with an adopted housing element or section 65583 generally, and it must issue written findings to the City accordingly. (Gov. Code, § 65585, subd. (i)(1).) HCD must give the City a reasonable time, no longer than 30 days, to respond to these findings. (Gov. Code, § 65585, subd. (i)(1)(A).) If HCD does not receive a written response from the City within 30 days, or the response does not demonstrate that the program action has been implemented, then HCD will revoke its findings that the City's

Maya DeRosa, Community Development Director
Page 2

housing element substantially complies with State Housing Element Law. (Gov. Code, § 65585, subd. (i)(1)(B).)

Additionally, HCD may notify the California Office of the Attorney General when a City takes actions that are inconsistent with an adopted housing element or Government Code sections 65583 and 65915, among other laws. (Gov. Code, § 65585, subd. (j).)

Findings

On September 25, 2023, HCD found the City's housing element in substantial compliance with State Housing Element Law. HCD based its compliance finding on, among other things, a commitment to implement Program H-A to rezone 206 units to accommodate the City's Regional Housing Needs Allocation (RHNA) and make prior identified sites available one year from the statutory deadline (January 31, 2023), in accordance with Government Code sections 65583, subdivision (c), and 65583.2, subdivision (c).

Pursuant to an email communication received on February 1, 2024, the City expects to complete the necessary rezones by June 2024. Based upon this information, HCD finds that the City has failed to implement the required rezone program actions within the statutorily required timeframe.

Next Steps

HCD provides the City until March 6, 2024 to send a written response to these findings. If you have questions, need additional information, or wish to schedule a meeting, please contact me at Melinda.Coy@hcd.ca.gov or Fidel Herrera at fidel.herrera@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500
 Sacramento, CA 95833
 (916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



March 26, 2024

Anil Comelo, City Manager
 City of Saint Helena
 1088 College Avenue
 Saint Helena, CA 94574

RE: Revocation of Housing Element Compliance Finding – City of Saint Helena

Dear Anil Comelo:

The California Department of Housing and Community Development (HCD) is hereby notifying the City of Saint Helena (City) that HCD has revoked, as of the date of this letter, its September 25, 2023 finding that the City's housing element is in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq.). The City had adopted this housing element on May 9, 2023.

On February 5, 2024, HCD issued the City its written findings that the City had failed to implement Program H-A (Available Sites Inventory) included in its housing element pursuant to Government Code section 65583, and that this failure brought the City's housing element out of substantial compliance with State Housing Element Law. HCD provided the City with 30 days to respond to HCD's written findings pursuant to Government Code section 65585, subdivision (i)(1)(A).

On February 26, 2024, HCD received the City's response to HCD's written findings. The City's response does not demonstrate implementation of Program H-A. HCD thus finds that the City's housing element is no longer in substantial compliance with State Housing Element Law. Consequently, HCD is revoking its finding of the City's housing element compliance, as authorized by Government Code section 65585, subdivision (i)(1)(B). HCD's determination of non-compliance will remain in effect until the City completes required rezone actions in Program H-A. Once the City completes this program action, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

Anil Comelo, City Manager
Page 2

HCD is committed to assisting all localities in achieving and retaining substantial compliance with State Housing Element Law. If you have questions or need additional information, please contact Reid Miller at reid.miller@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a stylized flourish extending to the right.

David Zisser
Assistant Deputy Director
Local Government Relations and Accountability



City of St. Helena

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using an open and creative process."*

1572 Railroad Ave.
St. Helena, CA 94574
Phone: (707) 967-2792
Fax: (707) 963-7748

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November 24, 2020

Jesse Arreguin, President
Association of Bay Area Governments (ABAG)
Bay Area Metro Center
375 Beale Street Suite 800
San Francisco, CA 94105

Re: Proposed RHNA Methodology and Subregional Shares

Dear President Arreguin:

The City of St. Helena would like to thank the ABAG Housing Methodology Committee (HMC) for its important work and for the opportunity to provide HMC with more insight on how the Regional Housing Needs Allocation Proposed Methodology dated October 2020 would affect a small, rural community like St. Helena. We have carefully reviewed the Proposed Methodology and submit the following comments as part of the public comment period on the Proposed RHNA Methodology and Draft Subregion Share:

- The St. Helena General Plan designates nearly 50% of the incorporated areas as agriculture and open space with an additional 15% being heavily wooded areas on steep mountainous slopes (designated Woodlands and Watershed), leaving relatively limited in-fill capacity for development at densities needed to accommodate the allocation targets under the draft methodology.
- The recently adopted General Plan assumed up to 332 new housing units through year 2040 or approximately 15 units a year.
- The proposed RHNA assignment of 171 units over an 8-year planning period requires 21.375 units per year to be constructed, a 42.5% increase over the annual growth rate contemplated by the current General Plan. While St. Helena recognizes that all cities must share in the region's need to build new housing, this is a faster growth rate than anticipated in the City's planning documents.
- The accelerated growth required by these RHNA assignments will escalate the need for expanded and updated infrastructure; how are small communities like St. Helena going to pay for this infrastructure? We will enthusiastically work with ABAG-MTC and other local governments to advocate for additional State funding to assist with expanded and updated infrastructure in support of affordable housing projects.
- Although St. Helena is served by the Vine, Napa County's public transit system, this system is seldom used by those who have access to cars – in other words, it does not draw significant

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numbers of commuters who either work in St. Helena or who live in St. Helena and work elsewhere. As a result, except where construction of low and moderate income housing enables workers to live closer to their place of employment, housing development beyond that contemplated by the City's General Plan would increase VMT and traffic congestion, and would not support greenhouse gas (GHG) emission reduction targets.

- Small, rural, agricultural communities are not appropriate locations for “high-rise” residential housing which further limits their ability to increase density.
- Our ability to assume more growth in the City became further constrained on October 27, 2020, when the City of St. Helena declared a Phase 2 water emergency. No new water connections are permitted during a Phase II emergency.
- The hills and mountains that frame the Napa Valley are in PG&E's Tier 3 high fire risk zone and have proven to be high fire hazard areas as evidenced by the Tubbs, Atlas, Hennessy (LNU Complex), and Glass fires of 2017 and 2020; this further limits our ability to accommodate additional growth outside existing urban limits.
- Placing homes near job centers and away from natural hazards (fire severity zones etc.) and preserving agricultural and open space areas should be given a high priority to avoid the inadvertent loss of farmland and open space and to reduce the significant cost of emergency mitigation and assistance.
- The aggregate total of St. Helena units in Table 5 should be 171, not 172. The proposed distribution by income category is:
 - Very Low: 46
 - Low: 27
 - Moderate: 27
 - Above Moderate: 71
- Upon the arrival of the COVID-19 pandemic in the Spring of 2020, a paradigm shift has occurred in urban centers around the world relating to commuting patterns and the density of cities identified as job rich centers. Many of the current telecommuting arrangements from Silicon Valley's technology giants are expected to remain post COVID-19. The region is also experiencing an exodus of workers leaving the Bay Area for Sacramento and other more affordable areas outside the region which will have impacts for years to come. Has ABAG and the RHNA Methodology Committee considered how these demographic shifts may change the assumptions?
- The City of St. Helena has faced extraordinary economic challenges this year due to the pandemic and the wildfires. Under these circumstances, it will be important for RHNA to avoid placing a disproportionate adverse financial impact on small, rural communities like ours.

The City of St. Helena appreciates this opportunity to review and comment on this very important housing growth strategy as our region prepares to begin the Housing Element update process. If you have any questions, please do not hesitate to contact me at mderosa@cityofstheleena.org.

Best regards,

A handwritten signature in dark ink, appearing to read "Maya DeRosa".

Maya DeRosa, AICP
Planning and Building Director
City of St Helena

cc: Mayor and City Council
Planning Commission
Mark T. Prestwich, City Manager
Aaron Hecock, AICP, Senior Planner
Ethan Walsh, City Attorney



City of St. Helena

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St. Helena, CA 94574
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July 7, 2021

Jesse Arreguin, President
Association of Bay Area Governments (ABAG)
Bay Area Metro Center
375 Beale Street Suite 800
San Francisco, CA 94105

Re: Final RHNA Methodology and Subregional Shares

Dear President Arreguin:

The City of St. Helena recognizes the significant milestone of the ABAG Executive Board approving the Final RHNA on May 20, 2021. We further recognize the State is in a housing crisis and HCD and ABAG are leading agencies on the forefront of planning for each subregion to meet this challenge. This letter serves the purpose to convey our concerns with the additional 83 very low and low income "equity adjustment" beyond the 171 units we received in October 2020. While we are not filing an appeal, we find that the 254 unit RHNA assignment poses a legitimate threat to the City's safety and water supply as articulated further below.

- Fire Hazard: In 2020 the City of St. Helena experienced a local emergency as the Glass Fire consumed 67,000 acres of vegetation in Napa and Sonoma Counties as well as damaging 14 structures in the city limits. It was a sober lesson that the City cannot plan for additional housing growth in this PG&E Tier 3 high risk zone as our hillside areas contain high amounts of fire fuel. Unlike many larger Bay Area cities that have no fire hazard areas which can therefore accommodate housing infill, St. Helena's land availability is very constrained and consequently there is a very diminished land capacity that can be assumed for housing growth. Additionally, our relatively remote, rural location with limited emergency evacuation routes presents a particularly concerning safety hazard to both our existing and future residents.
- Water Shortage: As communicated in our November 24, 2020 letter to ABAG, our ability to assume more growth in the City became further constrained on October 27, 2020, when the City of St. Helena declared a Phase II water emergency, which occurs when the projected water supply is not sufficient to meet projected demands from the City's existing customers without significant conservation measures being implemented. This has had an immediate impact upon our development potential as no new water connections are permitted during a Phase II emergency. Since we submitted our last correspondence to ABAG related to the RHNA, our water emergency has become more urgent and residents are currently under water rationing requirements and subject to fines and penalties. A link to a recent article is noted below.

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https://napavalleyregister.com/community/star/news/st-helena-calls-on-water-customers-to-cut-consumption-by-30/article_108f155f-2693-5c3d-830a-35385325bfe4.html

The City is in the process of conducting analyses of its existing water supply to better assess its ability to meet current and future demand, as well as exploring additional water resources including but not limited to developing recycled water infrastructure that can be used for irrigation and other non-potable purposes. While the current drought is the impetus for the Phase II emergency, it has raised significant concerns about the City's ability to accommodate its existing users, let alone significant new development of the type contemplated by the City's RHNA numbers. We find that our circumstances will result in a likely diminished ability to rely on our local groundwater supply to meet our current domestic water supply needs. This could put the City in an untenable position, stuck between our obligations and desires to both provide our fair share of housing within the region, and ensure the health, safety and welfare of existing and future residents by ensuring an adequate water supply.

- **"Equity Adjustment"** : In February 2021, ABAG released the updated Draft RHNA with the equity adjustment for 49 jurisdictions exhibiting above average racial and economic exclusion using a composite score based on the jurisdiction's divergence index score (a measure of segregation) and percent of the jurisdiction's households above 120% AMI. We were disappointed to find that our City was further penalized after articulating the many land and infrastructure constraints in our November 24, 2020 letter. We find the equity adjustment did not take into account the aforementioned special circumstances in the City of St. Helena.

In closing, the State of California envisions both wildfires and droughts getting worse with climate change. This is not just about a current drought or related increased fire risk, but reflects a long term reduction in water availability and growth in wildfire danger. Regionally, other larger communities in the Bay Area have a better ability to adjust to drought and have reduced issues with wildfire and we ask that ABAG consider this constraint in future RHNA methodology considerations. The City of St. Helena appreciates this opportunity to share our ongoing concerns with the RHNA assignment. If you have any questions, please do not hesitate to contact me at mderosa@cityofsthelena.org.

Best regards,



Maya DeRosa, AICP
Planning and Building Director
City of St Helena

cc: Mayor and City Council
Planning Commission
Mark T. Prestwich, City Manager
Aaron Hecock, AICP, Senior Planner
Ethan Walsh, City Attorney

**Rincon Consultants, Inc.**

4825 J Street, Suite 200
Sacramento, California 95819

916 706 1374

info@rinconconsultants.com
www.rinconconsultants.com

St. Helena Housing Element Update Preliminary Site Inventory

The following report outlines the preliminary site inventory for St. Helena's 6th Cycle Housing Element. This site inventory was completed consistent with HCD's Site Inventory Guidebook and following an analysis of RHNA credits, which included pending housing projects within the city and ADU trends expected over the next 8-year housing cycle. After determining RHNA credits, specific sites were considered for potential for housing development starting with City owned sites, then vacant and nonvacant sites zoned for residential use, and lastly sites that could be rezoned to accommodate residential development or residential development at a higher density. Several constraints were considered for each site, such as environmental concerns, utility access, feasibility of redevelopment during the next planning period, and realistic capacity assumptions. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores.

Sites throughout the city were evaluated using the site requirements and site-specific constraints to compile a list of potential sites. The list of potential sites was presented at two separate focus group meetings (December 16, 2021 and January 27, 2022) and a community workshop (January 20, 2022) to collect feedback from interested parties and the community. Table 1 shows a summary of the total number of housing units that can be accommodated under this preliminary site inventory. The inventory provides enough sites to meet and exceed the City's RHNA allocation and buffer requirements, especially for above-moderate units. Therefore, there is flexibility on the sites as the Housing Element Update continues through the process and HCD review.

Table 1 Summary of Housing Units

	Lower Income	Moderate Income	Above Moderate Income	Total
Pending Projects	0	0	92	92
ADU Trends	0	0	72	72
Preliminary Sites	203	62	54	319
Total	203	62	218	483
St. Helena RHNA plus 20% Buffer	192	31	79	302
Surplus	11	31	139	181



City of St. Helena
Housing Element Site Inventory

Site 1: 1480 Main Street (APN 009-211-016)



Table 2 Site Summary

Current Use	Fire Stations and Vacant Structures
Parcel Size	1.66 acres (0.9 acres available for redevelopment)
Existing General Plan Land Use	Central Business and Public/Quasi-Public
Existing Zoning	Public/Quasi-Public
Proposed Land Use and Zoning	Mixed-Use
Allowed Density	12 to 20 units/acre
Assumed Density	20 units/acre
Site Capacity	22 units
Income Category	22 Lower Income

Site 1 is a 1.66-acre property owned by the City of St. Helena located at 1480 Main Street. City goals are in line with mixed-use residential redevelopment of a portion of the site fronting Main Street. Current uses on-site include the St. Helena Fire Department on the northern portion of the site and a vacant one-story building on the southwestern portion of the site. A General Plan Amendment and Rezone change would be required to change the land use and zoning designation from Public/Quasi-Public to Mixed-Use.



City of St. Helena
Housing Element Site Inventory

The site developable area is assumed to be approximately 0.9 acres, with the removal of the vacant building on the southwestern portion of the site. A capacity analysis of the site assumed approximately 80% of the available site area would accommodate housing development (the remaining 20% of the site is reserved for potential landscaping and other site improvements required by the City's development standards) and a 50% density bonus. Therefore, the site can accommodate approximately 22 lower income units under the maximum density under Mixed Use of 20 units per acre.

Site Capacity Calculations:

$$\left[\left(0.9 \text{ acres} * \frac{20 \text{ units}}{\text{acre}} \right) + 50\% \text{ density bonus} \right] \times 80\% = \mathbf{22 \text{ units}}$$



Site 2: 1572 Railroad Avenue (APN 009-193-002)



Table 3 Site Summary

Current Use	City Hall
Parcel Size	0.93 acres
Existing General Plan Land Use	Public/Quasi-Public
Existing Zoning	Business and Professional Office
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	26 units/acre
Site Capacity	30 units
Income Category	30 Lower Income

Site 2 is a 0.93-acre property owned by the City of St. Helena located at 1572 Railroad Avenue. City goals are in line with residential redevelopment of a portion of the site. This site is currently used as a temporary location for City Hall. A General Plan Amendment and Rezone would be required to change the land use and zoning designation to High Density Residential.

The entire 0.93-acre site is able to be redeveloped with the removal of the existing buildings. Therefore, the site can accommodate 30 lower income units, with the assumption the site would receive a 50% density bonus and that 80% of the site will accommodate housing (20% of the site is reserved for landscaping and other site improvements). The assumption that the site would be developed at the maximum allowed density of 26 units per acre for High Density Residential zoning and that 100% of the units would be lower income units is reasonable given this site is owned by the City.

Site Capacity Calculations:

$$\left[\left(0.93 \text{ acres} * \frac{26 \text{ units}}{\text{acre}} \right) + 50\% \text{ density bonus} \right] \times 80\% = \mathbf{30 \text{ units}}$$



Site 3: 905 Main Street (APN 009-180-008)



Table 4 Site Summary

Current Use	Vacant
Parcel Size	0.27 acres
Existing General Plan Land Use	Mixed-Use
Existing Zoning	Service Commercial
Proposed Land Use and Zoning	Mixed-Use
Allowed Density	12 to 20 units/acre
Assumed Density	20 units/acre
Site Capacity	5 units
Income Category	5 Above Moderate

Site 3 is a 0.27-acre property located at 905 Main Street. The property is a vacant site in a location prime for development along Main Street. In addition, the property owner has expressed interest in development of the site with housing. A zoning change would be required to change the zoning designation from Service Commercial to Mixed-Use, which would bring the property into conformance with the existing General Plan land use designation.

The site is vacant and the entire 0.27-acre site is able to be developed. Therefore, the site can accommodate 5 above moderate-income units, using a density assumption of 20 units per acre.



Site 4: Main Street between Mills Lane and Dowdell Lane (APN 009-660-005)



Table 5 Site Summary

Current Use	Vacant
Parcel Size	1.8 acres
Existing General Plan Land Use	Service Commercial
Existing Zoning	Service Commercial
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	36 units
Income Category	36 Lower Income

Site 4 is a 1.8-acre property located on Main Street between Mills Lane and Dowdell Lane. The property is a vacant site in a location prime for development along Main Street. Our Town St. Helena (OTSH) is currently in negotiations to develop property as an affordable housing project. The capacity analysis completed by OTSH indicated high density land use is appropriate for the site. A General Plan Amendment and Rezone would be required to change the land use and zoning designation from Service Commercial to High Density Residential.

The entire site is vacant and OTSH conducted a site analysis to determine a feasible number of units they could develop on-site, given its location and shape. It was concluded the site can accommodate 36 lower income units, which is a density of approximately 20 units per acre. OTSH intends to develop a 36-unit housing development with 100% lower income units.



Site 5: 709 and 741 McCorckle Avenue (APN 009-100-031, -032)



Table 6 Site Summary

Current Use	Single Family Residences
Parcel Size	1.8 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	Medium Density Residential
Allowed Density	5.1 to 16 units/acre
Assumed Density	5.1 units/acre
Site Capacity	8 units
Income Category	8 Above Moderate

Site 5 is composed of two adjacent properties that total 1.8 acres located at 709 and 741 McCorkle Avenue. Both properties are underutilized with one single family residence and with large undeveloped space on each property. One of the property owners expressed interest in subdividing the property pursuant to SB9, which would allow each lot to be split into two lots with development of up to two units on each lot. The current zoning designation is Medium Density Residential and no changes to land use or zoning are proposed.

The sites are composed of two single family lots which can each be split into two lots with development of up to 2 units on each lot, pursuant to SB9, for a total of 8 above-moderate units (a net increase of 6 units). In addition, each lot could develop ADUs for a total capacity of 10 units. The capacity assumption assumes a total of 8 units (4 on each property), which is conservative given then underlying land use and zoning designation could allow redevelopment



Site 6: 821 Pope Street (APN 009-503-001)



Table 7 Site Summary

Current Use	Single Family Residence
Parcel Size	1.0 acres
Existing General Plan Land Use	High Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	20 units
Income Category	10 Lower and 10 Moderate

Site 6 is a 1.0-acre property located at 821 Pope Street. The site is underutilized with one existing single-family residence and large undeveloped areas on-site. Land use designations and existing development surrounding the site consist of multi-family housing. The current zoning designation is High Density Residential and no changes to zoning are proposed.

Development of the entire 1.0-acre site could accommodate 20 units, 10 lower income units and 10 moderate income units, with a density of 20 units per acre. This is a conservative estimate given that the High Density Residential land use designation allows a maximum density of 26 units per acre.

This site was included in the 5th Cycle Housing Element and is considered non-vacant, therefore requiring by-right approval for projects with at least 20% affordable units.



Site 7: 882 and 886 College Avenue (APN 009-070-043, -044, -045)



Table 8 Site Summary

Current Use	Vacant
Parcel Size	1.5 acres
Existing General Plan Land Use	Public/Quasi-Public
Existing Zoning	A-20 (Agriculture)
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	30 units
Income Category	30 Lower

Site 7 is composed of three adjacent properties that total 1.5 acres located at 882 and 886 College Avenue. The site is adjacent to areas with existing multi-family development. All three properties are vacant and are owned by a single property owner who has expressed interest in residential development on these properties. The site's land use and zoning designated are currently not consistent. A General Plan Amendment and Rezone would be required to change the land use and zoning designation from Public/Quasi-Public and Agriculture to High Density Residential.

The entire 1.5-acre site is able to be developed. Therefore, the site can accommodate 30 lower income units, a density of 20 units per acre. This is a conservative estimate given that the High Density Residential land use designation allows a maximum density of 26 units per acre.



Site 8: 1447 and 1515 Spring Street (APN 009-590-003, -010)



Table 9 Site Summary

Current Use	Single Family Residences
Parcel Size	2.4 acres
Existing General Plan Land Use	High Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	48 units
Income Category	24 Lower and 24 Above Moderate

Site 8 is composed of two adjacent properties that total 2.4 acres located at 1447 and 151 Spring Street. Both properties are underutilized with an existing single-family residence and large undeveloped areas on each parcel. The site is surrounded by single- and multi-family development and sites zoned High Density Residential. The current zoning designation is High Density Residential and no changes to zoning are proposed.

The site can accommodate 48 units, 24 lower income units and 24 above moderate income units, a density of 20 units per acre. This is a conservative estimate given that the High Density Residential land use designation allows a maximum density of 26 units per acre.

This site was included in the 5th Cycle Housing Element, therefore requiring by-right approval for projects with at least 20% affordable units.



Site 9: Spring Street between Hudson Avenue & Valley View Street (APN 009-441-023)



Table 10 Site Summary

Current Use	Vineyard
Parcel Size	4.4 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	88 units
Income Category	44 Lower and 44 Moderate

Site 9 is a 4.4-acre parcel located on Spring Street between Hudson Avenue and Valley View Street. The site is considered underutilized as it has a residential land use designation but is currently developed with vineyards. Focus Group meetings showed interest in High Density Residential uses on this residentially zoned parcel in the form of town homes, compatible with the surrounding neighborhoods. In addition, recent property owner inquiry for residential development of the site indicates opportunity for redevelopment. A General Plan Amendment and Rezone would be required to change the zoning from Medium Density Residential to High Density Residential.

The site can accommodate 88 units, 44 lower income units and 44 moderate income units, a density of 20 units per acre. This is a conservative estimate given that the High Density Residential land use designation allows a maximum density of 26 units per acre.

This site was included in the 5th Cycle Housing Element and is considered non-vacant, therefore requiring by-right approval for projects with at least 20% affordable units.



Site 10: 1998 Spring Street (APN 009-391-031)



Table 11 Site Summary

Current Use	Single Family Residence
Parcel Size	3.5 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	Medium Density Residential
Allowed Density	5,1 to 16 units/acre
Assumed Density	5.1 units/acre
Site Capacity	17 units
Income Category	17 Above Moderate

Site 10 is a 3.5-acre parcel located at 1998 Spring Street. The site is occupied by two existing single-family residences with large undeveloped areas. The site is underutilized with potential for redevelopment or additional units on-site. The site is zoned Medium Density Residential and no changes to zoning are proposed.

The site can accommodate 17 above moderate income units, a density of 5.1 units per acre. This is a conservative estimate given that the Medium Density Residential land use designation allows a maximum density of 16 units per acre.



Site 11: 601 Pope Street (APN 009-502-011)



Table 12 Site Summary

Current Use	Silverado Orchard Apartments
Parcel Size	2.9 acres (0.75 acres available for development)
Existing General Plan Land Use	High Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Assumed Density	20 units/acre
Site Capacity	15 units
Income Category	7 Lower and 8 Moderate

Site 11 is a 2.9-acre parcel located at 601 Pope Street. The site is underdeveloped and is currently occupied by the Silverado Orchard Apartments on the northeastern portion of the site with a large vacant area on the southwestern portion of the site. There is opportunity to expand the existing high density housing development on-site or develop additional housing.

The site is zoned High Density Residential and no changes to zoning are proposed.

The 0.75-acre vacant portion of the site can accommodate 15 units, 7 lower income and 8 moderate income units, a density of 5.1 units per acre. This is a conservative estimate given that the High Density Residential land use designation allows a maximum density of 26 units per acre.



Sites Considered but Rejected

The following sites were considered to be included in the site inventory for the City of St. Helena's 6th Cycle Housing Element. However, due to various constraints and feedback from the focus group and community workshop, development of housing within the next 8 years was not considered feasible on these sites and they were not included in the site inventory.

900 Crane Avenue: The property owner expressed interest in housing on-site. However, this site has a large PG&E transmission line running through the center of the property that could prevent residential development of a certain size being constructed on-site. However, this site could be developed with housing in the future. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and a Rezone of the property from Industrial to Mixed-Use or Residential. The following policy is proposed to be added to the Housing Element Update to further incentivize housing development in the city: "Explore 900, 902 & 906 Crane Avenue as future housing sites (APNs 009-2800-034/038/039)." If housing is developed on-site within the next 8 years, the units will still count towards the City's RHNA whether it is included in the site inventory or not.

Adams Street: This site is owned by the City and future City priorities for this site are unknown at this time. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and a Rezone of the property from Central Business to Mixed-Use or Residential which could eliminate the possibility of using the site as a future City Hall location or for hotel development. In the site inventory process, we want to identify sites that have the greatest probability of developing residential units during the 8-year Housing Element Cycle. Not including it as a Housing Opportunity Site in no way precludes residential development from occurring on the property in the future.

1340 Tainter Street: This site is owned by the Catholic Church and is developed with several structures. No vacant space is available on-site for development of housing without the removal of the existing structures. There is no indication the Church is willing to sell the property. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and a Rezone of the property from Public/Quasi-Public to Mixed-Use or Residential. The following policy is proposed to be added to the Housing Element Update to further incentivize housing development on this site and others similar: "Prioritize underutilized and/or vacant church sites for future housing opportunities."

1405 Charter Oak Avenue: This site is the City Corporate Yard. Due to environmental constraints, this site is not ideal as a Housing Opportunity Site. The site is located within the flood zone and Sulphur Creek crosses through the southwest portion of the site. Additionally, Charter Oak Road runs diagonally through much of the site, bisecting the site in half. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and a Rezone of the property from Industrial to Mixed-Use or Residential.

Bechstofer Vineyards: This site is a 13.4 acre site with established vineyards, owned by Bechstofer Vineyards. The property owner has not indicated they are willing to sell the property or develop housing on-site. The site is too large to meet the State's assumptions regarding sites suitable for lower income housing, which include sites that are between 0.5 and 10 acres in size. At 13.4 acres this site exceeds the suitable range. Additionally, the site would require infrastructure improvements including utilities and roadway extensions that would make development of housing within the next 8 years not feasible.



591 McCorkle Avenue: This site is currently developed with a single-family residence and vineyards, and was used in the previous Housing Element (5th Cycle). Development of housing on this site would require roadway extensions which could create traffic issues due to the site's size (7.9 acres) and the number of units that would be built. This site is zoned Medium Density Residential and therefore meets the State's assumptions for moderate and above moderate income housing, however it is not needed to meet the City's RHNA numbers for those income categories as the inventory already has sufficient sites.

1255 Oak Street: This site is owned by the Grace Episcopal Church and is currently developed with several structures and parking lots. There is no indication the Church is willing to sell the property or develop housing on-site. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and a Rezone of the property from Public/Quasi-Public to Mixed-Use or Residential. The following policy is proposed to be added to the Housing Element Update to further incentivize housing development on this site and other underutilized church sites: "Prioritize underutilized and/or vacant church sites for future housing opportunities."

Toogood Property (behind Gotts): This site is a challenging long and narrow 8-acre parcel. Sulphur Creek runs through the northern half of the property and much of the site is located within a designated floodway and 100-year flood zone. To include this site as a Housing Opportunity Site in the Housing Element Update, the City would need to provide an analysis of why the flood zone would not preclude development of housing in the near term. The site also has existing powerlines over the property which could indicate easements and be a barrier to housing development. In addition, the site would require a General Plan Amendment and Rezone from Industrial to Mixed-Use or Residential.

1301 Mitchell Drive: This site is owned by PG&E and is used as a staging site. There is no indication PG&E is willing to sell the property. The site is designated as a cleanup site and was remediated for hazardous materials from a manufactured gas plant that operated on the site from 1883 to 1926. In addition, the parcel is located within a 100-year flood zone. The site also has a large access easement across it to provide access to an adjacent parcel. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment to change the land use from Public/Quasi-Public and a Rezone of the property from Central Business to Mixed-Use or Residential.

1817 Spring Street: This site was included in the previous Housing Element (5th Cycle) and therefore would require by right rezoning for projects with 20 percent or more affordable housing units. Based on State law, the site would also only meet above moderate or moderate income requirements for the site inventory, which the City has sufficient amounts of. This site could be added to the inventory if directed or needed as the Housing Element Update moves through the process.

Figure 1 Site Inventory Site Locations

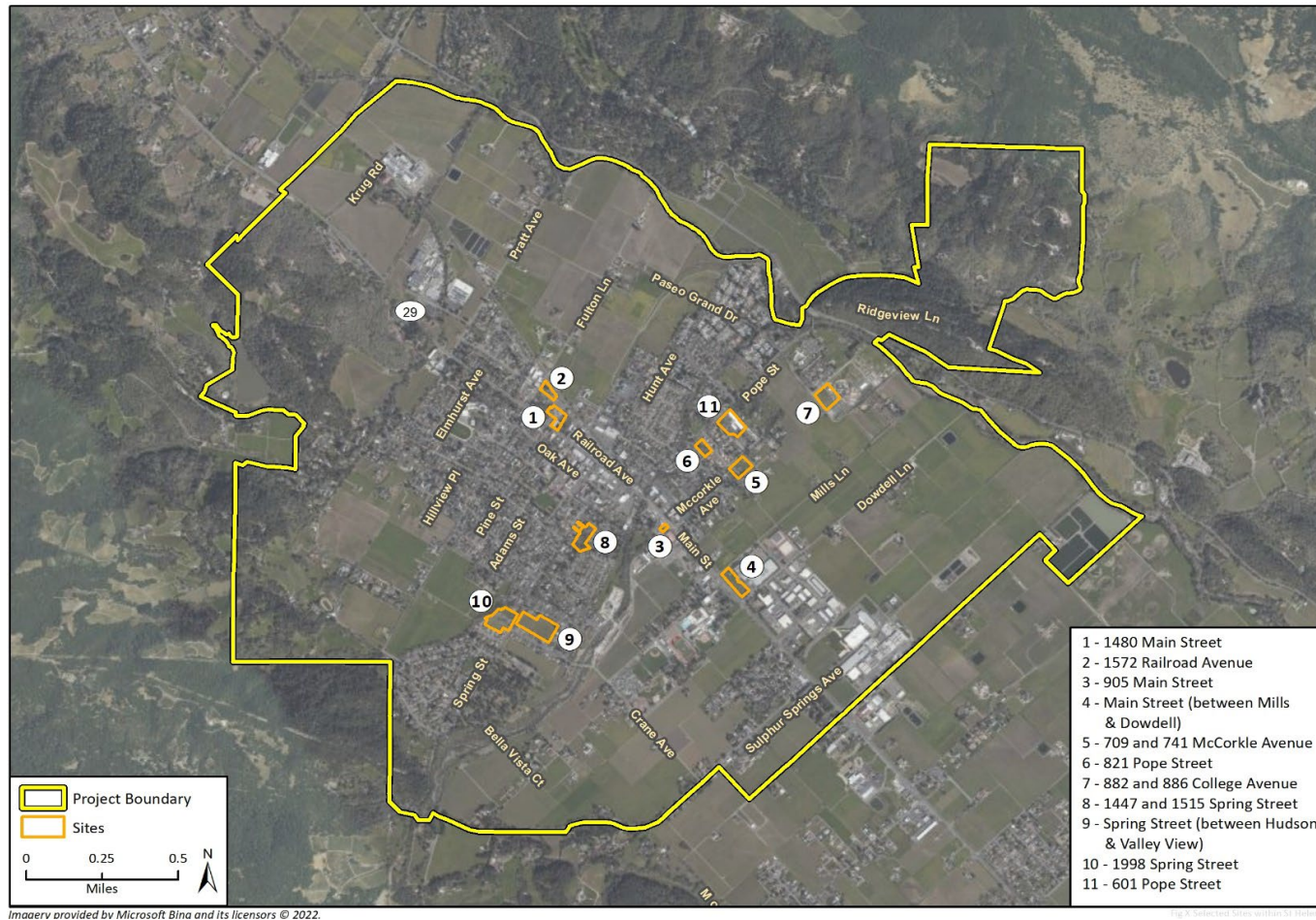


Figure 2 Lower Income Site Locations

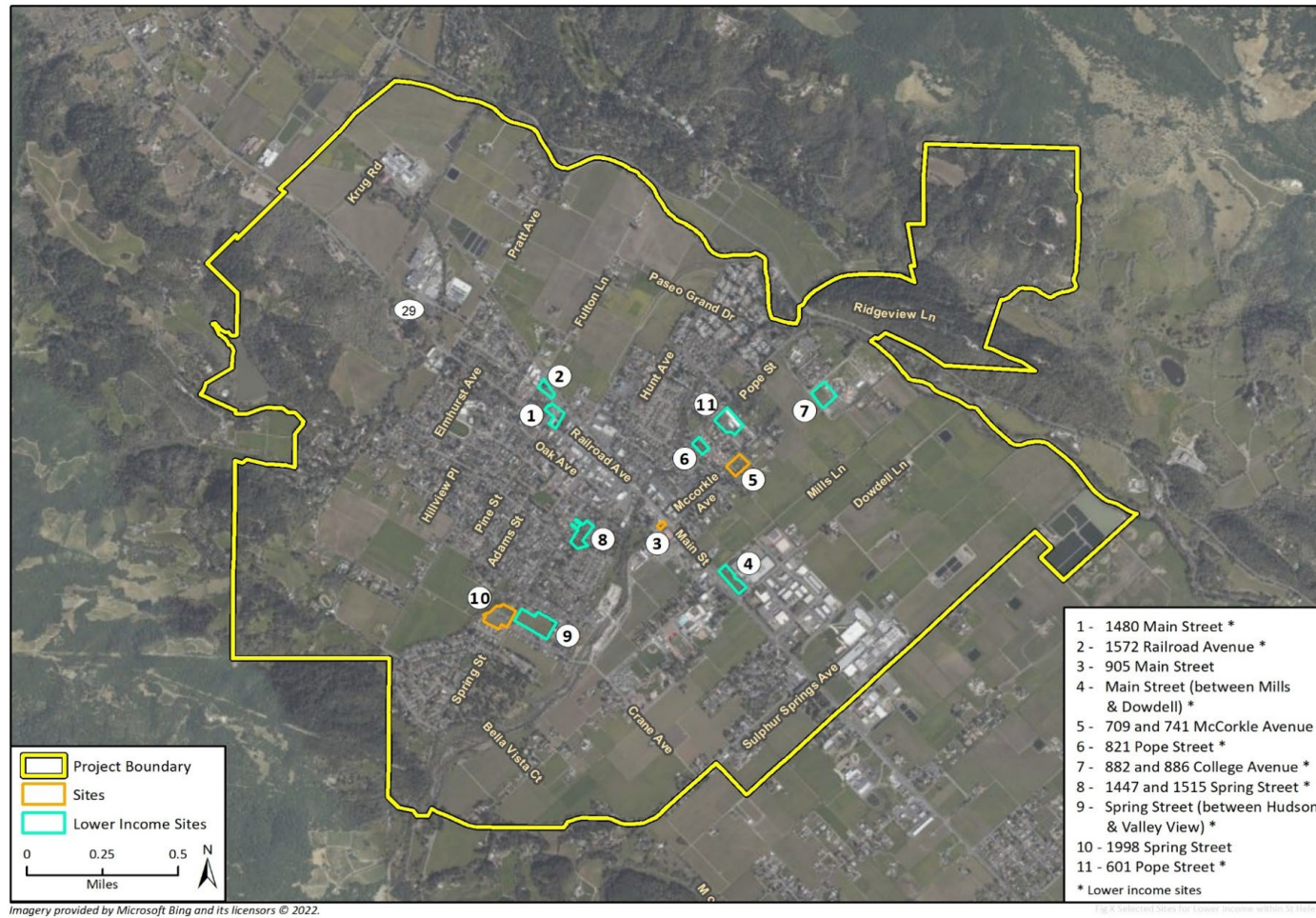
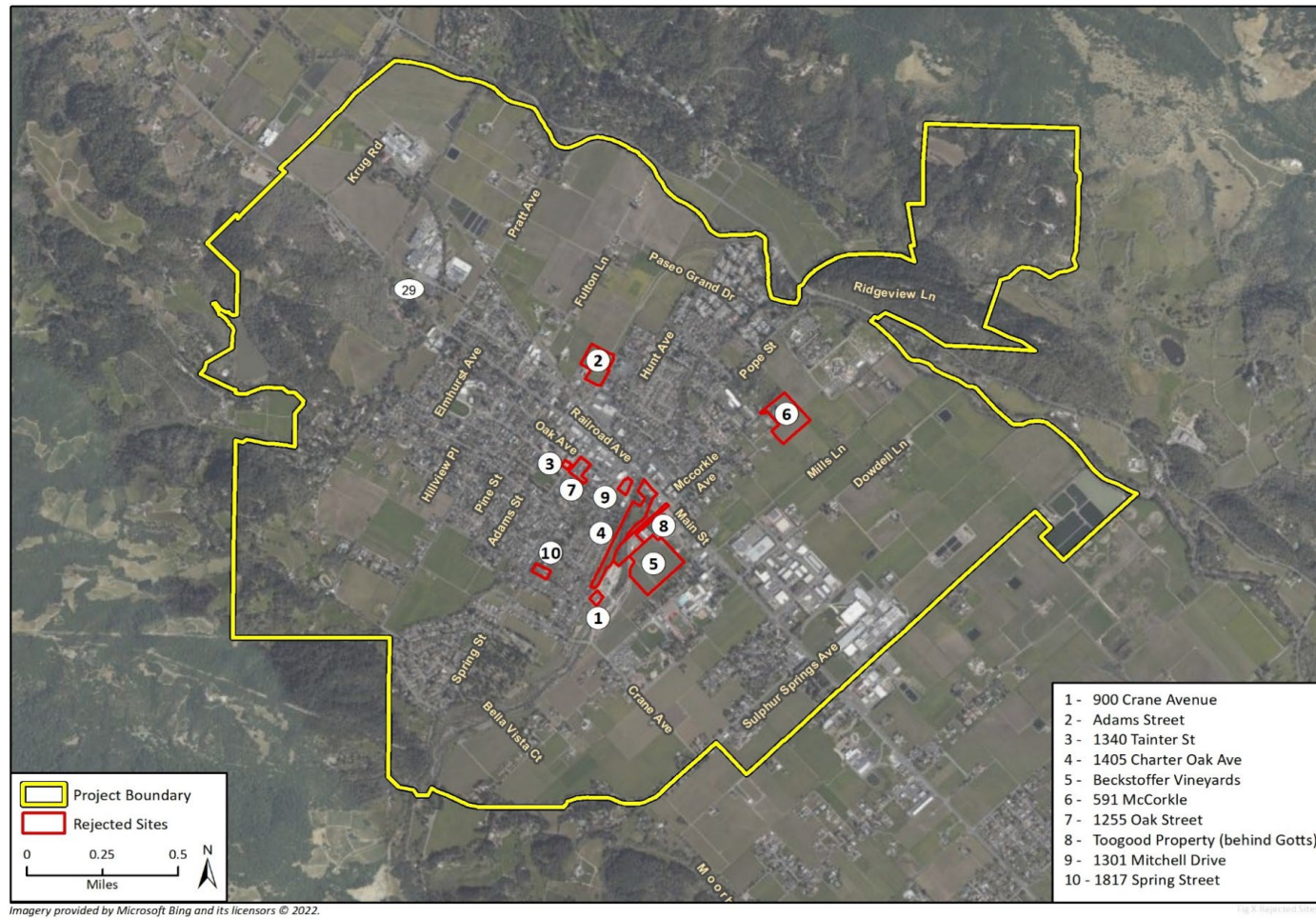


Figure 3 Sites Considered but Rejected



Site Inventory Tables

Table 13: St. Helena 6th Cycle Housing Element Preliminary Site Inventory

Site	Address or Street	APN	Acres	General Plan	Current Zoning	Proposed Zoning	Current Use	Minimum Density Allowed (du/ac)	Maximum Density Allowed (du/ac)	Realistic Allowable Density (du/ac)	Maximum Capacity	Assumed Capacity	Assumed Lower Income Capacity	Assumed Moderate Income Capacity	Assumed Above Moderate Income Capacity	Included in 5th Cycle HE	Capacity Assumption Notes	Notes	Community Workshop #2 Comments
1	1480 Main Street	009-211-016	0.8	Central Business and Public/Quasi-Public	Public/Quasi-Public	Mixed-Use	Fire Station and vacant structures	12	20	20	68	22	22	0	0	No	Site developable area assumed to be approximately 0.9 acres. Assumed 50% density bonus and 80 percent capacity. Will require General Plan and Zoning Amendments	This is a City-owned site and City goals are in line with residential redevelopment of a portion of the site. Will require General Plan and Rezone to Mixed Use.	
2	1572 Railroad Avenue	009-193-002	0.93	Public/Quasi-Public	Business and Professional Office	HR	Teen Center	16.1	26	26	48	30	30	0	0	No	Assumed 50% density bonus and 80 percent capacity	This is a City-owned site and City goals in line with residential redevelopment of the entire site. Will require General Plan and Rezone to High Density Residential.	
3	905 Main Street	009-180-008	0.27	Mixed-Use	Service Commercial	Mixed-Use	Vacant	12	20	20	5	5	0	0	5	No		Vacant and in a location prime for development along Main Street. Will require a Rezone to bring the zoning into consistency with the General Plan.	
4	Phelps property	009-660-005	1.8	Service Commercial	Service Commercial	HR	Vacant	16.1	26	20	47	36	36	0	0	No	Conservative estimate, used 20 du/acre instead of 26	Our Town St. Helena (OTSH) is in negotiations to purchase property for an affordable housing project. Their capacity analysis identified high density as an appropriate land use, so the site will require General Plan and Rezone	
5	709 and 741 McCorckle	009-100-031-032	1.8	MDR	MR	MR	Single-family residence	5.1	16	5.1	29	8	0	0	8	No	Conservative estimate, used 5.1 du/acre instead of 16	One property owner expressed interest in subdividing pursuant to SB9. Sites are both underutilized with single-family residences and large vacant space. Units were estimated based on SB9 regulations which could allow up 4 units maximum on each current lot.	Not feasible for high density as one of the property owners is looking to subdivide pursuant to SB9
6	821 Pope Street	009-503-001 009-070-043, 009-070-044, 009-070-045	1	HDR	HR	HR	Single-family residence	16.1	26	20	26	20	10	10	0	Yes	Conservative estimate, used 20 du/acre instead of 26	The site is currently zoned High Density Residential and it underutilized with one single-family residence and surrounding by existing high density residential development. Will require by right approval for projects with 20% affordable units since it was used in the previous housing element	
7	882 and 886 College Avenue	009-590-010 009-590-003	1.5	Public/Quasi-Public	A-20	HR	Vacant	16.1	26	20	39	30	30	0	0	No	Conservative estimate, used 20 du/acre instead of 26	These are vacant sites adjacent to areas of existing multi-family development. All sites are owned by a single property owner with interest in residential on these sites. Will require General Plan and Rezone	
8	1447 and 1515 Spring Street		2.4	HDR	HR	HR	Single-family residence	16.1	26	20	62	48	24	0	24	Yes	Conservative estimate, used 20 du/acre instead of 26	These parcels are currently zoned High Density Residential but are underutrzted with single-family residences and have opportunities to increase density. They will require by right approval for projects with 20% affordable units.	
9	Spring Street (between Hudson & Valley View)	009-441-023	4.4	MDR	MR	HR	Vineyard	16.1	26	20	114	88	44	44	0	Yes	Conservative estimate, used 20 du/acre instead of 26	This is a vacant/underutilized site with vineyards currently zoned for residential uses. Focus Group meetings showed interest in High Density Residential on the site in the form of town homes which would be compatible with surrounding neighborhoods. There has been recent property owner inquiry for residential development on the site. The site will require by right approval for projects with 20% affordable units and a General Plan and Rezone for HDR.	
10	1998 Spring Street	009-391-031	3.5	MDR	MR	MR	Single-family residences	5.1	16	5.1	56	17	0	0	17	No	Conservative estimate, used 5.1 du/acre instead of 16	This is a large underutilized site with potential for redevelopment or additional units/density added to the existing single-family residences.	Potential vineyard lease on site
11	601 Pope Street	009-502-011	2.9	HDR	HR	HR	Silverado Orchards Apartments	16.1	26	20	19	15	7	8	0	No	Conservative estimate, used 20 du/acre instead of 26 on the 0.75 acre portion of the site	The site is currently zoned for High Density Residential and has a large undeveloped portion of the site. The site has existing high density, supportive housing and is an opportunity site to expand the existing use or develop new housing	
Total												319	203	62	54				

Table 14: St. Helena 6th Cycle Housing Element: Sites Considered But Not Included

Address or Street	APN	Acres	General Plan	Current Zoning	Use and Reasoning for not Including
900 Crane Avenue	009-280-034	0.73	Industrial	Industrial	There are large PG&E transmission line that run through the center of the property, which may prevent residential development within the next 8 years. If housing is developed on-site, the units will still count towards the City's RHNA. The following policy is proposed for addition in the Housing Element Update to further incentive housing: Explore 900, 902 & 906 Crane Avenue as future housing sites (APNs 009-2800-034/038/039).
Adams Street	009-150-006	5.6	Central Business	Central Business	Future City priorities of the site are unknown at this time. Including this site as a Housing Opportunity Site in the Housing Element Update would require a General Plan Amendment and Rezone of the property to mixed-use or residential which could eliminate the possibility of using the site as a future City Hall location or for hotel development. In this process we want to identify sites that have the greatest probability of developing residential units during the 8 year Housing Element Cycle. Not including it as a Housing Opportunity Site in no way precludes residential development from occurring on the property in the future.
1340 Tainter St	009-231-004	0.6	Public/Quasi Public	Public/Quasi Public	Non-vacant Church owned site; no indication that the Church is willing to sell the property. The site would require a General Plan Amendment and Rezone. In addition, the site is currently developed with a number of structures that inhibit the development of housing near-term. The following policy is proposed for addition in the Housing Element Update: Prioritize underutilized and/or vacant church sites for future housing opportunities.
1405 Charter Oak Ave	009-180-012	4	Industrial	Industrial	City Corp Yard. HCD wants City's to consider feasibility of sites with environmental constraints, and this site is a challenging site that is located within flood zone.
Beckstoffer Vineyards	009-180-034	13.4	HDR	HR	Vineyards. The site is too large to meet State lower income unit assumptions (no sites greater than 10 acres), and the site would require infrastructure improvements such as utilities and roadway extensions which is likely not feasible during the next planning period. Furthermore, the property owner has given no indication that they are willing to sell the property.
591 McCorkle	009-070-003	7.9	MDR	MR	Single family residence. Used in previous housing element. Site not needed to meet above/moderate income unit numbers and would require roadway extensions and could create traffic issues due to site size.
1255 Oak Street	009-233-021	3	Public/Quasi-Public	PQP	Non-vacant Church owned site; no indication that the Church is willing to sell the property. Including this site would require a General Plan Amendment and Rezone. In addition, the site is currently developed with an existing use and structures that could be considered to inhibit the development of housing near-term. The following policy is proposed for addition in the Housing Element Update: Prioritize underutilized and/or vacant church sites for future housing opportunities.
Toogood Property (behind Gotts)	009-180-036	8	Industrial	Industrial	This is a challenging long and narrow parcel next to the creek that is in a designated flood zone. The Housing Element would need to provide an analysis of why the flood zone would not preclude development of housing near term. In addition, the site would require a General Plan Amendment and Rezone
1301 Mitchell Drive	009-263-005	1	Public/Quasi-Public	CB	This site is owned by PG&E and is used as a staging site. The site was remediated for hazardous materials and has a large access easement across it for access to an adjacent parcel. Furthermore, there is no indication that PG&E would sell the property.
1817 Spring Street	009-322-010	1.5	MDR	MR	The site was included in the 5th Cycle Housing Element and therefore would require by right rezoning for projects with 20% or more affordable units. Also, based on State law, the site would only meet above moderate income requirements for the inventory, which the City already has sufficient amounts of. We can include if needed.

Site 10: Spring Street between Hudson Avenue & Valley View Street (APN 009-441-023)**Table 54 Site 10 Summary**

Current Use	Vineyard
Parcel Size	4.4 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	114 units
Assumed Capacity and Income Category	44 Lower Income and 44 Moderate Income units

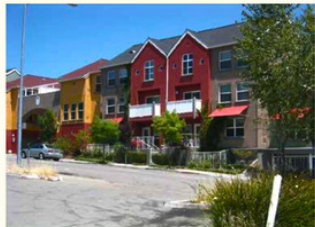
Site 10 is a 4.4-acre parcel located on Spring Street between Hudson Avenue and Valley View Street. Recent property owner interest in residential development of the site indicates opportunity for housing. Additionally, Focus Group meetings showed interest in High Density Residential uses on this residentially zoned parcel in the form of town homes, which is compatible with the surrounding residential neighborhoods. The site is considered underutilized as it has a residential land use designation but is currently used as vineyards. As previously discussed, the City has seen recent development of housing on properties with existing vineyards. Site 10 has greater development potential than the recently developed vineyard parcels since it is located on a residentially zoned parcel, while the 500 Mills Lane and 601 Fulton Lane projects were located on parcels with a land use and zoning designation of Agriculture and therefore are only allowed to develop one housing unit and one ADU per parcel. A General Plan Amendment and zoning change is proposed to change the zoning from Medium Density Residential to High Density Residential.

The entire 4.4-acre site is able to be redeveloped. Based on allowed density under High Density Residential, 114 units would be permitted. However, a total of 88 units, 44 lower income units and 44 moderate income units, is assumed in order to accommodate adequate off-street parking capacity. The site is currently underutilized and does not meet the maximum density allowed under the Medium Density Residential Zone (16 units/acre) or the minimum density allowed under the proposed land use change to High Density Residential (16.1 units/acre) with a current density of 0 units per acre. The site currently has no on-site development and would be allowed 45 percent lot coverage, or approximately 86,000 square feet of building footprints.

This site was included in the 5th Cycle Housing Element and is considered non-vacant, therefore requiring by-right approval for projects with at least 20% affordable units.

Residential Land Use

FIGURE 2.2: General Plan Land Use Menu

Land Use Category	Density/ Intensity	Examples		
Medium Density Residential (MDR): Single-family detached and attached homes, and secondary residential units.	5.1 to 16.0 dwelling units per acre			
Higher Density Residential (HDR): Single-family and multi-family housing, including apartments, townhouses and group homes.	16.1 to 28.0 dwelling units per acre			



ST. HELENA
General Plan Update 2040

Density Examples

Cottage Court

Cottages on Greene - East Greenwich, RI

Lot: 0.85 Acres

Number of Units: 15

Density: 17.7 du/ac



Townhouse



505 E. Bayshore - Redwood City, CA

Lot: 2.54 Acres

Number of Units: 56

Density: 22 du/ac

Density Examples

Multiplex - 27 units/acre

Lincoln Avenue Apartments - Calistoga, CA

Lot: 2.89 Acres

Number of Units: 78

Density: 27 du/ac



The Affordable Housing Pipeline



Does affordable housing drive down property values?



Research continuously shows that affordable housing has no negative impact on the price or frequency of sales of neighboring homes. Numerous studies over time from around the country support the general notion that affordable housing has no negative impact on surrounding property values – especially when it is thoroughly integrated into the neighborhood.

A 10-year housing study by Trulia looked at 20 of the most expensive housing markets in the country, nine of which are in California. The study found that in these high-priced markets, building affordable housing had no effect on surrounding homes. And in one market, homes

located near affordable housing experienced an increase in value.

With affordable housing developments often funded by Low Income Housing Tax Credits (LIHTC), a much more [in-depth analysis published in the Journal of Housing Economics](#) by a group of researchers throughout the U.S. drew similar conclusions.

Nationwide, there are [comparable findings in Nebraska](#) as well as a [study in Virginia featured on Bloomberg](#) showing that affordable housing doesn't cause nearby property values to decline. And, what happens when affordable housing opens in Orange County, CA? Crime goes down and surrounding property values go up, according to a [2022 study on the effects of affordable housing in Orange County](#) conducted by University of California Irvine's (UCI) [Livable Cities Lab \(LCL\)](#).

Research from The Center for Housing Policy on [how affordable housing impacts property values](#) reveals that the type of affordable housing matters less than the quality of the properties' design, management, and maintenance. That's possible because affordable housing development in many areas enhances the community by reclaiming run-down or abandoned property. Jamboree has transformed empty, weed-infested land, remnant parcels adjacent to freeway off-ramps, and even [converted blighted motels](#) into high quality, vibrant apartment communities that enhance a community's image.

Related articles

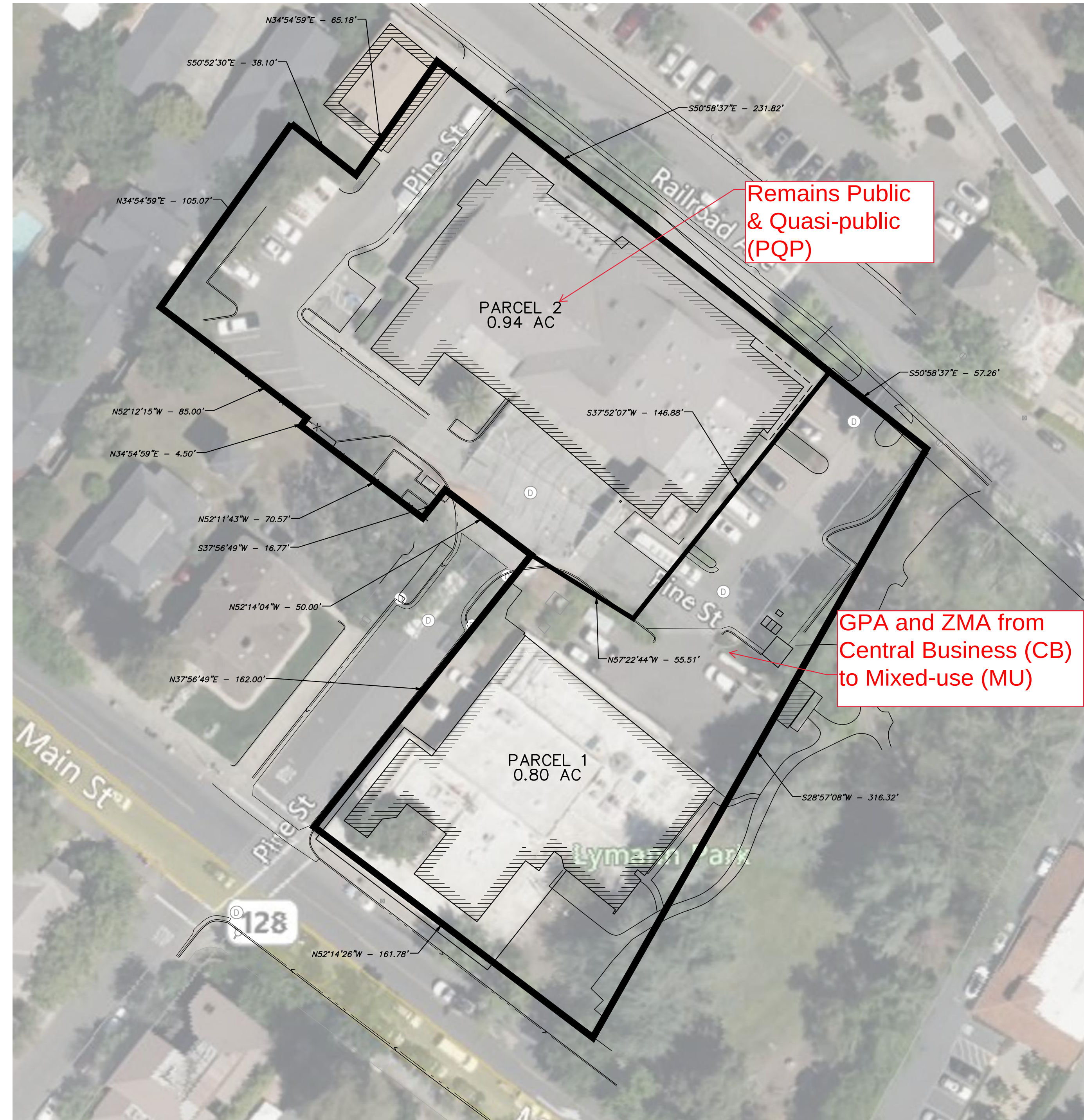
- [Is affordable housing poorly built?](#)
-
-
-

Discussed in this article: [Affordable housing](#), [Home values effect](#), [Property values](#)

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Name*

*FORMAL LOT SPLIT PENDING.



	MONUMENT FOUND AS NOTED
	SET 34" CP STAMPED LS 9265
	DIMENSION POINT, NOTHING FOUND OR SET
	BENCH-MARK
	WATER METER
	FIRE HYDRANT
	WATER VALVE BOX
	GAS SERVICE/CONNECTION
	IRRIGATION CONTROL VALVE
	SEWER CLEAN OUT/SEWER SERVICE
	HOSE BIB/WATER SERVICE
	STREET LIGHT
	DRAINAGE INLET (SQUARE)
	MANHOLE
	STORM MANHOLE
	SEWER MANHOLE
	ELECTRIC MANHOLE
	ELECTRIC CABINET
	UTILITY POLE
	GUY WIRE/POLE
	TELE/TV SERVICE
	ELECTRIC METER/SERVICE
	SUBJECT PROPERTY LINE
	OTHER PROPERTY LINE
	RIGHT-OF-WAY LINE
	OLD FILED MAP LINE
	TOP BACK OF CURB
	FLOW LINE
	EDGE OF PAVEMENT
	FENCE
	WATER LINE W/SIZE
	DRAIN LINE W/SIZE AND FLOW DIRECTION
	SEWER LINE W/SIZE AND FLOW DIRECTION

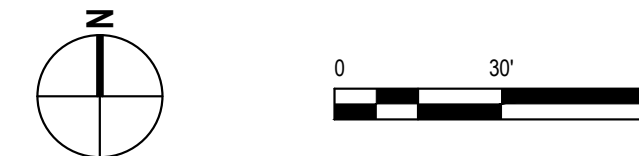
ORIGINAL PARCEL
OWNER: CITY OF ST HELENA
TITLE REPORT: OLD REPUBLIC NATIONAL TITLE - ORDER No. 2202074043-PL
SIZE: 1.74 AC
ZONING:
APN: 009-211-016

PROPOSED PARCELS

PARCEL 1:
SIZE: 0.80 AC

PARCEL 2
SIZE: 0.94 AC

AC	ASPHALTIC CONCRETE
CB	CATCH BASIN
CL	CENTERLINE
CO	CLEAN OUT
CON	CONCRETE
DI	DRAIN INLET
EL	ELEVATION
FH	FIRE HYDRANT
FL	FLOWLINE
GR	GRAVEL
GS	GROUND SHOT
INV	INVERT
MH	MANHOLE
RW	RIGHT OF WAY
SBL	SET BACK LINE
SD	STORM DRAIN
SS	SANITARY SEWER
TO	TOP OF CURB
TN	TOP OF PUMP
W	WATER
WM	WATER METER
RCB	REINFORCED CONCRETE BOX

[illegible]



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

Phelps Family Holdings, LLC
c/o Phelps Partnership
PO Box 9594
Rancho Santa Fe, CA 92067

March 20, 2024

Sent Via Certified Mail

NOTICE OF PROPOSED GENERAL PLAN AND ZONING MAP CHANGE

Re: Housing Element Opportunity Site #5 (APN 009-660-005) - Main Street between Mills Lane and Dowdell Lane.

GENERAL PLAN LAND USE CHANGE: Service Commercial (SC) to High Density Residential (HR)

ZONING MAP DESIGNATION CHANGE: Service Commercial (SC) to High Density Residential (HR)

Property Owner,

The Community Development Department of the City of St. Helena is hereby notifying you that the General Plan land use and zoning map designations of your property is changing as described above. The City's 6th Cycle 2023-2031 Housing Element was adopted in May 2023 and certified by the state in September 2023. Following adoption and certification of the Housing Element, the City is required to update the General Plan and zoning map to be consistent with the changes committed to in the Housing Element. As your property was identified as a Housing Opportunity Site requiring a General Plan and zoning map change to accommodate additional housing units, the City is now required by the state to make the changes described above. You can find more information on the City's 2023-2031 Housing Element by visiting the city webpage at www.cityofstheleena.org/; then click 'City Hall'; then click 'Community Development'; then click 'Planning Division'; then on the left side of the page select 'Housing Element Update (2023-2031)' where you will find a pdf of the adopted Housing Element and supporting documents.

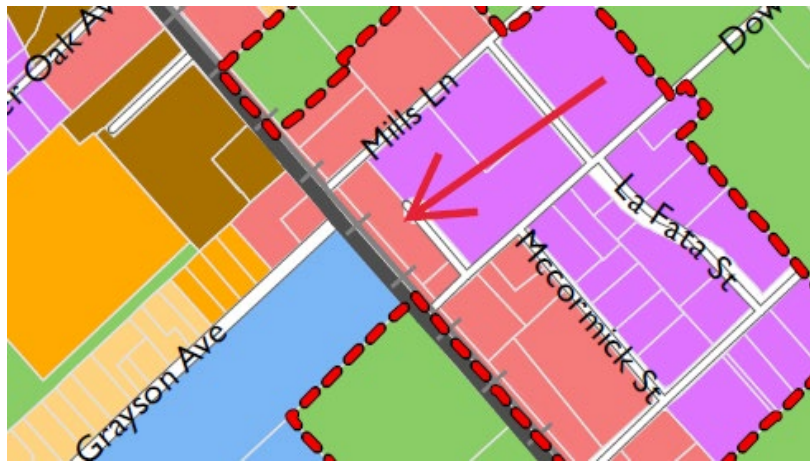
The Planning Commission of the City of St. Helena will hold a public hearing regarding these changes on **Tuesday, April 2, 2024 at 6 pm**, in Vintage Hall at 465 Main Street, in order to receive public comments on the General Plan and zoning map updates. Please contact me if you have any questions regarding this matter. I can be reached via email at ahcock@citystheleena.org or by phone at (707) 968-2747.

Sincerely,

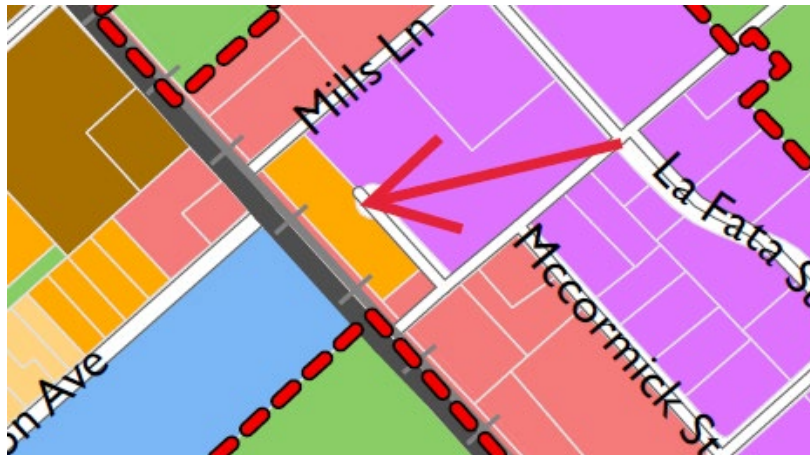


Aaron Hecock, AICP
Senior Planner
City of St Helena

Existing General Plan and zoning designation – Service Commercial (SC)



Proposed General Plan and zoning designation – High Density Residential (HR)





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

St. Helena Montessori School Inc.
880 College Avenue
St. Helena, CA 94574

March 20, 2024

Sent Via Certified Mail

NOTICE OF PROPOSED GENERAL PLAN AND ZONING MAP CHANGE

Re: Housing Element Opportunity Site #8 (APN 009-070-043, 044, 045) – 882 through 886 College Avenue.

GENERAL PLAN LAND USE CHANGE: Public and Quasi-public (PQP) to High Density Residential (HR)

ZONING MAP DESIGNATION CHANGE: Public and Quasi-public (PQP) to High Density Residential (HR)

Property Owner,

The Community Development Department of the City of St. Helena is hereby notifying you that the General Plan land use and zoning map designations of your property is changing as described above. The City's 6th Cycle 2023-2031 Housing Element was adopted in May 2023 and certified by the state in September 2023. Following adoption and certification of the Housing Element, the City is required to update the General Plan and zoning map to be consistent with the changes committed to in the Housing Element. As your property was identified as a Housing Opportunity Site requiring a General Plan and zoning map change to accommodate additional housing units, the City is now required by the state to make the changes described above. You can find more information on the City's 2023-2031 Housing Element by visiting the city webpage at www.cityofstheleena.org/; then click 'City Hall'; then click 'Community Development'; then click 'Planning Division'; then on the left side of the page select 'Housing Element Update (2023-2031)' where you will find a pdf of the adopted Housing Element and supporting documents.

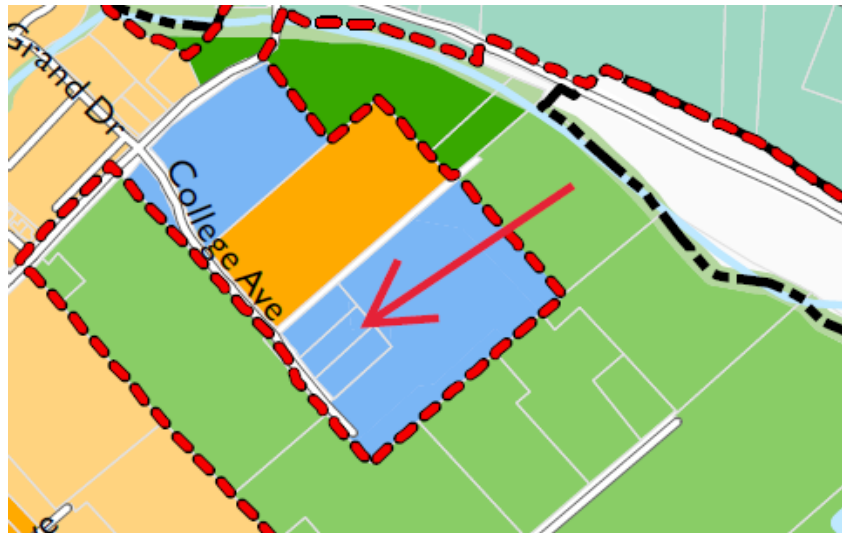
The Planning Commission of the City of St. Helena will hold a public hearing regarding these changes on **Tuesday, April 2, 2024 at 6 pm**, in Vintage Hall at 465 Main Street, in order to receive public comments on the General Plan and zoning map updates. Please contact me if you have any questions regarding this matter. I can be reached via email at ahecock@citystheleena.org or by phone at (707) 968-2747.

Sincerely,

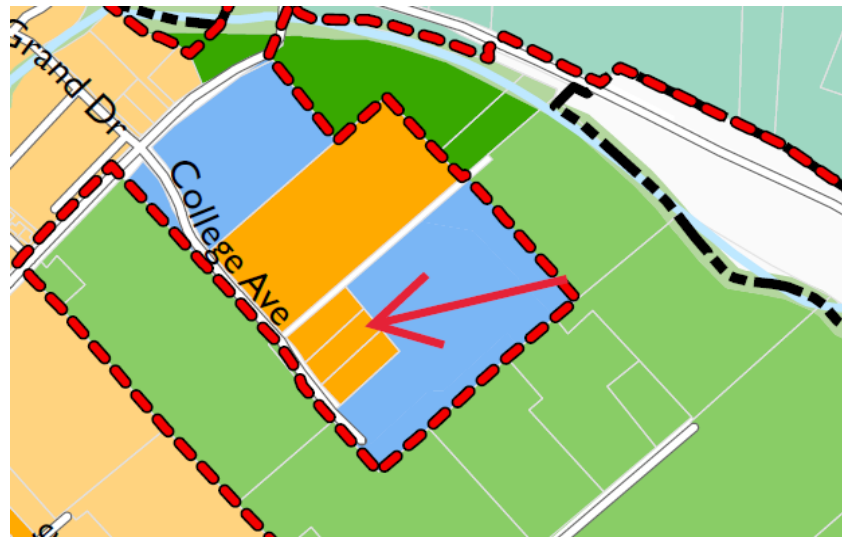


Aaron Hecock, AICP
Senior Planner
City of St Helena

Existing General Plan and zoning designation – Public and Quasi-public (PQP)



Proposed General Plan and zoning designation – High Density Residential (HR)





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

Janet Keene, ETAL
2112 Hounslow Drive
San Jose, CA 95131

March 20, 2024

Sent Via Certified Mail

NOTICE OF PROPOSED GENERAL PLAN AND ZONING MAP CHANGE

Re: Housing Element Opportunity Site #10 (APN 009-441-023) – Spring Street between Hudson Avenue and Valley View Street.

GENERAL PLAN LAND USE CHANGE: Medium Density Residential (MR) to High Density Residential (HR)

ZONING MAP DESIGNATION CHANGE: Medium Density Residential (MR) to High Density Residential (HR)

Property Owner,

The Community Development Department of the City of St. Helena is hereby notifying you that the General Plan land use and zoning map designations of your property is changing as described above. The City's 6th Cycle 2023-2031 Housing Element was adopted in May 2023 and certified by the state in September 2023. Following adoption and certification of the Housing Element, the City is required to update the General Plan and zoning map to be consistent with the changes committed to in the Housing Element. As your property was identified as a Housing Opportunity Site requiring a General Plan and zoning map change to accommodate additional housing units, the City is now required by the state to make the changes described above. You can find more information on the City's 2023-2031 Housing Element by visiting the city webpage at www.cityofstheleena.org/; then click 'City Hall'; then click 'Community Development'; then click 'Planning Division'; then on the left side of the page select 'Housing Element Update (2023-2031)' where you will find a pdf of the adopted Housing Element and supporting documents.

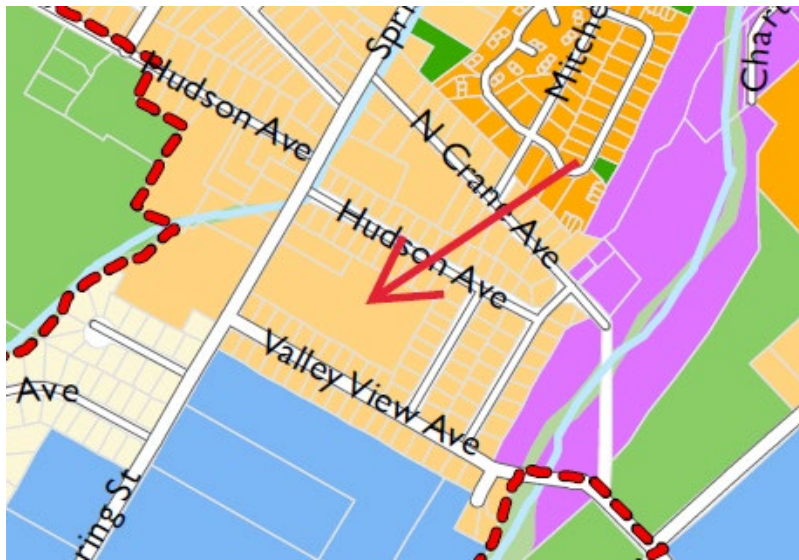
The Planning Commission of the City of St. Helena will hold a public hearing regarding these changes on **Tuesday, April 2, 2024 at 6 pm**, in Vintage Hall at 465 Main Street, in order to receive public comments on the General Plan and zoning map updates. Please contact me if you have any questions regarding this matter. I can be reached via email at ahecock@citystheleena.org or by phone at (707) 968-2747.

Sincerely,



Aaron Hecock, AICP
Senior Planner
City of St Helena

Existing General Plan and zoning designation – Medium Density Residential (MR)



Proposed General Plan and zoning designation – High Density Residential (HR)





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

1637 Spring Street LLC
PO Box 539
St. Helena, CA 94574

March 20, 2024

Sent Via Certified Mail

NOTICE OF PROPOSED GENERAL PLAN AND ZONING MAP CHANGE

Re: Housing Element Opportunity Site #11 (APN 009-600-018) – 1637 Spring Street.

GENERAL PLAN LAND USE CHANGE: Medium Density Residential (MR) to High Density Residential (HR)

ZONING MAP DESIGNATION CHANGE: Medium Density Residential (MR) to High Density Residential (HR)

Property Owner,

The Community Development Department of the City of St. Helena is hereby notifying you that the General Plan land use and zoning map designations of your property is changing as described above. The City's 6th Cycle 2023-2031 Housing Element was adopted in May 2023 and certified by the state in September 2023. Following adoption and certification of the Housing Element, the City is required to update the General Plan and zoning map to be consistent with the changes committed to in the Housing Element. As your property was identified as a Housing Opportunity Site requiring a General Plan and zoning map change to accommodate additional housing units, the City is now required by the state to make the changes described above. You can find more information on the City's 2023-2031 Housing Element by visiting the city webpage at www.cityofstheleena.org/; then click 'City Hall'; then click 'Community Development'; then click 'Planning Division'; then on the left side of the page select 'Housing Element Update (2023-2031)' where you will find a pdf of the adopted Housing Element and supporting documents.

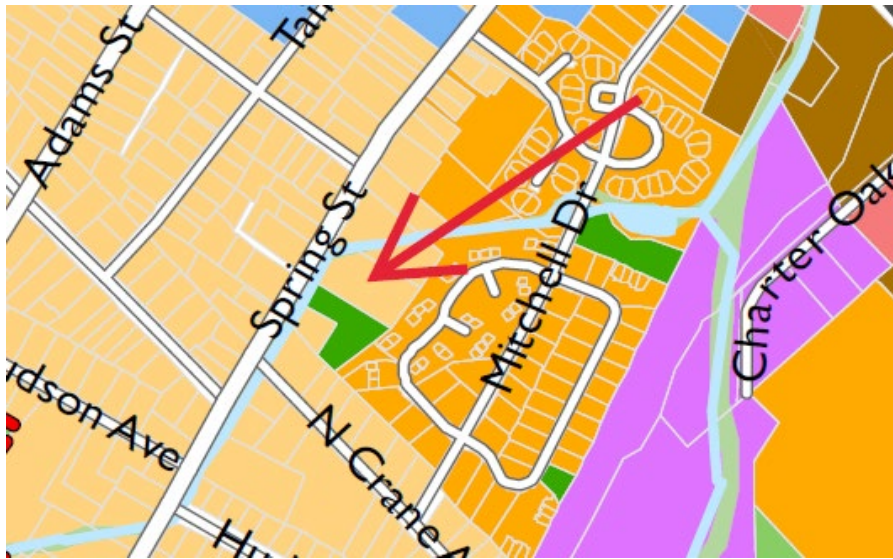
The Planning Commission of the City of St. Helena will hold a public hearing regarding these changes on **Tuesday, April 2, 2024 at 6 pm**, in Vintage Hall at 465 Main Street, in order to receive public comments on the General Plan and zoning map updates. Please contact me if you have any questions regarding this matter. I can be reached via email at ahcock@citystheleena.org or by phone at (707) 968-2747.

Sincerely,



Aaron Hecock, AICP
Senior Planner
City of St Helena

Existing General Plan and zoning designation – Medium Density Residential (MR)



Proposed General Plan and zoning designation – High Density Residential (HR)



RESPONSE TO WRITTEN COMMENTS SUMMARY: APRIL 2, 2024 PLANNING COMMISSION

TOPIC AREA	QUESTION	RESPONSE
Site #10 Development	Could Site #10 develop different than described in the Housing Element?	Property owners of opportunity sites maintain complete control over whether or not their site develops and how it develops in the future irrespective of zoning changes. There are currently no legislative or other means to compel a private property owner in this process, meaning the City can't force or otherwise require that they build housing or require that the housing be built to a specific density. If the site is rezoned to High Density Residential, a developer could develop the site at any density range between 16.1 and 28 dwelling units per acre.
Site Selection	1) What other options were considered that might be a better fit and impact fewer homeowners in the community? 2) It is surprising that such a project is not proposed for the east side since that is where all the services are (Safeway, pharmacy, gas etc.) and would limit traffic immensely versus this large amount of new residents having to cross the highway for everything.	1) Vacant and underutilized sites throughout the city were considered as potential for housing development (see the Preliminary Site Inventory attached to the staff report for more information (Attachment 11)). Site selection for the residential site inventory started with City owned sites where residential development is in line with short-term City goals, then vacant and nonvacant sites zoned for residential use, and lastly sites that could be rezoned to accommodate residential development or residential development at a higher density. Several constraints were considered for each site, including environmental concerns, utility or infrastructure access, feasibility of redevelopment during the next planning period, and realistic capacity assumptions. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores. 2) Many of the Housing Opportunity Sites are located on the east side of town, however, the state recognizes that residents with low and moderate incomes are concentrated in the eastern portion of the City. The state of California has strict requirements for what can and can't be included as a housing opportunity site and the City is required to meet Affirmatively Furthering Fair Housing (AFFH) mandates aimed at overcoming patterns of segregation and fostering inclusive communities free from barriers that restrict access to opportunity. Several policies in the City's adopted Housing Element require that the City promote and incentivize housing in the western portion of the City to comply with AFFH including Policies H-A, H-N, H-V and H-00. Specifically, Program H-A requires 82 lower income units in the western portion of the City, which Site 10 helps fulfill.

Traffic (increase, safety, parking, infrastructure)	Has a traffic study been completed for impacts related to development on Site #10?	Individual project's environmental impacts will be addressed on a case by case basis as they are submitted (as applicable). In considering the potential environmental impacts of the Housing Element update, the City determined that the Final Environmental Impact Report (EIR) certified for the 2040 General Plan update is of continuing informational value. The EIR estimated new development for residential, commercial, office, industrial, hospital and hotel uses throughout the city and sphere of influence and evaluated the potential environmental impacts associated with an estimated total buildout of 400 new dwelling units. The City also determined that the potential environmental impacts of the Housing Element update (including the RHNA assignment of 256 units) are within the scope of the previously certified Final EIR and that none of the conditions requiring subsequent or supplemental environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15162 exist. Based on the information and analysis provided in the EIR Addendum, the City determined that only minor or technical changes to the previously certified Final EIR were necessary and that that preparation of an Addendum (Attachment 20) pursuant to CEQA Guidelines Section 15164 was appropriate. The proposed updates to the General Plan Land Use Map and Zoning Map are solely intended to bring the General Plan and Zoning Map into conformance with the adopted Housing Element and are consistent with the changes analyzed in the EIR Addendum.
Property Values	How will the city make up for losses in property values related to the development of Site #10?	Designating sites as suitable for housing falls within the City's authority to regulate land uses. Pursuant to state law, the City can change the land use designation or zoning for a property as long as it doesn't violate some other law or legal requirement (e.g., inverse condemnation). Contrary to some public opinion, research has shown that affordable housing has no negative impact on the price or frequency of sales of neighboring homes (see Attachment 14 to the staff report).

Utilities (water, sewer, etc.)	What is the plan to address impacts to water and sewer given the high number of units proposed by these changes?	Please refer to the response to traffic issues above, to Section 3.14 (Utilities and Service Systems) of the General Plan EIR available on the City's website, and to EIR Addendum (Attachment 20) Section 6.14 (Utilities and Service Systems) for more information related to this question. The City's Water Neutral Policy for Development ensures that future water demand does not exceed the current demand, for which the City has sufficient entitlements and resources. New development must offset any new water demand with water conservation retrofits or in-lieu payments for the City to conduct retrofits of existing facilities or homes. The City plans to increase the wastewater treatment plant permitted capacity from 0.5 million gallons per day to 0.65 million gallons per day by 2030, which would have sufficient capacity to accommodate buildout under the General Plan. The City is not requiring that any units be built. As required by the state of California, we are demonstrating that we have the capacity to accommodate our Regional Housing Needs Allocation (RHNA).
Fire (safety, evacuation, home insurance)	The development of Site #10 will require a second point of egress separate from Spring Street to accommodate emergency service vehicles as well as for general distribution of residential and service related vehicle trips.	Any proposed development on Site #10 will be evaluated to ensure compliance with state and local laws. The City has an adopted Safety Element that describes evacuation routes within the City. Fire safety/evacuation improvements are continually be discussed and analyzed.
Missed HCD Deadlines	Why did the City fail to meet HCD's Housing Element Deadlines?	HCD's deadline for an adopted and certified Housing Element was May 31, 2023 (120 days after January 31, 2023). The City submitted its first draft of the Housing Element to HCD on September 20, 2022 leaving time for revisions, adoption and certification prior to HCD's deadline. The City ended up receiving three rounds of comments from HCD (from a different reviewer each time). Coupled with HCD's lengthy review times, comments and required revisions changed throughout the process making it impossible to meet required deadlines. The City of St. Helena is not alone in this experience, it has happened to countless cities and counties all over the state including the fact that no jurisdiction in Napa County had a certified Housing Element prior to the May 31, 2023 deadline.
RESPONSE TO ORAL COMMENTS SUMMARY: APRIL 2, 2024 PLANNING COMMISSION		
Default Density	Is the minimum default density of 20 units/acre mandatory?	Yes. The state requires that a site be able to accommodate a density of 20 units/acre in order to qualify for low-income units to meet the City's RHNA obligation. Only High Density Residential and Mixed-Use zoning designations can accommodate this density, therefore, only these zoning designations can be used for low-income units to meet the City's RHNA obligation.

Number of Affordable Units in the City	How many affordable units does the City currently have out of the 256 required?	The City's 256 unit RHNA obligation is for the 6 th Cycle Housing Element which is for the years 2023-2031. Any units constructed outside this time period do not qualify towards the current 256 unit allocation. No affordable units have been constructed since the 6 th Cycle begun in 2023.
Site #10 Vacant and Underutilized	How is a farmed site considered vacant and underutilized?	For the purposes of the Housing Element, Site #10 is not considered vacant as it is currently a vineyard. However, the site is considered underutilized as it has been designated for residential uses for decades but is still used as a vineyard.
View Changes	How would backyard views change if Site #10 is developed?	Site #10 has been designated for residential uses since the 1975 General Plan and has been zoned Medium Density Residential since the early 1990s; it is not a protected vineyard and has been available for development for decades. Attachment #13 to the staff report shows several different density visualizations from other cities that provide example of how development on the site could look.
Challenge RHNA Number	Why is the City not challenging the ABAG Regional Housing Needs Allocation?	The City raised concerns and objections to its RHNA numbers on two separate occasions (see Attachments 9 and 10 to the staff report). The City expressed concerns about strains on infrastructure and the costs associated with those, the appropriateness of "high-rise" residential development, fire threats in our surrounding hillsides, and more. Despite these facts, the Association of Bay Area Governments (ABAG) rejected the City's request.
May 2023 Meeting Notification	Why were we not notified of the May 2023 Planning Commission and City Council meetings?	For noticing in which the number of property owners who would be sent a public hearing notice is greater than 1,000 (i.e., General Plan Amendments such as the Housing Element), only a notice in the newspaper is required. No General Plan or zoning designations were changed with adoption of the Housing Element. For General Plan Amendments and rezonings that change the land use designation of specific properties, including applicant initiated amendments, notifying all neighbors within 300 feet of that/those specific properties is required.

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Tuesday, February 27, 2024 9:14 AM
To: Xinia Gamero
Subject: FW: [External] Public Comment, Planning Commission, Item 5.3 (March 5, 2024)

-----Original Message-----

From: agalbraith94574@gmail.com <agalbraith94574@gmail.com>
Sent: Monday, February 26, 2024 10:26 PM
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Subject: [External] Public Comment, Planning Commission, Item 5.3 (March 5, 2024)

As was established by LAFCO, and confirmed by John Tuteur, and to my stunning surprise, the land in and around Bell Canyon is within City Limits (and not in the County). The updated zoning map should clearly so reflect, as indeed was promised to me by the City some years back. Alan Galbraith, St. Helena Mayor, 2014-18.

Sent from my iPhone

Xinia Gamero

From: LAURA KEIR <lkeir@me.com>
Sent: Friday, March 1, 2024 11:21 AM
To: Public Comment
Subject: [External] Spring Street Rezone

Hello

It's my understanding that with the new laws in California we are not able to consider lack of parking and traffic and water issues in issuing permits to build. To even consider the properties on Spring street for high density is negligent by the city council. The school traffic alone should have been considered along with the "Cut-through" traffic avoiding Hwy 29.

It appears we have no say nor choice in our city development.

It will be interesting to see what developers benefit from this rezone! Since Site 10 is for sale and was when put on the list!

Thanks,
Laura Keir

From: [debra lunardini](#)
To: [Public Comment](#)
Subject: [External] Planning commission: Zoning Map amendment Site 10
Date: Saturday, March 2, 2024 10:03:17 PM

Re: Planning commission: Zoning Map amendment Site 10 change from Medium Density Residential to High Density Residential.

My name is Debra Lunardini.

Being a third generation Californian born in San Francisco, I grew up with Napa Valley as my backyard. I've spent much of my life visiting the valley as a child and as an adult. It was always a treat to get out of the city and spend time with family and friends in the wine country.

Ten years ago I was able to accomplish a lifelong dream and purchase a small 2 bedroom, 1 and 1/2 bath mid century track home in Saint Helena located at 2081 Spring Street. When I saw this house it was quite plain but had a beautiful view across the street of a vineyard, barn and water tower and was next door to a 150 year old 'Old Vine' Zinfandel vineyard. It was idyllic. The peace and quiet of living in this beautiful country setting was something I had always dreamed of. It was what originally brought me to St Helena.

I personally designed every detail of every inch of this home. Completely remodelling it using Saint Helena contractors and sourcing all materials locally. Over several years of hard work I created my dream house. I'm an upstanding citizen and an avid believer of shopping at small locally owned businesses and purchase everything I possibly can from our local shops.

When I purchased the house my real estate agent explained that 'vrbo' was not allowed. I was pleased to hear this as I had no intention of having strangers renting my home and was relieved to know that this quiet, peaceful single family residential neighborhood would remain the same.

I completely understand that things can change. I also understand the need for affordable housing is important. However changing this to a high density site while proposing an 88 unit monstrosity, on a little over 4 acres is completely out of character with the existing surrounding neighborhood. I know this is quite a difficult balancing act, however these high density proposals would be detrimental and change the character of our local community and ultimately make our city less desirable as a tourist destination.

Sincerely,

Debra Lunardini

Hello,

I am a partial owner along with my three siblings of site #10 of the housing element which is a vineyard located on Spring St. between Valley View and Hudson Street. We also own the residence located at 1933 Spring Street adjacent to the vineyard. Both are currently up for sale. We are adamantly opposed to the "upzoning" of the vineyard property to high density residential. As owners we have not received any public notifications addressed to us regarding this proposal. Even with this meeting on the calendar we still haven't received any notification to us as the owners. We only found out about this through word of mouth. Is this normal to upzone and aggressively devalue a property without even contacting the owner?? Seems anything but transparent.

We have owned this property for over ninety years. In the 1950's a portion of the property was sold by our family with the intention of it being developed as the current day Valley View subdivision. In that 91 years we have seen the property rezoned from AG to low density then to Medium Density. We did not contest any of those changes as they seemed appropriate for future development. We have done our part in rezoning and selling property for development in this community. Now the move to High Density, which greatly reduces the value of the property from a development aspect is not acceptable to us. Are we to assume this is a thank you for our 91 years of excellent stewardship of the land?

I see there are additional sites available in the community i.e. Adams St. by the library and Bank of America property just to point out a couple. Of all the sites selected #10 has more single family homes attached to the property line than all of the other sites combined! As a matter of fact, there are vineyards within a 500-yard radius of site #10 that have little to no neighboring homes that were not included. No vineyards between White Sulfur Springs Rd. and Grayson Avenue were selected at all.

It appears this site was selected as a result of ease and convenience and not for being feasible or realistic. We inquired as to why it was selected but there was no concrete answer given. We agree with medium density zoning as it is applicable to style and the needs of the neighborhood and the community. This is why we never contested it. Now that we are just finding out about this request, we have been told by city staff that the Planning Commission will sign it and the City Council will follow suit. We hope this public comment isn't just for show as we would have voiced our concerns earlier and advocated for our property, but we never solicited for our input. Seems as if this was done behind the scenes and everybody's mind is made up without input from the people that own the property or those directly affected.

Additionally, the city placed the residence at 1933 Spring St. (adjacent to site #10) in the historic overlay. As I understand it all modifications to the house are discretionary as the historic overlay designation will "preserve the character" of the neighborhood. So how is a high-density development (potentially three-story apartments) directly next to the historic home preserving the character of neighborhood or the historic home? I also noticed this week a house exactly like ours located at the corner of Fir Hill and Madrona Ave. which I believe was built by the same builder during the same era and looked the same as ours was bulldozed. Why is it that some people in this community can level their historic home to the ground and others need discretion to do anything to it? Once again, I can't begin to understand the thought process or rationale with that decision only to go back to site #10 being selected as a means of ease and convenience. In short,

the city committed property to the state via the housing element but failed to do their due diligence in receiving input from the people affected the most by the decision.

I looked back at previous meetings regarding the issue that we were never made aware of as well and I see that there were no comments received opposing the matter. Please ask yourself in all honesty, in a city like ours, if 30 plus homes/homeowners were aware that the city was wanting to make their vineyard view into multi-family housing for rent that someone would have commented **if** the public notification process was working. I know we would have been there.

I thank you and appreciate your time and consideration in the matter.

Respectfully Submitted,

Mike Quaglia, Janet Keene,
Cynthia Quaglia, Debra Mills

Xinia Gamero

From: Linda Reiff <lreiff@comcast.net>
Sent: Monday, March 4, 2024 1:08 PM
To: Public Comment; cityclerk; Maya DeRosa; Planning Commission
Subject: [External] Public Comment on Planning Commission March 5 2024 Agenda Item 5.3

Dear Planning Department and Commissioners,

I am the owner of the property directly across the street from 1933 Spring and its vineyard, which apparently you are considering re-zoning to high-density housing.

I did not receive any notice from the city on this matter and I have not found any other neighbors of the property who were given notice either. Isn't this required?

The property you are considering is in agriculture which is considered a core community value. The city apparently recently rezoned it to medium density housing and now wants to make it high density housing which would severely impact the agrarian nature of the neighborhood. Why did you not engage with the neighbors on this matter before even considering such a thing?

While I understand the city is under pressure from the state to approve more housing, this is not the location where it should be done. The traffic impacts alone would be substantial and given this is the route to two of our public schools, it would be dangerous for children.

I respectfully ask that you not re-zone the property and instead engage with all neighbors about the future of the site. Thank you for your consideration.

Sincerely,
Linda Reiff

Xinia Gamero

From: Carolina S. Centola <carolschoof.centola@gmail.com>
Sent: Monday, March 4, 2024 2:05 PM
To: Public Comment
Subject: [External] 1933 Spring

I hereby oppose to re-zoning 1933 Spring St. to build 88 units.
It will be a total disrupt to town, traffic and safety for our kids.

Kind regards,

CSC

Xinia Gamero

From: Hilary Wayne <hilarymwayne@gmail.com>
Sent: Monday, March 4, 2024 2:12 PM
To: Public Comment
Subject: [External] Re-zoning in St. Helena

Hi there,

I'm writing in to oppose the re-zoning at 1933 Spring Street in St. Helena. This is not an ideal location for many reasons. The traffic and congestion alone in the towns thoroughfare would be incredibly disruptive to this community. I am in favor of high density development in out town but this location is terrible. This would really negatively impact the neighborhood and should be stopped.

Thank you.

Hilary Wayne
St. Helena resident

Sent from my iPhone

Good evening Saint Helena City Council,

My name is Stefano Particelli. I am a 3rd generation resident of Saint Helena. My family has owned and operated a business here since 1960. I stand before you with regret and shock to learn of the planning commission's proposal to rezone the residential areas of site 10 and 11 from medium density to high density.

I have had the pleasure of raising my three sons, Dante, Luca and Marco in my hometown. Our home is located on Hudson Avenue and for the past eight years, I have watched my children play in a backyard privileged with a vineyard view, ride their bikes around the block freely with little worry of traffic congestion and safety. This is what I did when I was a child. It is the only town I know.

When we purchased our home, we understood the possibility of development in a medium density zone, not high-density apartment buildings. There are nearly 90 family homes that would be directly and negatively impacted by this zoning change. Of the high-density sites identified in the housing element, this one has more homes around it than all of the other sites combined.

There are many reasons you should vote against this proposal.

I'm here to ask for your consideration in preserving the best parts of our community by finding an alternative high density housing solution.

Thank you.

Xinia Gamero

From: Ian Devereux White <ian@smithdevereux.com>
Sent: Monday, March 4, 2024 3:13 PM
To: Public Comment
Subject: [External] OPPOSITION: GPA 2024-001 / ZMA 2024-001

Hello,

I am writing in STRONG opposition to the zoning request at tomorrow nights meeting where the vineyard space between Valley View and Hudson would be approved for development. That area already has traffic and safety issues as it's where all the kids and families travel to school and our infrastructure is maxed out as it is in what is a wonderful small community.

Please do not allow this to happen to our community.

Thank you,
Ian White
Father, coach, resident
1365 Sylvaner Ave
ST. Helena CA 94574

Xinia Gamero

From: Tina DeGeorgio <tinadegeorgio@gmail.com>
Sent: Monday, March 4, 2024 3:47 PM
To: Public Comment
Subject: [External] Opposed - Saint Helena Rezoning (Spring Street/Valley View)
Importance: High

Dear Planning Commission,

We are so stressed out when we heard about the proposal for rezoning the subject property. This proposal will negatively impact all of our property and neighboring properties. My immediate concerns are as follows:

- 1. Devaluing our property and our neighborhood properties,*
- 2. Tranquility of our neighborhood will be interrupted greatly,*
- 3. Increased traffic - The traffic is already so busy especially during rush hour. The additional 88 plus households will add hundreds of additional vehicles traveling in our neighborhood plus more trucks and school buses. The area roads were not developed for such high density traffic.*
- 4. Safety - St. Helena will be transformed from the small town special place, that we have preserved for years, to a mini San Francisco.*
- 5. Privacy - our property's back door is facing the vineyard with no obstructed view of the vineyard. With this proposed rezoning it will definitely put our property in the same low income housing category.*
- 6. St. Helena will be forever transformed. Our City is rich in history and tradition. This needs to be protected not squandered. Vineyards are the backbone of St. Helena, removing this vineyard is destroying our city. Rezoning will destroy the lifeblood of our city. We cannot erode our precious farmland.*
- 7. Vineyards need to be protected not removed. We are a land locked city, we cannot make more land, or vineyards, once removed it cannot be replaced. Save our vineyard!*

Thank you in advance for hearing our concerns. We are always available to discuss this important issue by phone at 713.859.5981, or in person.

Thank you,

*Thomas and Tina DeGeorgio
 1180 Valley View Street
 St. Helena, CA.*

Xinia Gamero

From: Stefan Blicher <stefan@bpwine.com>
Sent: Monday, March 4, 2024 3:51 PM
To: Public Comment
Subject: [External] Spring St. High density plan

Hello, Stockton St. residents here- my comment about the proposed plan is that this would be a dangerous and expensive mistake. Too much traffic (all parents and children) already exists due to the school proximity- this high density plan would exacerbate this situation tenfold. Spring St is not the place for so many units at once, and the city has other relatively unused properties (Library ?) Vote no!

Stefan Blicher

Sent from my iPhone

Xinia Gamero

From: Joanne Blicher <joanneblicher@icloud.com>
Sent: Monday, March 4, 2024 3:59 PM
To: Public Comment
Subject: [External] 1933 Spring

I am writing to oppose the proposed high density development the city is discussing. We are located at 1243 Stockton and already have so much school traffic on this small street. Not safe to add even more. I am sure there are better locations that you could consider. I am voting please don't or no!

Joanne Blicher
Sent from my iPhone

Xinia Gamero

From: Herta Peju <hpeju@peju.com>
Sent: Monday, March 4, 2024 4:24 PM
To: Public Comment
Subject: [External] DEVELOPMENT VALLEY VIEW AND HUDSON - OPPOSE RE-ZONING

Respectfully to the City of St Helena, I'm writing to you
So that you consider carefully the consequences of allowing this large housing development
At this particular address, so close to the St Helena Elementary School and others.
Imagine the traffic created by such a density housing I'm sure you are aware.

Our children and Grandchildren (who live on Sylvaner) walk this are freely and will not be able to do any
longer.
This will change the character of the small town feel of this unique community.
I urge to vote NO.

Thank you.
HB

Herta Behensky Peju
PEJU Province Winery and Vineyards
8466 st Helena Hwy - p o box 478
Rutherford (Napa Valley) Ca. 94573
Peju.com
Calmereestate.com

M: 707 480 5195
O: 707 963 3600

Xinia Gamero

From: Ana Canales <anacanales@me.com>
Sent: Monday, March 4, 2024 5:43 PM
To: Public Comment
Subject: [External] Rezoning of 1933 Spring Street

Dear Members of the Planning Commission:

We request that you do not approve the above listed address for high density zoning. Unlike the other high density complexes in town, this is not at end of a street but rather in the middle of a busy thoroughfare. This location will adversely affect traffic patters to both the high school and primary school.

Certainly medium density zoning for this lot would be more appropriate.

Thank you for your consideration.

Ana Canales and Bruce Streblow
1219 Stockton Street, SH
Sent from my iPhone

Xinia Gamero

From: Lily Cronwall <llcronwall@gmail.com>
Sent: Monday, March 4, 2024 6:48 PM
To: Public Comment
Subject: [External] 1933 Spring Street

While we need additional housing in this small unique town, a large high density development doesn't belong in this single family neighborhood. Please reconsider how this change will impact the current community.
Sent from my iPhone

Xinia Gamero

From: Kimberly Labry <kimlabry@gmail.com>
Sent: Monday, March 4, 2024 8:18 PM
To: Public Comment
Subject: [External] Concerns of 1933 Spring Street

To the Planing Commission-

I am a resident of Napa Valley and my daughter attends school in St Helena. We were made aware of the potential build of a high density housing complex at 1933 Spring Street and it is of huge concern for my family and the community. It would negatively impact the community with increased traffic and cars- and put risk to our children and the small community we all call home.

We oppose this happening and would hope the planning commission will take the comments of the residents into account when evaluating this.

Kimberly Labry
916-759-6288

Xinia Gamero

From: Lisa Empting <miata1_212@msn.com>
Sent: Monday, March 4, 2024 9:10 PM
To: Public Comment
Subject: [External] Rezoning

Hello,

I am writing to you because I oppose the rezoning at 1933 Spring Street between Hudson Ave and Valley View. We live across the street and never received anything from the city on this matter. This area is already a very high traffic area, as locals use it as a back road to and from school and work. Also, many children use it to bike/walk to school and activities. I have three small children and have concerns of all the current traffic. Turning this area into high density would deeply affect Saint Helena residents, negatively. Not to mention, loosing agriculture, the core of our community.

I kindly ask for your consideration to find an alternate place to rezone for high density. Perhaps an area that is not so heavily populated and an are that doesn't already have existing heavy traffic.

Many thanks for considering the safety of our children in this small community.

Thank you.

City of Saint Helena Planning Commission

Regular Meeting Tuesday, March 5, 2024 @ 6PM
Vintage Hall Board Room – Second Floor
465 Main Street, Saint Helena

David Prueter

1118 Valley View Street, Saint Helena
davidprueter@yahoo.com
330-206-0094

March 4, 2024

Dear Saint Helena Planning Commission:

I write regarding Public Hearing Agenda Item 5.3 of the City of Saint Helena Planning Commission Regular Meeting scheduled for Tuesday March 5, 2024.

Agenda Item 5.3 includes a Staff recommendation that the Planning Commission adopt a resolution recommending that the St. Helena City Council: “Adopt an Ordinance approving an Amendment to the General Plan (GPA 2024-001) Updating General Plan Figure 2.1 and Adopt a Zoning Map Amendment (ZMA 2024-001) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Map.”

The Planning Commission’s adoption of the proposed resolution would violate the Public Hearing Notice Requirement of the Saint Helena Municipal Code and the California Government Code.

Title 17 of the Saint Helena Municipal Code (hereinafter “Zoning Code”) provides that Amendments to the General Plan require a properly noticed public hearing in compliance with Section 17.04.080 of the Zoning Code (hereinafter “Public Hearing Notice Requirement”). (See Zoning Code 17.06.040). Likewise, amendments to the Zoning Map and text require a properly noticed public hearing in compliance with the Public Hearing Notice Requirement. (See Zoning Code 17.07.060).

The Public Hearing Notice Requirement provides, in relevant part:

Notice shall be given by the following, except as provided below in subsection C, Special Provisions:

- a. Mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site.

(Zoning Code 17.04.080). (See Addendum to this letter regarding subsection C, Special Provisions of the Public Hearing Notice Requirement).

GPA 2024-001 is an amendment to the General Plan and therefore requires a mailed notice under 17.04.080 of the Zoning Code. ZMA 2024-001 is a Zoning Map Amendment and therefore requires a mailed notice under 17.04.080 of the Zoning Code. On information and belief, the city failed to provide proper notice according to the Public Hearing Notice Requirement in the form of mailed notice to the applicant,

the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site.

For at least the foregoing reasons, the Planning Commission's approval of the proposed resolution would violate the Public Hearing Notice Requirement of the Saint Helena Municipal Code. For at least the same or similar reasons, the Planning Commission's approval of the proposed resolution would violate California state law. (See *e.g.*, Ca. Gov. Code §§ 65853, 65854, 65091). Accordingly, I respectfully request that the Planning Commission deny adoption of the proposed resolution.

The City is attempting to use the 2023-2031 Housing Element to improperly rezone land and avoid compliance with the Public Hearing Notice Requirement of the Zoning Code

The Resolution currently before the Planning Commission, states that the "California state law (Gov. Code § 65300.5) requires horizontal and vertical consistency for General Plans and zoning ordinances." (Resolution, Recital 10). Resolution Item A.3 further provides that the proposed General Plan Amendment (GPA 2024-001) and Zoning Map Amendment (ZMA 2024-001) do nothing more than "bring the maps into conformance with the City's adopted and certified 2023-2031 Housing Element..." Finally, in reference to the proposed General Plan Amendment (GPA 2024-001) and Zoning Map Amendment (ZMA 2024-001), the Planning Commission Report states that "[t]he changes noted above [i.e., rezoning of Sites 1, 2, 4, 5, 8, 10, and 11] are limited to clean-up items intended to bring our General Plan and Zoning Map into conformance with our adopted and state certified Housing Element, consistent with state law." (See Planning Commission Report, page 3, lines 12-14). Despite the deliberately passive language of these recitations, the Ordinance being proposed by the Planning Commission is anything but a simple "horizontal and vertical" integration "limited to clean-up items." Rather, the Ordinance is a de facto rezoning for which, as set forth above, state and local law requires a properly noticed public hearing in the form of mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site.

Put another way, it appears that the City developed an update to the Housing Element which it is now using as a Trojan Horse to impose drastic and undesirable rezoning on neighborhoods, evading the Public Hearing Notice Requirement. While a memorandum (hereinafter the "Memo") released by the Senior Planner to the Planning Commission on March 4, 2024 (the evening before the Planning Commission Meeting) provides a self-serving account of the Housing Element process, I ask the members of the Planning Commission the following questions, at least with respect to Site 10 (the largest proposed rezoning, impacting the most members of the community):

1. Can you reasonably agree with the assertion in the Memo that the Housing Element process included "a robust community engagement program tailored to ensure community and other stakeholders were engaged in the process and are given ample opportunities to provide input" when, as evidenced by the Public Comments submitted to the Planning Commission within the last few days, many homeowners living adjacent to Site 10 (including the Site 10 property owner) were unaware of the proposed rezoning?
2. Is a Focus Group of five (5) people, consisting of only city officials and a fair housing advocate, sufficient and representative of the community and inclusive of the people impacted most by the proposed changes?

3. If the City truly “attempted to make the process extremely transparent and open for public participation” (as the Memo states), how did only “30 people sign[] up to receive housing element update emails” over the course of three years?
4. Although the Memo refers to “workshop and study sessions” (the attendance at which is unclear), can you reasonably conclude that such sessions were effective at accomplishing the stated public participation objectives when, as evidenced by the Public Comments submitted to the Planning Commission within the last few days, many homeowners living adjacent to Site 10 (including the Site 10 property owner) were unaware of the proposed rezoning?
5. Although the Memo alleges that a letter was sent to the property owner in July 2022, the City admits that “this letter did not identify a specific zoning change.” Is one letter, sent only to the property owner, and which fails to inform the property owner of the proposed rezoning truly adequate, and does it not unreasonably omit those in the neighborhood impacted by the rezoning?

I respectfully submit that the City’s efforts to include the community in the Housing Element process were, at best, seriously ineffective and unsuccessful, and, at worst, intentionally deceptive and insincere. The City’s actions to rezone land—presented now under the guise of a simple “clean up” to be consistent with the Housing Element—suggests that the City was aware that if it had engaged the community in good faith during the Housing Element process that it would have encountered resistance, making the Housing Element process more challenging. While I understand the need for the City to adopt a Housing Element in compliance with state mandates, the City has done so in a manner for which all evidence shows a failure to secure sufficient public participation. Although the City may find satisfaction in its ability to appease the California Department of Housing and Community Development, it has done so by unfairly sacrificing the considerations and priorities of its own community members and neighborhoods.

Irrespective of whether the City’s efforts for public engagement during the Housing Element process were sufficient, importantly, the Memo is silent with respect to any attempts to comply with the Public Hearing Notice Requirement of the Zoning Code. As set forth above, the proposed General Plan Amendment (GPA 2024-001) and Zoning Map Amendment (ZMA 2024-001) currently before the Planning Commission require a properly noticed public hearing in the form of mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site. As set forth above, on information and belief and as further evidenced by the Memo’s silence on the topic, the city failed to provide proper notice according to the Public Hearing Notice Requirement.

For at least the foregoing reasons, the Planning Commission’s approval of the proposed resolution would violate the Public Hearing Notice Requirement of the Saint Helena Municipal Code as it is a de facto rezoning, not merely a simple clean-up. For at least the same or similar reasons, the Planning Commission’s approval of the proposed resolution would violate California state law. (See *e.g.*, Ca. Gov. Code §§ 65853, 65854, 65091). Accordingly, I respectfully request that the Planning Commission deny adoption of the proposed resolution.

Sincerely,
David Prueter

Addendum

GPA 2024-001 and ZMA 2024-001 are not subject to the Special Provisions of the Public Hearing Notice Requirement of the Zoning Code.

The Special Provisions of the Public Hearing Notice Requirement provide:

Special Provisions. The following special public hearing notice provisions shall apply to the adoption of a General Plan, General Plan element, substantive text amendment of the General Plan, substantive text amendment of the Zoning Ordinance, and any project, including a General Plan land use map amendment, for which the number of property owners who would be sent a public hearing notice pursuant to this Title is greater than 1,000:

1. Placing a display advertisement of at least one-eighth page in a newspaper determined to be a newspaper of general circulation in the City; or
2. Placing an insert with any generalized mailing sent by the county or City to property owners in the area affected by the proposed ordinance or amendment, such as billing for City services.

The public hearing notice required pursuant to this Section shall be in lieu of that required by subsection B, Noticing Procedures, except for the applicant and property owner.

(Zoning Code 17.04.080, emphasis added)

On information and belief, neither GPA 2024-001 nor ZMA 2024-001 is subject to the Special Provisions of the Public Hearing Notice Requirement of the Zoning Code because the number of property owners who would be sent a public hearing notice pursuant to the Public Hearing Notice Requirement is not greater than 1,000. Specifically, with reference to the sites identified in amended Figure 2.1 of the General Plan (GPA 2024-001; Sites 1, 2, 4, 5, 8, 10, and 11) and the sites identified for rezoning in the Zoning Map Amendment (ZMA2024-001; Sites 1, 2, 4, 5, 8, 10, and 11), none individually or in combination, would require greater than 1,000 notices when counting the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site. Moreover, to the extent the Planning Commission asserts that the number of property owners who would be sent a public hearing notice pursuant to the Public Hearing Notice Requirement is greater than 1,000 for GPA 2024-001 and/or ZMA 2024-001, at least ZMA 2024-001 is still not subject to the Special Provisions because the Special Provisions apply to “the adoption of a General Plan, General Plan element, substantive text amendment of the General Plan, substantive text amendment of the Zoning Ordinance, and any project, including a General Plan land use map amendment,” of which ZMA 2024-001 (a Zoning Map Amendment) is not one.

Because GPA 2024-001 and ZMA 2024-001 are not subject to the Special Provisions of the Public Hearing Notice Requirement of the Zoning Code, GPA 2024-001 and ZMA 2024-001 require a mailed notice under 17.04.080 of the Zoning Code. As set forth above, on information and belief, the city failed to provide proper notice according to the Public Hearing Notice Requirement in the form of mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site.

Xinia Gamero

From: Celine Birch <celinebirch@gmail.com>
Sent: Tuesday, March 5, 2024 3:43 AM
To: Public Comment
Subject: [External] Oppose high density zoning-1933 Spring St

To whom it may concern,
I am a resident of Saint Helena and I oppose the rezoning of 1933 Spring St as high density.
Thank you,
Celine

Xinia Gamero

From: Nancy King <nancyking220@gmail.com>
Sent: Tuesday, March 5, 2024 8:20 AM
To: Public Comment
Subject: [External] Quaglia Property

How is it possible that we were never notified by the city that our backyard view of over 30 years would go from vineyard and the western hills to 3 or 4 story apartment buildings?

My husband and I oppose this decision and totally disagree with the way it is being processed.

Nancy and Doug King
1143 Hudson Ave, St Helena, CA

Xinia Gamero

From: Melinda Kearney <melinda@lorenzawine.com>
Sent: Tuesday, March 5, 2024 8:59 AM
To: Public Comment
Subject: [External] Public Comment on Planning Commission March 5, 2024 Agenda Item 5.3

Dear St. Helena City Council,

I am writing as a homeowner and a fence-sharing neighbor of 24 years to parcels 10 and 11 on Spring Street between Hudson Ave and Valley View.

It is my understanding as an owner of a property within 300 feet of a parcel up for a change that I would receive direct notice of any rezoning proposals. And as a member of this community, I would have the opportunity to express my point of view on this project before it's decided. To date, I have not received any direct information from the city regarding this proposed change. Why is this?

I am opposed to the proposed change from medium density to high density housing on this parcel. There are over 30 homes and properties directly affected by this proposed change, with the potential to devalue our properties, change our quality of life and negatively affect pedestrian safety in an area already impacted by high traffic flow to schools and Hwy 29 bypass.

We have a unique and special town for many reasons, and while I endorse and understand the need for housing especially for our workers, I believe there are other properties that would have less negative impact and a more positive outcome with thoughtful consideration, planning and community input.

We all deserve and have the right to know of proposed changes that would have impact on our properties. Why did we not receive notice?

Thank you.
Melinda Kearney
707-287-4113

Xinia Gamero

From: Elaine Honig <elaine@studio4forty.com>
Sent: Tuesday, March 5, 2024 9:03 AM
To: Public Comment; cityclerk; Maya DeRosa; Planning Commission
Subject: [External] Public Comment on Planning Commission March 5 2024 Agenda Item 5.3

Dear Planning Department and Commissioners,

I live at 1248 Stockton Street and am writing to offer my support for rezoning 1933 Spring St to high density housing. We need housing in town, and the east side has complained that they have to carry the burden of new development. This location is perfect for more west side housing, and you have my full support.

This site will bring more affordable housing to town, enhance our town with more people who can support our businesses. Please don't let the complaints of a few people outweigh the need of the many.

Sincerely,

Elaine Honig
Founder & CFO
STUDIO 4Forty
707-479-2055
elaine@studio4forty.com
www.studio4forty.com



Xinia Gamero

From: Maxine Angell <maxlangell@yahoo.com>
Sent: Tuesday, March 5, 2024 10:20 AM
To: Public Comment; MDeRosa@cityofthelena.org
Subject: [External] Opposed to Rezoning 1933 Spring Street

Dear Planning Commission;

I am a 32 year resident of Saint Helena and live one house away from the proposed zoning change to 1933 Spring Street from moderate density to high density housing. I am opposed to rezoning this property and shocked that neighbors were not notified to provide feedback or input into the proposed rezoning. I heard about the rezoning, three days ago from my neighbor who I saw in the yard, yet this change would have a permanent, deleterious effect on the charm, peace and quiet of the neighborhood.

I am also concerned, that despite promises from city administration and staff to provide communication and resident participation in the democratic process, that these decisions are made by consultants and city employees, with no resident participation and then presented for approval. How can community development exclude residences bordering the property and the neighboring residents?

I am supportive of the need for affordable housing in St. Helena, yet I do not support 144 units on 4 acres in a quiet, residential neighborhood. The proposed rezoning will lower my property value and change the quiet, peaceful character of the neighborhood. Valley View Street is used to bypass the freeway and is too congested, as it is. There are many areas of town that are more suitable for a high density project such as the one that is proposed, some have been previously identified, some not.

I ask the Planning Commission not to adopt the resolution and to provide notice to all residents who would be impacted by the changes before voting on this or any other measure. I believe there needs to be more engagement with residents and more transparency from city staff and administration about how these issues are advanced within city government.

Sincerely,

Maxine L. Angell
 2101 Spring Street

Xinia Gamero

From: Woody Davis <woody.davis1989@gmail.com>
Sent: Tuesday, March 5, 2024 10:33 AM
To: Public Comment
Subject: [External] Housing Element- Public Comment 3/5/24

To whom it may concern,

My name is Woody Davis. My wife and I are very fortunate to live in St. Helena, a block away from my childhood home that I grew up in. We have a 1-year-old that we are excited to raise in St. Helena and grow up in the same town as I did.

My wife stumbled across the recent proposal that suggests multiple sites have their zoning adjusted, mostly in favor of increasing the housing density from its current zoning, in the biweekly e-agenda for this meeting.

While I am all for more housing if need be, the planning commission should not make irrational decisions and hide things from the community. Proposed sites 10 and 11 stand out to me. They are in the middle of single-family neighborhoods and existing vineyards, making St. Helena the community it is. Every other site is neighboring multi-level commercial or residential sites (or at least in view of one).

Site 10 is the one that stands out the most. Yes, I have a lot of stake as it is my backyard. But I also grew up in this neighborhood and have fond memories of riding my bike and playing within this block. Bringing high-density housing will severely impact this already busy cut-through on Valley View and surrounding streets.

Per CC&Rs we can't build our house over a story and a half but the city is okay with 3 story-high, high-density housing units towering over the perimeter of our lot, which is quite contrary to our regulations.

Even property owners, like us, within 300 feet of the site have never been notified of the proposed change. The city has not been transparent with this change and even property owners like Mr Quaglia haven't been inaccurately notified of the rezoning. The city posts via its new newsletter initiative and social channels about downtown updates, filling potholes, and getting electric city vehicles, but not this, which has a much larger impact.

Lastly, see below. This is an email correspondence between Maya and me. I asked about zoning changes but because I did not use the correct project names she refused to acknowledge changes were being proposed. To me and others I have asked, this seems irrational and I don't understand how she couldn't acknowledge changes were going on within a separate project for the same address.

From: Maya DeRosa <MDeRosa@cityofsthelena.org>
Sent: Tuesday, November 14, 2023 1:45:26 PM
To: Woody Davis <woody.davis1989@gmail.com>
Subject: RE: [External] Zoning

Correct no change.

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



From: Woody Davis <woody.davis1989@gmail.com>
Sent: Monday, November 13, 2023 9:27 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: Re: [External] Zoning

Thanks for getting back, Maya.

Can you confirm what I'm seeing is correct?

1933 Spring st. is not changing as far as zoning goes in the proposed new zoning map?

Thanks,

Woody

Get [Outlook for iOS](#)

Thank you for your time and I hope you make decisions as if this was your home too.

Woody Davis

Xinia Gamero

From: David PEARSON <dpearson@josephphelps.com>
Sent: Tuesday, March 5, 2024 11:10 AM
To: Public Comment
Subject: [External] Low Cost Housing Project

Dear City of St Helena,

I am a resident of St Helena since 2004. I live with my family at 1450 Hudson Avenue.

I have been informed of the plans to transform vineyard land on Spring and Valley View into low-cost housing.

Please know that I am opposed to this project moving forward.

While I am supportive and understanding of the need for low-cost housing in St Helena and Napa Valley, I am quite surprised and very concerned by this decision in particular. It seems to me that there are other areas in St Helena that are much more spacious and more appropriate for this kind of project. But most concerning is the fact that there has apparently been no notice given to residents immediately impacted. If this is accurate, that residents have not been advised and given the chance to publicly comment, then it is crucial that the proper procedure be respected.

Pending this clarification, I am strongly opposed to moving forward with this project.

Sincerely,

David Pearson

David Pearson
 President

Joseph Phelps Vineyards
 St. Helena, CA 94574
 Mobile - (707) 531-3872
 Email - dpearson@josephphelps.com
 Web - www.josephphelps.com

 ##
 "Le contenu de ce message peut etre protege et / ou confidentiel. Si vous avez recu ou
 avez des raisons de croire que vous avez recu ce message par erreur, s'il vous plait,
 supprimez le sans le lire et avisez immediatement l'expediteur.
 The contents of this message may be privileged and/or confidential. If you have received
 or have reason to believe you have been sent this email in error, please delete it
 without reading it and notify the sender immediately."

##

Xinia Gamero

From: Mcknz <mcknz@comcast.net>
Sent: Tuesday, March 5, 2024 12:15 PM
To: Public Comment
Subject: [External] Rezone 1933 Spring St property

To
Planning Commission/City Council

In response to the necessary public notice to those that live 300 feet within a property considered for development/ change:

The previous notices, stating property being was considered for meeting the states housing mandates for 2031, never informed us that this **particular** property would be **rezoned!!**

We as residents should have had a direct communication stating the zoning was changing to “High Density”.

We would have provided further comment and strongly disagreed to this move.

Therefore, this matter needs to be fully reviewed and the opportunity for all to express our concerns now knowing the full facts.

This matter needs to be delayed to allow the City’s requirements to their citizens be met!

We are strongly opposed to the rezone due to all of the items most of the folks have noted. This area is already heavily impacted by traffic and congestion within the main path of two schools and used to transport folks off highway 29 through town.

I understand areas off Dean York , were taken out of consideration because the views would be blocked? Hardly a valid reason when Spring St views will be blocked the lighting alone for this many units will blind us all (we never did get shields on the intrusive LED lights PGE put in!) and the traffic pattern that already exists in the area. It’s a freeway of speeding cars throughout the day.

Based on the new state laws, it’s my understanding, once this is rezoned the commission and councils will have very little, if any, say in the control of the development.

There are better more suited areas!

Thank you

Brian Schleicher

Xinia Gamero

From: Sally and Sam <sandsburton@gmail.com>
Sent: Tuesday, March 5, 2024 2:48 PM
To: Public Comment
Subject: Fwd: [External] Planning commission: Zoning Map amendment Site 10

To Whom it may concern,

Re: Planning commission: Zoning Map amendment Site 10 change from Medium Density Residential to High Density Residential

We are opposed to the "upzoning" of the 1933 Spring Street property to high density residential, and would like the commission to consider the environmental impact of putting 88 units on a 4 acre parcel would do at this location, in addition to the additional traffic load, and changing the overall character of the neighborhood in this area.

As residents who own property on Valley View, we have not received any notification addressed to us as residents living in close proximity to this proposal, and or knowledge of reasonable attempt at outreach to the surrounding residents to garner comment and feedback on the proposal.

We would respectfully request that the proposal is rejected.

Sincerely
Sam and Sally Burton

Xinia Gamero

From: Jessica Hague <jessica@FrogsLeap.com>
Sent: Tuesday, March 5, 2024 3:01 PM
To: Public Comment
Subject: [External] Public Comment: Planning Commission Meeting March 5th: Agenda Item 5.3

Dear Planning Department and Commissioners,

I am a 14-year resident of 1154 Hudson Avenue and strongly oppose rezoning Site 10:Spring Street between Hudson Avenue and Valley View Street and Site 11:1637 Spring Street from Medium Density to High Density. Further, I remain consistent in my opposition to rezoning when these 2 sites were identified and rezoned from Low density to Medium density 8 years ago.

The city's opportunity sites selection process has disproportionately affected existing residential areas along Spring Street while ignoring larger vacant parcels along other east-west artery streets like Madrona Avenue and Sulphur Springs. I believe that the city can find way to maintaining the character, and safety of our existing residential neighborhoods, while seeking to create new residential development opportunities. The infrastructure along Spring Street, Valley View and Hudson Avenue is inadequate to support a high density residential zone. Spring at Hudson, Valley View at Hudson is currently unsafe for pedestrian crossing, and lack safe and ADA-compliant sidewalks.

The city has an opportunity to explore the potential for other westside sites north of Spring Street and south of Grayson Avenue, such as vineyard parcels along Crane Avenue, Fir Hill at Madrona, Madrona at Hudson Avenue, Sulphur Springs. The city was called upon to do so 8 years ago, and I find it extremely disappointing that instead of heeding the call from concerned citizens at the time, they have simply doubled down on previous decisions to meet the state requirement.

From MEMORANDUM DATE: March 4, 2024 TO: Planning Commission FROM: Aaron Hecock, Senior Planner
 RE: Housing Element Public Participation Process Summary
 Opportunity Sites Selection

Vacant and underutilized sites throughout the city were considered as potential for housing development. Site selection for the residential site inventory started with City owned sites where residential development is in line with short-term City goals, then vacant and nonvacant sites zoned for residential use, and lastly sites that could be rezoned to accommodate residential development or residential development at a higher density. Several constraints were considered for each site, including environmental concerns, utility or infrastructure access, feasibility of redevelopment during the next planning period, and realistic capacity assumptions. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores.

Respectfully,
 Jessica Hague

Jessica Hague
 Vice President, Consumer Sales & Marketing
FROG'S LEAP
 707-968-2503 Direct

Xinia Gamero

From: smokey_wigwam@yahoo.com
Sent: Tuesday, March 5, 2024 3:46 PM
To: Public Comment
Subject: [External] 1933 Spring Street

Not in favor of rezoning.

-Resident of Saint Helena

Xinia Gamero

From: bonnie storm <grove45@me.com>
Sent: Tuesday, March 5, 2024 5:44 PM
To: Public Comment
Subject: [External] 1933 spring Street

I am a resident on Tainter Street. I feel this high density proposal belongs somewhere else.
Bonnie Storm
Sent awkwardly from my iPhone

Xinia Gamero

From: Gemma Hanna <gemmahanna2007@gmail.com>
Sent: Wednesday, March 6, 2024 8:46 AM
To: Public Comment
Subject: [External] Planning Commission, Rezoning, April 2

I am a resident of Saint Helena and am strongly opposed to the rezoning of 1933 Spring Street to high density. As a high school student in St. Helena, it would negatively impact traffic getting to school and increase the chance of accidents.

Xinia Gamero

From: Maya DeRosa
Sent: Wednesday, March 6, 2024 9:12 AM
To: Xinia Gamero; Aaron Hecock
Subject: FW: [External] Opposed to Rezoning

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



From: Maya DeRosa
Sent: Wednesday, March 6, 2024 9:12 AM
To: tomdegeorgio@gmail.com
Subject: RE: [External] Opposed to Rezoning

Thank you, your comment has been received and will be included in the agenda packet for 4/2 when this item is on the next Planning Commission agenda.

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



From: tomdegeorgio@gmail.com <tomdegeorgio@gmail.com>
Sent: Tuesday, March 5, 2024 10:22 PM
To: Maya DeRosa <MDeRosa@cityofsthenela.org>
Subject: [External] Opposed to Rezoning

Subject: Opposed to Rezoning

Below is a copy of our note sent to the Planning Commission:

Dear Planning Commission,

We are so stressed out when we heard about the proposal for rezoning the subject property. This proposal will negatively impact all of our property and neighboring properties. My immediate concerns are as follows:

- 1. Devaluing our property and our neighborhood properties,*
- 2. Tranquility of our neighborhood will be interrupted greatly,*
- 3. Increased traffic - The traffic is already so busy especially during rush hour. The additional 88 plus households will add hundreds of additional vehicles traveling in our neighborhood plus more trucks and school buses. The area roads were not developed for such high density traffic.*
- 4. Safety - St. Helena will be transformed from the small town special place, that we have preserved for years, to a mini San Francisco.*
- 5. Privacy - our property's back door is facing the vineyard with no obstructed view of the vineyard. With this proposed rezoning it will definitely put our property in the same low income housing category.*
- 6. St. Helena will be forever transformed. Our City is rich in history and tradition. This needs to be protected not squandered. Vineyards are the backbone of St. Helena, removing this vineyard is destroying our city. Rezoning will destroy the lifeblood of our city. We cannot erode our precious farmland.*
- 7. Vineyards need to be protected not removed. We are a land locked city, we cannot make more land, or vineyards, once removed it cannot be replaced. Save our vineyard!*

Thank you in advance for hearing our concerns. We are always available to discuss this important issue by phone at 713.859.5981, or in person.

Thank you,

*Thomas and Tina DeGeorgio
1180 Valley View Street
St. Helena, CA.*

Tom DeGeorgio

Xinia Gamero

From: Rita Cervone <rita.mk1@comcast.net>
Sent: Wednesday, March 6, 2024 10:43 AM
To: Public Comment
Subject: [External] DEVELOPMENT VALLEY VIEW AND HUDSON- OPPOSE RE-ZONING
Importance: High

Respectfully submitted to the City of St. Helena,

As the Great Aunt of my 3 Great Nephews who live on Hudson St. I am Adamantly Opposing this high density rezoning. It will bring even more traffic dropping the children to and from school, and impact many children that bike or walk to school. This will change the footprint of our small town that is unique to our community.

I am urging you to Vote NO.

Thank you.

Sincerely,

Rita Cervone
St. Helena Resident

Xinia Gamero

From: Allison Hackett <hackett.allison@gmail.com>
Sent: Wednesday, March 6, 2024 11:27 AM
To: Public Comment
Subject: [External] In Opposition of Rezoning on 1933 Spring Street

Hi there,

I am in opposition of the potential rezoning on 1933 Spring Street for high-density housing.

Thanks,

Allison

Xinia Gamero

From: Cindy Tzaopoulos
Sent: Wednesday, March 6, 2024 11:40 AM
To: Xinia Gamero
Subject: FW: [External] Spring St.

Public Comment

-----Original Message-----

From: Joan Crowley <joanmcrowley@icloud.com>
Sent: Wednesday, March 6, 2024 8:57 AM
To: cityclerk <cityclerk@cityofsthelena.org>
Subject: [External] Spring St.

Please reconsider high density housing in this area.
Joan Crowley
707-477-8039

Xinia Gamero

From: Katherine Salinas <kat@meusegallery.com>
Sent: Wednesday, March 6, 2024 12:01 PM
To: Public Comment
Subject: [External] Public comment - Quaglia Vineyard 1933 Spring Street.

Dear City Council Members,

I am writing to express my opposition to the proposed high-density rezoning in our community - Quaglia Vineyard 1933 Spring Street. While I understand the need for development, I believe that this particular proposal will have significant negative impacts on our neighborhood, especially concerning the safety of our children, the commute to school for many families, and the unique charm of Saint Helena.

The potential consequences of increased traffic due to the rezoning not only impact the safety of our children on their way to and from school but also have the potential to diminish the visual appeal of our beautiful town. The character of our community is deeply intertwined with its landscapes and green spaces, we must consider the long-term impact on these elements before making decisions that alter the fabric of our town.

Another concern is the potential increase in traffic that would result from this rezoning. Spring Street already has congestion and traffic during drop-off and pick-up times. Many students in our community rely on biking as their mode of transportation to school. The increased traffic associated with high-density development could create unsafe conditions for these young cyclists, posing additional risks to their well-being.

I strongly urge you to consider the potential consequences this rezoning may have on the safety and quality of life for the families in our community. I believe that a more thoughtful and comprehensive approach to development, with due consideration for traffic management, would better serve the long-term interests of our neighborhood.

Thank you for your time, I trust that you will carefully weigh the concerns raised by the community before making any decisions on the proposed rezoning.

Sincerely,

Katherine Salinas
 CEO

Meuse Gallery
 1331 Main Street,
 St. Helena, CA 94574

d-707-968-5942
 c-831-224-3717
 kat@meusegallery.com
 www.meusegallery.com



Xinia Gamero

From: Stephanie Davis <stephanielouisedavis@gmail.com>
Sent: Wednesday, March 6, 2024 12:04 PM
To: Public Comment
Subject: [External] Rezoning proposal for 1933 Spring

To whom it may concern,

I'm writing to make clear my opposition to the rezoning of 1933 Spring to high-density housing. I grew up on Olive Ave and attended school in town, primarily walking or biking to and from school and home for the majority of my childhood, and playing in the streets with friends in the neighborhood. Spring and Valley View are already heavily impacted by traffic for both schools on Greyson and west-side residents avoiding main street traffic. Adding 100 units on that property would increase traffic and decrease visibility on Spring and the Valley View intersection as parking would certainly overflow onto Spring. The increased risk to the children and teens who rely on the green belt on Valley View to get to school would be a travesty, and a contradiction to the recent investments in street safety for pedestrians and cyclists. The appeal of raising a family in a small safe town is the freedom and independence it affords the kids, an aspect of my childhood I am incredibly grateful for and want for my nephew growing up in the same neighborhood. I am a young single professional and am acutely aware of the issues related to housing in the Valley, but do not believe this type of development is the solution. There are other areas in town that could more appropriately sustain this type of development, but I believe the primary focus of the city should be addressing the number of vacant homes and storefronts in town. Putting 100 units in the middle of a working-class neighborhood when there are hundreds of vacant mansions will only serve to increase the revenue and inequity issues in the community while detracting from the appeal to both residents and tourists.

Thank you for your consideration,

Stephanie Davis

Xinia Gamero

From: Megan Particelli <meganparticelli@gmail.com>
Sent: Wednesday, March 6, 2024 12:09 PM
To: Public Comment
Subject: Re: [External] Rezoning the Quaglia vineyard

On Wed, Mar 6, 2024 at 11:13 AM Megan Particelli <meganparticelli@gmail.com> wrote:
To Whom It May Concern,

My name is Megan Particelli, long time resident of St. Helena. I am emailing to share my opposing position in regards to rezoning the Quaglia vineyard on 1933 Spring Street into a high-density housing complex, turning the now vineyard into approximately 100 housing units on 4.4 acres. The city did not notify any residents including the owners of the property. Additionally, the many children and families in the surrounding area would be negatively impacted by increased traffic, with unsafe biking conditions for students who bike to school.

Thank you,

Megan Particelli

Xinia Gamero

From: Brittany Payton <brattny44@yahoo.com>
Sent: Wednesday, March 6, 2024 3:25 PM
To: Public Comment
Subject: [External] Spring Street Rezone

Dear Planning Commission,

I am writing to you in regards to the proposed rezone at 1933 Spring Street. I am a homeowner at 1106 Valley View which backs up directly to the proposed site that you want to put at least 88 units on a mere 4 acre property. I am greatly opposed to this rezone change for many reasons. First off, this parcel is right in the middle of many homes and on a busy street that is already a main road to get to two schools. This location makes absolutely no sense in putting in that many units. There is no parking on Spring Street already and having this many cars would seriously exacerbate the situation. Not to mention the noise, the lights, the water issues - all in the middle of a residential area.

After reviewing the other sites around town that would make a lot more sense to put this many units on, I am even more firm in my belief that putting in 3 story apartment buildings in this area is ludicrous. Turning this parcel into a high density will greatly impact all of us that have already been living here for years - for us homeowners that moved to this area because of the quiet and the peaceful surroundings. This place is not the right area for apartments - please consider looking elsewhere in town that would not put that many units right on top of the neighbors that have been here for a long time.

I respectfully ask that you reconsider 1933 Spring Street (site 10) and leave it alone as is. This is not the right space for high density zoning - and I know I'm not alone in my thoughts.

Best,
 Brittany Anderson
 1106 Valley View Street

Xinia Gamero

From: Mike Anderson <mike@mtgawines.com>
Sent: Thursday, March 7, 2024 1:58 PM
To: Public Comment
Subject: [External] 1933 Spring Street Rezone

Hello,

I am writing in regards to the proposed rezoning of 1933 Spring Street. I am a 3rd generation resident of St Helena and reside with my wife at 1106 Valley View Street so our backyard overlooks this proposed site. I think many can agree that having more housing available for residents to both live and work locally is needed. I can also understand the challenge of making this happen due to the pressure of state-mandated legislation under CEQA. That said there are obvious flaws with this proposed site, as well as others.

The rezoning of the 1933 Spring Street site to high density makes no sense. First, residents surrounding the area would lose privacy and property value, especially considering that the high-density builds would necessitate 2 or 3 story buildings which clearly have no place being in this part of town surrounded almost exclusively by one-story homes. It is completely out of character for this part of town.

Second, though I am sure many have brought up this issue, would be both the amount of traffic and parking issues that would be created by another 1-2 cars per unit. Considering that this could be approved for 88, or more units, this already busy neighborhood would be inundated with traffic. There are already traffic and safety issues up and down Spring Street and Valley View because of the amount of vehicles and those that travel well over the posted speed limits.

Third (and to be somewhat solution oriented), of the sites in consideration there are at least three that would easily be a better fit given their proximity to Highway 29, businesses downtown, bus stops, Safeway, gas stations etc. They would also have less impact on surrounding homeowners that would be directly adjacent to the site. Sites 1, 5 in particular and even site 8 with access to the Trail and 29. Even finally finding something to do with the always-contested Adams Street project could be a better option. Each of these areas would be much more appropriate for high-density housing.

Finally the sheer disregard of the planning commission not notifying residents with the affected area astounds me. The owner of 1933 Spring Street wasn't even notified. I only happen to hear about it by word-of-mouth from a passing neighbor, as was the case for nearly all of us.

Sincerely,
 Mike Anderson

--

Mike Anderson
 707.337.9168
mike@mtgawines.com

From: [Maya DeRosa](#)
To: [Xinia Gamero](#)
Cc: [Aaron Hecock](#)
Subject: FW: [External] Opposed to Rezoning
Date: Monday, March 25, 2024 9:14:30 AM
Attachments: [image001.png](#)

Hi Xinia, please post this comment to the PC agenda.

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: tomdegeorgio@gmail.com <tomdegeorgio@gmail.com>
Sent: Sunday, March 24, 2024 9:13 PM
To: Maya DeRosa <MDeRosa@cityofstheleena.org>
Subject: Re: [External] Opposed to Rezoning

**Subject: Opposed - Saint Helena Rezoning (Site 10 1933
Spring Street/Valley View)**

Dear Planning Commission,

This letter is a supplement to my previous note dated March 5, 2024 (see attached).

While we are not opposed to low income housing, my wife and I believe that the current proposal is detrimental not only to many residents of St. Helena, but to the City itself. We believe this is a very slippery slope that will forever change our city in a negative way, the proposal will have a detrimental impact on parking, water, sewerage and other services. High density, low income housing will require infrastructure that currently does not exist in our City. Low income residential housing will require nearby service providers such as Walgreens, CVS, fast food chains and other lower cost service providers that also do not exist in our City. St. Helena has prided itself for being a small town with no large corporate chains no tall buildings, and no big city issues.

As a homeowner, we are of course concerned about our home values.

We are also concerned about losing our cities lifeline – grape vineyards. Vineyards and grape growing, have been the cornerstone of St. Helena for well over 100 years. The vineyards and wine makers have long been our cities golden jewel. They not only bring revenue to the city; they bring worldwide notoriety by producing world-class wines. Once a vineyard is removed, it is lost forever. We are a land locked City, we cannot create more land. Removing vineyards is a monumental mistake. St. Helena will become the next San Francisco. Houses on top of houses. It starts with one miss placed project.

Finally, I am concerned that our due process rights have been violated by not providing proper rezoning notices to neighbors within 300 yards of the project.

Thank you in advance for listening to our concerns, we are happy to meet with you at anytime.

Tom & Tina DeGeorgio
1180 Valley View St.
St. Helena
713.859.5981

Sent from my iPhone

Begin forwarded message:

From: Tina DeGeorgio <tinadegeorgio@gmail.com>
Date: March 5, 2024 at 10:46:59 AM GMT+11
To: publiccomment@cityofsthehena.org
Subject: Opposed - Saint Helena Rezoning (Spring Street/Valley View)

Dear Planning Commission,

We are so stressed out when we heard about the proposal for rezoning the subject property. This proposal will negatively impact all of our property and neighboring properties. My immediate concerns are as follows:

- 1. Devaluing our property and our neighborhood properties,*
- 2. Tranquility of our neighborhood will be interrupted greatly,*
- 3. Increased traffic - The traffic is already so busy especially during rush hour. The additional 88 plus households will add hundreds of additional vehicles traveling in our neighborhood plus more trucks and school buses. The area roads were not developed for such high density traffic.*
- 4. Safety - St. Helena will be transformed from the small town special place, that we have preserved for years, to a mini San Francisco.*
- 5. Privacy - our property's back door is facing the vineyard with no obstructed view of the vineyard. With this proposed rezoning it will definitely put our property in the same low income housing category.*
- 6. St. Helena will be forever transformed. Our City is rich in history and tradition. This needs to be protected not squandered. Vineyards are the backbone of St. Helena, removing this vineyard is destroying our city. Rezoning will destroy the lifeblood of our city. We cannot erode our precious farmland.*
- 7. Vineyards need to be protected not removed. We are a land locked city, we cannot make more land, or vineyards, once removed it cannot be replaced. Save our vineyard!*

Thank you in advance for hearing our concerns. We are always available to discuss this important issue by phone at 713.859.5981, or in person.

Thank you,

*Thomas and Tina DeGeorgio
1180 Valley View Street
St. Helena, CA.*

Tom DeGeorgio

On Mar 6, 2024, at 5:22 PM, tomdegeorgio@gmail.com wrote:

Subject: Opposed to Rezoning

Below is a copy of our note sent to the Planning Commission:

Dear Planning Commission,

We are so stressed out when we heard about the proposal for rezoning the subject property. This proposal will negatively impact all of our property and neighboring properties. My immediate concerns are as follows:

- 1. Devaluing our property and our neighborhood properties,*
- 2. Tranquility of our neighborhood will be interrupted greatly,*
- 3. Increased traffic - The traffic is already so busy especially during rush hour. The additional 88 plus households will add hundreds of additional vehicles traveling in our neighborhood plus more trucks and school buses. The area roads were not developed for such high density traffic.*
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- 5. Privacy - our property's back door is facing the vineyard with no obstructed view of the vineyard. With this proposed rezoning it will definitely put our property in the same low income housing category.*

6. *St. Helena will be forever transformed. Our City is rich in history and tradition. This needs to be protected not squandered. Vineyards are the backbone of St. Helena, removing this vineyard is destroying our city. Rezoning will destroy the lifeblood of our city. We cannot erode our precious farmland.*

7. *Vineyards need to be protected not removed. We are a land locked city, we cannot make more land, or vineyards, once removed it cannot be replaced. Save our vineyard!*

Thank you in advance for hearing our concerns. We are always available to discuss this important issue by phone at 713.859.5981, or in person.

Thank you,

*Thomas and Tina DeGeorgio
1180 Valley View Street
St. Helena, CA.*

Tom DeGeorgio

From: [Pierre Birebent](#)
To: [Public Comment](#)
Subject: [External] Rezoning of vineyard block at 1933 spring st
Date: Monday, March 25, 2024 8:15:56 AM

The city keeps developing housing on every green lot in St Helena.

This town has enormous water and traffic problems.

Those, needs to be addressed and solved, before thinking of changing zoning , and building more housing.

Those tiny vineyards in town (in the middle of the wine country), should be preserved and cherished, and could be use for school projects, and ,or, public or private labels promoting the city of St Helena.

I strongly oppose the rezoning and development of what is called lot 10.

Thank you

Pierre Birebent

From: [John Livingston](#)
To: [Public Comment; davidprueter@yahoo.com](#)
Subject: [External] 1988 Spring Street rezoning
Date: Monday, March 25, 2024 10:23:27 AM

To the Planning Commissioners'

I'm writing to express my objections to your recent communication and notification of rezoning of the 1933 Spring Street property. It is startling to learn of the commissions missed deadlines to the state and lack of the legal and timely notification to about 100 impacted families of rezoning this property to high density. This malfeasance now jeopardizes state funding, risks decertification and an unregulated Buildings Remedy. Moreover the introduction of potentially 200 or more families in multi storied housing in the midst of a residential community of single family homes destroys the character of this community, devalues the homes and overwhelms the existing infrastructure for traffic, utilities and safety. Scaling back to the previous zoning of medium density could still be done without compromising the future housing responsibilities of the city and produce a more compatible development of site 10.

Respectfully,

John and Diane Livingston
1148 Hudson Ave.
St. Helena

From: [Cindy Tzafopoulos](#)
To: [Xinia Gamero](#)
Subject: FW: [External] Public comment for the April 2 Planning Committee Meeting
Date: Monday, March 25, 2024 1:18:02 PM

Xinia, please note that Pat Kenealy is providing a public comment (below) as a St. Helena citizen and not as a City Council Member.

Cindy

Thank you,

Cindy Tzafopoulos
City Clerk
City of St. Helena
1088 College Avenue *NEW ADDRESS
St. Helena, CA 94574

Direct 707-968-2742 | Cell 707-312-1257
Fax 707-963-7748
ctzafopoulos@cityofsthelena.org
www.cityofsthelena.org

Office Hours:
Monday – Friday
9:00 a.m. – 4:00 p.m.
Closed for Lunch between 12:00 – 1:00 p.m.

E-mail correspondence with the City of St. Helena (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

From: Pat Kenealy <pkenealy1@yahoo.com>
Sent: Thursday, March 21, 2024 4:55 PM
To: cityclerk <cityclerk@cityofsthelena.org>
Subject: [External] Public comment for the April 2 Planning Committee Meeting

Dear Planning Commission:

We are writing you to OPPOSE the rezoning of Site 9 (Spring Street between Hudson Ave and Valley View Street) from Medium Density Residential to High Density Residential.

We drive on Spring Street daily, bike on it weekly and have a 6-year old son who uses it to go

to and from school, playground, park, etc.

Allowing high-density housing in such an already-busy traffic area is a terrible idea. It is immediately adjacent to two key street crossings used by school children and others, and abuts the already overcrowded sections of Spring Street and Valley View that locals -- and increasingly visitors -- use to "go around" downtown traffic.

Spring Street and Valley View already have speeding problems and congestion and parking problems, and any high-density development would make these worse.

There are plenty of "edges" of Saint Helena, and higher density neighborhoods that would be better sites for greater density.

We support the most of the rest of the zoning changes you're considering at this meeting but OPPOSE this reckless, dangerous increasing of Spring Street density.

For safety's sake, don't increase density where Saint Helena already feels too much like any other Bay Area suburb. Please don't encourage some developer to change the existing combined residential / agricultural use of Site 9 to high density housing that could fit in better elsewhere in town.

Sincerely

Tracy Kenealy
Pat Kenealy

2995 Spring Street
Saint Helena, CA 94574

Xinia Gamero

From: Patti Antonaccio <patti@sthelenatravel.com>
Sent: Wednesday, March 27, 2024 10:09 AM
To: Public Comment
Subject: [External] Comment on rezoning Spring St

Dear City of St Helena,

I live close to Spring St and close to the proposed rezoning from medium density to high density. I walk Spring Street almost every day and drive it as well. In the mornings, when the school children are going to and from school, there are so many cars, I now wait quite a while to be able to enter the Spring street from Hudson Ave. I can only imagine how bad it would be if the zoning is changed to high density! We have all 4 private schools on the west side with many parents/etc. taking their children to and from the schools on the west side. There are not many artery streets to take all this extra traffic. And the danger to cars and walkers along the Spring Street artery.

I am opposed to the rezoning to high density from medium density. Medium density fits with the character of the neighborhood. High density apartment buildings would be out of character along with too many cars in a very compact area with few artery streets. Even with new medium density housing in the area, this will add a lot more cars at the 2 commute times during the day but not as many as high density.

Thank you for your time.

Patti

Patti Antonaccio
1100 Hudson Ave.
St. Helena, CA 94574

Xinia Gamero

From: Courtney Shifflett <cbpshifflett@gmail.com>
Sent: Wednesday, March 27, 2024 3:15 PM
To: Public Comment
Subject: [External] 1933 Spring Rezoning

Hello,

I am a full time resident of St Helena and I am writing to express my strong belief that the zoning at 1933 Spring street should not change. That area is already so congested trying to get to our children's schools. More units in that area will only bring more issues with traffic and seems like a very unsuitable location for high density. I very much object to the rezoning of this property. Thank you.

Xinia Gamero

From: Jenny Wagner <jenny@caymus.com>
Sent: Wednesday, March 27, 2024 4:12 PM
To: Public Comment
Subject: [External] Public comment - Spring Street

Dear Planning Commission,

I am writing today in opposition of the proposed re-zoning of 1933 Spring Street. I was born and raised in St. Helena and feel fortunate to be raising my children in the same town.

The local community has been left out of the Housing Element process. The re-zoning of 1933 Spring Street has been a total shock to residents of St. Helena, including myself.

How could one think that Spring Street is an appropriate space to build a three-story 100+ unit housing complex? There are many issues that need to be addressed, including - safety, traffic, parking, water... the list goes on.

I drive my three children to the Primary School every morning, passing 1933 Spring Street. The intersection of Spring St. and Valley View is heavily trafficked before and after school. Many children walk or ride bikes, and cross the street right there. This is no safe place to add 100+ high density housing units.

Aesthetically, this proposed housing complex would be a burden to the established residential neighborhood that exists. It would be very sad to see this historical vineyard in the middle of St. Helena be ripped out to be replaced by high density housing. This town has been built on agriculture and it would be a shame to re-zone Spring Street for high density housing.

Thank you,
 Jenny Clark

Jenny Wagner
 Emmolo Winemaker

 Main Office: 707.963.4204

jenny@caymus.com
wagnerfamilyofwine.com



Xinia Gamero

From: Jack Oliver <jack@rboco.com>
Sent: Wednesday, March 27, 2024 6:30 PM
To: Public Comment
Subject: [External] 1933 Spring Street Agenda Item
Attachments: 2023 - 2031 Housing Element - certified Sept. 25, 2023 269.pdf

Dear Planning Commissioners,

We are writing to express our hope that you do not rezone 1933 Spring Street to high density housing. Open space and historic vineyards are what gives St. Helena and this neighborhood its charm. The listing for the property even calls it the “Soul of Spring Street” for 90 years. Vineyards are what drive our local economy. They generate jobs in the vineyard, income to suppliers and produce the wine that makes our town and region famous. Putting high density housing in this neighborhood does not seem to fit with its characteristics nor consistent with the General Plan. The traffic and street parking will create many blind spots for cars turning onto Spring street and make it very dangerous for young students to bike and walk to school. The traffic coming out of a high-density location will already impact the back-ups at Spring and Main during rush hours.

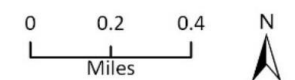
The city has many other vacant, unproductive, and dilapidated sites that need improving and seem more suitable for high density housing. Plus, these sites are closer to traffic lights and the Hwy 29 transportation corridor. Why not improve and encourage investment in these non-productive locations as identified in the Housing Element such as sites 5, 2, 1 and the much-studied site 3? Let’s not crush the “soul” of Spring Street, let’s preserve and nourish it.

Sincerely,

Jack and Kate Oliver
 1248 Hudson

Figure 49 Residential Site Inventory Map

-  City Boundary
-  Selected Sites
- 1 - 1480 Main Street
- 2 - 1572 Railroad Avenue
- 3 - Adams Street
- 4 - 905 Main Street
- 5 - Main Street (between Mills & Dowdell)
- 6 - 709 McCorkle Avenue
- 7 - 821 Pope Street
- 8 - 882 and 886 College Avenue
- 9 - 1447 and 1515 Spring Street
- 10 - Spring Street (between Hudson & Valley View)
- 11 - 1637 Spring Street
- 12 - 620 McCorkle Avenue



Imagery provided by Esri and its licensors © 2023.
Additional data provided by County of Napa, 2022.

Xinia Gamero

From: Jeffrey Earl Warren <jeffearlwarren@gmail.com>
Sent: Wednesday, March 27, 2024 7:12 PM
To: Jack Oliver
Cc: Public Comment
Subject: Re: [External] 1933 Spring Street Agenda Item

Excellent letter. Im copying it and sending it in as well—saying i concur.

John Livingston told me there was a meeting coming up. Can you tell me when it is? We don't seem to be getting any correspondence on this.

J

Sent from my iPhone

On Mar 27, 2024, at 6:30 PM, Jack Oliver <jack@rboco.com> wrote:

Dear Planning Commissioners,

We are writing to express our hope that you do not rezone 1933 Spring Street to high density housing. Open space and historic vineyards are what gives St. Helena and this neighborhood its charm. The listing for the property even calls it the “Soul of Spring Street” for 90 years. Vineyards are what drive our local economy. They generate jobs in the vineyard, income to suppliers and produce the wine that makes our town and region famous. Putting high density housing in this neighborhood does not seem to fit with its characteristics nor consistent with the General Plan. The traffic and street parking will create many blind spots for cars turning onto Spring street and make it very dangerous for young students to bike and walk to school. The traffic coming out of a high-density location will already impact the back-ups at Spring and Main during rush hours.

The city has many other vacant, unproductive, and dilapidated sites that need improving and seem more suitable for high density housing. Plus, these sites are closer to traffic lights and the Hwy 29 transportation corridor. Why not improve and encourage investment in these non-productive locations as identified in the Housing Element such as sites 5, 2, 1 and the much-studied site 3? Let's not crush the “soul” of Spring Street, let's preserve and nourish it.

Sincerely,

Jack and Kate Oliver
 1248 Hudson

<2023 - 2031 Housing Element - certified Sept. 25, 2023 269.pdf>

Xinia Gamero

From: Jeffrey Earl Warren <jeffearlwarren@gmail.com>
Sent: Wednesday, March 27, 2024 7:49 PM
To: Public Comment
Cc: Jack Oliver; Diane Livingston; Aaron Baraak; Mike Shifflet; Mike Norman; Dave & Susan Wight; Cory Empting; Alexander Avetoom
Subject: [External] Spring Street zoning change

Besides the environmental damage this project will do to the creek, streets and traffic, I strongly support the words of my fellow citizen and neighbor, Jack Oliver

We are writing to express our hope that you do not rezone 1933 Spring Street to high density housing. Open space and historic vineyards are what gives St. Helena and this neighborhood its charm. The listing for the property even calls it the “Soul of Spring Street” for 90 years. Vineyards are what drive our local economy. They generate jobs in the vineyard, income to suppliers and produce the wine that makes our town and region famous. Putting high density housing in this neighborhood does not seem to fit with its characteristics nor consistent with the General Plan. The traffic and street parking will create many blind spots for cars turning onto Spring street and make it very dangerous for young students to bike and walk to school. The traffic coming out of a high-density location will already impact the back-ups at Spring and Main during rush hours.

The city has many other vacant, unproductive, and dilapidated sites that need improving and seem more suitable for high density housing. Plus, these sites are closer to traffic lights and the Hwy 29 transportation corridor. Why not improve and encourage investment in these non-productive locations as identified in the Housing Element such as sites 5, 2, 1 and the much-studied site 3? Let’s not crush the “soul” of Spring Street, let’s preserve and nourish it.

Sent from my iPhone

Xinia Gamero

From: Carmen Policy <cpolicy@casapiena.com>
Sent: Thursday, March 28, 2024 8:01 AM
To: Public Comment
Cc: Gail Policy
Subject: [External] Housing Element Site 10 - Spring St. between Hudson Ave. and Valley View Street (009-4411-023)

Please accept this email message as our formal comment concerning the upcoming Planning Commission Meeting on April 2, 2024, dealing with the change of zoning for the caption property on Spring Street. We own a house on Hudson Avenue which is occupied by family members. This residence is in the center of a community neighborhood which possesses the qualities that St. Helena strives to create and hopefully maintain. Families abound and the area bustles with children who walk the streets and ride bicycles to schools. The density that exists is already heavy for Wine Country standards but seems to work well. Spring Street has become a somewhat busy thoroughfare which is a connection to various parts of downtown plus serves as an option to avoid Main Street. It also feeds traffic heading to and from the High School, Crane Park, Farmer's Market and a great number of social and athletic events. The traffic can be heavy and distracting at times and will definitely increase unreasonably as the Site 10 property becomes more developed.

This particular site is already zoned for medium density and the neighborhood seemed willing to accept that fact rather than try to reverse it for reasons that were explained by the City. We actually did not know that this plan was going to be considered and thought it had been abandoned. However, we are now faced with the proposition that the still existing plan is to enhance the density of the area to a high level which will have an exponentially negative impact on everything that occurs with this level of expansion. We will be facing width, breadth, height and density issues that will negatively impact the entire area which is already impacted by its proximity to surrounding facilities and traffic patterns. This plan in effect takes a well-functioning and admirable neighborhood into a state of urban crush. St. Helena is not the city of Napa nor do we want to be. We understand the so called State Mandate is a factor but our City leaders should be certain to protect our community from the potential harm of bureaucratic and impersonal over reach. Please remember that the area you are affecting is the main residence for those who occupy these houses. The plan to create high density zoning for the site in question has the effect of putting a "high rise" effect in the center of a neighborhood.....it just doesn't fit or work.

Thank you for accepting and considering this comment.

Gail Policy
 Carmen Policy
 1112 Hudson Avenue
 St. Helena, CA 94574

Xinia Gamero

From: William Wagner <wagonmonster@gmail.com>
Sent: Thursday, March 28, 2024 9:30 AM
To: Public Comment
Subject: [External] 1933 Spring Street Rezoning

Hello,

My name is William Wagner and I reside at 1160 Hudson Avenue in Saint Helena.

I am writing to express my strong opposition to 1933 Spring Street being re-zoned for high-density housing. While I understand the dire need for more housing in California and Napa County, this particular location is a horrible choice for several reasons.

1. It will entirely ruin the character of the neighborhood.
2. We already have a traffic problem in this neighborhood, due to people taking Valley View as a shortcut to downtown. Adding 100+ more residential units will make the congestion unbearable, not to mention extremely dangerous for the many children who live in the neighborhood and walk and ride their bikes to school.
3. If there is a fire, trying to evacuate that many more people would be dangerous and will jeopardize lives.
4. We already have a water shortage, this many more units will make it critical.
5. There are far better sites in the city for high density housing.

Also, and very importantly, this whole decision was snuck by the residents with zero public notice and no opportunity to even comment on the rezoning.

I strongly urge you to keep the zoning as-is and keep it at medium density.

Thank You,

William Wagner
1160 Hudson Ave.

GREG & KATHY ZELAZNY
1243 HUDSON AVENUE
ST. HELENA, CA 94574

March 28, 2024

City of St. Helena Planning Commission
Via Email: publiccomment@cityofstheleena.org

Re: April 2, 2024 Meeting/Zoning Map and General Plan Amendment of
1933 Spring Street

Dear St. Helena Planning Commission:

We are writing regarding Public Hearing Agenda Item 5.1 of the City of St. Helena Planning Commission Meeting scheduled for April 2, 2024. Agenda Item 5.1 addresses in part the potential recommendation to the City Council of an ordinance approving General Plan Amendments and Zoning Map Amendments to rezone 1933 Spring Street (APN: 009-441-023) ("Site 10") from Medium Density Residential to High Density Residential.

We recently learned that Site 10 was identified for rezoning by the City of St. Helena some time in February 2021 when the Housing Element process began. Although the City asserts that the community was sufficiently informed and engaged regarding the potential rezoning of Site 10 during the Housing Element process, as longtime residents living near that site we were shocked to hear of the potential rezoning within the last month.

The City claims that the public was informed of the potential rezoning of Site 10 through the City website, branding, focus groups, etc. However, based on the fact that the City received just 2 comments over the course of several years and recently received over 40 comments (once word got out about the Site 10 rezoning scheduled for the March 5, 2024 Planning Commission meeting), it is clear that the City failed to adequately and timely inform the public about the Site 10 rezoning issue. Further, the assertion by the City that a focus group was organized regarding this matter is disingenuous when the 5 members of the focus group consisted of 2 City Council Members, 2 Planning Commissioners and 1 public housing advocate.

In accordance with Title 17 of the St. Helena Municipal Code, notice of the potential rezoning should have been mailed to the applicant, the owner of the property and all property owners within 300 feet of Site 10 prior to the May 2, 2023 Planning Commission Meeting recommending the Housing Element and the May 9, 2023 City Council adoption of the Housing Element that included the rezoning of Site 10. But this did not happen and, therefore, being largely unaware of the rezoning proposal, the public was denied the right to engage and provide input with respect to the Housing Element and rezoning of Site 10. While the City may argue that the notice mailed to the necessary parties on March 22, 2024 cured a "noticing glitch", such late notice and the failure to include community input in the Housing Element process is a possible due process violation and exposes the City to potential legal claims.

Now, the City is in a bind because it is out of compliance with the State of California, having missed the deadlines to adopt a Certified Housing Element and to accomplish the rezoning promised to the State in the Housing Element. This “back against the wall” position not only does a great disservice to the St. Helena community, but it undermines any confidence or trust the public has in our City government.

It is now the City’s stance that there is no choice but to move forward with a plan that was devised without consideration of community concerns. Had community members been asked about rezoning Site 10, many would likely have said that rezoning that parcel to high density raises serious issues regarding traffic, water, safety, parking, and the character of the neighborhood. Allowing a housing complex with multiple stories on that site will increase the number of residents in the neighborhood exponentially, with the associated rise in traffic, demand for parking, water use, noise, and general strain on infrastructure. Finally, a multi-story housing complex would be severely out of character in a neighborhood currently consisting of mostly single-story homes.

In light of the above, we ask that the Planning Commission recommend the City Council approve the rezoning of the sites listed for rezoning in the Housing Element **except Site 10 (1933 Spring Street)**. Taking this alternative approach demonstrates that community concerns are being properly considered and addressed, and the City can take the position that it is in substantial compliance with the Housing Element.

Thank you for your consideration.

Sincerely,



Greg & Kathy Zelazny

Xinia Gamero

From: elaine chan lund <echanlund@yahoo.com>
Sent: Thursday, March 28, 2024 2:22 PM
To: Public Comment
Subject: [External] Site 10 - 1933 Spring St Rezoning

Dear members of the St Helena Planning Commission,

We reside on Hudson Ave with our children. I am writing to express our strong opposition to the proposed rezoning of Site 10 - 1933 Spring St for high-density housing.. While we acknowledge the necessity for increased housing and lend our support to the current proposed medium-density plan, we firmly believe that rezoning this particular location to high density is unsuitable.

Site 10 - 1933 Spring St is situated within a well-established residential neighborhood, surrounded by predominantly single-story homes. Introducing a high-density housing complex into this area would be highly disruptive and fundamentally alter the character of the neighborhood.

My opposition about this rezoning stem from several considerations. Firstly, safety concerns arise from the potential influx of residents and vehicles into an area not designed to accommodate such density. Increased traffic congestion would not only pose risks to pedestrians and cyclists but also compromises emergency response times in critical situations. Additionally, the existing infrastructure, including roads, parking facilities, water, and sewer systems, may not be equipped to support the demands of a high-density development.

Equally concerning is the impact on privacy that a multi-story complex would inflict upon current residents. This intrusion on privacy is unacceptable and would diminish the quality of life for those already living in the neighborhood.

Furthermore, no other proposed site carries the same magnitude of impact as 1933 Spring St. Rezoning this location would have far-reaching consequences for the surrounding community, affecting not only current residents but also future generations.

In light of these concerns, I urge the City Council to reconsider the rezoning of 1933 Spring St for high-density housing. Instead, I implore you to explore alternative sites that are better suited to accommodate the necessary growth while preserving the integrity of existing neighborhoods.

Thank you for considering my viewpoint on this matter. I trust that you will make the decision that best serves the interests of our community as a whole.

Sincerely,

Elaine Lund

1166 Hudson Ave

Xinia Gamero

From: LAURA KEIR <lkeir@icloud.com>
Sent: Thursday, March 28, 2024 6:38 PM
To: Public Comment
Subject: [External] Site 10 Housing Element

In follow up to my previous email in regards to the rezoning for the housing element of site #10 Spring St., Hudson Avenue in Valley View, I'd like to offer the following additional remarks; The city has been neglectful in their responsibilities to the citizens, especially those most affected, by not providing proper notification that a final decision to rezone Site#10 was made last year. All we received was a general notice in 2020 (during Covid) that there was a process to update a zoning ordinance. We were not properly notified at that time nor was there any notice of direct rezoning of 1933 Spring St. along with the attached vineyard in 2023 or prior to submitting to the State a plan to rezone the site. Since this area was already zoned for medium density we fully expected this property may be on the list for consideration for the Housing Element. Therefore, having not received a notice, and being within the 300 feet of the project we expected the zoning would remain the same and we had time to bring our concerns to the city.

I find it irresponsible to the citizens that live in this area that the city would identify a site, not directly notify us in 2020 nor in 2023 that it was being considered for a high density residential rezone, knowing full well that was the plan and was necessary to meet the total amount of required housing units. At the very least we should have been notified in October 2023. I feel this was likely done on purpose as it's hard to believe an oversight of this magnitude, that affects so many people, was a "Noticing glitch"

It's apparent that the city's efforts to notify were not forthcoming throughout the process, up to and including March 5 agenda being posted, as no one directly affected, including the owner of the property, were aware this rezone was taking place and being voted on and probably approved on March 5 2024!

Now we the people that are directly affected have not been given adequate time to voice our concerns and offer our input as to possible other solutions.

We have just now received a notice that rezoning is going to take place on this property, way after the known fact!! 16 units per Acre at 30 feet in height is more density than any small town neighborhood should have to absorb. We are doing more than our part in meeting the State mandated housing for the city as currently zoned at Medium Density. Therefore, I strongly feel that the city should get the housing element approved by finding parcels, or adding to other parcels, 24 additional homes and not overburden one particular area in the city that is already zoned medium density. I believe you have 88 homes designated at Site 10. Based on maximum numbers per acre, not counting the existing house, that's 64 units at MD. More than enough for us to bear in our neighborhood.

We realize that the city is not responsible for the loss of value of our homes, I've been informed it could be as much as \$400,000 per home. At medium density Over 30 homes will immediately be financially impacted by any development of this property, along with enduring years of construction. High density makes it worse. Are any other sites imposing the same financial burdens on residential properties? Does the east side have four schools and the traffic they bring? Is 42feet in height something Saint Helena wants in a residential area?

I would again, highly recommend you consider leaving this site (#10) at medium density and allocating the additional 24 homes either onto other sites appropriated or by finding another site that will meet the additional 24 home requirement. Possibly annex land in a more appropriate location for apartment style living. This will allow the city to meet the required certification, avoid default and allow the citizens, that should have received their notice in a timely manner, time to offer their input, ideas and find possible remedies to avoid the detrimental effects the city's plan will impose to each and everyone of us.

Thank you for your time.

Thanks,
 Laura Keir

Thanks,
Laura

Patrice Ferguson and John E Camp
1250 Spring Brook Court
St. Helena, CA 94574

March 29, 2024

To: City of St. Helena Planning Commission

Email: publiccomment@cityofsthenelena.org

We are writing to express our great concern for the recommendation of City Council regarding the rezoning of the property at 1933 Spring Street from medium density to high density. We are adamantly opposed to such a rezoning.

First, we are surprised that we have only learned of the proposal and the process of adding the approval to a meeting to take place next week on April 3, 2024. We were completely unaware of the potential rezoning until neighbors brought it to our attention less than a week ago. I understand that the notice process has been subverted with attempts to cure past problems when the entire intention of the process is to provide meaningful information to stakeholders and interested residents. The swiftness of the City's actions denies all of us for the opportunity to be heard and participate in decisions that affect all of us.

From what we can tell, the decision to "rezone" from medium to high density has been what appears to be a "cramdown" to residents and the community of St. Helena without consideration of the enormous impact to the Spring Street and surrounding neighborhoods, schools, traffic, safety, water and sewer that would result from the change. We are shocked by the possibility of adding hundreds of units in low rise structures on Spring Street with the enormous problems this would create. We understand that there are other sites that would lend themselves to better transition to the type of housing the City seeks to approve. The selection of 1033 Spring Street to rezone to high density should be denied especially in light of alternatives available to the City that would be more appropriate.

Xinia Gamero

From: LINDA REIFF <lreiff@comcast.net>
Sent: Friday, March 29, 2024 1:40 PM
To: Public Comment; cityclerk; Maya DeRosa; Planning Commission
Subject: [External] Public Comment on Planning Commission April 2 2024 Agenda Item 5.1

Dear Planning Department and Commissioners,

I received your letter and background materials regarding the potential rezoning of 1933 Spring Street on March 23, which is 10 days before the Commission is scheduled to vote on the matter.

As a property owner directly across the street, this proposal would have a massive negative impact on my property, and those of 100 other homeowners in the immediate neighborhood.

This is a small town where such a major decision with irrevocable impacts needs thorough review and meaningful conversations, which has not occurred. Further, proper notice to allow time for study and comment is required by law. If the City moves forward with this proposal my neighbors and I will have been denied that right.

I understand that the City has put itself in a precarious situation with the State. I also understand there are enough housing numbers within the other sites to meet the State requirements.

Therefore, in order for the City to meet the State requirements without denying its citizens their rights, the only choice the City has at this time is to remove the rezoning proposal for 1933 Spring Street and resubmit the plan to the State with the remaining sites.

Thank you in advance for resolving this matter.

Sincerely,
 Linda Reiff

On 03/04/2024 1:07 PM PST Linda Reiff <lreiff@comcast.net> wrote:

Dear Planning Department and Commissioners,

I am the owner of the property directly across the street from 1933 Spring and its vineyard, which apparently you are considering re-zoning to high-density housing.

I did not receive any notice from the city on this matter and I have not found any other neighbors of the property who were given notice either. Isn't this required?

The property you are considering is in agriculture which is considered a core community value. The city apparently recently rezoned it to medium density housing and now wants to make it high density housing which would severely impact the agrarian nature of the neighborhood. Why did you not engage with the neighbors on this matter before even considering such a thing?

While I understand the city is under pressure from the state to approve more housing, this is not the location where it should be done. The traffic impacts alone would be substantial and given this is the route to two of our public schools, it would be dangerous for children.

I respectfully ask that you not re-zone the property and instead engage with all neighbors about the future of the site. Thank you for your consideration.

Sincerely,
Linda Reiff

Xinia Gamero

From: Bryan Sandoli <bryan@dspws.com>
Sent: Friday, March 29, 2024 2:14 PM
To: Public Comment
Subject: [External] 1933 Spring Street Agenda Item

Dear Planning Commissioners,

We've always valued this community and moved here knowing it was a safe home for our family and future generations. We understand and appreciate how communities evolve. We have faith that the respective planning commissions approve development with the proper foresight and planning to ensure all aspects have been vetted and calculated to maintain the highest level of safety and wellbeing of its residents. Safety is obviously one of our highest priorities. Living on Spring Street the last 12 years across from 1933 Spring, we have noticed firsthand the dramatic increase of traffic to the point it is overly dangerous entering and exiting our driveway. Unsure when the traffic studies were conducted for the medium density zoning, but all signs show they are dated for today's congestion related to the increase in residents, students and tourists by-passing main street. Introducing a high density development project on Spring Street without thorough traffic and environmental studies is irresponsible, grossly negligent and detrimental to our lives and community. The city has several site options that are more viable from a safety/traffic standpoint which also are in greater need of development. These sites all have less of an impact than that of Site 10 without question.

It's disheartening to learn from members in the community that the city has missed the Housing Element deadlines and associated grace period placing the community out of compliance. Given its poor planning and foresight, the planning commission has exposed us to potential loss of state funding, possible decertification and triggering the ultimate penalty of the Builder's Remedy. If the State elects to decertify the Housing Element, the Builder's Remedy would blatantly disregard any traffic and safety concerns and change the core fabric and safety of our neighborhood and community on Spring Street.

We urge for Site 10 to remain medium density and to eventually develop it wisely for generations to come...

Thank you,

Bryan Dante Sandoli
 Spring Street Resident

Xinia Gamero

From: Elizabeth Sandoli <elizabethsandoli@gmail.com>
Sent: Friday, March 29, 2024 3:15 PM
To: Public Comment
Subject: [External] 1933 Spring Street Agenda Item

Dear City of Saint Helena,

My name is Elizabeth Sandoli and I grew up across from 1933 Spring Street. I learned how to drive a car on that street. I had to endure hectic mornings and afternoons when school would begin and conclude. So I cannot imagine how much worse this beloved street's traffic will become if you follow through with this surreptitious plan. Putting in high-density housing will create an adverse environment for young children growing up in the surrounding neighborhood and will extrapolate the current safety issues. We the community do not appreciate how this plan came to be without our knowledge and now we are supposed to deal with the consequences. The ramifications of this 566.67% increase in density will impact the lives of the future children of St. Helena. I do not doubt that there will be a positive correlation between an increase in population in the area and an increase in car-related injuries in the area. So, if I were in your shoes, I would stay under code 16.32.060 C that "all streets shall be designed and constructed to ensure the public health, safety, and welfare, and to meet the relevant standards outlined in the public works and fire department specifications, and CalTrans standard specifications." And according to my sources, you have not completed a traffic study for the area. Therefore I do not believe it would be wise to carry out this agenda that will impact the future of this town. Please protect my prospective children by taking the Spring Street site out of the equation. There are many other sites where your agenda would be able to be executed that are exceptionally more conducive to the lives and safety of the citizens of your town. I urge you to eliminate site 10 from your consideration so I can have assurance that my children can grow up in the same "bubble town" that I was lucky enough to have.

Sincerely,
The girl who grew up on 1918 Spring Street

Xinia Gamero

From: Karen Williams <karen@acmefinewines.com>
Sent: Friday, March 29, 2024 3:57 PM
To: Public Comment
Subject: [External] Rezoning of 1933 Spring Street: Health and Safety Concerns

I would like to comment on the traffic and safety issues surrounding Site 10 of the General Plan's Housing Element to voice my opinion on why NOT to allow it to be rezoned to high-density.

First and foremost, the traffic situation on Spring Street and Valley View already poses significant congestion and dangers during the commuting hours before and after public school hours to and from Grayson Avenue. In addition, Spring and Valley View are used as a thoroughfare for traffic looking to bypass the increasing gridlock traffic on HWY 29/Main Street. We live just in from the corner of Hudson and Spring and the amount of traffic that exceeds the speed limit

The dangers include children who walk and bike to school from the residential neighborhoods west of Allyn and Hudson. There is already a steady stream of cars and semi-trucks that utilize this "thoroughfare" making it a safety hazard. If future-thinking traffic studies are not conducted, the number of additional cars trying to enter Spring Street from 1933 will add to the already dangerous setting we watch from our porch every morning and afternoon. This isn't even bringing into the discussion of the years of construction issues that will be inevitable.

Anecdotally, living at 1918 Spring Street for 14 years, we have been backing into our driveway because we simply cannot back out of it safely. Each day, we drive home on the side of the street for traffic to subside in both directions and then back into our driveway quickly before another car either comes from Valley View or Hudson at speeds nearly impossible to safely complete the task.

I am aware of the different points being made by citizens of our community and will be present at the meeting on 4/2/24 to support the overwhelming opposition to what has been quietly happening without proper studies or information sharing to the neighborhoods most affected.

Sincerely,

Karen

Karen Williams



Xinia Gamero

From: Matthew Heil <matthewheil@sthms.org>
Sent: Friday, March 29, 2024 3:47 PM
To: Public Comment
Cc: Maya DeRosa; Aaron Hecock; board@sthms.org; cityclerk; Xinia Gamero
Subject: Re: [External] Agenda Item 5.1 Ordinance Approving General Plan Amendments and Zoning Map Amendments
Attachments: SH Montessori Letter to City re. 3 Parcels.pdf

Chairperson John Ponte
Members of the St. Helena Planning Commission
Maya DeRosa, Planning Director
City of St. Helena
1088 College Avenue
St. Helena, CA 94574

March 29, 2024

Re: Opportunity Site #8

Dear Chairperson Ponte, Planning Commissioners and Planning Director DeRosa:

On July 17 2018, St. Helena Montessori wrote a formal letter indicating an interest and openness to provide workforce housing for the school's employees and potentially other workers employed in St. Helena on the property owned by the school located at 882, 884 and 886 College Ave (APN# 009-070-043, 009-070-044 and 009-070-045). Please find a copy of that letter attached.

At that time, the City of St. Helena Zoning Ordinances would have allowed for a project with 8-22 units on that 1.5 acres of property if the land was indeed re-zoned MR: Medium Density Residential as per the request.

The city's proposal to up-zone the aforementioned property to HR: High Density Residential with a target of 30 units is far more ambitious a project than the school was contemplating at the time or is in a position to execute at this time.

We would like to work with city staff to masterplan a solution on this property that would meet the objectives of the school and the city with a housing project that meets the size and scope necessary to fulfill those objectives.

Please feel free to contact me at the school should you have further questions regarding this matter at matthew@sthms.org or (707) 738-5291.

Sincerely,



Matthew P. Heil, Director of Development
On behalf of the Board of Trustees

Matthew P. Heil
Development Consultant
St. Helena Montessori
880 College Ave
St. Helena, CA 94574
707.963.1527 office
707.738.5291 cell



Mayor and City Council Members
Mark Prestwich, City Manager
Noah Housh, Planning & Community Improvement Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574

July 17, 2018

Re: City of St. Helena General Plan Update – Rezoning Request, APN#s 009-070-043, 044, 045

Dear Mayor and City Council,

The St. Helena Montessori School (SHMS) would like to thank the City Council and our City Manager for seriously exploring a much-needed housing strategy for our community. SHMS is acutely aware of the need for work force housing, as a majority of our staff must find affordable housing outside the City of St. Helena. We applaud the work that has been done and the completion of the White Paper – “Stabilize, Maintain and Improve Access to Housing” goal presented to the Council on June 26th. Also, we realize that the Council will be taking “one last look” and providing policy direction to finalize our General Plan Update on August 14, 2018.

SHMS owns three ag residential lots adjacent to its campus on College Avenue. Currently these three one-half acres lots are zoned A-20 which may be developed only with a single-family house and an ADU on each lot. The three lots are within the Urban Limit Zone and currently have City utility services stubbed to each of the lots. Our Board of Directors believes that it would be in the best interests of the School and the community if the lots could be re-zoned Medium Density Residential which would provide the SHMS the opportunity to develop affordable workforce housing that would serve its staff and the community.

St. Helena Montessori School would at this time formally request that the City include a rezoning of parcels APN# 009-070-043, 009-070-044 and 009-070-045 from A-20: Agriculture to MR: Medium Density Residential when providing policy direction to finalize the General Plan Update.

Please feel free to contact me at the school should you have further questions regarding this matter at matthew@sthms.org or (707) 738-5291.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew", is placed above the typed name.

Matthew P. Heil, Director of Development
On behalf of the Board of Trustees

Xinia Gamero

From: carolyn troyan <carolyn@troyan.org>
Sent: Sunday, March 31, 2024 9:26 AM
To: Public Comment
Subject: [External] Comments from Marc & Carolyn Troyan for the April Planning Committee Meeting

To the City of St. Helena,

My husband and I are the owners of 1134 Valley View. We are writing to ask the planning commission to reconsider the rezoning of the vineyard property on Spring street from medium to high density. When we moved our family to St. Helena and joined the community, we were excited to join a vibrant community and amazing school district. We have been overjoyed at the people that we have met and have been giving back through volunteering at St. Helena High school and becoming active members of the local Soroptimists chapter and joining the local chamber of commerce along with being small business owners. When we purchased our property many years ago we knew that there was a chance someday we would have homes behind us and were aware of the zoning change to medium density. The latest development to impact over 40 single homeowners with a high density development in their backyard vs. in another more developed area of town makes little sense to our family. Our vineyard and mountain views will be replaced by apartments and a fence. The impact and loss in value to our property is massive and will have a significant impact on our future plans to retire in St. Helena and continue to give back to the community. I also see a huge impact on our community:

- 1) Water usage - what is the plan to address this given the high number of units proposed by the change?
- 2) Sewage and waste treatment usage? We already have issues along spring and other streets and can our current infrastructure handle this additional load?
- 3) Traffic - valley view is an essential road to two of our schools and I worry about the traffic impact for our families.
- 4) Decreased value of our properties - how will the city make up for the massive loss we will experience in \$ and value of our property?

Finally what other options were considered that might be a better fit and impact less homeowners in the community? As others pointed out there are other sites controlled by the city with less total impact than the one proposed on spring street.

I want to thank the planning department for meeting with me and explaining how hard it has been to find suitable solutions to the demands from the state. However, I feel taking some more time to figure out a better solution and involve the community in a deeper way feels like the right thing to do. Also given all the infrastructure issues we currently face, a more detailed plan from the city would be great to address the areas above.

We ask with all our hearts that you consider the impact you are having on the residents surrounding this area and the massive impact this will have on our community and the value of our properties. Let's keep valley view with some view of the valley.

Thanks for your consideration,

Sincerely,

Carolyn & Marc Troyan

--

Carolyn Troyan

CEO & President, Leadership 360

Email: carolyn@troyan.org

Website: <https://www.leadership-360.org/>

[LinkedIn](#)

Phone: +1 (415) 812-0690



Xinia Gamero

From: Danielle Davis <danielleharvey1021@gmail.com>
Sent: Sunday, March 31, 2024 11:30 AM
To: Public Comment
Subject: [External] Public comment for item 5.1 on 4/2

Please see the following comment for item 5.1 on the upcoming 4/2/2024 planning commission agenda.

I am writing to state my opposition of the rezoning of site 10 although what's more concerning than this rezoning is the incompetence and lack of compliance of the city. I'm truly baffled how far this has gone and that the rezoning notice to residence was passed off as a glitch.

We need accountability and transparency from our city officials. Residents deserve to be informed and involved in the decision-making process.

It's time for the city to step up and do better for the community.

Get it together St. Helena.

Regards,
Danielle

Xinia Gamero

From: Rita Hellewell <rahellewell@gmail.com>
Sent: Sunday, March 31, 2024 12:02 PM
To: Public Comment
Cc: Christopher Hellewell
Subject: [External] Rezoning of 1933 Spring St.

I would like to comment in advance at the upcoming meeting on April 2nd, as I will be traveling out of town on business and cannot attend.

My husband and I are full time residents of St. Helena, and we are extremely unhappy with the way this matter has been handled, putting many in a situation where they must choose between two bad options all because the town failed in its responsibility to give timely and accurate information about the steps they were undertaking.

Your sleight of hand to rezone the parcel from a medium density to a high density lot without even informing the public (or the owner, from what I understand) is highly concerning to say the very least. You missed many deadlines and then referred to the failure to inform residents as a "glitch." This decision directly affects the property and character of a highly residential area with some 30+ families, and will impact the broader area in ways that have not been addressed. This area has always been a low to medium density area, and the impact of this plan to build a three-story, 100+ unit on traffic, water, sewer, parking, fire and health and safety has not been addressed. It is completely out of keeping with the neighborhood.

We strongly object and ask that the City not rezone the property, and be held accountable for its failure to inform residents of plans that so personally and profoundly impact them and their property. The citizens of this town should not pay the price for the failure of the council to act.

Sincerely,
 Rita & Chris Hellewell

Xinia Gamero

From: Philippa Ward <philippamward@gmail.com>
Sent: Sunday, March 31, 2024 9:35 PM
To: Public Comment
Subject: [External] Comment for April 2nd commission meeting

From: Philippa Ward <philippamward@gmail.com>

Date: March 30, 2024 at 12:50:58 PM PDT
To: planningcommission@cityofsthenela.org
Subject: Comment for April 2nd commission meeting

To- St. Helena City Planning Commission

With regard to the potential upzoning of 1933 Spring Street vineyard from Medium Density to High Density Zoning. I am strongly opposed to the potential of well over 100+ units being built at this location. It is wholly inappropriate to have up to 3 stories and that many units built at this location. The surrounding home owners would suffer in its shadow as they are required to abide by CC&R's limiting them to 1 story. This city does not have the capability of servicing that many units in one location. We do not have the water, the safety personnel, the sewer capabilities nor the ability to manage the traffic that would result from this potential development.

I also strongly object to the way the residents as well as the owner of this property were noticed, or rather not noticed, until March 21st for an April 2nd meeting. I understand that there is pressure from the state to certify the housing element our city greatly needs and the alternative to not adopting our general plan is dire. These proposed upzoning sites should have been entered into our general plan and new zoning when it was being redrawn and thoughtful discussion could have been had. The requirement for the state housing element is not a surprise and should not be treated as one.

I would encourage thoughtful consideration about what the High Density Zoning of 1933 Spring Street would do to that portion of town. There are more appropriate places that can tolerate high density than a historic vineyard surrounded by single story medium density homes. Please object to the upzoning of site 10.

Regards,

Philippa Ward
 Sent from my iPhone

Xinia Gamero

From: Erin Przybylinski <erin.przy@gmail.com>
Sent: Monday, April 1, 2024 7:40 AM
To: Public Comment
Subject: [External] Site 10

Dear City Council Members,

I am writing in regards to the current proposal for high density low income housing on site 10 on Spring Street. I fully support the need for low income housing, but I do not support the current plan for a high density three story 100 unit at this location. I encourage you to amend the plan to medium density and individual units,

Thank you for your exploration of this matter,

Erin Przybylinski
1184 Hudson Ave.
St. Helena, CA 94574

Xinia Gamero

From: 07-icebox.pelagic@icloud.com
Sent: Monday, April 1, 2024 9:38 AM
To: Public Comment
Subject: [External] Housing element

In respect to the rezone and development of Site 10 in the Housing Element Considering the proximity of the Saint Helena area, especially the west side of town, to High Fire Risk areas per map linked below the safety of the residents in case of fire should have kept this property from being considered for zoning change and should not have been considered at all for development.

The City of Saint Helena along with Calistoga should have done more to fight SB 9 and 10 and filed for exemption. If nothing else fought the County to find more safe areas for development.

By adding hundreds of new homes up valley, in high fire prone areas, with limited evacuation routes, will cause deaths and endanger the safety of its citizens Thank you Brian Schleicher Saint Helena

<https://www.arcgis.com/apps/Styleer/index.html?appid=5e96315793d445419b6c96f89ce5d153>

Xinia Gamero

From: Doug King <dsnfking@gmail.com>
Sent: Monday, April 1, 2024 10:26 AM
To: Public Comment
Subject: [External] 1933 Spring Street Rezoning

To the City of Saint Helena, Planning Commission, and City Council Members,

As a 30 year homeowner and resident on Hudson Avenue I am writing to urge the City to exclude 1933 Spring Street (Site 10) from the list of sites being considered for rezoning to High Density Residential. This change would drastically alter the historic character of the neighborhood which has been fundamental to the general plan of St. Helena since its inception. This change would create numerous public safety issues and impose negative impacts on the many residents of the area. High density housing would create numerous traffic issues including traffic jams at already congested intersections (Spring and Main, for ex.). Parking would become a challenge and access to Spring Street (already with many visually obstructed corners (Hudson and Spring, Allyn and Spring) would lead to public safety concerns. These are frequently traveled routes for children to schools and parks in the immediate area, and for residents walking for exercise, pets, and downtown visits.

This parcel has been zoned as Medium Density in the most recent General Plan, and is bordered on all sides by existing Medium Density housing, as zoned in the G.P. Converting this parcel from Medium to High Density overtly contradicts the obvious intent and nature of the original General Plan design. It will greatly impact this important area of Saint Helena in many and significant ways.

To consider this change because of pressures from State mandated reforms should be done with rigorous deliberation and maximum input from the community. This does not appear to have been the case. This is a very troubling realization. Changing this parcel to High Density may seem like a quick solution to an immediate challenge but it will create irreversible problems in the long term. I urge you to keep the 1933 Spring Street Street Parcel in the current zoning of Medium Density Residential in order to preserve the character of Saint Helena and protect the best interests of our residents.

Sincerely,

Doug King

Dear City of St. Helena,

I am writing to express my strong opposition to the proposed rezoning of our residential area to accommodate low-income high-density residential developments. As a resident and stakeholder in this community, I believe this rezoning would have detrimental effects on the neighborhood's character, traffic, safety, livability, and overall well-being.

Firstly, our residential area has been carefully planned and developed to provide a balanced environment for families and individuals seeking a certain quality of life. Introducing high-density housing, particularly designated for low-income residents, may disrupt the harmony and dynamics of our community. It could potentially strain existing resources such as schools, healthcare facilities, water, sewer, and transportation infrastructure, leading to overcrowding and increased traffic congestion.

Moreover, the sudden influx of high-density housing could negatively impact property values for existing homeowners. Studies have shown that the introduction of low-income housing in predominantly medium-density residential areas can lead to decreased property values due to perceived changes in neighborhood desirability and safety concerns.

Furthermore, while I understand the importance of providing affordable housing options, rezoning the Spring Street area for high-density development is not the only solution. There are alternative strategies and locations that can be explored to meet the needs of low-income residents without compromising the integrity of established neighborhoods like ours.

Additionally, I urge the city to consider the long-term implications of this rezoning decision. Once the character of our neighborhood is altered, it may be irreversible, affecting generations to come. We must prioritize sustainable development that respects the needs and preferences of current residents while also addressing the city's housing challenges.

In conclusion, I respectfully request that the city reconsider the proposed rezoning of our residential area to low-income high-density residential. I believe that preserving the character and integrity of our neighborhood is crucial for maintaining a thriving and cohesive community.

Thank you for considering my concerns and those of other residents who share similar sentiments. I am available to discuss this matter further and welcome the opportunity to contribute to constructive dialogue on alternative solutions.

Sincerely,

Greg Scheinfeld

Xinia Gamero

From: Maxine Angell <maxlangell@yahoo.com>
Sent: Monday, April 1, 2024 11:19 AM
To: Public Comment; Maya DeRosa; citymanager
Subject: Fw: [External] Opposed to Rezoning 1933 Spring Street for 4/2/24 meeting

Dear Planning Commission;

This e-mail is supplement to my e-mail dated March 5, 2024 that is attached below.

On March 22, 2024, I received an undated notice from the City of St. Helena regarding a hearing to adopt an ordinance approving a General Plan Amendment. This Amendment is to bring the Land Use Map and the Zoning Map into conformance with the City's adopted and State Certified 2023-2031 Housing element. Attached to the notice was a two page letter titled Frequently Asked Questions.

Of concern is that the City of St Helena adopted and certified a plan with zoning changes without notice to residents in violation of Saint Helena Municipal Code sections 17.07.060 and 17.07.060 and State law. Of further concern is that the housing element began nearly three years ago and the city submitted a rezoning of my neighborhood, without providing legal notice to property owners as required.

On Page 2, titled Frequently Asked Questions number #5, it lists a several potential negative outcomes if the changes are not approved, however, these actions, such as fines, decertification by the State and Builders Remedy are directly related to the City's non-compliance with the state deadlines on two occasions. The most basic question is why are City employees not complying with the laws?

I have lived in the neighborhood for nearly thirty two years and the proposed rezoning would drastically change the charm and character of my neighborhood, as well as affecting, water, parking, noise etc. Valley View Street is an alternative to the Highway 29 and traffic is unsafe as it is.

I am in favor of keeping Site 10 as medium density and increasing the density of other proposed sites, which would enable to City to meet it's quota without disrupting the neighborhood. I am also in favor of transparency and accountability by city staff and their failure to provide notice and communication with residents impacted by their decisions. The notice I received on March 22, 2024 should have been provided years before when rezoning was contemplated and well before it was submitted to the State.

Sincerely,

Maxine L. Angell

----- Forwarded Message -----

From: Maxine Angell <maxlangell@yahoo.com>
To: Public Comment <publiccomment@cityofsthenana.org>; MDeRosa@cityofsthenana.org <mderosa@cityofsthenana.org>
Sent: Tuesday, March 5, 2024 at 10:20:19 AM PST
Subject: Opposed to Rezoning 1933 Spring Street

Dear Planning Commission;

I am a 32 year resident of Saint Helena and live one house away from the proposed zoning change to 1933 Spring Street from moderate density to high density housing. I am opposed to rezoning this property and shocked that neighbors were not notified to provide feedback or input into the proposed rezoning. I heard about the rezoning, three days ago from my neighbor who I saw in the yard, yet this change would have a permanent, deleterious effect on the charm, peace and quiet of the neighborhood.

I am also concerned, that despite promises from city administration and staff to provide communication and resident participation in the democratic process, that these decisions are made by consultants and city employees, with no resident participation and then presented for approval. How can community development exclude residences bordering the property and the neighboring residents?

I am supportive of the need for affordable housing in St. Helena, yet I do not support 144 units on 4 acres in a quiet, residential neighborhood. The proposed rezoning will lower my property value and change the quiet, peaceful character of the neighborhood. Valley View Street is used to bypass the freeway and is too congested, as it is. There are many areas of town that are more suitable for a high density project such as the one that is proposed, some have been previously identified, some not.

I ask the Planning Commission not to adopt the resolution and to provide notice to all residents who would be impacted by the changes before voting on this or any other measure. I believe there needs to be more engagement with residents and more transparency from city staff and administration about how these issues are advanced within city government.

Sincerely,

Maxine L. Angell
2101 Spring Street

Xinia Gamero

From: debra lunardini <reginalun@me.com>
Sent: Monday, April 1, 2024 12:25 PM
To: Public Comment
Subject: [External] Rezoning Site 10. 1933 Spring Street

April 1, 2024

Dear Saint Helena Planning Commission.

This email is regarding the rezoning of 1933 Spring St. (site 10). My home is directly adjacent to this property and like everyone else in the neighborhood the city's failure to notify surrounding neighbors has broken city and state laws. Had I been properly notified I would have had the opportunity to place my home on the market. I consulted my real estate agent and she says that I've already lost hundreds of thousands of dollars in equity. A high density development on that particular lot is completely out of character with the surrounding neighborhood as most of the homes are ranch style single-story, single-family properties. All the homes surrounding the proposed multi-story development complex would also lose their present privacy, not to mention creating excessive traffic, parking issues, noise and would raise safety concerns. The rezoning of 1933 Spring Street would surely ruin this small neighborhood.

Sincerely, Debra Lunardini
2081 Spring Street
Saint Helena, CA 94574 reginalun@me.com

Xinia Gamero

From: John Herrguth <john.herrguth@yahoo.com>
Sent: Monday, April 1, 2024 4:46 PM
To: Public Comment
Subject: [External] Site 10 Re-zoning

I am contacting you regarding the proposed rezoning of site 10 in St. Helena. **I am strongly opposed to the proposed re-zoning from medium to high-density.** Allowing a high density development at site 10 will have a detrimental effect on property values as well as pose serious problems regarding parking, traffic flow, water, sewer, fire and other health and safety concerns. The corner of Spring and Valley View is already a high traffic area, especially during the morning and afternoon with parents shuttling their children to and from school.

The proposed development does not fit with the current character of the neighborhood and would negatively affect existing residents and homeowners. Furthermore, the city was negligent and deceitful in properly informing the residents of the proposed rezoning.

I understand and agree St. Helena needs to provide affordable housing and respectfully request site 10 remain medium density and that the city investigate more suitable parcels to provide the housing it needs to meet state mandated requirements. Allowing site 10 to be re-zoned to high density would be a travesty.

Sincerely,

John Herrguth

Sent from my iPhone

Xinia Gamero

From: Nancy King <nancyking220@gmail.com>
Sent: Monday, April 1, 2024 5:08 PM
To: Public Comment
Subject: [External] Rezoning Spring St Vineyard? - NO!

Do any of you on the board live in Saint Helena?

Well, my husband and I have lived on Hudson Ave for 30 yrs., infact we raised both of our kids in SH. They both successfully went through all of our public schools and competed in most of the sports offered.

Do you understand what would happen to our neighbors, our quiet lovely community, if apartments were built in our neighborhood? So many issues. Just to name a few- water, traffic, parking and more personally the price of all our houses will go way down.

We agree that if the vineyard cannot stay, then keeping the medium density aesthetic makes sense. And we understand and agree that more affordable housing is needed in SH, but put it where it should be, not just the first place that pops up. Not in our backyard.

And, by the way, the way and timing that we were notified is wrong.

And it is clear to all of us that it was not just a “notifying glitch”.

Nancy King
Hudson Ave

Xinia Gamero

From: Josh Dempsey <jd@jdnapavalley.com>
Sent: Monday, April 1, 2024 8:21 PM
To: Public Comment
Cc: Erin Dempsey
Subject: [External] 1933 Spring Street ~ Rezone

To Whom it May Concern,

My wife Erin and I live full time in St Helena (2705 Spring Street) and we are very concerned about the prospect of a high density project on this site. We understand that the city is under significant pressure to create more housing. A proposed solution is to approve the rezoning for all sites except Site 10. With respect to Site 10, no changes to its current zoning are necessary and it would remain zoned Medium Density Residential (MR). This does not add or remove project sites from the Housing Element and the objective would be to accomplish this minor edit without having to "reopen" the Housing Element. Keeping Site 10 MR would adjust the calculation for Site 10 from providing 88 housing units (44 lower / 44 moderate) to providing 70 housing units (35 lower / 35 moderate) -- a reduction of only 18 housing units out of 472 total. Based on this, the City would still meet the RHNA allocation (including a 20% buffer) with a respective surplus of 6, 30, and 116 housing units for lower, moderate, and above-moderate income. The community asks that the Planning Commission, City Council, and City Staff work with the California Department of Housing and Community Development (HCD) to determine the quickest way to implement this solution and bring the Housing Element back into compliance.

Josh Dempsey

Vanguard Properties
 Regional Director
 C: 707.637.6123
 Lic # 01297595



PALMISANO

3/30/2024

This letter is regarding the upcoming planning commission meeting on April 2, 2024, dealing with the rezoning for Site 10; The Spring Street Vineyard Property.

As owners of a home on Hudson Avenue, it is very distressing to know that not only has the property mentioned been rezoned without our knowing until very recently, but the city is proposing to rezone Site 10 from medium to high-density.

This neighborhood is currently surrounded by single family residences filled with retirees and families raising their children. Almost all of the homes are single story giving us a sense that we live in a small town. A high density development in this little neighborhood would feel like something that we would see in an urban environment. It would be the only multi-story building in the entire area. A multi-story development seems to be better suited in an area where there is more space to absorb the sheer height and volume of such a development along with the multitude of parked cars with households always exceeding the allotted parking spots considered for each resident. The traffic impact on Spring Street and Valley View Street would also be of real concern as we have several schools in the area.

We understand that affordable housing needs to be addressed in all communities and we agree with the original zoning as a medium density development would be appropriate for Site 10.

Thank you for your consideration,

Christy Palmisano
Peter Palmisano
1161 Hudson Avenue
St. Helena, CA 94574

Xinia Gamero

From: Susan Blanco <susanblanco1@gmail.com>
Sent: Tuesday, April 2, 2024 8:30 AM
To: Public Comment
Subject: [External] Do not rezone Site 10

I live in St Helena and I was not notified of the proposal to rezone Site 10 to high density housing.
Why is this being done without notification and discussion?

Susan Blanco
1830 Quail Ct

Xinia Gamero

From: Ben Rhodes <rhodesbp@hotmail.com>
Sent: Tuesday, April 2, 2024 8:37 AM
To: Public Comment
Cc: Lisa Rhodes
Subject: [External] In Opposition to Sites 10 and 11 Rezoning from Medium to High Density

Hello City Planning Commission and City Council Members,

First, I hope this finds you well as you consider current rezoning within our lovely town, which my wife and I have had the pleasure of enjoying on vacations for years and now as permanent residents the past three plus years. We love St. Helena and plan to retire here to live out our days.

Next, I want to be on record that we appreciate all that you do for its citizens! We know it's not easy, and we thank you for your service to our community.

Now, in the case of certain proposed rezoning sites under consideration, particularly Sites 10 and 11, from medium to high-density, I would like to be on record that we are opposed to it. For example, Site 10 would impact 90 home owners that share the beautiful land and neighborhood community. I understand that building additional housing and/or apartments is important, and I'm all for providing more citizens the opportunity to live and work in our community to help us all thrive. However, Sites 10 and 11 do not appear to be the best choices when others are available to assure we meet state regulations.

Last, please consider the many residents today and future residents impacted by the rezoning you are considering from traffic to parking and safety and so on. We understand it is a tough balancing act living in today and planning for the future; however, please keep St. Helena and our residents living in and amongst the natural landscape where agriculture helps the community thrive.

Regards,

Ben Rhodes

City of Saint Helena Planning Commission

Regular Meeting Tuesday, April 2, 2024 @ 6PM
Vintage Hall Board Room – Second Floor
465 Main Street, Saint Helena

David Prueter

1118 Valley View Street, Saint Helena
davidprueter@yahoo.com
330-206-0094

April 2, 2024

Dear Saint Helena Planning Commission:

I write regarding Public Hearing Agenda Item 5.1 of the City of Saint Helena Planning Commission Regular Meeting scheduled for Tuesday, April 2, 2024.

Agenda Item 5.1 includes a Staff recommendation that the Planning Commission adopt a resolution recommending that the St. Helena City Council: "Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps."

To summarize: The City Staff is proposing the following six General Plan Amendments (GPAs) to update the General Plan's Land Use Map (Figure 2.1) and the following six Zoning Map Amendments (ZMAs) to update the Zoning Map referenced in Saint Helena Municipal Code Section 17.01.070.

GPA 2024-001, ZMA 2024-001	Site 1 - (1480 Main St.)
GPA 2024-002, ZMA 2024-002	Site 2 - (1572 Railroad Ave.)
GPA 2024-003, ZMA 2024-003	Site 5 - (Main St. btw Mills Ln. and Dowdell Ln.)
GPA 2024-004, ZMA 2024-004	Site 8 - (882 and 886 College Ave.)
GPA 2024-005, ZMA 2024-005	Site 10 - (Spring St. btw Hudson Ave. and Valley View St.)
GPA 2024-006, ZMA 2024-006	Site 11 - (1637 Spring St.)

On March 26, 2024, in a letter to Saint Helena City Manager, Anil Comelo, the California Department of Housing and Community Development (HCD) revoked its finding that the City's Housing Element is in substantial compliance. (HCD Letter, March 26, 2024). On March 28, 2024, the City published a Memorandum from Saint Helena Community Development Director, Maya DeRosa, informing all interested parties of HCD's decision. (City Memo, March 28, 2024). In that Memo, the City contends that "[a]pproving the proposed rezonings is the most expeditious path for the City to bring the Housing Element into compliance with State Law." In its letter, HCD states that it "is committed to assisting all localities in achieving and retaining substantial compliance with State Housing Element Law."

As set forth below, Saint Helena can achieve and retain substantial compliance with State Housing Element Law by approving the proposed rezoning for Sites 1, 2, 5, 8, and 11 and denying the proposed rezoning for Site 10.

Saint Helena can achieve and retain substantial compliance with State Housing Element Law by approving the proposed rezoning for Sites 1, 2, 5, 8, and 11, denying the proposed rezoning for Site 10, and correcting a calculation error.

The following table (TABLE 1) provides a summary of the Saint Helena housing calculations contained in the Housing Element, including Pending Projects, ADU Trends, and Project Sites 1-12 divided across Lower Income, Moderate Income, and Above Moderate Income. The values in TABLE 1 assume that the City Council adopts all six GPAs and ZMAs currently before the Planning Commission.

Project Sites	Lower Income	Moderate Income	Above Moderate Income	Total
Pending Projects	4	1	88	93
ADU Trends	0	0	72	72
Site 1 (1480 Main St.)	6	0	0	6
Site 2 (1572 Railroad Ave.)	20	0	0	20
Site 3 (Adams St.)	31	0	0	31
Site 4 (905 Main St.)	0	0	4	4
Site 5 (Main St. btw Mills Ln. and Dowdell Ln.)	45	0	0	45
Site 6 (709 McCorkle Ave.)	0	0	4	4
Site 7 (821 Pope St.)	10	10	0	20
Site 8 (882 and 886 College Ave.)	15	15	0	30
Site 9 (1447 and 1515 Spring St.)	24	0	24	48
Site 10 (Spring St. btw Hudson Ave. and Valley View St.)	44	44	0	88
Site 11 (1637 Spring St.)	8	0	0	8
Site 12 (620 McCorkle Ave.)	0	0	3	3
Total	207	70	195	472
St. Helena RHNA	163	26	67	256
St. Helena RHNA plus 20% Buffer	192	31	79	302
Surplus	15	39	116	170

TABLE 1

As shown in the third row from the bottom, Saint Helena's Regional Housing Needs Allocation (RHNA) total is 256 housing units with 163 for Lower Income, 26 for Moderate Income, and 67 for Above Moderate Income. When preparing the Housing Element, City Staff added a 20% buffer on the RHNA requirement, based on HCD recommendation to create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required. The last row of TABLE 1 shows the surplus of housing units in each income category calculated by taking the difference between the total housing units provided and the housing units required by RHNA plus a 20% buffer.

TABLE 1 uses the following calculation for Site 10: High Density Residential (16.1 to 28 units/acre): 4.4 acres @ 20 units/acre = 88 units: 44 lower / 44 moderate.

If the City Council was to adopt all six GPAs and ZMAs currently before the Planning Commission, Saint Helena would exceed the RHNA plus 20% buffer with a surplus of 15 Lower Income, 39 Moderate Income, and 116 Above Moderate Income housing units.

Alternatively, as shown in the following table (TABLE 2), if the City Council was to adopt the five GPAs and ZMAs for Sites 1, 2, 5, 8, and 11 and deny the GPA and ZMA for Site 10, Saint Helena would still exceed the RHNA plus 20% buffer with a surplus of 6 Lower Income, 30 Moderate Income, and 116 Above Moderate Income housing units. Indeed, this approach would result in a reduction of only 18 housing units out of 472 total.

Project Sites	Lower Income	Moderate Income	Above Moderate Income	Total
Pending Projects	4	1	88	93
ADU Trends	0	0	72	72
Site 1 (1480 Main St.)	6	0	0	6
Site 2 (1572 Railroad Ave.)	20	0	0	20
Site 3 (Adams St.)	31	0	0	31
Site 4 (905 Main St.)	0	0	4	4
Site 5 (Main St. btw Mills Ln. and Dowdell Ln.)	45	0	0	45
Site 6 (709 McCorkle Ave.)	0	0	4	4
Site 7 (821 Pope St.)	10	10	0	20
Site 8 (882 and 886 College Ave.)	15	15	0	30
Site 9 (1447 and 1515 Spring St.)	24	0	24	48
Site 10 (Spring St. btw Hudson Ave. and Valley View St.)	35	35	0	70
Site 11 (1637 Spring St.)	8	0	0	8
Site 12 (620 McCorkle Ave.)	0	0	3	3
Total	198	61	195	454
St. Helena RHNA	163	26	67	256
St. Helena RHNA plus 20% Buffer	192	31	79	302
Surplus	6	30	116	152

TABLE 2

TABLE 2 uses the following calculation for Site 10: Medium Density Residential (5.1 to 16 units/acre): 4.4 acres @ 16 units/acre = 70.4 (70) units: 35 lower / 35 moderate.

Calculation Error

Title 17 of the Saint Helena Municipal Code (hereinafter “Zoning Code”) provides a density range for High Density Residential (HR) of 16.1 to 28 dwelling units per acre. (See Zoning Code 17.16.010). The 2023-2031 Housing Element incorrectly states the range for HR as 16.1 to 26 units per acre. (See e.g., pp. 2-182, 2-185, 2-193, 2-197, 2-199, 2-200, 2-202, 2-204, 2-210). This error improperly assigns a lower maximum density for parcels designated HR and results in an understated site capacity calculation for any project site with an HR designation. Based on this error, the site capacity for project Sites 2, 5, 7, 8, 9, and 11 was incorrectly understated as shown below in Table 3.

Project Site	Incorrect Assumed Site Capacity	Actual Site Capacity	Additional Units Available
Site 2	24 units	26 units	+2 units
Site 5	45 units	50 units	+5 units
Site 7	26 units	28 units	+2 units
Site 8	39 units	42 units	+3 units
Site 9	62 units	67 units	+5 units
Site 11	28 units	31 units	+3 units
Total			+20 units

TABLE 3

As shown in TABLE 3, the error contained in the Housing Element improperly understated the total number of housing units by 20 units. The proposal set forth above and shown in TABLE 2 results in a reduction of only 18 housing units out of 472 total. Therefore, by keeping Site 10 at its current zoning of Medium Density Residential, completing the rezonings for Sites 1, 2, 5, 8, and 11, and correcting the calculation error contained in the Housing Element, Saint Helena's Housing Element would provide two additional housing units more than the surplus provided in the original Housing Element that HCD certified on September 25, 2023.

Table 4 shows the total housing numbers obtained by keeping Site 10 at its current zoning of Medium Density Residential, completing the rezonings for Sites 1, 2, 5, 8, and 11, and correcting the calculation error contained in the Housing Element.

Project Sites	Lower Income	Moderate Income	Above Moderate Income	Total
Pending Projects	4	1	88	93
ADU Trends	0	0	72	72
Site 1 (1480 Main St.)	6	0	0	6
Site 2 (1572 Railroad Ave.)	22	0	0	22
Site 3 (Adams St.)	31	0	0	31
Site 4 (905 Main St.)	0	0	4	4
Site 5 (Main St. btw Mills Ln. and Dowdell Ln.)	50	0	0	50
Site 6 (709 McCorkle Ave.)	0	0	4	4
Site 7 (821 Pope St.)	12	10	0	22
Site 8 (882 and 886 College Ave.)	18	15	0	33
Site 9 (1447 and 1515 Spring St.)	29	0	24	53
Site 10 (Spring St. btw Hudson Ave. and Valley View St.)	35	35	0	70
Site 11 (1637 Spring St.)	11	0	0	11
Site 12 (620 McCorkle Ave.)	0	0	3	3
Total	218	61	195	474
St. Helena RHNA	163	26	67	256
St. Helena RHNA plus 20% Buffer	192	31	79	302
Surplus	26	30	116	172

TABLE 4

By keeping Site 10 at its current zoning of Medium Density Residential, completing the rezonings for Sites 1, 2, 5, 8, and 11, and correcting the calculation error contained in the Housing Element, Saint Helena can satisfy all the requirements of Housing Element law and regain certification by HCD. Importantly, this solution does not add or remove any Opportunity Sites within the Housing Element and should therefore be accomplished expeditiously by an administrative adjustment to the Housing Element, without reopening the Housing Element. Because Saint Helena would still exceed its RHNA allocation including a 20% buffer, the following actions would result in substantial compliance with State Housing Element Law. Indeed, these actions in combination with the correction in the density calculation would provide more affordable housing within the City than that provided in the Housing Element that HCD previously certified.

For at least the foregoing reasons, the Planning Commission should recommend and the City Council should adopt the following GPAs and ZMAs:

GPA 2024-001, ZMA 2024-001 Site 1 - (1480 Main St.)
 GPA 2024-002, ZMA 2024-002 Site 2 - (1572 Railroad Ave.)
 GPA 2024-003, ZMA 2024-003 Site 5 - (Main St. btw Mills Ln. and Dowdell Ln.)
 GPA 2024-004, ZMA 2024-004 Site 8 - (882 and 886 College Ave.)
 GPA 2024-006, ZMA 2024-006 Site 11 - (1637 Spring St.)

The Planning Commission should decline to recommend and the City Council should deny adoption of the following GPA and ZMA:

GPA 2024-005, ZMA 2024-005 Site 10 - (Spring St. btw Hudson Ave. and Valley View St.)

Saint Helena City Staff, Planning Commission Members, and City Council Members should immediately seek HCD's assistance in achieving and retaining the compliance as outlined above to regain certification as quickly as possible.

The foregoing proposed solution is deemed reasonable solely for purposes of regaining certification by HCD and finds support among the community from at least the following residents who have explicitly given permission to include their names as supporters of keeping Site 10 zoned Medium Density Residential while still meeting or exceeding RHNA requirements.

<i>Nicole Abiouness</i>	<i>Lisa Empting</i>	<i>Doug King</i>
<i>Maxine L. Angell</i>	<i>Patrice Ferguson</i>	<i>John L. Livingston</i>
<i>Pierre Birebent</i>	<i>Claudia Gambill</i>	<i>Diane Franklin Livingston</i>
<i>Nathalie Birebent</i>	<i>Judy Gollan</i>	<i>Debra Lunardini</i>
<i>John E. Camp</i>	<i>Jessica Hague</i>	<i>Elaine Lund</i>
<i>Ana Canales</i>	<i>Kevin Hague</i>	<i>Alyson Nelson</i>
<i>Jay Carlton</i>	<i>John Hawkins</i>	<i>Scott Nelson</i>
<i>Sandy Carlton</i>	<i>Christopher George Hellewell</i>	<i>Peter Palmisano</i>
<i>Jackson Carr</i>	<i>Rita Anne Hellewell</i>	<i>Christy Palmisano</i>
<i>Sandra Carr</i>	<i>Laura Mackenzie Keir</i>	<i>Stefano Particelli</i>
<i>Danielle Davis</i>	<i>Pamela Susan Kenward</i>	<i>Amy Particelli</i>
<i>James (Woody) Davis</i>	<i>David Kerr</i>	<i>David Pearson</i>
<i>Leslie Ellis</i>	<i>Jeannie Kerr</i>	<i>Kim Phinney</i>
<i>Cory Empting</i>	<i>Nancy F. King</i>	<i>Kathryn Prueter</i>

*Erin Przybylinski
Linda Reiff
Stephanie Robotham
Bryan Dante Sandoli
Elizabeth Sandoli
Brian Ralph
Schleicher
Stephen Slevin*

*Seana K. Stephens
Justin H. Stephens
Bruce Streblow
Marcia Lois Sturm
Marc Troyan
Carolyn Troyan
William C. Wagner
Andrea Antonacci Wagner*

*Philippa Ward
Jeffrey Earl Warren
Troy James Watters
Jesse Weber
Karen Williams
Albert Zecher
Greg Zelazny
Kathy Zelazny*

No part of the proposed solution contained herein should be construed as support for or acceptance of development of any kind on any of the project sites. As articulated in the numerous public comments submitted to the Planning Commission on this topic, any development (particularly on Site 10) poses many serious questions related to traffic, parking, safety, fire, water, insurance, privacy, and environmental concerns all of which would need careful consideration. The proposed solution is provided solely for purposes of regaining Housing Element certification by HCD and should not be construed as a waiver (neither implicit nor explicit) of any arguments or legal remedies available now or in the future, including but not limited to the following.

Saint Helena failed to make a diligent effort to achieve public participation in the Housing Element process in violation of California Gov. Code, § 65583, subd.(c)(9).

California Gov. Code, § 65583, subd.(c)(9) provides in relevant part that “[l]ocal governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort.”

As evidenced by at least the recent outpouring of opposition from community members opposed to the City’s rezoning efforts for which no notice was provided, the City failed to make a diligent effort to achieve public participation during the Housing Element process.

Saint Helena violated the Public Hearing Notice Requirement of the Saint Helena Municipal Code and the California Government Code prior to May 2, 2023, and May 9, 2023.

On May 2, 2023, the City of Saint Helena Planning Commission approved a resolution recommending that the City Council adopt the General Plan EIR Addendum and Housing Element Update. On May 9, 2023, the City Council of the City of Saint Helena adopted a General Plan Amendment (GPA 2023-001) to update the Housing Element of the General Plan for the period of 2023-2031 and adopted an Addendum to the General Plan Environmental Impact Report.

Title 17 of the Saint Helena Municipal Code (hereinafter “Zoning Code”) provides that Amendments to the General Plan require a properly noticed public hearing in compliance with Section 17.04.080 of the Zoning Code (hereinafter “Public Hearing Notice Requirement”). (See Zoning Code 17.06.040).

The Public Hearing Notice Requirement provides, in relevant part:

Notice shall be given by the following, except as provided below in subsection C, Special Provisions:

a. Mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site. (Zoning Code 17.04.080).

GPA 2023-001 was an amendment to the General Plan and therefore required a mailed notice under 17.04.080 of the Zoning Code. On information and belief, the City failed to provide proper notice according to the Public Hearing Notice Requirement in the form of mailed notice to the applicant, the owner of the property, persons who have requested notice of a hearing for a specific project, and all property owners within 300 feet of the proposed project site.

For at least the foregoing reasons, the City's actions and inactions up to and including adoption of GPA 2023-001 violated the Public Hearing Notice Requirement of the Saint Helena Municipal Code and California state law (*see e.g.*, Ca. Gov. Code §§ 65853, 65854, 65091).

The City's Mailed Notice of March 22, 2024, did not cure previous violations regarding public participation during the Housing Element Process or Public Hearing Notice Requirements.

On March 22, 2024, following postponement of the Planning Commission Meeting scheduled for March 5, 2024, and in an attempt to correct a "noticing glitch," the City mailed notice to residents, property owners, or interested parties within 300 feet of the project sites described in the Housing Element. This mailed notice sent after the City had already adopted GPA 2023-001 in May 2023, after HCD had already certified the Housing Element in September 2023, and after the City had missed the January 31, 2024, deadline to accomplish the rezoning promised in the Housing Element—thereby placing the City at risk of decertification by HCD (which such decertification has since occurred) does not provide the community with an opportunity to be heard.

By law, the City was required to provide mailed notice prior to adoption of GPA 2023-001 in May 2023. Any notice subsequent to the City's adoption of GPA 2023-001 is insufficient and does not cure the City's failure to provide proper notice. Footnote 14 on page 4 of the March 19, 2024, Memorandum prepared by the City Attorney's Office BBK makes this point. Footnote 14 states that "[r]egardless of timing, the City committed to the specified opportunity sites in the adopted Housing Element, so while the City would have had a longer time to implement the rezoning, it would not have changed the City's commitment to the rezone sites identified in Table 58 of the Housing Element." In other words, the City Attorney's Office admits that the City committed to the rezoning (without proper notice) in May 2023 when the Planning Commission recommended and the City Council adopted GPA 2023-001. Thus, the City was required to provide mailed notice prior to adoption of GPA 2023-001 in May 2023 and failure to do so constituted an incurable due process violation.

For at least these reasons, the City's mailed notice of March 22, 2024, did not cure previous violations regarding public participation during the Housing Element Process or Public Hearing Notice Requirements. Accordingly, the City has committed a due process violation with respect to at least all residents, property owners, or interested parties within 300 feet of the project sites described in the Housing Element.

Sincerely,
David Prueter

Xinia Gamero

From: Brian Driscoll <briandriscoll5@gmail.com>
Sent: Tuesday, April 2, 2024 9:27 AM
To: Public Comment
Subject: [External] Re-zone Proposal 1933 Spring Street

To Whom it May Concern:

I'm writing to express my strong concern and disapproval of the proposed re-zone at 1933 Spring Street.

We have been residents at 1242 Allyn Avenue since 2018. There are many reasons for our concerns and disapproval. One in particular is the severe traffic conditions and disruption this new site will create both during and post development. That area presently serves both commuting (morning/early evening), and school (morning/afternoon) traffic on single lane roads in each direction. To add to this existing congestion would be intolerable for most. This increased congestion could also represent a potential hazard. Homes west of this site would find it more difficult to exit the area in the event of an evacuation.

There are many other issues associated with this, and my hope is this plan will be rejected this evening.

Thanks for listening.
Brian

Xinia Gamero

From: Lizette Fiallo <fiallo93921@gmail.com>
Sent: Tuesday, April 2, 2024 11:00 AM
To: Public Comment
Subject: [External] STOP! 1933 Spring St Vineyard Rezoning

Hi

I'm the owner of 1217 Allyn Ave, St Helena CA, My vote on this rezoning COUNT and I'm against changing the High Density zoning.

Site 10, no changes to its current zoning are necessary and it would remain zoned Medium Density Residential (MR)

Thank you

Lizette Fiallo for
Marliz Estate Allyn LLC

Xinia Gamero

From: Maria Martinez <martinez60515@gmail.com>
Sent: Tuesday, April 2, 2024 11:01 AM
To: Public Comment
Subject: [External] Site 10, no changes

Hi

I'm the owner of 1213 Allyn Ave, St Helena CA, My vote on this rezoning COUNT and I'm against changing the High Density zoning.

Site 10, no changes to its current zoning are necessary and it would remain zoned Medium Density Residential (MR)

Thank you

Maria Martinez for

Marliz Estate Allyn LLC

Xinia Gamero

From: Mike Anderson <mike@mtgawines.com>
Sent: Tuesday, April 2, 2024 11:20 AM
To: Public Comment
Subject: [External] Spring Street Rezoning

Hello,

I had provided comments previously but in light of conversations with neighbors over the last few weeks leading up to the meeting on April 2nd I felt it necessary to expand on my thoughts.

I believe many others had echoed this but as much as I would like to give our city the benefit of the doubt it seems that this rezoning process that was being done in tandem with the state required housing element was done surreptitiously. It is my understanding that the rezoning of the Spring Street site was proposed last May or earlier. The fact that no notice was provided and that planning maps showed Site #10 as still medium-density makes me believe that there was an effort to push this through in an underhanded manner.

Combined with the delinquency of submitting the housing element well beyond two deadlines I am also wondering why our city officials and employees have put us in this position. As I mentioned previously I would love to give these folks the benefit of the doubt but it seems at every turn they have knowingly mislead the community, been incapable of getting the Housing Element done in a timely manner and have shown little or no effort in maintaining a dialogue with the residents that rely on them for this kind of information until now.

From the comments I submitted on March 7th I still feel there are far better sites for this rezoning that would still allow the city to meet the RHNA allocation.

Mike

--

Mike Anderson
 Winemaker & Owner
 MTGA Wines
 707.337.9168
mike@mtgawines.com

Tastings available by appointment daily from 10am until 3pm.
 Check out our [Wine\(d\) Up Podcast](#) now available on YouTube, Apple Podcasts and Spotify.

Xinia Gamero

From: Ariana Peju <ariana@peju.com>
Sent: Tuesday, April 2, 2024 11:32 AM
To: Public Comment; cityclerk; Maya DeRosa; Planning Commission
Subject: FW: [External] April 2'nd meeting comments

Dear Planning Department and Commissioners,

I live at 1365 Sylvaner Ave for the past 18 years. I have been in napa Valley for 40 years and went to grade school through high school in St Helena. I am writing regarding the high-density housing plan on Spring St.

The property you are considering putting 88 units is agriculture which is considered a core community value. The neighborhood wasn't engaged in this discussion, which I don't understand.

High density housing would severely impact the neighborhood as well as make it unsafe for children. This is the direct route to two public school, and I wouldn't feel comfortable walking/riding bikes with my young children.

I understand the city is under pressure to approve more housing, however this is not the location where it should be done. It's dangerous for children.

I do not agree with the new development and appreciate you engaging the community to find the right fit for the neighborhood. Thank you for your consideration.

Sincerely,
Ariana Peju

Xinia Gamero

From: Jessica Hague <jessica@FrogsLeap.com>
Sent: Tuesday, April 2, 2024 12:05 PM
To: Public Comment
Subject: [External] Public Comment: Planning Commission Meeting April 2: Agenda Item 5.1

Dear Planning Department and Commissioners,

I am a 14-year owner-resident of 1154 Hudson Avenue, in close proximity to site 10: 1933 Spring Street. Having raised two children, now 14 and 13 on Hudson Avenue, who regularly walk to west-side school sites, I can attest that the neighborhood lacks adequate infrastructure to support foot and car traffic for an additional 200+ families. Rezoning the 1933 Spring Street site to high-density multi-story structures in the midst of single-story homes will have permanent, significant, and negative impacts on the safety and character of the neighborhood.

Further, having received your letter regarding the potential rezoning just 12 days before the Planning Commission vote on the matter, I have since come to understand that the City consistently missed key deadlines with the State while ignoring legal noticing requirements with its citizens. The City's negligence has put itself in a precarious situation, with both the State and citizens of Saint Helena. The City risks decertification and trigger of Builder's Remedy. The City also risks legal action due to lack of proper resident notification. I have also come to understand that the City's housing obligation can be met if the Spring Street property is maintained at medium-density zoning.

Therefore, in order for the City to meet the State's requirements without denying its citizens their rights, the City must opt to remove the rezoning proposal for 1933 Spring Street and resubmit the plan to the State with the remaining sites.

Respectfully,
 Jessica Hague

Jessica Hague
 Vice President, Consumer Sales & Marketing
FROG'S LEAP
 707-968-2503 Direct

Xinia Gamero

From: Stephen Slevin <stephenslevin@mac.com>
Sent: Tuesday, April 2, 2024 12:49 PM
To: Public Comment
Subject: [External] Planning Commission rezoning 1933 Spring Street. SITE 10.

Planning Commission

Pertaining to the rezoning of 1933 Spring Street to High density residential. Site 10.

I am absolutely astonished to being made aware only recently of this rezoning and the fact that the affected community was not appropriately informed & engaged when this proposal was originally put forth years ago as required by law. Especially upon learning that the city council adopted a new zoning ordinance as recently as October 24, 2023, showing 1933 Spring Street as Medium Density Residential. I find this confusing. Neither myself nor any neighbors I have spoken to were notified of the rezoning of 1933 spring street to high density residential until a concerned resident got involved. I understand that the planning commission meeting was then put back a month, and letters were sent out which is no substitute for due notification years ago.

Something as important as this and affecting so many people, should have been properly discussed, with an appropriate amount of input. Had we been made aware we would have been given the opportunity along with our neighbours in the immediate vicinity to raise legitament and significant concerns. In fact it is legally required. I'm not sure why that that opportunity was denied. If you could please explain this was not done? I find the fact that proper notification was omitted from this process very disturbing.

The farmhouse on this property is zoned as historical. No one can come in and knock it down, or even alter it significantly for the explicit reason of preserving the historical nature of the community. My understanding is that this remains the case. Yet a proposal has been put forth to build a high density housing development on the majority of its property. I'm not quite sure who would purchase and preserve this lovely historical house (formerly overlooking a vineyard and mountains beyond) only to abut a multi story development.

Saint Helena's website states a City Council goal #5: to "Enhance quality of life". In this circumstance I would accept as a minimum: "maintenance of quality of life already

established", a quality of life that has been forged over many decades by the residents that have settled here.

In many respects the vineyards in our neighbourhoods in Saint Helena are akin the public parks in cities. It is the "quality of life" that is Saint Helena. It enhances our surroundings where we live, as every local walking along Spring Street, every jogger, mothers with strollers and families with children and dogs can attest when they go about their daily routines. It is why we all live in this community.

I'm sure we can all agree on one thing, preserving the quality of life in this town.

Stephen Slevin
2081 Spring Street, Saint Helena
StephenSlevin@mac.com

Xinia Gamero

From: David Tate <david@tatewine.com>
Sent: Tuesday, April 2, 2024 12:53 PM
To: Public Comment
Subject: [External] 1933 Spring Street Rezone

Hello,

I am writing in regards to the proposed rezoning of 1933 Spring Street.

My wife, my four year old and I live on Spring Street about a block east of the proposed site. From what I have heard the proposed project is for 88 units. This would most likely put 100 more cars on our street. Mornings and late afternoons are already difficult with the current amount of traffic. People driving east turning on Allyn or trying to go around people who do. The amount of honking alone at these times is surprising for our little town. At most times there are up to ten cars waiting to turn or drive through. It takes us a bit of time to just get in or out of our cars as there is rarely a break in traffic. I cannot imagine what it would be like if this proposed complex goes forward.

During the day it will also increase the amount of people who go dangerously flying down the street often at double the speed limit. Yesterday 4/1/24, I happily watched a police officer pulling people over who were speeding. He did not have a break.

This project would put an undue hardship on everyone who lives in this area and who live on the West side of St. Helena. It is surprising that such a project is not proposed for the east side since that is where all the services are (Safeway, pharmacy, gas etc.) and would limit traffic immensely versus this large amount of new residents having to cross the highway for everything.

Overall we are completely against this proposed project and believe it must be considered elsewhere.

DAVID TATE ·

408.690.1964 Cell

david@tatewine.com

Xinia Gamero

From: Gregg Dawley <godawley@gmail.com>
Sent: Tuesday, April 2, 2024 2:04 PM
To: Public Comment
Subject: [External] 1933 Spring Street Zoning

Planning Commission Members:

We live at 2700 Spring Street and want to express our opposition to the upzoning of Site 10 for high-density housing. If rezoned and allowed to proceed with the intended scope and massing, it will likely go down as one of the single biggest blunders in town history. The scale would be completely wrong for this location, and would create traffic and safety issues that no one has yet thought through. As critical, there will be no after-the-fact remedy, just a history of more turn lanes, more traffic and pedestrian signs, and traffic lights. We can only imagine the negative impact this rezoning will have on the Spring Street corridor and surrounding area.

Having learned about the upcoming planning commission hearing just last night, we are troubled by the apparent late notice to residents and lack of community outreach. We are particularly sensitive to those living in the immediate area who will bear the brunt if approved. It strikes us as odd that while the town has improved its transparency and outreach (flash polls), this issue has stayed under wraps until the very last minute.

Our understanding is that there is a more equitable solution for all constituents, leaving Site 10 zoned as medium density, and approving all other rezoning under the housing plan. We encourage the City Staff and Planning Commission to do the hard work, engage with the community, and make that happen.

As full time residents of the community for the last 3 years, we have played close attention and observed the many good things happening in St Helena due to the efforts of City Staff and our public officials. We applaud this, and hope all this good work doesn't get upended and the public trust eroded.

We are hopeful the Planning Commission will come to a decision that is in the best interest of the community, leaving Site 10 zoning unchanged.

Thank you.

Gregg Dawley
 Kris Dawley

Dear Saint Helena Planning Commission,

We are writing today regarding Site 10, located at 1933 Spring Street. We are very concerned and oppose the rezoning of this site from Medium Density to High Density.

As you know, Valley View Street and adjoining streets experience a lot of traffic throughout the day. Not only does this neighborhood and surrounding streets experience local traffic commuting to and from school and work, but this neighborhood also experiences a lot of traffic from Highway 29 when the traffic is congested. The “byway” traffic can be tour buses, large construction vehicles, semi-trucks, and cars that tend to exceed the speed limit. The amount of traffic we experience now is sometimes crazy and can be a safety risk for residents enjoying a walk or bike ride, our students who are walking or riding their bikes to and from school, and students traveling to and from Crane Park, where most of the city sports teams practice and play. There has always been discussion about traffic calming measures in this area, but to date nothing has been done. I cannot imagine what our residential streets will look like if the 88 or more proposed units are built on Site 10.

Also, a high-density development at the proposed site on Spring Street is out of character with the surrounding area which consists of one-story, ranch style, single-family properties. The proposed number of residential units seems like a lot of units in a very small space.

I recently read an article in the San Francisco Chronicle: [California’s home insurance is being dropped, what does this mean?](#) This article is specifically about insurance companies dropping and/or not writing new policies in areas of high density, specifically the areas that are at high-risk for wildfire and earthquakes. I hope this is taken into consideration along with water, sewer, safety, and traffic circulation challenges, which our little town is already experiencing.

We both understand the importance of providing affordable housing options in St. Helena and we are not opposed to building on 1933 Spring Street. It just seems that the proposed amount of housing, hence the high-density, would be more suitable for other sites on the map.

We ask that you please consider excluding Site 10 from being rezoned to High Density.

In closing, thank you for dedication to the residents of St. Helena and the work that you are doing on the Planning Commission. We know that it is time-consuming and many times you are tasked with very difficult decisions, we are appreciative.

Sincerely,

David & Jeannie Kerr
1135 Valley View Street

Xinia Gamero

From: Water Audit California <general@waterauditca.org>
Sent: Tuesday, April 2, 2024 2:29 PM
To: Public Comment
Subject: [External] Comment to Planning Commission for April 2, 2024 agenda.

City of St. Helena Planning Commission:

RE: City of St. Helena Planning Commission Regular Meeting Tuesday, April 2, 2024 @ 6:00 PM, Agenda 5.1

A Resolution to Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps.

The public's business must be conducted with absolute integrity of the representatives. To advise the public something is true, when in fact it is not, is a breach of the public's trust in the elected government.

This Planning Commission does not have a stellar record in that regard. Approval of a tentative map for the Hunter/White Fang project was heavily based on the representation that the City was, in the words of the planning commission chair on February 7, 2023, "under the gun to build [affordable] housing. Massively under the gun." The matter was represented as imperative and that it could not be delayed. Further, it was argued that this was not a new project with tentative intentions, but that the planning commission need only continue to go with the flow of prior events and approvals. Staff avowed "this application was deemed complete back in 2011."

Time has proven these critical and influential statements were demonstrably false.

Herein, we comment generally on the complete and misleading record provided for review. Proper public participation is prevented when relevant information is omitted, either by negligence or intent. The proceeding that was noticed and discussed in staff and counsel reports is not the same matter that will be discussed this evening in violation of CSH Municipal Code chapter 17 and state law, including but not limited to the relevant provisions of the California Code of Regulation and the Government Code including but not limited to the Bagley-Keene Open Meeting Act; Govt. Code section 11120 et seq.

One could easily miss the brief mention of a critical change in circumstance, the March 28, 2024, revocation of the State's approval of the Housing Element Plan. The entire premise of the proceeding is to prevent an act that has already occurred. At the very least this matter should be re-noticed and briefed to inform the public properly. The approval is dead, and denial by the planning commission tonight will not bring it back.

This proceeding alleges that it is built upon the General Plan. The City hosts archival copies of the General Plan on its website. For unknown reasons, the entirety of the 2019 general plan review is missing from the summary of housing element reviews hosted. The proposal is built in part on an idea of a record, not a record.

Further, and separately, in the demonstrated absence of an adequate supply of water, none of the proposed projects can be built. This is a purely theoretical exercise without real world consideration. When any project tries to come to fruition, whether by city or state imparter, it cannot be built until the water supply issue is resolved.

Respectfully,

William McKinnon
General Counsel, Water Audit California

WATER AUDIT CALIFORNIA - *A California Public Benefit Corporation*
952 School Street #316, Napa, CA 94559 / phone: (707) 681-5111

Xinia Gamero

From: Michael Sweeney <michael@landmarkhotelsgroup.com>
Sent: Tuesday, April 2, 2024 3:02 PM
To: Public Comment
Subject: [External] Opposition to Spot Re-Zoning of Site 10 to High Density Residential-Affordable Housing

My name is Michael Sweeney, and I own 1191 Hudson Ave., which shares an immediate border with the subject property (i.e. Site 10). I was never properly notified of the proposed spot re-zoning of site 10 to High Density Residential-Affordable Housing. I would like to register my vigorous opposition to this impulsive, poorly timed, poorly conceived, poorly executed, and clandestine attempt to spot re-zone the subject parcel.

I strenuously object to the Commission's aims in spot-rezoning Site 10 on multiple grounds. It will escape no one's notice that there is—to be exceedingly charitable—an impressive and ever too convenient coincidence that the Commission's urgency in spot-rezoning Site 10 happens to coincide with the fact that the parcel is in fact under contract with a contingent offer in-hand. I'm going to go out on a limb and speculate that the Buyer has made its purchase of the parcel contingent upon the Commission re-zoning the subject parcel as High Density Residential-Affordable Housing. Frankly, I find it rather unconscionable that the City appears happy to confer upon the Buyer of the parcel an unquestionable economic benefit at the expense, and to the detriment of the Buyer's immediate and proximal neighbors. I'm wondering if anyone on the Planning Commission or the Planning Staff have any vested interest in delivering economically valuable entitlements to the Buyer? Would the Commission be willing to provide records of any and all conversations both internally and with 3rd Parties pertaining to Site 10 under the auspices of the Public Records Act? I'm sure any Civil Servant can appreciate that our faith in the institutions of government are only strengthened when we take great pains to avoid even an appearance of impropriety?

Before I proceed any further let me state emphatically that I do not oppose nor begrudge anyone to secure affordable housing, and provide themselves and their families with a pleasant, nurturing, and safe environment. I don't think anyone could argue with the intrinsic appeal of our beloved city. However, as I stated at the outset, the spot re-zoning of Site 10 is impulsive and poorly conceived, and pursued by the Commission in such a manner as to question the propriety of the endeavor. It strains credulity that anyone on the Commission believes there is nothing problematic about arbitrarily air-dropping-as it were-a 3 to 4 story, 100+ apartment affordable housing complex quite literally in the middle of a long-standing, neighborhood of exclusively single family homes. It's entirely without precedent within the entire city limits! If the Commission's aims and designs on Site 10 are achieved, the potential development would unilaterally and capriciously change the entire character of a neighborhood that has roots that extend back generations! Beyond issues pertaining to fundamentally and irrevocably altering the character of the neighborhood, there are manifold looming logistical nightmares. Any developer on that parcel will be seizing upon various incentives, which would include that of being absolved of adhering to customary, statutory parking availability conditioned upon the proposed number of units. They will be able to squeeze more housing units on the land by burdening the neighborhood with absorbing more random on-street parking. Mind you, a proposed project won't bring fewer cars, it just simply won't have to worry about providing the spaces for them. Which brings us to the fact that Valley View and Spring Street are both ALREADY heavily trafficked roadways. The increased cars and noise and wear and tear on our streets will greatly mar the quality of life and residents peaceful enjoyment of their premises. The added risk of collisions with other vehicles and pedestrians are unacceptable. There is also the issue of the availability of water. By the City's own admission, its infrastructure is inadequate and poorly maintained. Whenever commercial real estate, hotel, resorts, and the like have sought entitlements, they've been routinely rebuffed for the impact on the water and wastewater infrastructure. Surely a prospective high density project could be no less a burden on an already strained municipal water system? As it stands the City can't avoid far too many days, many of them serial, where residents can't even be provided with clear drinking water? How many residents have had the cringey experiencing of

opening the tap to pour a glass of lovely brown or amber hued water? I can't imagine said circumstances improving.

Let me close by asking: Is it really affordable housing when the proposition of living full time in the City of Saint Helena in fact drives up one's cost of living? As a prospective resident of some future project on Site 10, I may be paying nominally less for housing, but I'll be paying more for water and waste management. My budget would likely also become strained by the fact that I now have to pay more in gasoline, repairs & maintenance, and possibly insurance because my circumstances are such that I'm commuting more miles than less in order to access various goods and services that aren't readily available in Saint Helena (some by design): to wit, there is one car dealer in town, no general service merchandiser, etc. Moreover, it isn't a given that a future resident might not in fact be limiting their miles driven to work.

Sincerely,

Michael Sweeney

April 2, 2024

St. Helena Planning Commission
City of St. Helena
1080 College Avenue
St. Helena, CA 94574
xgamero@cityofsthelena.org
mderosa@cityofsthelena.org

Re: Agenda Item 5.1: 1637 Spring Street

Dear Chair Ponte and Members of the Planning Commission:

With the outpouring of comments objecting to the rezoning of 1637 Spring Street from Medium Density Residential (MDR) to High Density Residential (HDR), it seems we are now directly confronting the ways in which changes in state housing law have dramatically reduced the City's discretion with respect to housing projects, and the disruptive effects of the loss of local control on our neighborhoods.

As you may already know, the subject property has been zoned MDR for at least 30 years. On the one hand, one might reasonably think that everyone in the neighborhood should have known for some time that the City's General Plan and zoning aimed at residential development of this parcel, but at the same time one has to recognize that after thirty years of residential zoning without residential development, it might be a very distressing surprise to learn that the property is slated for high-density development, and especially disturbing to learn that the rezoning is required by the City's Housing Element, which was reviewed and adopted without any direct notice to neighboring property owners.

The fact that the Housing Element came to the City Council with very little neighborhood-specific comments should have been cause for concern – I learned a long time ago from John Brown, who served many years both as a Council Member and as Mayor, that when one sees few if any residents commenting on an agenda item one knows informed neighbors would react strongly to, the item needs to be continued and the City needs to get the word out before taking action. I was on the City Council that adopted the current Housing Element, and allowed concerns about Housing Element deadlines to override my concerns about our process. That was a mistake, and I apologize to all concerned for that mistake. Though further delays would have dismayed our staff at the time, I truly believe the better course would have been to take the time required to make sure that neighbors of the properties designated for rezoning knew about the rezoning before the Housing Element was put in final form for approval.

But as things stand now, I see no viable alternative to proceeding with the zoning changes on tonight's agenda. To be sure, the Housing Element can be amended, but I'm pretty sure we would see the full weight of state authority bear down on us should we instead move to defer action on tonight's agenda item in order to pursue an amendment to the Housing Element that would avoid rezoning 1637 Spring Street.

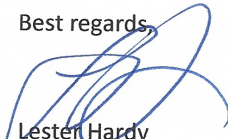
To the best of my knowledge, the last high-density housing projects approved by the City were at Hunt's Grove and Stonebridge a little more than thirty years ago. Even with the shift more recently to pursuit of small in-fill projects, almost all of the affordable housing approved and built in the last thirty years has been east of Main Street.

Perhaps my sentiments are not typical, but when I moved to Tainter Street in 1986, I found the quality of my life enhanced by the presence of lower-income workers and their families in my neighborhood. Almost all of them are gone now, driven out by high rents, and I believe the neighborhood has lost

something important as a consequence. I hope the City can take actions that will bring at least some of those families, and others like them, back to the west side of town.

Thank you.

Best regards,



Lester Hardy
1513 Tainter Street

Xinia Gamero

From: John Hawkins <hawkins-john@comcast.net>
Sent: Tuesday, April 2, 2024 3:45 PM
To: Public Comment
Subject: [External] Spring Street high density development - my opposition

I'm a neighbor (around the corner at 1234 Hudson Avenue) and think this is a terrible idea for any number of reasons (I'm sure the City has been made aware of the opposing viewpoints). A high density residential development would transplant a housing solution suitable for a large city into a small town of 5,000, a town with very limited resources in terms of water, infrastructure, roads, etc., not to mention small town character that is worth protecting. I understand there are alternatives being proposed that would meet the State's mandates without such a development – I hope the Planning Commission and City Council explore them in detail, ASAP. I think this is an existential crisis for St. Helena – if this development goes ahead, there is no going back.

John Hawkins

Xinia Gamero

From: Dana Gallagher <danakgal18@gmail.com>
Sent: Tuesday, April 2, 2024 3:50 PM
To: Public Comment
Subject: Fwd: [External] 1933 Spring Street Rezoning

April 2, 2024

Dear Planning Commission,

As a 40 year St. Helena resident, I am writing to strongly request that you do not move forward with the proposed rezoning of the property located at 1933 Spring Street to high density housing. This sort of development at this location is completely out of character with the surrounding neighborhoods and would substantially change the flow of traffic on Spring Street and Valley View. The majority of the single-family homes surrounding this proposed project are one story. From my understanding, the proposed home types and density, which may include multi-story units, would impede the privacy of the current residents. I believe the city has several other options closer to the center of town that would be more suitable for high density construction.

The traffic and street parking to be used by the entire proposed housing project would empty onto Spring Street, which is already heavily used by both vehicles and pedestrians. The safety factors alone are concerning. The other sites available have much better access to major thoroughfares and services. It feels like this site was rushed as a solution to St. Helena's need for housing, rather than work with the residents in a productive fashion to solve the housing needs for our community at a location that fits better with our General Plan and character of the neighborhoods.

I hope the Planning Commission will take into consideration the multitude of letters that have been submitted on this issue, and not move forward with rezoning.

Sincerely,

Dana Gallagher

2624 Colombard Court

St. Helena

BE AWARE OF POTENTIAL FRAUD

*All banking information will always be sent using our secure email
portal: Proofpoint Essentials*

Xinia Gamero

From: Justin Stephens <justin@hunnicuttwines.com>
Sent: Tuesday, April 2, 2024 4:57 PM
To: Jack Oliver; Public Comment
Cc: Seana Stephens; Justin Stephens
Subject: RE: [External] 1933 Spring Street Agenda Item

Jack,
 Extremely well put.

Planning Commissioners,

My wife and I concur with Jack's position and that of many others who cherish both the charm of St. Helena and it's safety vis-à-vis city streets. With regard to charm, that vineyard IS a cornerstone of the town and has been for nearly a century; and on the topic of safe streets, as avid cyclists with three young children who ride their bikes around the neighborhood on a near-daily basis, we are concerned about the impact of hundreds more residents and their vehicle in such concentration will have on the safety of the area.

As Jack noted there appear to be a bevy of options more suitable in the face of historic preservation and public safety. We urge you to consider the above and other options for the Housing Element while still maintaining compliance with state requirements.

Thank you for your time and consideration.

Seana and Justin Stephens, and Parker, Preston and Beckett Stephens
 2611 Colombard Court (since 2005) and St. Helena since 1979

Justin Hunnicutt Stephens

[HUNNICUTT](#)

707-963-2911

[COLLATERAL](#)

707-963-2908



From: Jack Oliver <jack@rboco.com>
Sent: Wednesday, March 27, 2024 6:30 PM
To: publiccomment@cityofsthelelena.org
Subject: 1933 Spring Street Agenda Item

Dear Planning Commissioners,

We are writing to express our hope that you do not rezone 1933 Spring Street to high density housing. Open space and historic vineyards are what gives St. Helena and this neighborhood its charm. The listing for the property even calls it the “Soul of Spring Street” for 90 years. Vineyards are what drive our local economy. They generate jobs in the vineyard, income to suppliers and produce the wine that makes our town and region famous. Putting high density housing in this neighborhood does not seem to fit with its characteristics nor consistent with the General Plan. The traffic and street parking will create many blind spots for cars turning onto Spring street and make it very dangerous for young students to bike and walk to school. The traffic coming out of a high-density location will already impact the back-ups at Spring and Main during rush hours.

The city has many other vacant, unproductive, and dilapidated sites that need improving and seem more suitable for high density housing. Plus, these sites are closer to traffic lights and the Hwy 29 transportation corridor. Why not improve and encourage investment in these non-productive locations as identified in the Housing Element such as sites 5, 2, 1 and the much-studied site 3? Let’s not crush the “soul” of Spring Street, let’s preserve and nourish it.

Sincerely,

Jack and Kate Oliver
1248 Hudson

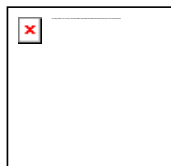
Xinia Gamero

From: Spadarotto, Kate J <kate.spadarotto@sothebys.realty>
Sent: Tuesday, April 2, 2024 5:15 PM
To: Public Comment
Subject: [External] No to rezoning 1933 Spring St & Transfer Tax

I believe that changing the zoning will negatively impact that part of town. Not only will the infrastructure put a strain on an already strained area, it will drop the property values and decrease the desirability of the area.

I do think we need to do something for the town which is 1. Support the hotel development to increase TOT tax or 2. Support more short term rentals to increase the TOT tax or 3. Increase the sales tax by 0.025% for the city. I think imposing a transfer tax would not accomplish what is thought. It will drive property values even higher (to include the tax in the price of the home) which will prevent our town from being affordable for growing families. Hurting the schools and many other things that make this town so special.

Thank you,
 Kate



Kate Spadarotto

Global Real Estate Advisor
 Estate & Wine Industry Specialist
 Sotheby's International Realty
 1229 Adams Street, St. Helena, CA 94574
 707.321.6231
 DRE 02014569
 2024 President, North Bay Association of Realtors
 Certified in Wine, Winemaking and Vineyards from UC Davis



***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication. This e-mail and any attachments are confidential. If you are not the intended recipient of this e-mail, please immediately delete its contents and notify us.



RICK TOOKER
rtooker@fbm.com
D 707.967.4152

April 2, 2024

Via Email to: planningcommission@cityofsthelena.org
MDeRosa@cityofsthelena.org
cityclerk@cityofsthelena.org

City of St. Helena
Planning Commission
1088 College Avenue
St. Helena, CA 94574

Re: GPA 2024-005/ZMA 2024-005 - General Plan/Zoning Amendment Upzoning Opportunity Site #10 from Medium Density Residential (MR) to High Density Residential (HR)

Dear Chair Ponte and Planning Commissioners:

Farella, Braun + Martel (“FBM”), located at 899 Adams Street in St. Helena, represents property owners in the community who have expressed concern over the City’s April 2, 2024 consideration of rezoning a 4.4 acre parcel located on Spring Street between Hudson Avenue and Valley View Street (APN 009-441-023). This parcel, commonly referred to as the Quaglia Vineyard Property, has been identified as an Opportunity Site for residential development (Site #10) as part of the 2023-2031 Housing Element Update adopted in May 2023 and subsequently revised in July 2023.

Background

FBM has significant experience with local housing policy and strategies. We have supported clients and local agencies relating to housing locally in the Napa County, and many of us have personally served in the past as planning commissioners and technical staff responsible for providing advisory recommendations to city councils. Some on our staff have personally directed and prepared housing elements for multiple local area communities, all of which were certified by Housing and Community Development (HCD). As a result, we appreciate the need for developing and preserving an adequate supply of housing in St. Helena, including housing affordable to all economic segments of the community. We sincerely support St. Helena’s efforts to identify opportunity sites and to protecting existing housing and plan for new residential development, particularly for lower income households.

Review of the pertinent Planning Commission agenda materials indicates that the Quaglia Property has been zoned Medium Density Residential (MR) for decades, including during the

899 Adams Street, Suite J • St. Helena, CA 94574 • P: 707.967.4000 • F: 415.954.4480

[SAN FRANCISCO](#) • [ST. HELENA](#) • fbm.com



two Housing Element Cycles prior to 2023. However, in this most recent 6th Housing Element Cycle, the City determined the parcel should be rezoned from Medium Density Residential (MR) to High Density Residential (HR). This upzoning represents an alarming increase in housing density that is inconsistent with the existing character of the surrounding neighborhood. Although discussion has occurred associated with this upzoning, including prior to and with adoption of the Housing Element, it was not until recently when the details of this property specifically was recognized during the public notice period. Concerns about the Quaglia Property have become more evident for neighbors and interested community members.

Issues with Current Staff Report & Plan Details

As the Planning Commission knows, Spring Street and the streets adjacent to the sides and rear of the Quaglia Property (Olive, Hudson, and Valley View streets) contain single-family homes built at the low end of MR density at approximately 6 du/ac. These neighborhoods are not developed remotely close to the density proposed on the Quaglia Property at between 16.1 and 28 du/acre. Moreover, the existing single-family neighborhoods abutting the Quaglia Property are almost entirely one story in height. The proposal to increase the allowable height of new development on the Quaglia Property to 42 feet, together with the afore-referenced significant density increase, completely disregards generally acceptable professional planning practice. The proposed density and heights are more aligned with what is customarily planned in suburban city centers and adjacent to downtowns where development is feathered outward from the core and avoids abrupt deviations in building mass and scale that otherwise would adversely affect existing community character.

This is not to say that the Quaglia Property should not be an opportunity site for future residential development. We recognize that the analysis pertaining to the Quaglia Property, both in past analysis preceding approval of the Housing Element and more recently with the proposed General Plan/Zoning Map Amendments, is being characterized at far less than its potential as presented in the materials prepared for Planning Commission consideration on April 2, 2024. Below are just a few examples:

- The entire 4.4-acre Quaglia Property is planned for redeveloped under HR density. At the high end of range between 16.1 and 26 du/acre, this represents a potential for up to 114 units. However, the reporting incorrectly references actual HR density, which is up 28 du/acre. This represents 123 units (7.3 percent more units). Additionally, state density bonus law provides for allowances that is mandatory by local agencies in the number of total housing units when a development exceeds certain affordability levels. Therefore, a suggestion that the maximum number of units based on a zoning density, whether at 114 more correctly 123 units, is not substantiated in our experience working on countless developments.

Three story developments (to include partially subterranean and surface parking) are in American Canyon and Napa with similar densities proposed on the Quaglia Property. Some, such as the development on the corner of Soscol and Central avenues, are adjacent



to existing low-rise single-family housing foreshadowing the significance of the potential for adverse impact to the neighborhood surrounding Opportunity Site #10.

- Assumed development of the Quaglia Property is 20 du/acre or 88 units (44 lower income units/44 moderate income), which is a fraction of the high end of the HR density range including what is allowable under mandatory state density bonus provisions. However, our experience with development of countless projects requiring a significant percentage of lower and moderate income housing units indicates that density bonuses are frequently sought to offset the affordable units providing proportionately more market rate housing. Therefore, total units could be higher than 88 units.

Additionally, mandatory zoning concessions are often required by the permitting agency, which frequently include a reduction in off-street parking. The City provides a new strategy to reduce parking for studio and one-bedroom units at just one parking space per unit. However, this is not reflective of parking reality (except in the case of senior housing). A reduction in on-site parking will almost certainly result in significant on-street parking impacts. Frequent concessions also include additional building height, which in the case of the Quaglia Property is proposed at 42 feet. An example of parking inadequacy in an existing development with similar densities to what is proposed for the Quaglia Property can be seen in Napa at First Avenue west of Freeway drive where each unit is assigned two parking spaces and on-street parking on both sides of the street is awful.

- The materials presented to the Planning Commission explain that the City is responsible for planning underdeveloped and vacant land to accommodate its Regional Housing Needs Allocation (RHNA), but they do not clearly explain that future development will be constructed as planned. Our experience indicated that Opportunity Site #10 could be developed much differently as planned. Note that in the description of future potential development, assumed to be 88 units at 20 du/acre, there is no reference to market or above-market rate housing, and unless the property is transferred to a non-profit develop, there is no possible return on investment to develop the site. This omission of full disclosure is something the Planning Commission should explore further in its deliberations of the proposed General Plan/Zoning Map Amendments.
- The materials presented to the Planning Commission suggest that the Quaglia Property could be developed differently from what is assumed, inferring that it could also be proposed to be at a lower density. However, it is unlikely that a development proposed below the HR density range (less than 16.1 du/acre), or for that matter less than 20 du/acre or 88 units, would be considered by the City to be consistent with applicable housing policy and zoning regulations. An argument that future development proposed at the low end of the density range at 16.1 du/acre or 70 units, let alone with little or no affordable units, would likely be considered inconsistent with the City's General Plan.



St. Helena Planning Commission

April 2, 2024

Page 4

- A development containing the large number of units proposed on the Quaglia Property will require a second point of egress separate from Spring Street to accommodate emergency service vehicles as well as for general distribution of residential and service related vehicle trips. This will result in either demolition of an existing single-family home on Olive, Hudson or Valley View streets, or connecting to the only existing undeveloped property near the northwest corner of Olive and Valley View streets. Typically, each residential unit generates approximately 10 average daily vehicle trips (ADT), which at 88 units assumed by the City to be built in the materials presented to the Planning Commission will be 880 ADT.

This could be substantially more when considering development at HR density will likely be toward the high end of the density range (not including mandatory state density bonus provisions). Putting into perspective the number of vehicle trips for all homes abutting the Quaglia Property on Spring, Olive, Hudson, and Valle Verde streets, just 290 ADT are generated. These roads are not designed at a width to accommodate this level of traffic where two vehicles often cannot pass each other with parking on both sides of the street.

These issues are not fully vetted in the materials presented to the Planning Commission for consideration on April 2, 2024. The potential for adverse impacts has been underestimated based on real-life experience of affordable housing development, including the assumed mix of lower and moderate income housing at just 88 units on the Quaglia Property.

Project Alternatives

The Planning Commission has options other than approving the upzoning on Opportunity Site #10, regardless of HCD's threat (and ultimately its decision) to decertify the Housing Element Update. Similarly, the Commission is not constrained by the City staff recommendation that there are no options and the most expeditious path to recertification is to approve the General Plan/Zoning Map Amendments.

The suggestion that the Planning Commission has no alternative, whether inferred by HCD or directly stated in the materials presented to the Commission, is an affront to the purpose and intent of open public meetings. The Planning Commission is tasked with encouraging and welcoming public comment and taking into consideration public testimony in its deliberations and final recommendation to the City Council. As presented in HCD's letter threatening decertification in the record (before it decided to decertify the Housing Element Update), and the materials presented by City staff who essentially opine that there is no other option than to approve the recommended action. If true, then why even hold a public hearing at all.

The point here is that rezoning of Opportunity Site #10 is not the issue per se, but rather it is about the number of units that the property offers regardless of its recommended zoning. The Planning Commission has the authority to forward a recommendation to the City Council to approve the proposed General Plan/Zoning Map Amendments, but to remove that portion of the recommended action of upzoning Opportunity Site #10 to HR zoning.



St. Helena Planning Commission
 April 2, 2024
 Page 5

The result of this recommendation would be that the Quaglia Property would retain its density range of 6.1 to 16 du/acre. However, the Planning Commission could also recommend to Council the proposed General Plan Amendment included specific policy relating to the Quaglia Property to be developed at the high end of the density range to include a mix of 70 lower and moderate income residential units (instead of 88 units), represent a minor reduction of just 18 units and still within the cushion in the plan to achieve the RHNA. Coincidentally, given state mandated density bonus law for affordability at these levels (50-50 lower and moderate income units), 20 du/acre would easily be achieved as provided by the state wherein no analysis is required when planning for housing at this density.

There may also be a method of retaining MR density but requiring by policy or code the 20 du/acre on the 4.4 acre Quaglia Property without upzoning the parcel to HR density. With thoughtful planning, an elegant solution could be developed by the City to address this issue of concern to so many residents and it could avoid remanding back the Housing Element Update, as referenced 'starting over' in the reporting to the Planning Commission in the reporting materials for April 2, 2024.

Another example of creative problem-solving well within the scope of allowable policy and regulation would be to apply PD zoning to Opportunity Site #10. The purpose and intent of the PD district is to provide for a variety of housing types and densities and to achieve superior relationships among uses, both within and surrounding the Quaglia Property. As explained in Zoning Ordinance Section 17.21.0505, Planned Development Overlay (PD), this approach promotes innovation and creativity in development concepts, as well as cohesive, high-quality and aesthetically pleasing urban structure that otherwise will not exist with abrupt deviations of densities and heights on Spring Street and the neighborhoods to the Quaglia Property under HR zoning.

There may be other possibilities to addressing this issue that have not been considered here in this letter which City staff, the Planning Commission, and concerned community members have thought about after the April 2, 2024 packet materials were circulated. Again, our intention is not to preclude reasonable planning of residential development for the Quaglia Property or resetting the plan for meeting St. Helena's RHNA. Rather, we propose exploring creative planning solutions that better reflect St. Helena's character, while retaining housing strategies to provide for its RHNA in this 6th Housing Element Cycle.

Very truly yours,

Rick Tooker

rft: Katherine Philippakis, Esq.



City of St. Helena **2023-2031 Housing Element Update**

Adopted, May 9, 2023

Revised, July 2023

Certified, September 25, 2023

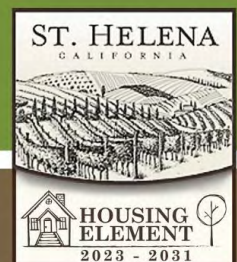




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Introduction

Purpose of the Element

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans as part of their "general plan" (also required by the state). General plans serve as the local government's "blueprint" for how the city and/or county will grow and develop and include seven required elements: land use, transportation, conservation, noise, open space, safety, and housing. The law mandating that housing be included as an element of each jurisdiction's general plan is known as "housing-element law."

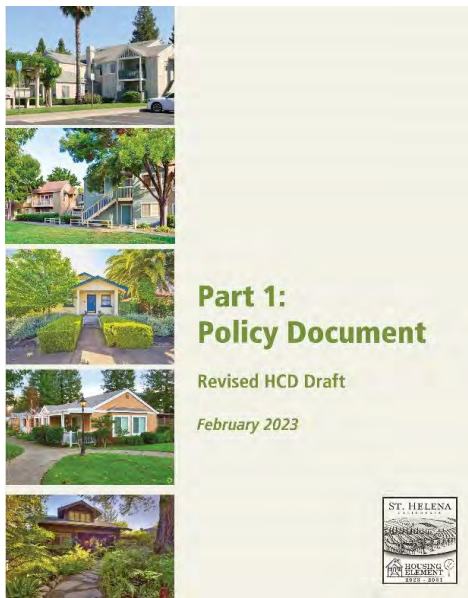
California's housing-element law acknowledges that, in order for the private market to adequately address the housing needs and demand of Californians, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain), housing development. As a result, housing policy in California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

Although the Housing Element is one of seven required elements of the general plan, it has several unique requirements that set it apart from the other six. State law (Government Code Section 65580 (et seq.)) specifies in detail the topics that the housing element must address and sets a schedule for required updates every eight years. The housing element is also the only element reviewed and certified by the State for compliance with State law. Every jurisdiction in the State of California is required to submit a Housing Element to the Department of Housing and Community Development (HCD) for review and certification.

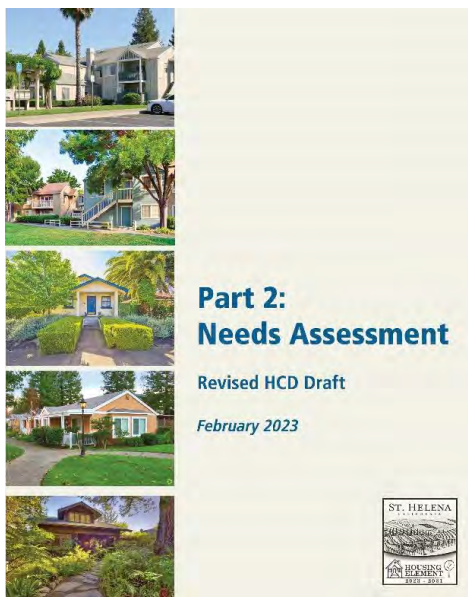
The 2023-2031 Housing Element establishes a comprehensive plan to address housing needs in St. Helena over the eight-year planning period between January 31, 2023, and January 31, 2031. The Housing Element sets the community goals and policies surrounding the development, rehabilitation, and preservation of housing units to meet the needs of St. Helena residents (present and future. St. Helena is a member of the Association of Bay Area Association of Governments and, therefore, is required submit an updated Housing Element to HCD by January 31, 2023.

Housing Element Update Components

The 2023-2031 Housing Element Update consists of two parts; the Housing Needs Assessment, and this Housing Element Policy Document.



1. The **Policy Document** states goals, policies, implementing program, and quantified objectives for the development, rehabilitation, and preservation of housing. The Policy Document is the action plan that reacts directly to the findings of the Housing Needs Assessment and input from the community. The City will implement the actions specified in the Policy Document throughout the planning period.



2. The **Needs Assessment** identifies and analyzes the existing and projected housing needs, provides a list of sites for housing development that are adequate to accommodate the City's regional housing needs allocation, documents constraints to housing production, and analyzes fair housing. In short, the Needs Assessment provides the context for the City's housing action plan.



Part 1: Policy Document

Adopted, May 9, 2023

Revised, July 2023

Certified, September 25, 2023





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City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



Organization of the Policy Document

The 2023-2031 Housing Element Policy Document includes six goals, supported by policies and implementation programs that aim to address identified housing needs during the planning period. The goals, policies, and programs of the Housing Element establish a policy framework to guide city decision-making to meet identified housing needs. The Policy Document is organized under the following goal titles:

1. A Diversity of Housing to Meet Local Needs
2. High-Quality Neighborhoods with a Balance of Housing
3. Conservation of Existing Housing
4. Assistance to Support Affordable Housing
5. Resource Conservation
6. Affirmatively Further Fair Housing

Goals

The housing goals are articulated as general “end condition statements,” which describe a desired outcome or end state. The goals do not contain an action verb as they reflect a final statement of what the city hopes to achieve. Goals describe ideal future conditions for a topic and tend to be general and broad in nature. How the goal will be achieved is established via the applicable policies and programs.

Policies

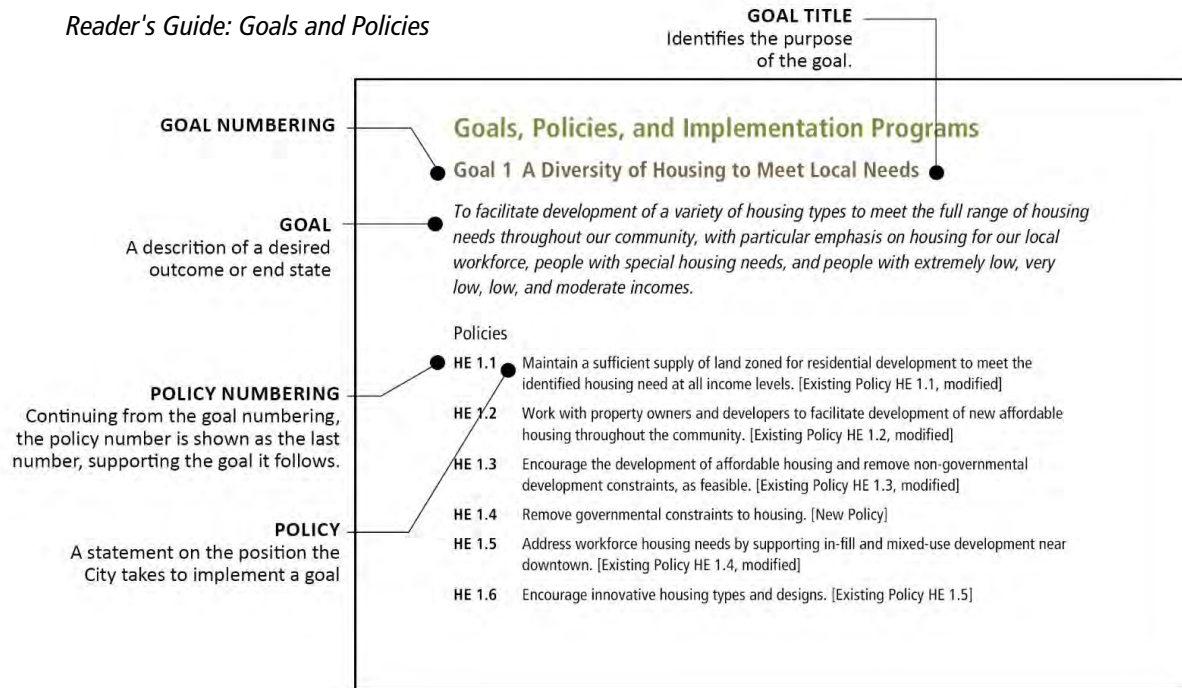
Policies are statements on the position the City takes to implement a goal. Policies contained in the Housing Element are important statements as they provide a clear and unambiguous statement that guides a specific course of action for decision-makers to achieve a desired goal. Future actions and development must be consistent with these policies.

Programs

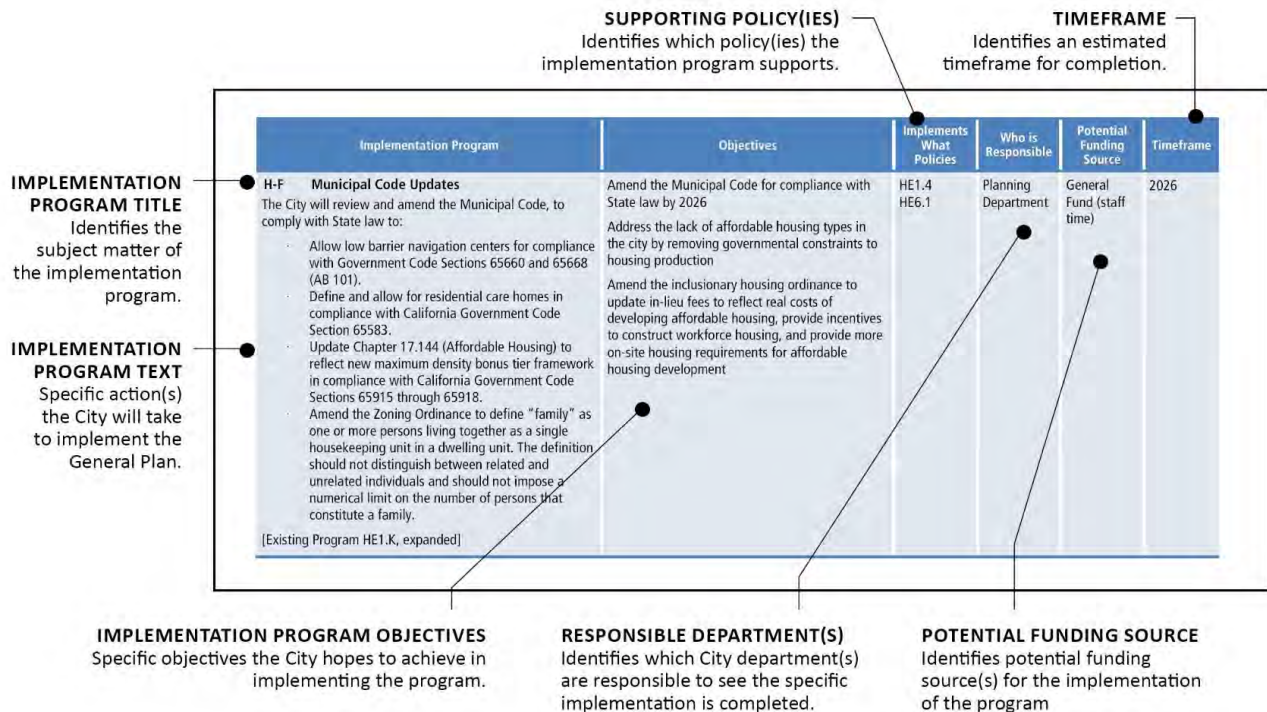
While many policies can be implemented as part of standard City operations, some policies require specific programs to assure their implementation. Housing programs define the specific actions the City will undertake to achieve the stated goals and policies.

For more information, please see the Policy Document Reader's Guide diagrams on the following page.

Reader's Guide: Goals and Policies



Reader's Guide: Implementation Programs



Key Findings and Recommendations

The following section summarizes the key findings in the Housing Needs Assessment and references the resulting programs.

Review of Existing Housing Element

Since the City of St. Helena adopted the Housing Element Update in 2014, the City successfully implemented a majority of the Housing Element implementation programs. Between 2014 and 2021, the City was successful in obtaining additional funding for affordable housing production, preserving existing affordable housing units, and promoting the expansion of multifamily and mixed use housing through the recent 2040 General Plan Update. The City also successfully implemented programs incentivizing and streamlining affordable housing development and revised development standards related to second units for state compliance. While the 2040 General Plan Update process required significant staff time and delayed implementation of some Municipal Code amendments, the City is currently (2022) undertaking a zoning code update that will address the remaining code amendments implementation measures during the 6th cycle. As the code update draws to its conclusion, the City will have more resources available to implement the remaining implementation actions, which have been continued and expanded in the 2023-2031 Housing Element.

Demographic and Economic Trends

Generally, the population of the Bay Area continues to increase because of natural growth and the strong economy drawing new residents to the region. The population of St. Helena increased by 2.1 percent from 2000 to 2020, which is lower than the growth rate of the Bay Area. In 2019, St. Helena's youth population under the age of 18 was 1,050 and senior population 65 and older was 1,636. These age groups represent 17.2 percent and 26.8 percent, respectively, of St. Helena's population. Program H-A commits the City to providing sufficient housing sites to meet the needs of the population and Programs H-H and H-I address workforce housing.

Housing Conditions

Number of Homes. The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in St. Helena increased, 4.4 percent from 2010 to 2020, which is above the growth rate for Napa County and below the growth rate of the region's housing stock during this time period. Program H-N, H-O work to facilitate higher density development, and H-P works to provide residential development opportunities in commercial areas through the implementation of mixed-use zoning.

Home Prices. A diversity of homes at all income levels creates opportunities for all St. Helena residents to live and thrive in the community.

- **Ownership.** The largest proportion of homes had a value in the range of \$1 million-\$1.5 million in 2019. Home prices increased by 118.2 percent from 2010 to 2020. Program H-GG works to increase affordable homeownership opportunities in St. Helena through the pursuit of mortgage credit certificates.
- **Rental Prices.** The typical contract rent for an apartment in St. Helena was \$1,470 in 2019. Rental prices increased by 15.7 percent from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$59,160 per year. Programs H-DD, H-EE, H-FF, and H-HH work to assist the development of affordable housing. Program H-II includes a commitment to support the Housing Choice Voucher program and to support efforts to expending funding for the program.

Housing Type. It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 63.9 percent of homes in St. Helena were single family detached, 6.1 percent were single family attached, 6.2 percent were small multifamily (2-4 units), and 18.4 percent were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single-family units increased more than multi-family units. Generally, in St. Helena, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region. Programs aimed at addressing the lack of affordable housing types include H-A, H-B, H-E, H-H, H-I, H-J, H-M, H-P, and H-W.

Cost Burden. A household is considered “cost-burdened” if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered “severely cost-burdened.” In St. Helena, 21.1 percent of households spend 30-50 percent of their income on housing, while 16.6 percent of households are severely cost burden and use the majority of their income for housing. Lower-income, Latinx, and large households are disproportionately impacted by housing cost burdens. Programs including H-E, H-H, H-M, H-DD, H-EE, and H-FF work to reduce the costs of production or create more affordable housing opportunities by streamlining development approvals, incentivizing affordable housing types, generating funds, and reducing fees.

Special Housing Needs

People with Disabilities. In St. Helena, people with disabilities make up around 12 percent of the total population. Children (under 18) make up around 38 percent of the developmentally disabled population, while adults make up around 62 percent. Most of the developmentally disabled population reside with their parent, family, or guardian.

Senior Households. Senior households represent a higher percentage of the total households in St. Helena, at about 39 percent of households in the city. There is a large income disparity between seniors who rent housing and seniors who own their home. Most seniors who rent make 0 to 30 percent of AMI, and sixty-eight percent of senior households in this income category have housing cost burdens. By contrast, most seniors who own make greater than 100 percent of AMI; thirteen percent of senior households in this category experience housing cost burdens.

Farmworkers. The number of permanent farm workers in Napa County has increased from 2,916 in 2002 to 4,290 in 2017, while the number of seasonal farm workers decreased from 7,855 to 5,734. In St. Helena, the migrant worker student population totaled 20 during the 2019-20 school year, an increase of two students since the 2016-17 school year.

Persons Experiencing Homelessness. According to a Point in Time Count provided by the Chief of Police, there is one homeless person who resides in St. Helena. Countywide, many of the persons experiencing homelessness report chronic substance abuse or mental illness.

Programs H-E, H-H, H-I, H-BB, H-FF, H-KK, H-LL, H-NN, H-OO respond to the city's special housing need by streamlining development review, incentivizing development, or providing directly funding for construction or rehabilitation of housing for those with special needs.

Non-governmental and Governmental Constraints

The non-governmental constraints that restrict building in St. Helena include the price of land, cost of construction, flooding, conservation easements and long-term vineyard leases, and a lack of rental accessory dwelling units. The governmental controls analyzed in this section were land use controls, codes and enforcements, on-and off-site improvements, fees and exactions, processing and permit procedures, and regulations affecting housing for persons with disabilities. The land use controls including zoning and current General Plan land use designations do not constrain residential development; however, some changes are necessary to streamline the design review process. Additionally, water and sewer access are constrained, and the City must prioritize service for proposed development that includes housing for lower-income households (Program H-C). Additionally, St. Helena must also amend the Zoning Code to allow for low barrier navigation centers, consistent with State law. See Program H-F for more information.

Sites Inventory and Zoning for a Variety of Housing Types

Sites Inventory. In combination with the City's pending projects and ADU development trends, the sites inventory provides adequate sites to meet the City's RHNA allocation and buffer requirements. St. Helena received a RHNA of 256 total units distributed across very low-income (104 units), low-income (59 units), moderate-income (26 units), and above moderate-income (67 units) categories. A total of 83 lower income housing units can be accommodated on City-owned properties and 332 total housing units can be accommodated on vacant and non-vacant sites. Multiple property owners of vacant and non-vacant sites are supportive of and interested in housing development on their properties. See Program H-A for more information.

Zoning for a Variety of Housing Types. St. Helena's Zoning Code allows for a variety of housing types in the City including multiple-family units, transitional and supportive housing, single-room occupancy units, manufactured and mobile homes, and accessory dwelling units. However, to comply with Section 65915 through 65918 of the California Government Code, St. Helena should amend the Zoning Code to reflect the new

maximum density bonus provisions that were adopted by the State in 2020. Program H-F commits the City to updating the Zoning Code for compliance with State law.

Affirmatively Furthering Fair Housing

Concentrations of Lower- and Moderate-Income Earning Populations. In St. Helena, residents with low and moderate household incomes are concentrated in the eastern portion of the city. The Housing Element ensures available land to accommodate all income levels on sites located across the city. Efforts to combat this impediment are outlined in Programs H-A, H-B, H-N, H-O, H-R, H-S, H-U, H-V, H-W, and H-AA.

Insufficient Housing Stock for Farmworkers. Farmworker housing is a critical need in Napa County and St. Helena due to the presence of year-round agricultural production. The migratory and sometimes seasonal nature of farm work poses housing challenges for the community and are seen as an impediment for St. Helena. Efforts to combat this impediment are outlined in Programs H-E, H-H, H-I, and H-KK.

Lack of Affordable Housing Types. There is a lack of diversity in housing types that restricts development of affordable housing in St. Helena. Local land use and zoning regulations perpetuate this deficiency by limiting the form of housing that can be developed on a particular site. Much of the residentially zoned parcels within the city are zoned low and medium density residential and are not compatible with the construction of duplexes, triplexes, quadplexes and multifamily housing developments. The City is upzoning a number of parcels as a part of the Housing Element Update to allow higher density residential development. Efforts to further combat this impediment are outlined in Programs H-A, H-B, H-E, H-H, H-I, H-J, H-M, H-N, H-P, H-R, H-S, H-V, H-W, H-AA, H-DD, H-EE, H-FF, H-GG, H-LL, and H-NN.

Goals, Policies, and Implementation Programs

Goal 1 A Diversity of Housing to Meet Local Needs

To facilitate development of a variety of housing types to meet the full range of housing needs throughout our community, with particular emphasis on housing for our local workforce, people with special housing needs, and people with extremely low, very low, low, and moderate incomes.

Policies

- HE 1.1** Maintain a sufficient supply of land zoned for residential development to meet the identified housing need at all income levels.
- HE 1.2** Work with property owners and developers to facilitate development of new affordable housing throughout the community.
- HE 1.3** Encourage the development of affordable housing and remove non-governmental development constraints, as feasible.
- HE 1.4** Remove governmental constraints to housing.
- HE 1.5** Address workforce housing needs by supporting in-fill and mixed-use development near downtown.
- HE 1.6** Encourage innovative housing types and designs.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-A Available Sites Inventory The City will prepare a sites inventory and suitability analysis that identifies suitable sites for housing development that allows targeted income housing developers to have a clear idea of what sites are suitable for meeting the Regional Housing Needs of the City. To accommodate the remaining lower-income RHNA of 156 units, the City of St. Helena will identify and rezone a minimum of 14 acres to the HDR zoning district, allowing exclusively residential uses and a minimum of 20 units per acre to a maximum of 28 units per acre by January 31, 2024. Rezoned sites will permit owner-occupied and rental multifamily uses by right pursuant to Government Code section 65583.2(h) and (i) for developments in which 20 percent or more of the units are affordable to lower income households and will be selected from sites 2, 3, 5, 8, and 10 in the parcel listing (Table 58). As reflected in <i>11: Housing Resources</i>, each site has the capacity to accommodate at least 16 units and will be available for development in the planning period where water, sewer, and dry utilities can be provided. The City will maintain an inventory of parcels meeting the requirements of Government Code Section 65583.2(c); that is, vacant sites identified in two or more consecutive housing elements or nonvacant sites identified in a prior housing element, that are identified to accommodate housing for lower income households. This inventory shall be made available online. All previously used lower-income sites currently meet the lower-income density threshold (20 du/ac), however the City shall update the zoning code to allow by-right approval for housing developments that	Identify housing sites suitable to accommodate: · Very low income: 104 units · Low income: 59 units · Moderate income 26 units · Above Moderate income: 67 units · Total: 256 units Provide sites that proactively work to overcome concentrations of lower- and moderate-income earning populations; with the goal of facilitating the development of 82 lower income units in the western portion of the city Provide sites appropriate for affordable housing types Commit to streamlining review of Hunter Subdivision project to completion with the goal of Building Permit applications in 2025. Evaluate timeline at the end of 2025 and if determined necessary, identify additional housing sites to meet the City's 6th Cycle RHNA requirements	HE1.1	Planning Department	General Fund (staff time)	By January 31, 2024 Publicly-available inventory: by 2024 Hunter Subdivision Building permits: 2025 Evaluate timeline by end of 2025

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
include 20 percent or more of its units affordable to lower income households (Gov. Code, § 65583.2, subd. (c).) on these sites. The City will consider AFFH in the identification of sites within the inventory and will work to provide sites that proactively work to overcome concentrations of lower- and moderate-income earning populations on the eastern portion of the city.					
H-B Growth Management System The City will remove the Growth Management System (GMS) from the Zoning Code. Due to Senate Bill 330, the GMS cannot currently be enforced. The City shall remove the GMS from the zoning code through the current Comprehensive Zoning Code Update currently underway. The GMS has been removed from the Draft Zoning Code, which is scheduled for adoption in summer/fall 2023.	During the planning period, encourage the development of: · 4 very low-income units · 4 low-income units · 10 moderate-income units · 10 above moderate-income units Address the city's lack of affordable housing by removing governmental constraints	HE1.1 HE1.4	Planning Department	General Fund (staff time)	Implementatio n: immediate Revised Zoning Code: by 2025 (prior to sunset of SB 330)

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-C Water and Sewer Access The City will continue to give priority access to water and sewer infrastructure to projects that include affordable housing units. As required by State law, the City shall deliver the adopted housing element to water and sewer providers, including a cover memo describing the City's housing element, as well as the City's housing needs and regional housing need.	Establish specific procedures providing priority access to water and sewer infrastructure to developments with units affordable to lower-income households, as required by State law Provide water and sewer providers with the adopted housing element, including cover memo, as required by State law	HE1.3 HE1.4	Planning and Public Works Departments	General Fund (staff time) Water and Sewer Enterprise Funds	Establish procedure: by 2025 Provide providers with housing element: immediately upon adoption
H-D Road and Utility Improvement Coordination The City will continue to work with private property owners/developers to plan for road and utility improvements necessary to support housing on sites identified for lower-income housing, in the event these sites are developed. Funding for off-site improvements will be provided through development impact fees. The City shall annually evaluate funding levels and potential opportunities for use of the funds in line with this program. The City will prioritize funding for improvement projects in the southeast quadrant of the city, including at sites 4, 5, 6, 7, 8, and 12, as possible.	During the planning period, encourage the development of: · 4 very low-income units · 4 low-income units · 4 units identified for seniors, farmworkers, or persons with disabilities Provide funding to assist in the completion of two roadway or utility improvement projects in the southeast quadrant, with a goal of providing \$100,000 during the planning period.	HE1.2 HE1.3	Planning Department	General Fund (staff time) Impact fees	Throughout the planning period, as needed Evaluate funding levels and opportunities: annually

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-E Streamline Special Needs Housing The City will apply streamlined ministerial review to housing developments that meet the needs of lower income households and special needs groups, such as seniors, people with disabilities, farmworkers, and homeless families and individuals. The City shall evaluate the streamlined review policy every two years to identify constraints on special needs housing production. The City shall provide priority processing to development applications that work to provide housing for residents with special housing needs. The City shall also support these applicants by providing technical support through the entitlement process and shall provide additional density bonuses and modifications to development standards (beyond State law) to special needs housing projects proposed on the western half of the city, where fair housing issues are less concentrated.	During the planning period, encourage the development of: · 15 very low-income units · 8 low-income units · 6 units identified for seniors, farmworkers, or persons with disabilities Address the lack of affordable housing types in the city Address the lack of farmworker housing in the city Provide incentives that work to overcome concentrations of affordable housing on the eastern portion of the city	HE1.4	Planning Department	General Fund (staff time)	Evaluate constraints: every two years Apply streamlined review: throughout planning period

H-F Municipal Code Updates The City will review and amend the Municipal Code, to comply with State law to: - Allow low barrier navigation centers for compliance with Government Code Sections 65660 and 65668 (AB 101). - Allow for residential care facilities of six or fewer in zones allowing single-family uses, subject only to the requirements of single-family uses, in compliance with State law (HSC § 1568.0831); and permit facilities with seven or more beds in all residential zones with objectivity and certainty similar to other residential uses of the same form - Update Chapter 17.144 (Affordable Housing) to reflect new maximum density bonus tier framework in compliance with California Government Code Sections 65915 through 65918. - Amend the Zoning Ordinance to define “family” as one or more persons living together as a single housekeeping unit in a dwelling unit. The definition should not distinguish between related and unrelated individuals and should not impose a numerical limit on the number of persons that constitute a family. - Update parking requirements related to emergency shelters for compliance with Government Code section 65583, subdivision (a)(4)(A) to require only be the number of spaces necessary for staff working in the shelter and no more than other uses in the same zones. - Allow accessory dwelling units in all zones allowing residential uses, including the AP Zone, mixed-use and commercial zones.	Amend the Municipal Code for compliance with State law by 2025 Address the lack of affordable housing types in the city by removing governmental constraints to housing production Amend the inclusionary housing ordinance to update in-lieu fees to reflect real costs of developing affordable housing, provide incentives to construct workforce housing, and provide more on-site housing requirements for affordable housing development	HE1.4 HE6.1	Planning Department	General Fund (staff time)	By 2025
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Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
- Update Chapter 17.116.030 (Accessory Dwelling Units) for compliance with Government Code section 65852.2. - Update Chapter 173.200 (Reasonable Accommodation) to remove discretionary finding requirements that constrain development, including finding #5, which considers impacts to surrounding properties or uses. - Incorporate objective design standards for single-family, small lot, and multifamily developments that provide a ministerial design review process - Provide a by-right streamlined review process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330. - Allow permanent and supportive housing pursuant to Government Code section 65651 without discretionary action. - Allow emergency shelters by right in BPO zone in compliance with Government Code section 65583(a)(4). - Expand the definition of emergency shelters to include interim interventions in compliance with Government Code section 65583(a)(4).					

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-G Safety Element Update The City will, in accordance with SB 1035, update the General Plan Safety Element to include any new information on fire and flood hazards, as well as climate adaptation and resiliency strategies. In accordance with SB 99 and AB 747, the updated Safety Element will also include evacuation routes and their capacity, safety, and viability under a range of emergency scenarios and to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.	Update the Safety Element by 2024	HE1.4	Planning Department	General Fund (staff time)	2024
H-H Workforce and Farmworker Housing The City will identify and adopt, as appropriate, incentives for development to address the housing needs of “workforce” and farmworker households, with priority given to projects in lower-density higher income on the western half of the city. As part of this effort, the City will explore the feasibility of adding an above moderate-income workforce housing component to the Inclusionary Housing Ordinance requirements and amend the Ordinance as appropriate.	Identify and adopt, as appropriate, development incentives such as higher density and height allowances, a streamlined design review process, and financial incentives, including fee reductions and waivers and contributions from the City’s Housing Trust Fund, to encourage the development of workforce and farmworker housing, including additional incentives for those projects in low-density high-income areas Encourage the development of: · 10 units identified for workforce or farmworker housing during the planning period · 2 workforce housing developments in low-density high-income areas Address the lack of affordable housing types in the city Address the lack of farmworker housing in the city	HE1.4	Planning Department	General Fund (staff time)	By 2025

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-I ADU Workforce Housing Incentive Program The City will implement a program to provide financial assistance for the development of accessory dwelling units in exchange for affordability restrictions that will provide workforce housing. Potential funding sources include, but are not limited to, Housing Trust Funds and Transient Occupancy Tax revenues. To encourage housing mobility and housing choice, the City shall provide marketing of the ADU Workforce Housing Program (and financial incentives) targeted at low-density areas of the city, with particular emphasis on the western half of the city where fair housing issues and existing affordable units are less concentrated. As part of this effort, the City shall hold up to two multi-lingual engagement events.	Establish an ADU Workforce Housing incentive program Market financial incentives to residents in LR and MR zones, particularly on the western portion of the City in combination with Programs H-Q and H-R, encourage the development of: · 80 accessory dwelling units, targeting 60 on the western portion of the city · 20 ADUs with affordability restrictions during the planning period, including 15 within the western portion of the city. · 15 ADUs near downtown Address the lack of affordable housing types in the city Address the lack of farmworker housing in the city	HE1.4	Planning Department	Housing Trust Funds Transient Occupancy Tax State and Federal workforce housing programs State and Federal grant funding	Establish program: by 2025 Provide marketing and engagement events: 2025

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-J Non-traditional Housing Types The City will encourage development of co-housing, ecohousing, a 'green' manufactured home, and other forms of housing, and will ensure these housing types are considered in the city's streamlined approval process. The City will evaluate and update, as appropriate, current zoning practices to remove constraints to non-traditional housing types. The City will also amend the zoning code to provide objective standards for residential development that work for a variety of housing types, including non-traditional housing types.	Evaluate current zoning practices to identify constraints to non-traditional housing types by 2025 Amend the zoning code to remove constraints and provide objective design standards by 2026 Encourage the development of: 10 missing middle units on infill parcels or in areas within the western portion of the city, consistent with AFFH. 4 non-traditional housing units during the planning period. Address the lack of affordable housing types in the city	HE1.5	Planning Department	General Fund (staff time)	Encourage non-traditional housing types: throughout the planning period Evaluate zoning: by 2025 Amend zoning: by 2026
H-K Non-Vacant Sites The City shall adopt a policy(ies) to incentivize new or more intense development on sites included in the sites inventory as lower-income capacity, including sites 7, 9, and 11 (for sites 1 and 2, see Program H-L). Incentives may include, but are not limited to, reducing development standards, providing flexible parking standards, priority processing, or deferred fees. The City shall engage property owners within six months of adoption to discuss constraints and potential incentives.	Adopt policies that Incentivize the development of new or more intense uses on non-vacant sites identified as lower-income capacity to meet the RHNA. Encourage the construction of 42 new lower-income units on sites 7, 9, and 11, including 32 on the western portion of the city	HE 1.1 HE 1.2 HE 1.3	Planning Department	General Fund (staff time)	Engage property owners: within six months of adoption Adopt incentives: 2024

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-L City-owned Sites The City will maintain compliance with the Surplus Land Act throughout the 2023-2031 Housing Element planning period. The City will assess the appropriateness of and consider implementing the following: outreach opportunities with housing developers, requests for proposals, development incentives, fee waivers, priority processing, and financial assistance (when available) to facilitate and incentivize developers to develop housing units on City-owned sites. The City plans to make 3 properties available through the Surplus Land Act process over the next two years for a potential development of 57 lower-income units. The City shall conduct studies of City owned sites included in the sites inventor to determine the most efficient use for housing. These include sites 1, 2, and 3. Through this process, the City shall engage local affordable housing developers to determine site constraints and potential policies to meaningfully incentivize affordable housing development on these sites. The City shall proceed with the findings for housing development by 2026. The City anticipates two-and-a-half years to enter into an Exclusive Negotiation Agreement (Fall 2026), and one-and-a-half additional years for land use entitlements and development agreements (Spring 2028). City owned sites included in the inventory (sites 1-3) shall be rezoned in compliance with Govt. Code Section 65583.2(h) and (i) within one year of the adoption deadline (by January 31, 2024).	Engage local affordable housing developers immediately Study city owned sites to determine the most efficient use for affordable housing development within the first year following adoption By 2026, implement an action plan to sell, or release an RFP to develop, City owned land for affordable housing development based on the findings of the conducted studies. Through the action plan, establish and implement a variety of incentives to facilitation housing development. Maintain compliance with the Surplus Land Act throughout the 2023-2031 Housing Element Planning Period Make properties available through the Surplus Land Act process Target Exclusive Negotiating Agreement by Fall 2026 Target land use entitlements issuance by Spring 2028 Encourage the development of 57 lower-income units in the northeast quadrant of the city near transit opportunities, and where fair housing issues are less concentrated, and walkability and environmental scores are more positive	HE 1.1 HE 1.2 HE 1.3	Planning Department	General Fund (staff time)	Engage developers: immediately upon adoption Conduct studies: by July 2025 Implement action plan and incentives for City owned sites: by 2026 Rezone sites: by Jan. 31, 2026

Goal 2 High-Quality Neighborhoods with a Balance of Housing Types

To plan for a balance of housing types throughout the community. [Existing Goal, modified]

Policies

- HE 2.1** Encourage higher density development.
- HE 2.2** Promote higher density development opportunities in low density, high resource areas.
- HE 2.3** Promote mixed-use developments.
- HE 2.4** Promote accessory dwelling unit (ADU) production.
- HE 2.5** Allow duplexes to the extent required by State law in all single-family residential zones consistent with SB 9.
- HE 2.6** Promote the development of missing middle housing with an area median income target of 120 percent (moderate income).
- HE 2.7** Promote a balance of housing types and unit sizes throughout the community.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-M Incentives for Lower-Cost Housing Types The City will continue to provide incentives for higher density housing and will explore possible incentives for building attached market rate housing units for rent and for sale. Incentives may include, but are not restricted to, fast tracking development applications, deferred development fees, reduced parking and/or other city standards, and density bonuses.	Encourage the development of 20 lower income units during the planning period Study potential incentives for attached market rate units by 2027 Address the lack of affordable housing types in the city	HE2.1	Planning Department	General Fund (staff time)	Throughout the planning period Attached market-rate housing study by 2027

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-N Zoning to Facilitate Higher Density Housing The City will modify the Zoning Code to facilitate higher density housing, consistent with the 2040 General Plan Update and Housing Sites Analysis, and discourage the construction of oversize homes, particularly within the western portion of the city, consistent with AFFH. The City shall revise maximum lot coverage to 55 percent and maximum height to 42 feet in the HR zone and on key housing sites in the MR zone (see Section 17.40.020(N)). The City shall revise the zoning code to allow minor modifications of up to 10 percent increase in lot coverage standards and 5 percent (or two feet, whichever is greater) in maximum height. Minor modifications shall be approved by the Community Development Director without a public hearing. The City shall reduce parking requirements for multifamily uses with three or more units to require one parking space for studio or one-bedroom units. The City shall revise Section 17.40.020 to allow duplexes and triplexes and densities of 5.1 to 16 dwelling units per acres in the MR zone without a conditional use permit.	Modify the development standards within the Zoning Ordinance to encourage higher density developments by 2026, with a goal of encouraging the development of 30 multifamily units in the HR zone and on key housing sites in the MR zone, as well as through the development of duplexes and triplexes in the MR zone during the planning period Develop land use patterns that work to overcome geographic concentrations of lower-and moderate-income earning populations Address the lack of affordable housing types in the city	HE2.1 HE2.2	Planning Department	General Fund (staff time)	By 2026

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-O Exemptions from Minimum Density The City will amend zoning regulations to prohibit exemptions from minimum density requirements.	Prohibit exemptions from minimum density requirements Encourage development patterns that work to overcome geographic concentrations of lower-and moderate-income earning populations	HE2.1 HE2.2	Planning Department	General Fund (staff time)	By 2026
H-P Mixed-use Development Types The City will amend the Zoning Code to create and implement the development criteria set for mixed use development within St Helena.	Amend the Zoning Ordinance to create and implement the development criteria set for mixed use development by 2026 Encourage the development of 20 housing units in mixed-use projects during the planning period Explore and adopt, as appropriate, development incentives such as higher density and height allowances, a streamlined design review process, and financial incentives, including fee reductions and waivers and contributions from the City's Housing Trust Fund, to encourage employers to provide on-site employee housing Address the lack of affordable housing types in the city	HE2.3	Planning Department	General Fund (staff time)	By 2026

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-Q Direct Assistance for ADU Development The City will continue to provide financial incentives, such as fee waivers and pre-approved plans, for ADU development. The City will also explore additional options such as covering the cost of a feasibility consult or the license fee for pre-approved plans, or capping total fees. The City will work with Napa Sonoma ADU to provide public information regarding ADUs on the City website, including a guide for homeowners explaining the benefits and procedures for adding an ADU and links to resources, including the ADU Feasibility Calculator, Home Match Program, and Standard ADU Plans Program.	Provide direct financial incentives to 10 ADU projects in the planning period Explore additional financial incentives by 2025 Provide informational materials and technical assistance regarding the development of ADUs to 30 households in low-density western portions of the city within the planning period Address the lack of affordable housing types in the city	HE2.4	Planning Department	Housing Trust Fund General Fund (staff time)	Explore additional incentives: by 2025 Provide informational materials: by 2025 Engage Napa Sonoma ADU: annually

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-R Place-based ADU Strategy The City will target specific areas for ADU incentives and will create incentives to construct ADUs in the low- and medium-density areas near downtown as well as in low-density higher-income areas of the city, particularly on the western portion of the city. Potential incentives include, but are not restricted to, fast tracking development applications, deferred development fees, and reduced parking and/or other city standards.	Establish place-based ADU strategies and incentives by 2026 In combination with Program H-I and H-Q, the development of: 80 accessory dwelling units, targeting 60 on the western portion of the city 20 ADUs with affordability restrictions during the planning period, including 15 within the western portion of the city. 15 ADUs near downtown Proactively work to overcome concentrations of lower- and moderate-income earning households Proactively work to relieve displacement pressures on multifamily zones	HE2.2 HE2.4	Planning Department	General Fund (staff time)	Establish program: by 2026
H-S Affordability Requirements for ADU Incentives The City will link financial incentives and development standard variances to affordability requirements for ADUs. Whenever the City assists in the development of an ADU through financial incentives or by granting a variance, the City will require that either the main house or the ADU is used as a rental unit affordable to lower- and moderate-income households for a minimum of five years through an affordable housing regulatory agreement with the City.	Update the zoning ordinance to include affordability requirements for ADU projects receiving financial or regulatory incentives by 2026 Incentivize the development of: 12 very low-income units 14 low-income units 6 moderate income units	HE2.4	Planning Department	Housing Trust Fund General Fund (staff time)	By 2026

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-T Illegal Housing Units The City will continue to respond to complaints regarding illegal units. Additionally, the City will work with the property owners to help bring illegal units up to code and to abate the use of non-habitable buildings as living units.	Respond to complaints regarding illegal units Provide technical support to assist all lower income units to be brought up to code in the planning period Provide financial support to assist five lower income units in the southeast quadrant of the City to be brought up to code within the planning period	HE2.4	Planning and Building Department	General Fund (staff time) Housing Trust Fund	Throughout the planning period
H-U Place-based Density Increases The City will revise the Zoning Code to allow urban lot splits, duplexes, and other two-unit projects in single-family residential zones in accordance with Senate Bill 9. The City will also adopt incentives, which may include fee reductions, deferrals, or waivers; flexible development standards; priority processing, or allowing triplexes on single-family lots if one unit ensures affordability to lower- or moderate-income renters by deed restriction. The City shall publicize informational materials outlining policies and incentives on the City website and through mailing lists and social media outlets.	Adopt incentives for small multi-unit SB 9 projects in single-family zones by 2024, with a goal of incentivizing the development of 10 SB 9 projects in the planning period Publicize informational materials by 2024; update within 30-days of changes Revise the Zoning Code by 2026 Proactively work to overcome concentrations of lower- and moderate-income populations Proactively work to relieve displacement pressures in multifamily zones	HE2.2 HE2.5	Planning Department	General Fund (staff time)	Allow duplexes: by 2024 Adopt incentives: by 2024
H-V Multi-unit Development in Low-density Higher-income Areas The City will encourage the development of affordable housing on in-fill parcels and in low-density areas in the western portion of the city, in line with the City's commitment to affirmatively further fair housing. As part of this effort, the City will explore and adopt, revisions to development standard to encourage multi-unit developments within existing neighborhoods throughout the city.	Post an inventory of potential housing sites on the City's web site immediately following adoption of the Housing Element Explore revisions to development standards to encourage multi-unit infill development (as part of comprehensive zoning code update) by 2026	HE2.2, HE2.6	Planning Department City Council	General Fund (staff time)	Housing sites posted to website in 2023 Standards update: 2026 Explore potential

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
The City will also explore additional incentives to encourage affordable multi-unit projects in high resource areas, including, but not limited to priority permit processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus.	Facilitate the development of three multi-unit lower-income housing projects on City-owned properties in the planning period Facilitate the development of five lower- or moderate-income infill projects in the planning period Address disproportionate housing needs in infill areas, including overpayment, overcrowding, and displacement risk by increasing housing opportunities; facilitate seven SB9 lot splits to increase housing opportunities in single family neighborhoods in the planning period, with a goal of facilitating development of five lower-income units on these properties Explore additional incentives for affordable multi-unit projects in low-density areas on the western portion of the city by 2026 Encourage the development of eight lower- and eight moderate income multi-family units in high resource areas or on infill parcels within the planning period Proactively work to overcome concentrations of lower- and moderate-income households on the eastern portion of the city Address the lack of affordable housing types in the city				addition incentives: by 2026

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timing
H-W Missing Middle Housing The City will review and amend the zoning code and applicable development standards to encourage and promote a mix of dwelling types and sizes, specifically missing middle-density housing types (e.g., triplexes, courtyard buildings, townhomes, live/work) to create a diversity of housing types and densities and increase the availability of affordable housing to reduce displacement risk for residents overpaying for housing. Specifically, the City will add a new mixed use zone, consistent with the 2040 General Plan Update, and will evaluate and revise minimum lot sizes and parking ratios, particularly in high resource, low-density areas.	Revise zoning standards to encourage missing middle housing by 2026 To enhance housing mobility and housing choice, encourage the development of a variety of missing middle housing types in infill projects; support the development of three missing middle housing developments between three and 20 units To enhance housing mobility, encourage the development of 15 lower- and 15 moderate-income units in low-density high-income areas	HE2.2 HE2.6 HE2.7	Planning Department	General Fund (staff time)	Revise Zoning Code: by 2026

Goal 3 Conservation of Existing Housing

Improve and conserve existing housing, with particular attention to the rehabilitation and retention of existing affordable units. [Existing Goal]

Policies

- HE 3.1** Protect the existing stock of affordable and market rate housing.
- HE 3.2** Support the conservation of existing housing units for those with special housing needs, including seniors and others with special housing needs.
- HE 3.3** Monitor housing conditions.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-X Condominium Conversion The City will continue to restrict the conversion of rental units to condominiums. Current policy allows conversion to condominiums under certain circumstances when the vacancy rate is high. Because the presence of second homes within the community results in an inflated vacancy rate, the City will update the current policy to eliminate the linkage to vacancy rates. To work to reduce displacement pressures in lower-resourced areas, the revised policy will completely restrict all conversions in the southeastern portion of the city.	Preserve existing affordable housing stock Update current policy to remove linkage to vacancy rates Completely restrict condominium conversion in the southeastern quadrant of the City Address the lack of affordable housing types in the city	HE3.1	Planning Department	General Fund (staff time)	Update policy by 2026
H-Y Affordable Housing Impact Fee The City will continue to charge an affordable housing impact fee whenever housing units are converted to other uses. The City will exempt conversion projects that create affordable for-sale housing from this impact fee. Collected affordable housing impact fees will be used for the preservation and development of housing opportunities affordable to lower- and moderate-income households, and will give priority to projects in the southeastern portion of the city where fair housing issues, and displacement risks exist in greater concentrations.	Evaluate the impact fee against the real cost of affordable housing development every two years Discourage the conversion of residential uses to nonresidential uses Using funds generated through the Affordable Housing Impact fee, provide financial assistance to support the development or preservation of 70 lower-income units in the southeast quadrant, including, but not limited to, units on sites 5, 7, and 8 Address the lack of affordable housing types in the city by working to retain existing units or generating funding for future affordable units	HE3.1	Planning Department	General Fund (staff time)	Throughout the planning period Evaluate impact fee: every two years

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-Z At-Risk Assisted Affordable Housing Units Although there are no assisted affordable rental units currently at-risk of conversion to market rate in St. Helena, the City with the assistance of the Napa Housing Authority, shall continue to monitor assisted properties. If units are identified as at-risk of conversion, the City will work with the property owners and/or other parties to ensure that they are conserved as affordable housing. The City will also engage with owners of deed-restricted moderate-income for-sale units (Marietta Townhomes and Voorhees Circle) at-risk of conversion to market rate within the planning period. The City will work with owners to find solutions to extend affordability requirements.	Unless consistent with the terms of an affordable housing agreement with the City of St. Helena, prohibit the conversion of assisted affordable units to market rate Retain all assisted affordable units during the planning period Immediately (by 2024) engage homeowners with expiring deed-restrictions	HE3.1	Planning Department	General Fund (staff time)	Engage at-risk property owners: immediately, and twice annually thereafter
H-AA Vacation Rentals The City will continue to limit the conversion of market rate housing to vacation rentals and will abate the use of illegal vacation rentals, including time shares and fractional interests. To preserve existing affordable housing and reduce displacement pressures, the City shall adopt a policy restricting conversion of units occupied by lower- and moderate- income households in the southeast quadrant of the city to vacation rentals.	Maintain the current stock of market rate housing Restrict the conversion of housing units to vacation rentals occupied by lower- and moderate-income households in the southeast quadrant of the city where fair housing issues exist in greater concentrations Discourage the conversion of market rate housing units to vacation rentals, particularly in low-density higher-resourced areas Address the lack of affordable housing types in the city	HE3.1	Planning Department	General Fund (staff time)	Throughout the planning period

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-BB Special Housing Needs Rehabilitation Program The City shall actively pursue federal and State funding sources, including CDBG, Affordable Housing and Sustainable Communities (AHSC), Permanent Local Housing Allocation (PLHA), CalHome funds, HOME, and other grant sources to establish a program to support the rehabilitation needs of seniors and others with special housing needs, particularly on the southeastern quadrant of the city where affordable units are generally concentrated and displacement risks are increased.	Pursue funding to assist with rehabilitation costs for lower income households and seniors, with a goal of securing \$200,000 in funding during the planning period, including \$100,000 for projects in the southeastern quadrant of the city During the Planning Period, encourage the rehabilitation/conservation of: · 20 units accessible to seniors · 10 units accessible to persons with a disability	HE3.2	Planning and Finance Departments	CDBG, AHSC, PLHA, CalHome, HOME	Annually and as notices of funding availability are released.
H-CC Annual Progress Report The City will continue to review housing needs, conditions, achievements and challenges as part of the City's regular General Plan review and Annual Housing Element Progress Report, as required by State law.	Submit the Annual Progress Report to the State Department of Housing and Community Development and the Governor's Office of Planning and Research by April 1st of each year Provide transparency on housing-related actions and programs	HE3.3 HE4.6	Planning Department	General Fund (staff time)	Annually

Goal 4 Assistance to Support Affordable Housing

To provide technical and financial resources to support development of affordable housing in our community, especially housing that meets the needs of our local workforce, people with special housing needs, and people with moderate, low, and very low incomes.

Policies

- HE 4.1** Develop permanent local sources of funding to support affordable housing.
- HE 4.2** Aggressively pursue and 'leverage' State and Federal housing funds.
- HE 4.3** Address farmworker housing needs.
- HE 4.4** Support housing that meets special needs, including senior citizens and persons with disabilities.
- HE 4.5** Explore methods to increase Housing Trust Fund money.
- HE 4.6** Provide transparency regarding information on housing-related actions, fees, and programs.
- HE 4.7** Provide local preference in the procurement process when municipal funds may be used for housing.
- HE 4.8** Give preference to projects providing workforce housing affordable to up to 140 percent of the AMI.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-DD Revenue Generation for Affordable Housing The City will continue to generate revenues for affordable housing through the Affordable Housing Trust Fund and Transient Occupancy Tax and will continue to use the revenue to support the development or rehabilitation of affordable housing.	Support the development or preservation of five extremely low- or very low-income units Address the lack of affordable housing types in the city	HE4.1 HE4.5	Planning Department	General Fund (staff time) Housing Trust Fund Transient Occupancy Tax	Throughout the planning period
H-EE Reduced Fees for Affordable Housing The City will continue to reduce, defer, or waive fees for affordable housing developments and will explore and adopt as appropriate higher incentives for affordable housing developments with units affordable to extremely low- and very low-income households.	Reduce fees for 30 extremely-low or very low-income units Address the lack of affordable housing types in the city	HE4.1	Planning Department	General Fund Housing Trust Fund	Evaluate and adopt, as appropriate, potential additional incentives: by 2026
H-FF Extremely Low-Income Units The City will continue to prioritize the use of the Affordable Housing Trust Fund in support of the development and preservation of regulated affordable units for extremely low-income households. The City will immediately engage with developers interested in creating or preserving housing for extremely low-income households to discuss available incentives and any financial or technical assistance the City can provide.	Support the development or preservation of six units for extremely low-income households Address the lack of affordable housing types in the city	HE4.1	Planning Department	Housing Trust Fund	Engage prospective developers: immediately upon identification

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-GG Affordable Homeownership The City will continue to pursue mortgage revenue bonds and/or mortgage credit certificates to promote affordable homeownership opportunities for moderate- and lower-income households. The City shall evaluate these opportunities and engage with potential partnering jurisdictions or institutions annually. The City shall also engage with local mortgage brokers and real estate agents to identify existing programs providing downpayment loans or direct assistance to first-time homebuyers and shall make this information available on the city's website, as well as through up to two multi-lingual engagement events targeting the southeastern quadrant of the city.	Research and identify potential funding sources in 2024 and annually thereafter with the goal of establishing a homeownership assistance program in 2026 Collect and publicize information on existing programs available to first-time and lower-income prospective homeowners through State, Federal, or non-profit agencies within 18 months of adoption of the Housing Element; hold up to two multi-lingual events in the southeastern portion of the City by 2026 Assist three lower- or moderate-income households transition from rental housing to homeownership Address the lack of affordable housing types in the city	HE4.2	Planning and Finance Departments	General Fund (staff time)	Annually Identify funding for City led program: in 2024 and annually thereafter Collect and publicize information on existing programs: within 18 months of adoption Targeted engagement events: by 2026
H-HH Additional Funding The City will continue to pursue additional funding for affordable housing and will explore new options for affordable housing funding.	Explore new funding sources every two years to support housing for lower- and moderate-income households, seniors, and residents with special housing needs Address the lack of affordable housing types in the city	HE4.1	Planning and Finance Departments	General Fund (staff time)	Explore new opportunities: every two years

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-II Section 8 Subsidies The City will continue to partner with the City of Napa Housing Authority to provide rental assistance to low-, very low-, and extremely low-income households through Housing Choice Voucher (Section 8) rent subsidy certificates.	Support the City of Napa Housing Authority rental assistance efforts; engage the Housing Authority annually to explore opportunities Provide informational materials regarding Housing Choice Voucher subsidies on the City website by 2024 Address the lack of affordable housing types in the city	HE4.2	Planning Department	General Fund (staff time)	Engage the Housing Authority: annually Informational materials: by 2024
H-JJ Housing Coordinator While the City currently contracts with the City of Napa for Housing Authority services, the City will explore the possibility of establishing a full-time, shared Housing Coordinator for the up-valley communities to: promote development of new affordable housing in low-density higher-resourced areas, assist lower-income households obtain housing in higher resourced areas, and preserve existing affordable units. The City shall enter into a cost-sharing agreement, if feasible. The position would serve all of the up-valley communities, including Napa County.	Meet with potential partner jurisdictions a minimum of two times during the planning period to explore options Identify and procure funds to establish a shared Housing Coordinator for the up-valley communities to promote affordable development in low-density higher resourced areas, assist lower-income households obtain housing in higher-resourced areas, and preserve existing lower- and moderate-income units	HE4.2	City Manager Planning Department	General Fund (staff time) CDBG, AHSC, PLHA), CalHome, HOME, and other grant sources	Engage potential partners: by 2026 Identify potential funding: by 2026

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-KK Farmworker Housing Needs The City will contribute staff time and City resources, as appropriate, to countywide farmworker housing efforts that may occur during the Housing Element planning period. The City will reach out to affordable housing developers to support regional and City efforts to develop farmworker housing, including assisting with financing or applications, incentives and concessions, expedited review or other strategies to encourage the development of housing for farmworkers.	Support local and regional efforts to develop farmworker housing Assist in the development of one farmworker housing project during the planning period Address the lack of farmworker housing in the city	HE4.3	Planning Department	General Fund (staff time) Housing Trust Fund	Outreach to affordable housing developers by 2024 and every two years thereafter
H-LL Special Needs Housing Opportunities The City will encourage new developments to provide a portion of units to meet the special housing needs of seniors and persons with disabilities, including developmental disabilities, throughout the city. The City will provide information on available incentives on the City website and shall immediately engage individuals or agencies interested in special needs production to discuss opportunities and constraints specific to the parcel(s) being considered.	During the Planning Period, encourage the development of: 10 units accessible to seniors 5 units accessible to persons with disabilities Address the lack of affordable housing types throughout the city	HE4.4	Planning Department	General Fund (staff time)	Information to website: by 2025 Engage potential developers: immediately upon identification

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-MM Housing Information Transparency The City will, in accordance with AB 1483 (2019), obtain, maintain, update, and make publicly available information related to zoning ordinances, development standards, fees, exactions, affordability requirements, and fair housing laws from the Department of Housing and Community Development, State Fair Employment, and Housing Commission's enforcement program, as well as programs and funding sources for homeowners at risk of foreclosure, the State Historic Building Code, and information on energy conservation opportunities. The City will, as appropriate, share this information on the City website and/or in hard copy form at City offices. Any changes to such information shall be made public within 30 days of changes. The City will provide these items in Spanish, as funding and staff time allows.	Create and share a digital information database in compliance with AB 1483 by 2024 Updated information is made publicly available within 30 days of changes Provide information in Spanish, as funding allows	HE4.6	Planning Department	General Fund (staff time)	Database: By 2024 and annually thereafter Update information: within 30-days of any changes
H-NN Funding for New Special Housing Needs The City shall actively pursue federal and State funding sources, including CDBG, Affordable Housing and Sustainable Communities (AHSC), Permanent Local Housing Allocation (PLHA), CalHome funds, HOME, and other grant sources to support the construction of housing for seniors and those with special housing needs. The City shall periodically review available housing programs to identify additional funding sources.	Pursue funding to assist with construction and rehabilitation needs of lower income households and seniors During the Planning Period, encourage the development of: 20 units accessible to seniors 10 units accessible to persons with disabilities	HE3.1 HE 4.1 HE4.2 HE4.4	Planning and Finance Departments	CDBG, AHSC, PLHA, CalHome, HOME	Annually and as notices of funding availability are release.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-00 Unit Conversion for Extremely Low-Income Households The City will continue to explore the potential of using Affordable Housing Trust Fund money to purchase existing housing for conversion to restricted affordable housing and will commit funding as appropriate. Priority for use of Affordable Housing Trust Fund monies will be given to the creation of housing affordable to extremely-low-income households, particularly within the western portion of the city, consistent with the commitment to overcome geographic income disparities.	Identify potential funding Engage with owners of local market rate multifamily units to discuss opportunities, if funding allows Assist in the conversion of two units from market rate to extremely low-income during the planning period Proactively work to overcome concentrations of lower- and moderate-income populations Address the lack of affordable housing types in the city	HE4.1	Planning Department	Housing Trust Fund General Fund (staff time)	Identify potential funding: annually Engage owners: immediately as funding and potential properties are identified
H-PP Surplus and Excess Public Land The City will, in accordance with AB 1486 (2019) and AB 1255 (2019), annually identify and inventory a list of sites owned by the City that have been sold, leased, or otherwise disposed of in the prior year. This inventory shall be publicly available and be included in the Housing Element annual report presented to the City Council and submitted to HCD.	Regularly maintain an inventory of publicly-owned surplus or excess land on the City website Annually release information regarding publicly-owned sites that have been sold, leased, or disposed of	HE4.6	Planning Department	General Fund (staff time)	2023, with annual updates

Goal 5 Resource Conservation

To promote resource conservation by encouraging housing types and designs that use fewer resources (water, electricity, etc.) and therefore cost less to operate over time, supporting long-term housing affordability.

Policies

HE 5.1 Encourage alternative energy sources.

HE 5.2 Encourage energy and resource conservation.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-QQ Green Building Ordinance The City shall update the Green Building Ordinance, as necessary, to meet or exceed periodic updates to the State's Green Building Standards Code (CalGreen).	Ensure compliance with CalGreen throughout the planning period	HE5.1	Planning and Building Department	General Fund (staff time)	Throughout the planning period, as necessary
H-RR Alternative Energy Technologies The City will continue to encourage the use of alternative energy technologies and will explore incentives for the use of solar energy in new and rehabilitated housing. Incentives to adopt as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, allowing applications to be submitted via email and paid by phone, deferred fees, and reduced applicable city standards.	Encourage alternative energy technologies in new and existing developments Explore additional incentives for solar installation	HE5.1	Planning and Building Department	General Fund (staff time)	Explore and adopt incentives, as appropriate: by 2026
H-SS Alternative Energy Technology Information The City will continue to provide public information on energy conservation and alternative energy technologies to residential developers, contractors, and property owners.	Provide information on the City website and at City Hall regarding energy conservation, alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits	HE5.1	Planning and Building Department	General Fund (staff time)	2023; updated annually thereafter
H-TT Cost-Effective Energy Conservation The City will continue to require cost-effective energy conservation measures in all new and rehabilitated housing to promote long-term affordability for occupants. The City will adopt the State's new Energy Efficiency Standards as part of any update to the California Building Standards Code and ensure that all new housing units constructed in the City meet or exceed these standards.	Promote long-term affordability Adopt updated State energy efficiency and building code standards, as necessary, throughout the planning period	HE5.2	Planning and Building Department	General Fund (staff time)	Every three years beginning in 2023

Implementation Program	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-UU Energy Conservation Measures The City will continue to participate in AB-811 programs and will explore additional state and federal sources of funding to finance local energy conservation measures. Sources of state and federal funds include, but are not limited to, the California Energy Commission State Energy Program and Energy Efficiency and Conservation Block Grant Program, and the Low-Income Home Energy Assistance Program.	Identify and procure additional funding to support energy conservation measures Provide information on available assistance programs on the City website by 2024 Assist three households, through financial or technical assistance, with the implementation of energy conservation measures	HE5.2	Planning and Finance Departments	General Fund (staff time) State and Federal Grant Funds	Throughout the planning period Explore funding: annually Provide information on assistance programs: by 2024
H-VV Water Conservation The City will continue to apply Municipal Code provisions pertaining to water resources, including requirements for water-efficient landscaping for new residential and commercial construction, as well as implementing the "Water Neutrality" policy for all new development.	Reduce water consumption Require water-efficient landscaping Implement the "Water Neutral" policy Implement the Water Efficient Landscape Ordinance (WELO)	HE5.2	Planning and Public Works Departments	General Fund (staff time)	Throughout the planning period

Goal 6 Affirmatively Furthering Fair Housing

To assure that housing programs maximize opportunity and housing choice throughout the city and proactively work to overcome patterns of economic segregation and discrimination based upon age, sex, race, sexual orientation, religion, familial status, ethnic background, or disability. [Existing Goal, modified]

Policies

- HE 6.1** Support equal housing opportunities for all residents of St. Helena.
- HE 6.2** Support the fair housing services provider.
- HE 6.3** Support regional efforts to affirmatively further fair housing.
- HE 6.4** Ensure public investments are equitably distributed throughout the community.
- HE 6.5** Consider affirmatively furthering fair housing goals in all housing related decisions.

Implementation Programs

Implementation programs for this goal have been included in a table beginning on the following page.

Implementation Programs	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-WW Affirmatively Furthering Fair Housing The City shall address disparities in housing needs and access to opportunity for all persons regardless race, color, religion, sex, national origin, familial status, disability gender, gender identify, gender expression, sexual orientation, marital status, ancestry, veteran or military status, source of income, and genetic information as protected categories by the California Fair Employment and Housing Act (Part 2.8 [commencing with Section 12900] of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. The City identified barriers to fair housing through the Affirmatively Furthering Fair Housing Assessment. Actions the City will take to address the identified barriers and foster an inclusive community, include: - Concentrations of Lower- and Moderate-income Earning Populations: H-A, H-B, H-N, H-O, H-R, H-U, H-V, H-W and H-OO. - Insufficient Housing Stock for Farmworkers: H-E, H-H, H-I, and H-KK. - Lack of Affordable Housing Types: H-A, H-B, H-E, H-H, H-I, H-J, H-M, H-N, H-P, H-Q, H-V, H-X, H-AA, H-DD, H-EE, H-FF, H-GG, H-LL, H-NN, and H-OO. - Fair Housing Enforcement and Outreach: H-T, H-II, H-JJ, H-WW, and H-XX. - Limited Resources for Persons with Disabilities: H-BB, H-LL, and H-NN; as well as objectives D, F and G in this program.	A) Work to coordinate annual meetings with jurisdictions and fair housing providers in the county to assist with and participate in promoting fair housing opportunities through pursuing potential funding opportunities and joint efforts aimed at educating the community about fair housing issues and resources B) Promote the availability of bi-lingual resources by ensuring that City-provided services and materials are available in Spanish and that information is included regarding the availability of interpretation or translation services C) Facilitate development of multifamily housing on the western portion of the city by providing developers with information on incentives for affordable multifamily development and maintaining a list of available sites (for metrics, see Program H-V) D) Use local permitting and approval processes to ensure all new multifamily construction, as well as ADUs, meet the accessibility requirements of the federal and state fair housing acts; with the goal of facilitating the development of 30 units accessible to seniors and other residents with special housing needs E) Affirmatively recruit a diverse and multi-lingual staff, as positions become available F) Work with Napa Valley Transportation Authority to explore lowering ridership costs for the VineGo paratransit system	HE6.1 HE6.2 HE6.3 HE6.4 HE6.5	City Council City Manager Planning Department	General Fund (staff time)	A: annually C: engage with developers twice within the planning period D: by 2027 F and G: Every two years H: evaluate opportunities annually; complete 3 projects in planning period.

Implementation Programs	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
Place-based Strategies for Community Preservation and Revitalization and Displacement Protection: H-A, H-I, H-J, H-N, H-Q, H-R, H-U, H-V, H-W, and H-WW. The City has included additional objectives with this program. The City shall monitor progress toward these objectives annually in the Annual Progress Report and shall implement additional measures as necessary.	G) Work with the County of Napa to carry out an ADA self-evaluation and transition plan to remove barriers for persons with disabilities to facilities and programs in Napa County H) Prioritize capital improvement projects for public infrastructure improvements that facilitate affordable housing development in the southeastern quadrant of the city, with a goal of completing three improvement projects related to recreation and parks, public safety, transportation and walkability, or access to educational facilities in the quadrant				
H-XX Fair Housing Provider The City will continue to utilize and support Fair Housing Napa Valley as the City's fair housing service provider, responsible for implementing fair housing programs, receiving complaints, and providing referrals to available resources when necessary. The City will work with the Fair Housing Napa Valley to provide educational materials to educate real estate professionals, property owners and tenants on their rights and responsibilities and the resources available to address fair housing issues.	Provide direct funding to Fair Housing Napa Valley with of goal of providing up to \$80,000 over the planning period Support fair housing investigations with a goal of assisting with five investigations of existing affordable developments for rent in the southeast quadrant of the city and fair housing issues are more concentrated and displacement risk is higher Provide multi-lingual informational materials to the public regarding tenant rights, fair housing issues, and resources on the City's website and hold one multi-lingual engagement event to present the information targeting residents in the eastern portion of the city Provide a link to Fair Housing Napa Valley on the City's website	HE6.2	City Manager Planning Department	General Fund	Engage Fair Housing Napa Valley: annually Informational materials to City website: by 2024 Engagement event: 2025

Implementation Programs	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-YY Replacement Unit Program The City will adopt a policy and will require replacement housing units subject to the requirements of Government Code section 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use or nonresidential) occurs on a site that is identified in the inventory meeting the following conditions: - currently has residential uses or within the past five years has had residential uses that have been vacated or demolished, and - was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, or - subject to any other form of rent or price control through a public entity's valid exercise of its police power, or - occupied by low or very low-income households	In order to mitigate the loss of affordable housing units, require new housing developments to replace all affordable housing units lost due to new development	HE3.1 HE6.1	Planning Department	General Fund	Implement: immediately Adopt policy: by January 31, 2024

Implementation Programs	Objectives	Implements What Policies	Who is Responsible	Potential Funding Source	Timeframe
H-ZZ Lot Consolidation To expand opportunities for additional affordable housing, the City will encourage the consolidation of small parcels to accommodate larger-scale and higher density developments that are compatible with existing neighborhoods. The sites inventory includes five parcels equating to 39 lower- and 39 moderate-income RHNA units. These sites were identified based on common ownership and contiguous lots. While all five parcels are within moderate resource areas, two of these parcels (site 9) are located on the western portion of the city, an area with fewer fair housing issues, and adjacent to Spring Street in proximity to high-quality transit opportunities. While these parcels will be processed by-right pursuant to Gov. Code section 65583(c), the City will also implement other efforts to facilitate and encourage lot consolidation.	Post the sites on the City's website by October 2023 and provide list to interested developers when requested, and review annually for accuracy Develop and implement incentives for lot consolidation by January 2024 such as fee waivers, reduced development fees, expedited permit processing, greater density bonus incentives, and modifications to parking, height, or setback standards Facilitate lot consolidation for high density residential developments by providing appropriate assistance to developers to encourage negotiations between property owners Encourage the development of 39 lower- and 39 moderate income units during the planning period. To increase housing mobility and opportunities in areas where fair housing issues are less concentrated, encourage the development of 15 lower- and 15 moderate-income units on the western portion of the City	HE 1.3 HE 4.6 HE6.1	Planning Department	General Fund Housing Trust Fund	Post sites to website: by Oct. 2023 Implement incentives: by 2024
H-AAA Permit Streamlining Act The City shall amend the Municipal Code to specify who is responsible for making CEQA determinations and within the timeframes of PRC 21080.1 and PRC 21080.2; and determination of when the PSA is triggered per Government Code 65950(a)(5) the Permit Streamlining Act (PSA).	Amend the municipal code for compliance with State law within 18 months of adoption of the Housing Element	HE 1.3 HE 4.6	Planning Department	General Fund (staff time)	Within 18 months of adoption of the 2023-2031 Housing Element

Quantified Objectives

Quantified Objectives by Type

One of the requirements of State law (California Government Code, Section 65583[b]) is that the Housing Element contains quantified objectives for the maintenance, preservation, improvement, and development of housing. State law recognizes that the total housing needs identified by a community may exceed available resources and the community's ability to satisfy this need. Under these circumstances, the quantified objectives need not be identical to the total housing needs, however, the quantified objectives shall establish the number of housing units by income category that can be realistically constructed, rehabilitated, and conserved. The City has established quantifiable objectives in implementation programs throughout the policy document. This section summarizes new construction, conservation, and special needs housing objectives for the 2023-2031 planning period.

New Construction Objectives

Extremely low-income	33 units	166 lower-income units	302 total units
Very low-income	73 units		
Low-income	60 units		
Moderate-income	44 units	136 moderate and above-moderate units	
Above moderate-income	92 units		

Rehabilitation and Conservation Objectives

Conservation of all existing affordable housing units.
Conserve 200 manufactured homes at manufactured home parks.
Rehabilitation of 20 units for seniors and 10 units for persons with a disability

Assistance for Special Needs Households

35 units of senior housing
18 units for persons with a disability
12 units for farmworkers
Assist in the conversion of two units from market rate to extremely low-income during the planning period.
Assist three lower- or moderate-income households transition from rental housing to homeownership

Quantified Objectives Summary Table

The City will strive to exceed the following targets for affordable housing development in St. Helena.

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	33	73	60	44	92	302
Rehabilitation	10	10	5	5	0	30
Conservation/Preservation	0	120	100	231	0	451

City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

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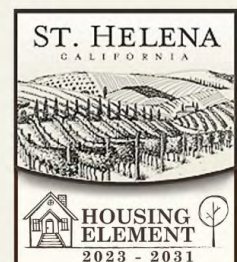


Part 2: Needs Assessment

Adopted, May 9, 2023

Revised, July 2023

Certified, September 25, 2023





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1. Introduction

Since 1969, California Housing Element Law has required that local governments develop plans to accommodate and facilitate housing for current and future residents, at all income levels.

Housing Element Purpose

The purpose of the Housing Element is to establish a comprehensive plan to address housing needs in St. Helena over the eight-year planning period between January 31, 2023, through January 31, 2031. The Housing Element sets the policies surrounding the development, rehabilitation, and preservation of housing units that meet the needs of St. Helena residents.

The Housing Element consists of two parts, the Housing Needs Assessment and a Housing Element Policy Document. The Housing Needs Assessment identifies and analyzes the existing and projected housing needs for St. Helena and also identifies sites for housing development that are adequate to accommodate the City's regional housing needs allocation. The Housing Policy document will state goals, policies, quantified objectives, and implementation programs for the development, rehabilitation, and preservation of housing, based upon the findings of the Housing Needs Assessment and input received through public outreach. Then, throughout the eight-year planning period, St. Helena will implement a set of programs to meet the goals included in the Housing Element Policy Document.

Authority

Housing Elements are required by section 65302(c) of the California Government Code. Housing Elements are one of seven mandatory General Plan Elements. Specific requirements for Housing Elements are set forth beginning at section 65580 of the Government Code, with additional guidance provided by the State Department of Housing and Community Development (HCD). The combination of the Housing Needs Assessment and the Housing Element Policy Document will address all applicable requirements of state law.

Status

The St. Helena City Council adopted the prior Housing Element in 2015 for the planning period ranging from January 31, 2015, through January 31, 2023. Upon review of the adopted Housing Element, HCD sent the City of St. Helena a letter of compliance on May 29, 2015.¹ The 2023-2031 Housing Element Update will plan for St. Helena's housing needs through the 8-year planning period of January 31, 2023, through January 31, 2031. While the City's policies and programs guide housing development during the planning period, the City receives credit for housing units that are built during the Regional Housing Need Assessment (RHNA) projection period, which is June 20, 2022, through December 31, 2030, a period of 8.5 years.²

¹ California Department of Housing and Community Development. *Housing Element Review Letters*. http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_letters/. Accessed on March 11, 2014.

² California Department of Housing and Community Development. *Housing Element Update Schedule*. <https://www.hcd.ca.gov/community-development/housing-element/docs/6th-web-he-duedate.pdf>. Accessed November 2021.

Consistency with the General Plan

California Government Code Section 65300.5 requires that a general plan be internally consistent, meaning that no conflicts exist among the elements of the plan. Government Code section 65583(c) requires that a housing element describe how consistency has been achieved among the general plan elements. The most important aspect of consistency among general plan elements is that policies and implementation measures do not conflict but support one another to achieve the overall goals and vision of a general plan.

In preparing the 2023-2031 Housing Element, the City reviewed goals and policies in the various elements of the 2040 St. Helena General Plan. With the passage of SB 1035 in 2018, the City will need to update its Safety Element to include any new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies. Program H-G commits the city to updating the Safety Element. Additionally, the City has committed to removing the Growth Management System through Program H-B, and will need to update the Zoning Code for consistency. Consistency with the remaining components of the 2040 General Plan has been achieved through the adoption of complementary policies in each of the elements that support the goals and policies of the other elements.

Changes to State Law

The following items represent substantive changes to State housing law since the City's last Housing Element was adopted and certified. While this is not an exhaustive list, these items are state mandates that must be addressed in the Housing Element.

Affordable Housing Streamlined Approval Process: Senate Bill 35 (2017)

SB 35 requires a streamlined, ministerial review process, or objective design standards, for qualifying multifamily, urban infill projects in jurisdictions that have failed to approve housing projects sufficient to meet their State-mandated RHNA. Among other requirements, to qualify for streamlining under SB 35, a project must incorporate one of two threshold levels of affordable housing: (1) 10 percent of the project units in jurisdictions that have not approved housing projects sufficient to meet their RHNA for above moderate-income housing or have failed to submit an annual progress report as required under state law; or (2) 50 percent of the project units in jurisdictions that have not approved housing projects sufficient to meet their RHNA for below moderate-income housing. Additionally, the Housing Element must describe the City's processing procedures related to SB 35.

The City is not subject to the requirements of SB 35 as it has successfully met its fair share of local housing needs for the fifth cycle, an accomplishment only shared with a small handful of jurisdictions statewide. The City has not adopted a streamlined approval process for multi-family units related to SB 35 or SB 330, however, it has drafted a process to comply with the law which is being codified as a part of the ongoing Zoning Code Update. The process incorporates objective design standards and ministerial review free of discretionary processes. Program H-F commits the City to amending the Zoning Code to provide a by-right streamlined review

process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330.

Additional Housing Element Sites Analysis Requirements: Assembly Bill 879 (2017) and Assembly Bill 1397 (2017)

These bills require additional analysis and justification of the sites included in the sites inventory of the City Housing Element. The Housing Element may only count non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing elements if the sites are subject to a program that allows affordable housing by right. Additionally, the bills require additional analysis of non-vacant sites and additional analysis of infrastructure capacity, and by place size restrictions on all sites. The Housing Element sites inventory has been prepared in compliance with AB 879 and AB 1397.

Affirmatively Furthering Fair Housing: Assembly Bill 686 (2017)

AB 686 requires the City to administer its housing programs and activities in a manner to affirmatively further fair housing and not take any action that is inconsistent with this obligation. The City must take actions to overcome patterns of segregation, address disparities in housing needs and access to opportunity, and foster inclusive communities. The Housing Element must include an assessment of fair housing practices, an examination of the relationship of available sites to areas of high opportunity, and actions to affirmatively further fair housing. This Housing Element includes Program H-WW addressing fair housing and AFFH directly, and objectives to affirmatively further fair housing in programs throughout the Element. Appendix A: Affirmatively Furthering Fair Housing includes an analysis of fair housing in St. Helena.

No-Net-Loss Zoning: Senate Bill 166 (2017)

SB 166 amended the No-Net-Loss rule to require that the land inventory and site identification programs in the Housing Element include sufficient sites to accommodate the unmet RHNA. When a site identified in the Housing Element as available to accommodate the lower-income portion of the RHNA is actually developed for a higher income group, the City must either (1) identify, and rezone if necessary, an adequate substitute site or (2) demonstrate that the land inventory already contains an adequate substitute site. This Housing Element has been prepared in accordance with the No-Net-Loss rule and identifies sites that can accommodate 241 units in addition to the City's RHNA requirement of 256. Chapter 11 includes a detailed discussion of the sites inventory process.

Safety Element to Address Adaptation and Resiliency: Senate Bill 1035 (2018)

SB 1035 requires the General Plan Safety Element to be reviewed and revised to include any new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies with each revision of the housing element. Program H-G of this Housing Element commits the City to updating the Safety Element within three years of certifying this Housing Element.

By Right Transitional and Permanent Supportive Housing: Assembly Bill 2162 (2018) and Assembly Bill 101 (2019)

AB 2162 requires the City to change its zoning to provide a “by right” process and expedited review for supportive housing. The bill prohibits the City from applying a conditional use permit or other discretionary review to the approval of 100 percent affordable developments that include a percentage of supportive housing units, either 25 percent or 12 units, whichever is greater. The change in the law applies to sites in zones where multifamily and mixed uses are permitted, including in nonresidential zones permitting multifamily use. The City currently permits transitional and supportive housing within all residential, commercial, and mixed-use zones, subject only to the same conditions as residential uses, in compliance with State law.

Additionally, AB 101 requires that a Low Barrier Navigation Center development be a use allowed by right in mixed-use zones and nonresidential zones permitting multifamily uses if it meets specified requirements. The City does not currently comply with this requirement. Program H-F commits the City to update the zoning code to allow low barrier navigation centers by right in areas zoned for mixed use as well as nonresidential zones permitting multifamily uses.

Accessory Dwelling Units: Assembly Bill 2299 (2016), Senate Bill 1069 (2016), Assembly Bill 494 (2017), Senate Bill 229 (2017), Assembly Bill 68 (2019), Assembly Bill 881 (2019), Assembly Bill 587 (2019), Senate Bill 13 (2019), and Assembly Bill 671 (2019)

In recent years, multiple bills have added requirements for local governments related to Accessory Dwelling Unit (ADU) regulation. The 2016 and 2017 updates to State law included changes pertaining to the allowed size of ADUs, permitting ADUs by right in at least some areas of a jurisdiction, and parking requirements related to ADUs. More recent bills reduce the time to review and approve ADU applications to 60 days and remove lot size and replacement parking space requirements. AB 68 allows an ADU and a junior ADU to be built on a single-family lot, if certain conditions are met. The State has also removed owner-occupancy requirements for ADUs, created a tiered fee structure that charges ADUs based on their size and location, and prohibits fees on units of less than 750 square feet. In addition, AB 671 requires the Housing Element to include plans to incentivize and encourage affordable ADU rentals. In 2020, the City adopted updated ADU regulations which streamlined the review process for ADU construction and conversion. The St. Helena Zoning Code allows ADUs in all residential zoning districts, however, to achieve compliance with California Government Code Sections 65852.2 and 65852.22, the City must allow ADUs in all zones that allow for residential uses, including the AP Zone, and any mixed-use, and commercial zones. Additionally, several areas of Chapter 17.116.030 need to be revised for compliance with State law. This includes, but is not limited to, the definition of a cooking facility, definition of an efficiency kitchen, allowing both an ADU and JADU for conversions on a lot with an existing or proposed single-family dwelling, separate conveyance of an ADU or JADU, and restricting bedroom count.

The City is currently undertaking a comprehensive zoning code update that will address these compliance issues. Program H-F in this Housing Element commits the City to revising the code for compliance with State law by 2026.

Density Bonus: Assembly Bill 1763 (2019) and AB 2345 (2020)

AB 1763 amended California's density bonus law to authorize significant development incentives to encourage 100 percent affordable housing projects, allowing developments with 100 percent affordable housing units to receive an 80 percent density bonus from the otherwise maximum allowable density on the site. If the project is within half a mile of a major transit stop, a jurisdiction may not apply any density limit to the project. AB 2345 further amended California's density bonus law to allow residential projects with some on-site affordable housing to receive a density bonus of up to 50 percent. Specifically, a residential development is eligible for a 50 percent density bonus if 11 percent of the units are very low-income, 20 percent are low-income units, or 40 percent are moderate-income units. The affordable units must remain affordable for a minimum of 55 years. In addition to the density bonus, qualifying projects will receive four regulatory incentives or concessions, depending on how much of the development includes affordable units. Specifically:

- One incentive or concession for projects that include at least 10 percent of the total units for lower-income households, at least five percent for very low-income households, or at least 10 percent for persons and families of moderate-income in a common interest development.
- Two incentives or concessions for projects that include at least 17 percent of the total units for lower-income households, at least 10 percent for very low-income households, or at least 20 percent for persons and families of moderate-income in a common interest development.
- Three incentives or concessions for projects that include at least 24 percent of the total units for lower-income households, at least 15 percent for very low-income households, or at least 30 percent for persons and families of moderate-income in a common interest development.
- Four incentives or concessions for projects where one hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code. For these projects, if it is located within one-half mile of a major transit stop, the applicant also receives a height increase of up to three additional stories (33 feet).

The City of St. Helena currently establishes density bonus provisions for affordable housing in Chapter 17.144 (Affordable Housing). The provisions in that Chapter do not reflect the new maximum density bonus tier framework that was adopted by the State in 2020. Because of this, the City is not currently in compliance and has included Program H-F to commit the City to amend the Zoning Code for compliance with California Government Code Sections 65915 through 65918. The City is currently undertaking a Zoning Code Update. The Draft Zoning Code includes density bonus provisions that comply with State law. The Zoning Code Update is currently scheduled for adoption in summer/fall 2023.

Housing Crisis Act of 2019: Senate Bill 330

SB 330 enacts changes to local development policies, permitting, and processes that will be in effect through January 1, 2025. SB 330 places new criteria on the application requirements and processing times for housing developments; prevents localities from decreasing the housing capacity of any site, such as through downzoning or increasing open space requirements, if such a decrease would preclude the jurisdiction from meeting its RHNA housing targets; prevents localities from establishing non-objective standards; and requires that any proposed demolition of housing units be accompanied by a project that would replace or exceed the total number of units demolished. Additionally, any demolished units that were occupied by lower-income households must be replaced with new units affordable to households with those same income levels. The Housing Element must describe the City's processing procedures related to SB 330. Please see Chapter 8: Nongovernmental and Governmental Constraints for more information.

The City has adopted an SB 330 process and checklist to streamline the design and approval of by-right multi-family units within the community, in compliance with SB 330.

Surplus Land Act Amendments: Assembly Bill 1486 and AB 1255 (2019)

AB 1486 refines the Surplus Land Act to provide clarity and further enforcement to increase the supply of affordable housing. The bill requires the City to include specific information relating to surplus lands in the Housing Element and Housing Element Annual Progress Reports, and to provide a list of sites owned by the county that have been sold, leased, or otherwise disposed of in the prior year. AB 1255 requires the City to create a central inventory of surplus and excess public land each year. The City is required to transmit the inventory to the Department of Housing and Community Development and to provide it to the public upon request. The City has committed to transmitting the required information to HCD each year with their annual report in Program H-CC.

Housing Information Transparency: Assembly Bill 1483 (2019)

AB 1483 requires the City to publicly share information about zoning ordinances, development standards, fees, exactions, surplus public lands, fair housing resources, and affordability requirements. The City is also required to update such information within 30 days of changes. The Housing Element will report on the City's compliance with these requirements. Program H-NN specifically commits the City to providing updated information on a range of housing issues through their website and at City offices.

Emergency and Transitional Housing Act of 2019: Assembly Bill 139 (2019)

AB 139 established new criteria for evaluating the needs of the homeless population. The analysis must assess the capacity to accommodate the most recent homeless point-in-time count by comparing that to the number of shelter beds available on a year-round and seasonal basis, the number of beds that go unused on an average monthly basis, and the percentage of those in emergency shelters that move to permanent housing (see Chapter 7: subsection Persons Experiencing Homelessness). The bill also established new parking standards for emergency shelters. Lastly, the bill requires the Housing Element to include a review of the effectiveness of the

housing element goals, policies, and related actions to meeting the jurisdiction's special housing needs (see Chapter 2: Review of Previous Element).

The City is in compliance with State laws related to emergency shelters, supportive housing, and transitional housing. The City currently permits transitional and supportive housing within all residential, commercial, and mixed-use zones, subject only to the same conditions as residential uses, in compliance with State law. Additionally, emergency shelters are identified as a by-right use in the I and SC zoning districts.

Standardization of Sites Inventory Analysis and Reporting: Senate Bill 6 (2019)

SB 6 requires the City to electronically submit the sites inventory to HCD. The City will submit the final sites inventory to HCD with the adopted Housing Element. Program H-A commits the City to submitting an electronic copy of the inventory to HCD.

Evacuation Routes: Senate Bill 99 and AB 747 (2019)

Two recent bills, AB 747 and SB 99, require the General Plan Safety Element to be updated to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios and to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes. The bill requires these updates to occur with the 2023-2031 Housing Element Update. Program H-G commits the City to updating to the Safety Element as necessary for compliance with SB 99 and AB 747 during the 6th Housing Element cycle.

Public Participation

Section 65583(c)(5) of the Government Code states that "The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort." Public participation played a critical role in the formulation and refinement of the County's housing goals and policies.

Housing issues affect the entire community – residents, employers, and the public and private sectors. The public participation requirement of housing element law presents an opportunity to engage constituents in a dialogue – defining problems and creating solutions. The inclusion of community stakeholders in the housing element public participation process helps ensure appropriate housing strategies are more efficiently and effectively evaluated, developed, and implemented. An inadequate public participation process may lead to community conflict or in worse case scenarios, anti-development initiatives, and NIMBYism. Successful public participation is important because a diverse cross section of the population can be engaged in defining the housing problem and in crafting community sensitive solutions. Another benefit of broad participation and true engagement of the public is that when it is time to adopt housing strategies and approve housing developments, a greater portion of the community has been involved and participated in the plan and more frequently will support its implementation. Meaningful participation creates stakeholders in the ultimate outcome of the process.

In response to the need for public participation, City planning staff worked with consultants to develop a robust community engagement program tailored to ensure the community and other stakeholders are engaged in the process and are given ample opportunities to provide input. The key objective of the community engagement program is to maximize opportunities for everyone interested in the Housing Element to participate. The engagement program includes branding, a project website, business cards, newsletters and eblasts, announcements on the City website and social media, multiple workshops, a Housing Element Focus Group, and Planning Commission and City Council study sessions and hearings. This section summarizes our engagement program.

In an effort to Affirmatively Further Fair Housing (AFFH), the City reached out to a broad range of stakeholders, including not just housing developers and residents, but also to Spanish speakers and those working to address fair housing issues and the lack of affordable housing citywide. Throughout the Update, the Project team asked focus group members, workshop participants, the Planning Commission, and the City Council about fair housing issues in the community. The City has incorporated this feedback into Program H-WW: Affirmatively Further Fair Housing, as well as into a variety of programs throughout the Policy Document.

Branding

A branding package was prepared for the project. This included a project logo and style templates for all work products, maps, presentations, and publicity materials. The common branding helps to build recognition for the project and ensure that this effort is distinct in the minds of the community. The logo to the right will be used on all materials developed as part of the Housing Element Update.

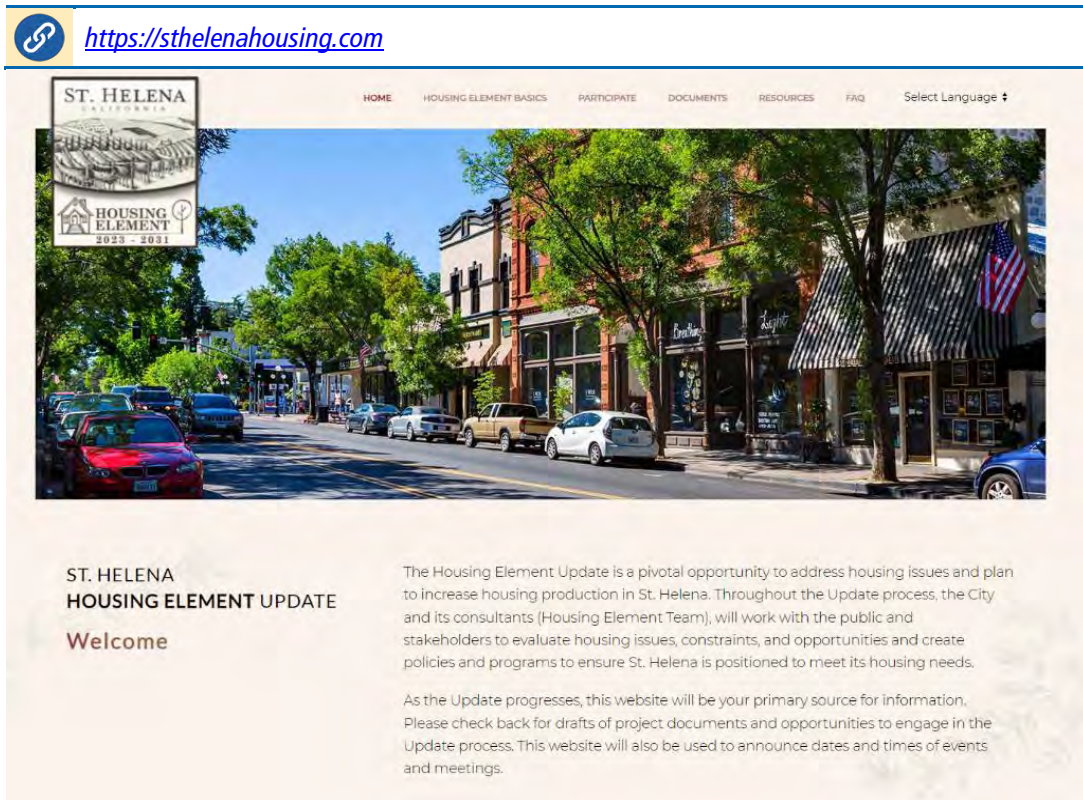


Housing Element Website

During the development and review of the Housing Element, the City created and maintained a website dedicated to the 2023-2031 Housing Element Update. This website provided easy access to information on the project, including the Housing Element information/Frequently Asked Questions, the project newsletters, and Zoom meeting info. Project documents were posted to the website and comments were encouraged through the provided "Comments" button on each page. A link on the website allowed residents to sign up for the email list. The website also featured a Google Translate menu allowed readers to translate the website into Spanish. Lastly, an accessibility widget was incorporated into the website allowing readers to adjust text size and spacing, contrast, and a number of other aspects of the website to suit the reader's needs.

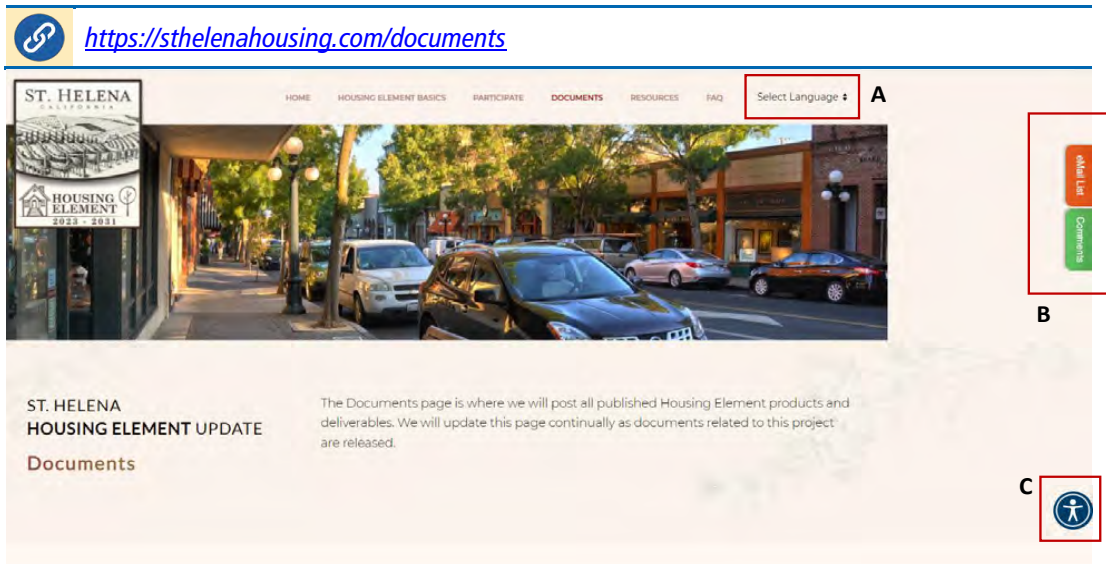
City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



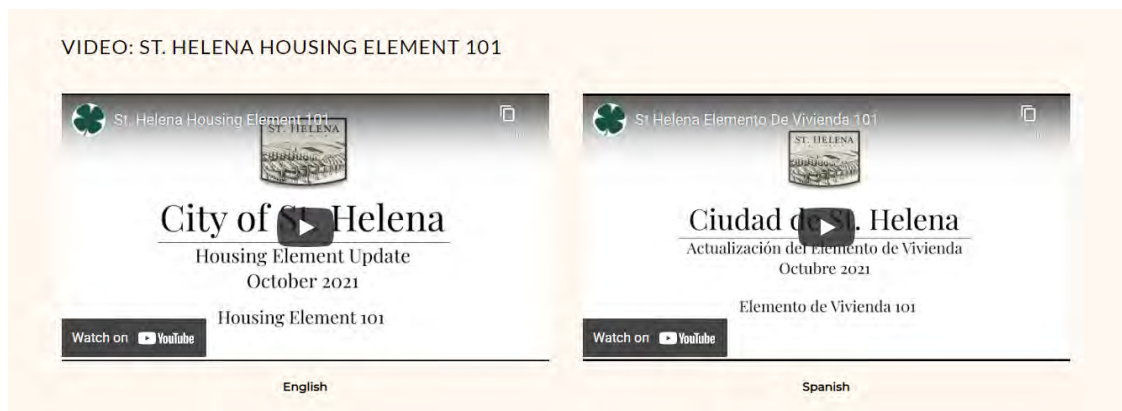
A: Google Translate Tool: This tool allows users to translate the entire website into Spanish.

B: Email and Contact Buttons: These buttons allow users to join the project email list or provide a comment to the project Team.

C: Accessibility Widget: This widget allows users to choose visibility options for greater accessibility

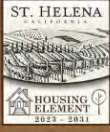


The project website features a Housing Element 101 video, presented in English and Spanish.



City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



Community Workshop Taller Comunitario

Wednesday, March 16 @ 6:00pm
miércoles, 16 de marzo a las 6:00 pm

Join us for a Community Workshop on the Housing Element Update and Affirmatively Furthering Fair Housing in St. Helena

Únase a nosotros para un taller comunitario sobre la actualización del elemento de vivienda y Fomentar Afirmativamente la Vivienda Justa en St. Helena.



Send a public comment

- Go to: <https://sthelenahousing.com/>
- Click on the green "Comments" tab on the right side of the screen.
- Leave your name, email, and comment.
- Click the green send button at the bottom.



Participate on ZOOM

- Click on the link to join the meeting: <https://us02web.zoom.us/j/88451883836> or go to Zoom.us or app and enter the meeting ID: **884 5188 3836**
- To make a comment, virtually raise your hand by pressing the red hand icon on the ZOOM toolbar.



Participate by phone

- Call (669) 900-6833
- At the prompt, enter meeting ID: **884 5188 3836**
- Press #
- To make a comment, virtually raise your hand by pressing *9

Enviar un comentario público

- Vaya a: <https://sthelenahousing.com/>
- Haga clic en la pestaña verde "Comentarios" en el lado derecho de la pantalla.
- Deje su nombre, correo electrónico y comentario.
- Haz clic en el botón verde de enviar en la parte inferior.

Participe por ZOOM

- Haga clic en el link para participar: <https://us02web.zoom.us/j/88451883836> o vaya a Zoom.us o a la aplicación y entre el Numero de Reunión: **884 5188 3836**
- Para comentar, virtualmente suba la mano presionando el botón de la mano roja en la pantalla de ZOOM.

Participe por teléfono

- Lláme al (669) 900-6833
- Cuando se le indique, entre el Numero de Reunión: **884 5188 3836**
- Presione #
- Para comentar, virtualmente suba la mano presionando *9

sthelenahousing.com

CONTACT/CONTACTO: Senior Planner – Aaron Hecock, AICP
ahecock@cityofsthelena.org | (707) 968-2659

In addition to eblasts and Facebook posts, meetings were announced via the website. Flyers were posted for each event in English and Spanish.

MEETINGS

COMMUNITY WORKSHOPS

Title	Date	Flyer	Presentation	Agenda	Other Materials	Video
Workshop #3	March 16, 2022 6 pm, via Zoom					
Workshop #2	January 20, 2022 6 pm, via Zoom					
Workshop #1	September 16, 2021 6 pm, via Zoom					

FOCUS GROUPS

PLANNING COMMISSION

CITY COUNCIL

—

+

+

+

For those unable to attend, event materials, presentations, and videos are posted to the Participate page.

Project Business Cards

To encourage the use of the project website, business cards were made up for the Project. The cards were provided to the City and can be handed out to those looking for additional information on the Housing Element Update. Each card lists the project website address and a QR Code that can direct users to that website.



Newsletters and Email Notifications (eBlasts)

During the Housing Element development, two newsletters will be developed and distributed. The newsletters will be designed to give the community a better understanding of the Update process and the draft Housing Element. Both newsletters will be published in both English and Spanish and made available from the project website.

Newsletter: Housing Element Update Overview

The Housing Element newsletter describes what a housing element is, how and why it is being updated, the project schedule, and how to get involved in the Update process. The newsletter also describes the other components of the project, including General Plan amendments, Safety Element update, and the environmental analysis. The newsletter also included information on community engagement opportunities and the project website.

Email notifications (eblasts) were sent out to announce upcoming events and the release of project-related documents. Email addresses were compiled from those requesting notification from the City and from those signing up on the project website and at project events. As of May 2022, the Housing Element email list has 32 subscribers.

Images of the Housing Element Newsletter and an eBlast are included on the following page.

City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



ST. HELENA
HOUSING ELEMENT
2023 - 2031

NEWSLETTER #1: HOUSING ELEMENT OVERVIEW

St. Helena Housing Element Update!

We are excited to announce that in February 2021, the City of St. Helena locked off the update to the City's Housing Element. The update is scheduled to take approximately two years, and throughout the process, we invite the public to be part of the planning process and provide input on how St. Helena should provide housing over the planning period (2023-2031).

What is a Housing Element?

Since 1969, every jurisdiction in California has been required to have a Housing Element as part of their General Plan. Unlike other mandatory General Plan elements, the Housing Element must be updated every eight years and is subject to review and approval by the California Department of Housing and Community Development (HCD). Major components of the Housing Element include a housing needs assessment, the identification of sites for housing at all income levels, a review of constraints to housing, and updated policies and programs to carry out the goals of the updated element.

The City's current 2014-2022 Housing Element was adopted in 2015 and was part of the 5th Cycle of housing element updates in the State. This update for the 2023-2031 Housing Element is part of the 6th Cycle of housing element updates. Between the 5th and 6th Cycles, the State has passed over a dozen of new housing laws, many of which aim to lower barriers to building affordable housing. These will all be addressed with this update.

Another major addition to the 6th Cycle Housing Element Update is the inclusion of an Affirmatively Furthering Fair Housing analysis. This analysis will examine housing practices in the city to identify any areas that may perpetuate housing inequities in the community. Once identified, the Housing Element will create policies and programs to help work towards more equitable housing practices.

Visit the Project Website to:

- Stay informed
- Find out about upcoming meetings and events
- Sign-up for email updates
- Share your ideas

sthenahousing.com

Have questions? City of St. Helena
Aaron Hecock, Senior Planner
ahcock@cityofsthenela.org



ST. HELENA
HOUSING ELEMENT
2023 - 2031

BOLETÍN #1: RESUMEN DEL PLAN DE VIVIENDA ELEMENTAL

¡Actualización del Plan de Vivienda Elemental en St. Helena!

Nos complace anunciar que, en febrero de 2021, la Ciudad de St. Helena inició la actualización del Plan de Vivienda Elemental de la Ciudad. La actualización está programada para tomar aproximadamente dos años, y a lo largo del proceso, invitamos al público a ser parte del proceso de planificación y proporcionar información sobre cómo St. Helena debe proporcionar vivienda durante el periodo de planificación (2023-2031).

¿Qué es el Plan de Vivienda Elemental?

Desde 1969, todas las jurisdicciones de California están obligadas a tener un Elemento de Vivienda como parte de su Plan General. A diferencia de otros elementos obligatorios del Plan General, el Elemento de Vivienda debe actualizarse cada ocho años y está sujeto a revisión y aprobación por el Departamento de Vivienda y Desarrollo Comunitario de California (HCD). Los principales componentes del Elemento de Vivienda incluyen una evaluación de las necesidades de vivienda, la identificación de sitios para vivienda en todos los niveles de ingresos, una revisión de las limitaciones a la vivienda, y políticas y programas actualizados para llevar a cabo los objetivos del elemento actualizado.

El actual Elemento habitacional 2014-2022 de la ciudad fue adoptado en 2015 y formó parte del 5º Ciclo de Actualizaciones de Elementos habitacionales en el Estado. Esta actualización para el Elemento habitacional 2023-2031 forma parte del 6º Ciclo de actualizaciones del Plan de Vivienda Elemental. Entre los ciclos 5 y 6, el Estado ha aprobado más de una docena de nuevas leyes de vivienda, muchas de las cuales tienen como objetivo reducir las barreras a la construcción de viviendas asequibles. Todos ellos se abordarán con esta actualización.

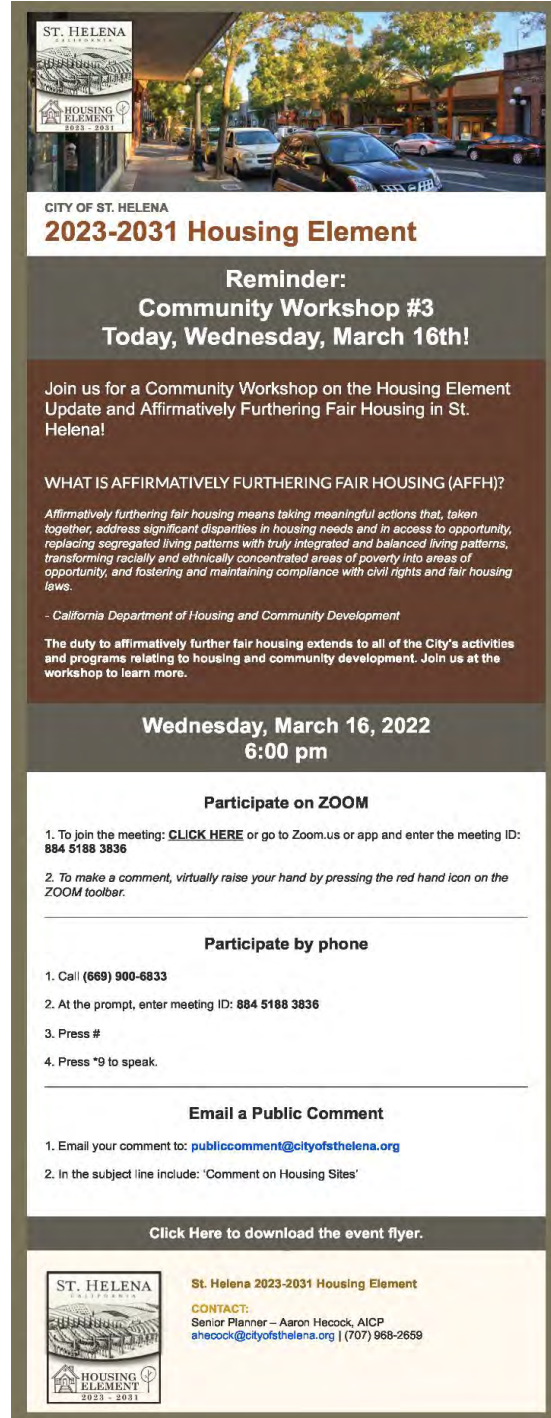
Otras de las principales novedades del Plan de Vivienda Elemental del 6º Ciclo es la inclusión de un análisis afirmativo de vivienda justa. Este análisis examinará las prácticas de vivienda en la ciudad para identificar cualquier área que contribuya a perpetuar las desigualdades de vivienda en la comunidad. Una vez identificadas, el Plan de Vivienda Elemental, creará políticas y programas para ayudar a asegurar que el desarrollo de viviendas sea más equitativo.

Visite el sitio web del proyecto para:

- Manténgase informado
- Más información sobre las próximas reuniones y eventos
- Regístrase para actualizaciones por correo electrónico
- Comparte tus ideas

sthenahousing.com

¿Tiene preguntas? Ciudad de St. Helena
Aaron Hecock, Planificador Principal
ahcock@cityofsthenela.org



ST. HELENA
HOUSING ELEMENT
2023 - 2031

CITY OF ST. HELENA
2023-2031 Housing Element

Reminder:
Community Workshop #3
Today, Wednesday, March 16th!

Join us for a Community Workshop on the Housing Element Update and Affirmatively Furthering Fair Housing in St. Helena!

WHAT IS AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)?

Affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

- California Department of Housing and Community Development

The duty to affirmatively further fair housing extends to all of the City's activities and programs relating to housing and community development. Join us at the workshop to learn more.

Wednesday, March 16, 2022
6:00 pm

Participate on ZOOM

- To join the meeting: [CLICK HERE](#) or go to Zoom.us or app and enter the meeting ID: 884 5188 3836
- To make a comment, virtually raise your hand by pressing the red hand icon on the ZOOM toolbar.

Participate by phone

- Call (669) 900-6833
- At the prompt, enter meeting ID: 884 5188 3836
- Press #
- Press *9 to speak.

Email a Public Comment

- Email your comment to: publiccomment@cityofsthenela.org
- In the subject line include: 'Comment on Housing Sites'

[Click Here to download the event flyer.](#)

St. Helena 2023-2031 Housing Element

CONTACT:
Senior Planner – Aaron Hecock, AICP
ahcock@cityofsthenela.org | (707) 968-2659

Public Workshops

Throughout the Housing Element Update, City staff worked with the consultant team to hold community workshops at critical points in the process.

Workshop #1: Housing Element Basics

On September 16, 2021, the City held a community workshop to introduce the housing element and discuss housing needs, opportunities, and constraints in St. Helena.

COMMUNITY WORKSHOP #1

THANK YOU FOR JOINING US FOR THE COMMUNITY WORKSHOP!

For those unable to attend, a video of the workshop is posted below.



**VIRTUAL WORKSHOP
HELD SEPTEMBER, 16, 2021**

MEETING PRESENTATION: [Click Here](#)

EVENT FLYER: [Click Here](#)

To provide a comment on the workshop, please use the green "Comments" button on the right side of the screen.

Ways for Public to Participate

- Branding and logo
- Newsletters
- Website
- Social media outreach
- Work with local groups
- Virtual Events (Zoom, etc.)
- Online surveys / interactions
- Joint Study Sessions / Hearings



The workshop presentation highlighted engagement efforts and let participants know how they can connect with the Project Team.

During the Workshop, participants were prompted to comment on housing needs, issues, and constraints in the community. Several public comments were received and are documented below. These comments and information provided during this discussion were used to inform and confirm data in the Needs Assessment. Additionally, input related to sites and constraints were considered in the development of the initial sites inventory. Finally, comments related to housing needs helped to inform implementation actions and priorities. The City has included a number of programs to address constraints, incentivize affordable and special needs housing development, and encourage workforce and missing middle housing opportunities.

Comment
Jenny ■ Shortage of affordable housing compounded by 2020 fires. ■ Rents have increased but wages haven't kept up. ■ Many residents are struggling to pay rent. ■ There is a long waiting list for affordable housing (5 year waiting list) ■ Smoke Free housing is needed, as 2nd hand smoke is an issue in multifamily housing
Nancy ■ Demand is such that large-scale developments are needed. ■ Overcrowding is an issue in the city. ■ Many St. Helena workers commute into the city because they can't afford to live here.
Joe ■ Multifamily is challenging as affordability is difficult to make cost effective. Subsidies are required to create housing that is affordable. Financing for these projects is difficult. ■ Affordable projects move slowly and this increases costs. ■ Market partners may be able to help solve the housing problem. ■ What in the zoning code can be changed to help reduce costs? ■ Development standards such as Density, Parking, Height, and Water Neutrality, as well as fees, can be obstacles to development. ■ NIMBY opposition and land costs can be constraints. ■ Sites: feasibility is a problem and owners need to be engaged. ■ Larger sites are located near the urban limit, but density is needed near city center. Height limits should be reconsidered. ■ Main Street has commercial/retail vacancies. Potential for housing as mixed use. ■ 900 Crane is for sale and may be a potential site. ■ Can we expedite rezones for housing? ■ Multifamily areas that only allow up to a triplex are a constraint. We need to allow more building forms. ■ Please clear as many hurdles to development as possible.
Ester ■ Many properties are small and can't hold larger projects. Lot consolidation may be needed. Adams St. property could be a potential low-income housing site.
Paul ■ Please consider public safety issues and make sure that sites are feasible and safe.

Workshop #2: Housing Opportunity Sites

On January 20, 2022, the City held a Community Workshop to discuss the Housing Element Update and available housing sites in St. Helena. Following the workshop, a map of potential sites was posted to the Housing Element website and the City encouraged residents and stakeholders to submit through the "Comments" button.

The table below shows public input received at the event and how each participant's input was incorporated into the Draft Housing Element.



Comment	Response
Jeff Farmer: Consider closed catholic school. Some talk with church officials there. Also, the city corp yard. It may be available. ADUs, concern about lack of ADU rentals	The City investigated potential sites and considered ADU affordability trends in the sites inventory.

City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

Comment	Response
Norma: Potential sites: corner of Fulton and east of the railroad tracks, both the north and south side of Fulton. What happened with the big property by vineyard valley (Hunter project)? Regarding Pope, there is another site east toward college there may be a big vacant site to consider.	The City investigated potential sites based on public comments and revised the inventory, as necessary.
Joe McGrath: 1998 Spring Street just changed hands and may have a vineyard lease. The 3-acre site. McCorkle sites have a pending contract and may have other plans One other McCorkle site was just renovated Fulton site had interest for housing development in the past. Other sites to consider: across from corps yard on Charter Oak. Consider this please.	The City considered the constraints and sites mentioned here.
Jordan Bentley: 1998 Spring Street changed hands and has a vineyard lease. Please provide a list of properties that can be developed.	The City investigated the constraint mentioned here. The City also provided a list of properties with online map via the project website.
Pat Friday: Crane is a good place for housing. Keep it. Across from Episcopal church, there is a vacant parcel that used to be a church. This may be a possibility. Walking distance to everything. Spring Street across from the cemetery there is a big area of vacant land.	The City investigated potential sites based on public comments and revised the inventory, as necessary.

Comment	Response
<i>Rick Crebs:</i> Consider workforce housing for the missing middle types and incomes.	The City considered workforce and missing middle housing in crafting the Policy Document. Several programs are included to respond to these topics specifically.
<i>Mary Stephenson:</i> Concern that ADUs are not being rented. Over 40 percent of land in city limits is in vineyards. How much of this is zoned for housing? Can we look at these and create a long-term plan? What will remain in vineyard and what will remain in housing? The process to rezone is expensive and time-consuming Lots of expensive houses with ADUs that won't be rented. It's an extension of the main house.	The City considered ADU affordability trends in the sites inventory and are working to promote ADU development through implementation programs. Additionally, the City included a program to explore the removal of the Urban Limit Line.
<i>John Sales:</i> Site on Crane Avenue by the creek has a major power line running across the property. This has to be dealt with before housing can be built on the site.	The City considered the constraint mentioned here and revised the sites inventory accordingly.
<i>Jennifer La Liberte:</i> North Crane: there's another parcel close to the one considered. Consider this. Suggests we include this site if Crane Avenue site is included.	The City investigated potential sites based on public comments and revised the inventory, as necessary.

Comment	Response
Tracy McBride: The City needs low income housing that is ownership based. On the map on your website. The lower income sites are east of main street and site 9 is west of main street. Keep this site to disperse lower income sites around the city. How can we incentivize housing development? With by-right this can make things easier if nothing is developed and the site is reused in the next round. Adams St and church sites: why can't we use these sites? Are churches really harder to redevelop?	The City investigated potential sites based on public comments and revised the inventory, as necessary. The City also worked to provide sites consistent with the goals of AFFH. The City also crafted a number of implementation programs that work to incentivize development of lower and moderate income housing.
Joe McGrath: PG&E property on Mitchell: Consider the site. Adams: would subdivision help the political situation?	The City investigated potential sites based on public comments and revised the inventory, as necessary. The City Council is considering a number of options for the Adams Street property.
Jennifer La Liberte: Please let the public know which sites have been ruled out and why.	The City included information about sites investigated but not selected in the materials posted to the project website following the event.
Nancy Dervin Encourages the City to include feasible sites. Some sites could be higher density and available to lower income families. The site map shows moderate on west site and lower on the east side of town. Is there a disparity between east and west? Please don't force the lowest income earners into the most-dense areas of the city. Mix up housing opportunities.	The City considered feasibility in the selection of each site. Additionally, the City investigated opportunities for density increases at each site. The City also worked to provide sites consistent with the goals of AFFH.

Comment	Response
Steve Goldfarb: Adams Street. Why not include it? Advantages to this property: publicly owned (it can be sold). Please include this. It's feasible. Subdivision may be necessary, and it can house a lot of people across a lot of income categories.	The City Council is considering a number of options for the Adams Street property.
Pat Friday: We need to develop Adams Street; agrees that the property may need to be subdivided.	The City Council is considering a number of options for the Adams Street property.
Norma Ferriz: Consider vineyards that are further out than the city center. The edges of town may have potential for housing.	The City included a program in the Draft Housing Element to explore the removal of the Urban Limit Line.
Tracy McBride: Consider new laws regarding subdivision of sf homes (SB 9).	The City encourages lot splits and ADU development consistent with SB9. The Housing Element includes a program committing the City to allowing and incentivizing SB 9 projects.

Workshop #3: Affirmatively Furthering Fair Housing

On March 16, 2022, the City held a Community Workshop on the Housing Element Update and Affirmatively Furthering Fair Housing (AFFH) in St. Helena. The workshop included an introduction to AFFH, a presentation of initial findings and potential actions, and opportunities for the public to join the discussion and provide comments.

COMMUNITY WORKSHOP #3

On March 16, 2022, the City held a Community Workshop on the Housing Element Update and Affirmatively Furthering Fair Housing in St. Helena. A video of the event can be viewed below.

WHAT IS AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)?

Affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.
- California Department of Housing and Community Development

The duty to affirmatively further fair housing extends to all of the City's activities and programs relating to housing and community development. Join us at the workshop to learn more.

VIRTUAL WORKSHOP HELD MARCH 16, 2022

Public Comments Received:

[Click Here to Download](#)

Event Presentation:

[Click Here to Download](#)

EVENT FLYER:

[Click Here to Download](#)

2. Integration and Segregation Patterns and Trends

- Potential Meaningful Actions
 - Promote development of affordable housing across the city and not concentrated in specific areas
 - Encourage landlords in high resource areas to market their rental units to Section 8 voucher holders
 - Encourage development of ADUs and other forms of housing in high resource areas
- Discussion
 - Do you believe there are concentrated areas of poverty or affluence in St. Helena?
 - Do you have any ideas for how to better integrate populations in the city?

Add questions/comments to the chat
Raise hand feature, or by phone:
Press *9 to raise your hand
Press *6 to request to unmute

17

An example slide from the workshop presentation. Presentation available at sthelenahousing.com

The following is a summary of comments that emerged through the public discussion and comment period of the workshop, as well as how the comments informed the Draft Housing Element

Comment	Response
The city needs more housing units and people.	The City has provided sites with capacity to meet the RHNA and to incentivize development citywide.
There is no evidence that ADUs accommodate affordable units.	The City considered ADU affordability trends in the development of the sites inventory and worked to incentivize accessory dwelling units and affordable rental ADUs through implementation programs.
The City of Napa has technical assistance and funding for people that agree to deed restrict ADUs and the City of St. Helena should look at this program.	The City has investigated these and other incentives to the construction of affordable rental ADUs, and has included an implementation program committing the City to providing incentives and technical assistance to support the construction of these units.
The City should have policies that promote both low- and moderate-income housing units.	The City has included implementation programs with objectives aimed at promoting housing for households of all incomes, including moderate-income households.
The cost of construction makes it difficult for the private market to accommodate affordable housing and public financing can help produce deed restricted units.	This comment supports the findings of the constraints analysis. The City provides funding and loans to assist in the development of affordable housing.
Requiring a CUP for multi-family project in the Medium Density district limits opportunities for more units.	The City is currently (2022) exploring changes to development standard through the comprehensive zoning code update.

Focus Group Meetings

As part of the Housing Element Update project, the City formed a Focus Group to assist in the development and review of the Housing Element and Safety Element. The Focus Group served as a technical working group that assisted in generating ideas and commenting on direction. Recommendations from the Focus Group were used to revise drafts of the Housing and Safety Elements and provide recommendations to the Planning Commission and City Council.

The members of the Focus Group were as follows:

- City Councilmember Paul Dohring
- Planning Commissioner Autumn Anderson
- Planning Commissioner Rosaura Segura
- Jennifer La Liberte (Our Town St. Helena)
- Mary Koberstein (Former Councilmember)

The Focus Group was active throughout the Update project. The following provides an overview of meetings.

Past Meetings

Focus Group Meeting #1: Housing Element Overview

Provided an overview of the Housing Element process and project schedule. Collected expectations for the project and insights on housing issues, priorities, and concerns that informed the Needs Assessment. The Focus Group provided critical input related to the most pressing housing needs in the community and encouraged the City to pursue sites that are feasible and can provide capacity for a larger number of units.

Focus Group Meeting #2: Preparing for the Housing Element

Discussed results of Community Workshop #1 and the integration of community input into the Housing Element Update. Reviewed the next steps in the Update with a focus on site assessment. The Focus Group reviewed the engagement strategy and provided ideas for additional outreach efforts.

Focus Group Meeting #3: Sites Assessment Review

Discussed the results of the vacant and underutilized sites inventory and reviewed sites inventory methodology and assumptions. Focus Group input provided guidance on individual sites, capacity assumptions, and feasibility of affordable unit production.

Focus Group Meeting #4: Public Input on the Sites Assessment

Discussed the results of Community Workshop #2 and how to address community concerns in the Housing Element. The Focus Group considered public comment and provided additional direction on each site. Following this final Focus Group Input, the sites inventory was revised and presented to the City Council for final direction.

Public Meetings with City Leadership

Planning Commission/City Council

Joint Study Session 1: Housing Element Overview Held March 23, 2021

Provided an overview of the Housing Element process, project schedule, and project expectations. Discuss housing issues, priorities, and concerns.



**Planning Commission/City Council
Joint Study Session 2: Sites Assessment
Held February 22, 2022**

Discussed the RHNA and the sites inventory process and presented a walkthrough of potential housing opportunity sites. Discussed the results of Community Workshop #2 and public input on housing sites. Commissions and Councilmembers provided input on sites included in the draft sites inventory and reviewed each for potential constraints. The draft sites inventory was revised according to direction taken during this meeting in the preparation of the public review draft.

Site 1: 1480 Main Street – APN 009-211-016



Zoning Change (Requires GP Amendment)	
Current	Proposed
Public/Quasi-Public	Mixed Use

- 1.66 acres (approximately 0.9 acres vacant)
- Capacity: 22 Lower Income units
- City-owned site with goal to redevelop with housing
- Existing fire station on site to remain and vacant structures to be demolished

**Planning Commission/City Council Joint Study Session: Public Review Draft Housing Element
Held July 21, 2022**

Solicited input on the Public Review Draft Housing Element. Discussed next steps, HCD review, revisions, and remaining project schedule. Input from this event informed the City's response to comments on the Public Review Draft, discussed in Appendix B.

Public Hearings

Planning Commission Public Hearing: Recommendation for Adoption

At a regular meeting of the Planning Commission, held May 2, 2023, the Planning Commission discussed the Housing Element and Public Health, Safety, and Noise Element Updates and recommended that the City Council adopt the updated Elements.

City Council Adoption Hearing: Adopt Housing and Safety Elements

On May 9, 2023, the City Council discussed the Housing Element and Public Health, Safety, and Noise Element Updates and adopted each of the updated Elements.

Other Outreach Activities

St. Helena set out to collect as much feedback as possible from the community, from their general concerns and ideas to where new housing could go. It was also important to us to consider community outreach best practices and consult and partner with organizations working in the community, to ensure we were reaching as many people as possible and doing so thoughtfully.

Sites Inventory Mapping Exercise

As discussed in the summary of Workshop #2 above, the City produced an interactive online map that allowed residents and stakeholders to view and comment on potential housing opportunity sites. The online map was posted for more than a month following the workshop and the City encouraged all those interested in the

Housing Element to submit their comments. The City incorporated comments on potential housing sites into the Sites Inventory by removing or revising constrained sites and considering additional sites with potential for residential uses.

Equity Advisory Group

In alignment with community outreach best practices, it was important to include the guidance of and foster partnerships with community organizations to help ensure everyone's voices were heard during the Housing Element update. In response, an Equity Advisory Group (EAG) was formed consisting of 15 organizations or leaders across the region that are advancing equity and affordable housing. A stipend of \$1,500 was originally provided for meeting four to five times over 12 months to advise on Housing Element outreach and helping get the word out to the communities they work with.

After meeting twice in 2021, it was decided the best use of the EAG moving forward would be to provide more focused support in 2022 based on jurisdiction need and organization expertise. To date, EAG members have facilitated and hosted community meetings in partnership with 21 Elements, collected community housing stories to put a face to housing needs, advised on messaging, and amplified events and activities to their communities. The EAG continues to work collaboratively with jurisdictions and deepen partnerships, as well as connect community members to the Housing Element Update process. All participating organizations are featured on the Let's Talk Housing website and include the following:

- Ayudando Latinos A Soñar (ALAS) www.alashmb.org
- Community Legal Services www.clsepa.org
- El Comité de Vecinos del Lado Oeste (El Comité) www.tenantstogether.org/resources/el-comité-de-vecinos-del-lado-oeste-east-palo-alto
- EPACANDO www.epacando.org
- Faith in Action www.faithinaction.org/federation/faith-in-action-bay-area/
- Housing Choices www.housingchoices.org
- Housing Leadership Council www.hlcsmc.org
- Menlo Together www.menlotgether.org
- Nuestra Casa www.nuestracasa.org
- One San Mateo www.onesanmateo.org
- Peninsula for Everyone www.peninsulaforeveryone.org
- Puente de la Costa Sur www.mypuente.org
- San Mateo County Health www.gethealthysmc.org
- Youth Leadership Institute www.yli.org/region/san-mateo
- Youth United for Community Action www.youthunited.net

Over six sessions, the EAG discussed explicit and implicit barriers to obtaining and maintaining affordable housing and this document outlines key findings, repeated themes, and recommendations from the EAG to the Napa Sonoma Collaborative. Key findings include:

- The current approach to housing policies throughout the region is ad hoc and piecemeal and what is really needed is a holistic approach to housing and homelessness issues
 - Affordable homeownership is missing from the conversation
 - Transitional and supportive housing as a more integrated part of the whole conversation is missing
 - The traditional paradigm of designing affordable housing should be changed at the educational level; design professionals should be educated to think holistically about designing communities and integrating affordable housing patterns into community design
- A lack of community trust leads to a lack of honest and transparent communication and engagement between local governments, partner agencies and the community members
- Additional housing costs are not factored into the affordable housing definition
 - The official definition of affordable housing does not include all related housing costs
 - i. Those who live in deed-restricted affordable housing face food shortages, high insurance rates, and rising utility costs to name a few, which are not factored into the official definition of affordable housing. Yet these are costs that must be included in an already strained budget
 - Supercommuting leads to higher gas costs and more wear and tear on cars but is necessary to find and maintain affordable housing
 - The housing situation within the region leads to students working to support their families, creating an unintended consequence of students dropping out of their educational careers and/or leaving the community after they matriculate from High School since they cannot afford housing
 - Onerous regulation leads to displacement
- Affordable homeownership is missing from the conversation as renting is not a sustainable approach for all and it prevents people from accessing the “American Dream”
- The lack of affordable and safe housing due to high development costs, loss of units due to disasters, and/or gentrification are some of the contributing factors to the housing crisis within the region.
- Discrimination is both subtle and overt
 - Tenants are susceptible to landlords taking advantage of them due to a very specific cocktail of issues including but not limited to:
 - i. Language barriers
 - ii. Cultural Barriers
 - iii. Stereotypes
 - iv. Disabilities
 - v. Income
 - Discrimination is a multilayered situation:
 - i. Tenants in substandard/unhealthy housing live in precarious situations and are afraid to complain due to the fear of being evicted (which means that they live in substandard living conditions)

- ii. There is a very real fear that rents will increase if tenants complain about substandard situations
 - Stereotypes associated with low-income tenants and voucher holders are a real barrier to obtaining housing
 - i. Criminal backgrounds and subsidies contribute to stereotypes which make landlords leery of renting.
 - ii. SB 329 makes it illegal to reject housing vouchers, however, it still occurs
 - Discrimination is hard to determine since there aren't enough vacancies to even apply for housing
- The lack of available land coupled with regulations and high impact fees are contributing factors to astronomical development costs

The City considered these key findings in the development of the Needs Assessment and Policy Document. The Policy Document includes programs focused on regional coordination on housing issues, increasing affordable homeownership opportunities, providing transparency on housing-related decisions and actions, removing governmental constraints, incentivizing affordable housing construction, and working with Fair Housing Napa Valley to provide fair housing services.

2. Review of the Existing Housing Element

This section examines the effectiveness of the 2015 Housing Element, the progress made in achieving the goals, objectives and policies outlined in the Housing Element, along with a discussion of the Element's appropriateness given current conditions within the City of St. Helena. This evaluation will inform the policies and programs developed as part of the 2023-2031 Housing Element Update.

Housing Production During the 2015-2023 Planning Period

The City's RHNA for the 2015-2023 planning period was for eight units affordable to very low-income households, five units affordable to low-income households, five units affordable to moderate income households, and 13 units affordable to above moderate-income households, for a total of 31 housing units. Table 1 compares units permitted and constructed to the 5th cycle RHNA. Between 2015 and 2021, the City permitted a total of 110 units, including seven very low-, nine low-, and four moderate-income units. All permitted projects have been constructed.

Table 1 Progress Toward the 5th Cycle RHNA

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	8	5	5	13	31
Permitted Units	7	9	4	90	110

Source: City of St. Helena, 2021 Housing Element Annual Progress Report, 2022.

Progress toward the Lower Income Housing Goals

The City has issued building permits for the Turley Flats affordable housing project, an 8-unit multifamily project with loan funding from the Affordable Housing Trust Fund (all low income), and occupancy of all units occurred in 2019. Further, the City has issued building permits for the Brenkle Court 8-unit affordable housing project (two very-low and six low income). In 2020, the City approved a deed restricted affordable housing project (four low to very-low income and one moderate income) at 963 Pope Street. The combined affordability of these units is expected to help the City make significant progress toward meeting these unit counts.

Most of the housing permitted during this planning period was above moderate-income housing. Between 2015 and 2021, 90 of the 110 units constructed were above moderate-income units.

Progress in Implementation

The 2015 Housing Element established the six goals with coordinated policies and implementing programs, organized around the following goal areas:

1. A Diversity of Housing to Meet Local Needs
2. Efficient Land Use and High-Quality Neighborhoods
3. Conservation of Existing Housing
4. Assistance to Support Affordable Housing
5. Resource Conservation
6. Equal Housing Opportunities

Table 2 provides a detailed evaluation of the implementing programs that support each of these goals, and the subsequent sections discuss the extent to which the 2015 Housing Element policies and implementing programs helped the City of St. Helena meet the goals.

Diversity of Housing to Meet Local Needs

Facilitate development of a variety of housing types to meet the full range of housing needs in our community, with particular emphasis on housing for our local workforce, people with special housing needs, and people with extremely low, very low, low and moderate incomes.

In order to supply a diversity of housing types to meet local needs, the 2015 Housing Element developed Policies 1.1 through 1.6 and implementing Actions 1.A through 1.K. Policies 1.1 through 1.6 focus on ensuring that the City provides a sufficient supply of residential land to meet the housing needs of the community, encouraging and facilitating the development of affordable housing, removing constraints to housing production, and providing workforce and mixed-use development near downtown. In line with these policies, the City proceeded with successfully implementing Actions 1.A through 1.K, which range from large efforts, such as streamlining approvals for affordable multifamily projects and providing priority access to water and sewer infrastructure to development with affordable units, to smaller efforts, such as encouraging non-traditional housing types. While many of these programs were completed, the City did not revise the definition of "family" within the Municipal Code for consistency with State law and must include a program in the 2023-2031 Housing Element to address this compliance issue.

Efficient Land Use and High-Quality Neighborhoods

Make efficient use of land within the Urban Limit Line to protect agricultural lands, promoting compact, well-designed developments that 'fit in' with existing neighborhoods and contribute to the overall livability of our community. Encourage a balance of housing types throughout the entire community.

Policies 2.1 through 2.6 encourage higher density development where appropriate, mixed-use development, second units, and a variety of housing type throughout the community. These policies are supported by Implementing Actions 2.A through 2.P. Most notable among these actions is the progress towards incentivizing

higher density housing (Action 2.A), which has been supported by the removal of the Use Permit requirement for multi-family housing in the High Density Residential land use designation and Housing Opportunity Sites located on parcels designated Medium Density Residential. Additionally, the City has implemented state-mandated ADU regulations (Action 2.I) and integrated a mixed-use land use designation into the 2040 General Plan (Action 2.H). While some of these programs were completed with the recent General Plan Update, programs related to zoning changes are being undertaken in the current (2022) comprehensive Zoning Code update. These programs should be continued in the 2023-2031 Housing Element.

Conservation of Existing Housing

Improve and conserve existing housing, with particular attention to the rehabilitation and retention of existing affordable units.

Policies 3.1 and 3.2 are designed to conserve the existing housing stock through restricting conversion of rental units to condominiums and to monitor housing conditions citywide. Actions 3.A through 3.E implement these policies. Actions 3.A, 3.C, and 3.D help protect current housing stock by working to limit conversion to more limited uses, such as vacation rentals, or to nonresidential uses. Action 3.B implements an affordable housing impact fee to help monetarily incentivize the conversion of existing housing units. Action 3.E describes reporting requirements and commits the City to producing an annual Housing Element progress report, as required by HCD. Since the last Housing Element, the City has implemented a Housing Impact Fee, actively limits short-term rentals to twenty five units, and continuously looks for methods to promote the conservation of existing housing.

Assistance to Support Affordable Housing

Provide technical and financial resources to support development of affordable housing in our community, especially housing that meets the needs of our local workforce, people with special housing needs, and people with moderate, low, and very low incomes.

Policies 4.1 through 4.5, as well as Implementing Actions 4.A through 4.L, are designed to support this goal of actively assisting affordable housing growth, especially for special needs groups, such as farmworkers, seniors, and persons with disabilities. The City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. During the 5th cycle, the City committed substantial amounts of Affordable Housing Trust Fund monies (approximately \$2,450,000) to three different affordable housing projects (Turley Flats, Brenkle Court, and 963 Pope), anticipated to result in the construction and/or occupancy of 21 new affordable housing units in St. Helena through 2021. The City has also passed Measure E, which increased the Transit Occupancy Tax rate by one percent, which generates further funds towards affordable housing. Estimated annual revenue from this measure is approximately \$280,000. Since 2015, the City has fully funded all funding requests made by affordable housing developers to assist with the design and construction of affordable housing units within St. Helena.

Resource Conservation

Promote resource conservation by encouraging housing types and designs that use fewer resources (water, electricity, etc.) and therefore cost less to operate over time, supporting long-term housing affordability.

The City of St. Helena took an active role in promoting the use of alternative energy sources and encouraging energy conservation, as targeted by Policies 5.1 and 5.2 and Programs 5.A through 5.H. During the 5th cycle, the City implemented these actions by adopting the 2019 State Building Codes, including the CALGreen Building Code, creating a “Rapid Permit” procedure for solar installations, and adopting a “water neutral” policy for new development. Additionally, the City is engaged with the Napa Valley Transportation Authority to adopt a countywide bicycle and pedestrian plan, which works to increase accessibility and promote tourism across the county while reducing vehicles on the road.

Equal Housing Opportunities

Assure that housing programs maximize choice, avoid economic segregation and avoid discrimination based upon age, sex, race, sexual orientation, religion and ethnic background

The sixth and final goal has one policy and two implementing programs, which commit the City to supporting Fair Housing Napa Valley as the City Fair Housing Provider. The City works with Fair Housing Napa Valley to provide information to the public regarding the rights and responsibilities and resources available to address fair housing issues. The City provides funding to Fair Housing Napa Valley and responds to all referrals from the agency. This governmental cooperation between local and county level agencies allows for enhanced coordination to combat housing insecurity across the region.

In the upcoming cycle, the City should be strengthened to promote a proactive approach to fair housing consistent with the State’s requirements related affirmatively further fair housing (AFFH). Additional policies and programs will be needed to address fair housing issues. Additionally, the City should analyze all goals, policies, and programs through the lens of AFFH, and should apply fair housing objectives as appropriate.

Effectiveness of 2015 Housing Element

As discussed in the preceding section and in Table 2, the City implemented many policies and programs to facilitate housing production. Most importantly, the City has made great strides in securing additional funding for affordable housing and working with local stakeholders and county organizations to improve housing accessibility. From preserving existing housing and promoting the expansion of multifamily housing through relaxed regulation, the City recognizes the severity of the housing crisis and has worked progressively to do its part in adding housing towards meeting and exceeding RHNA goals. However, in some cases, the City did not have the necessary staff resources or funding to implement programs. While the 2040 General Plan Update process required significant staff time and delayed implementation of some Municipal Code amendments, the City is currently (2022) undertaking a comprehensive Zoning Code update that will address the remaining code amendment implementation measures during the 6th cycle. As the code update draws to its conclusion, the City

will have more resources available to implement remaining implementation actions, which have been continued in the 2022 Housing Element Update.

Effectiveness in Meeting the Needs of Special Needs Populations

The previous Housing Element had one program targeting special needs populations, Program 1.F. Program 1.F calls for the fast-tracking of housing developments that meet lower income and special needs populations. During the fifth cycle, 13 units of deed restricted affordable housing units were approved. No housing developments specifically tailored to the needs of special needs communities, such as seniors and farmworkers, were approved or built during the planning period. The previous housing element also contained the following quantified objectives tailored towards Special Needs Households:

- Assist in the acquisition of low-interest loans to 10 first-time homebuyers.
- 20 percent of new units to meet senior needs.
- 10 percent of new units accessible to persons with disabilities.
- Purchase of 3 existing housing units and conversion to regulated affordable housing for lower-income households.

The City of St. Helena did not meet any of the previously listed quantified objectives during the fifth cycle. However, the City made significant progress with the construction of 8 units of market-rate housing that was fully compliant with Americans with Disabilities Act (ADA) requirements. This equates to 7.3 percent of new units being accessible to persons with disabilities during the fifth cycle.

The 2023 Housing Element Update provides new and updated programs to commit the City new actions that work to meet the needs of special needs populations. Program H-E, a revised version of Program 1.F, commits the City to providing a streamlined ministerial review process for special needs housing, with a goal of encouraging the development of 6 units for seniors, farmworkers, or persons with disabilities. Program H-BB, a new program, commits the City to pursuing funding to assist with rehabilitation costs for lower income households and seniors. Program H-KK specifically commits the City to supporting efforts to improve access to farmworker housing in the City and region. Program H-LL commits the City to encouraging developers to include units dedicated to those with special housing needs in new developments. Finally, Program H-NN commits the City to pursue funding to assist with funding new housing projects for populations with special needs.

Table 2 Program Implementation Status pursuant to GC Section 65583

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE1.A	Continue to exempt permits for regulated affordable units as well as second units from Growth Management System	Ongoing	The City currently exempts all units, including affordable housing units and Accessory Dwelling Units from the Growth Management system in compliance with current state law. This provision will be removed in a future zoning code update.	Modify to reflect removal of the GMS
HE1.B	Review and possibly amend the Growth Management System to encourage the production of regulated affordable and workforce housing units.	2017	The City Council reviewed the Growth Management system in 2016 (as required) and provided direction to update and potentially amend the GMS Ordinance, after the 2040 General Plan update is completed. Given that the only multi-family housing applications reviewed by the City in recent years have been approved, it does not appear that the current GMS Ordinance is affecting the development of workforce housing. As explained above, the Growth Management System will be removed from the Municipal Code as part of the comprehensive zoning code update.	Modify to reflect removal of the GMS, merge with HE1.A
HE1.C	Give projects that include affordable housing units priority access to water and sewer resources over other new projects should the capacity of the local water or sewer systems become inadequate to meet the full demand for new connections.	Ongoing	The City provides priority access to water and sewer resources to projects to affordable housing projects.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE1.D	Revise the permitting process to streamline the review of affordable housing and market rate multifamily projects.	2016	In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential (HR) zone and all of the Housing Opportunity Sites (Key Housing Sites, see Section 17.40.020(N)) located within the Medium Density Residential (MR) zone and has established a streamlined approval process consistent with SB35 and SB330. Further, as mentioned above, affordable housing units are not subject to the GMS Ordinance limitations.	Delete
HE1.E	Work with private property owners/developers to plan for road and utility improvements necessary to support housing on key opportunity sites, in the event these sites are developed.	Ongoing	The City is continually looking for grant and other funding opportunities to off-set the costs of infrastructure. Further, the 2040 General Plan update and current Capital Improvement Program provide direction and discussion regarding needed infrastructure improvements.	Keep
HE1.F	When possible, fast-track housing developments that meet lower income and special housing needs.	Ongoing	The City is committed to expediting any affordable housing applications that are submitted for review and action. Eight owner-occupied affordable housing units were approved by the City in Dec. 2016 (Self-Help Affordable Housing Project called the Brenkle Ct. Project from Our Town St. Helena (OTSH)). Building permits for each unit were issued in 2019. An additional five deed restricted affordable units were approved in 2020 however building permits have not yet been issued.	Modify
HE1.G	Maintain the local preference policy to possibly include people needed for work during city emergencies.	2017	No revisions to the current local preference policy for affordable housing units has been made as of yet.	Delete

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE1.H	Explore, and adopt as appropriate, a program to address the housing needs of "workforce" households, which have incomes above 120 percent of AMI, but are still unable to afford market rate housing.	2017	The City Council has expressed an interest in reviewing housing needs Citywide. Pending development applications anticipated to increase the demand for employee housing are being asked to make efforts to address the housing impacts associated with their individual developments.	Modify and Expand
HE1.I	Implement a program to provide financial assistance for the development of second units in exchange for affordability restrictions that will provide workforce housing.	Ongoing	The City Council has expressed an interest in finding ways to deed restrict and/or incentivize the use of ADUs as rental units.	Keep
HE1.J	Encourage development of co-housing, ecohousing, 'green' manufactured homes and other 'nontraditional' forms of housing. Ensure these housing types are addressed in the development of design guidelines to streamline to approval process.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide now that the 2040 St Helena General Plan has been adopted. In addition, the Comprehensive Zoning Code update includes standards for small lot development and standards to encourage a variety of housing types.	Keep
HE1.K	Amend the Zoning Ordinance to define "family" as one or more persons living together as a single housekeeping unit in a dwelling unit. The definition should not distinguish between related and unrelated individuals and should not impose a numerical limit on the # of persons that constitute a family.	Ongoing	No revisions to the current zoning code definition of family have been made as of yet as the comprehensive zoning code update is still underway. However, all City actions are made in keeping with California State law, as it has precedence over any in-consistent locally adopted land use definitions.	Required Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.A	Provide incentives for higher density housing. Explore possible incentives for building attached market rate housing units for rent and for sale.	Ongoing	In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other land use designations (Medium Density Residential). In addition, the City has created an SB 330 Checklist to further streamline the design and approval of by-right multi-family units within the community.	Keep
HE2.B	Study potential modifications to the Zoning Ordinance to facilitate higher density housing [and discourage construction of oversized homes]. Modify the Zoning Ordinance to encourage higher density developments [and restrict construction of large single-family units], including current floor area ratios and yard and setback requirements.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide. The comprehensive zoning code update is in progress and these items will be addressed as part of that effort.	Keep
HE2.C	Amend regulations to discourage exemptions from the minimum density requirements. The City shall discourage exemptions for minimum density requirements and establish mitigation measures for exemptions in the Zoning Ordinance.	Ongoing	The comprehensive zoning code update is in progress and these items will be addressed as part of that effort. However, all City actions are made in keeping with California State law, as it has precedence over any inconsistent locally adopted land use definitions.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.D	Modify section 17.100 of the Zoning Ordinance to rename the Mobilehome Park Overlay District to "Manufactured Housing Overlay District". Develop policies to streamline the review process for this overlay district on residential land for projects that create land-ownership opportunities for residents. Support giving residents the right of first refusal if an existing park is to be sold.	Ongoing	No revisions to the current zoning code have been made yet as the comprehensive zoning code update is currently underway. However, all City actions are made in keeping with California State law and any request to implement a Manufactured Housing Overlay District would be reviewed as such.	Delete
HE2.E	Amend the "Subdivisions" section of the Municipal Code. The City will amend Title 16 of the Municipal Code to prevent subdivision activity from effectively resulting in lower densities and a loss of potential housing units on the site.	Ongoing	No revisions to the current "Subdivisions" section of the Municipal Code have been made as of yet. The City Council has expressed an interest in reviewing housing needs Citywide.	Delete
HE2.F	Update the General Plan Land Use Element in consideration of the established Housing Element land use goals and policies. Amend General Plan Elements concurrent with adoption of the General Plan Update as needed to ensure internal consistency.	2015	The St Helena 2040 General Plan update incorporates the adopted 2015 Housing Element. The Housing Element and General Plan are consistent.	Modify for required Safety Element Update

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.G	Promote both 'vertical' and 'horizontal' mixed-use. Encourage mixed-use developments that combine compatible uses on the same site, either in the same structure or adjacent structures. Amend the Zoning Ordinance accordingly. Amendments to the Zoning Ordinance include permitting the FAR for the residential component of a mixed-use development to be 'additive' rather than within the established FAR for that zone, and allowing commercial and residential users to 'share' their parking, resulting in a lower overall parking requirement. Requirements for covered parking should also be reconsidered.	2017	The St Helena 2040 General Plan update incorporates the adopted 2015 Housing Element. This update includes the creation of a mixed-use land use designation and will be followed by a comprehensive zoning code update, intended to create and implement the development criteria set for mixed use development within St Helena.	Revise for zoning code consistency

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.H	Explore the possibility of allowing mixed use and live/work units in non-residential zoning districts. Explore and adopt as appropriate modifications to non-residential Zones that would permit, either as of right or as a conditional use, residential uses including mixed use and integrated live/work units. Analyze requirements that commercial projects provide housing for a portion of the employment that will be generated on site. The City will study and determine what portion of employment generated will require housing, whether housing will be required on-site or allowed off-site, if pricing for the non-inclusionary units will be tied to anticipated salaries for employees in the commercial portion of the project, and if in-lieu fees will be permitted for smaller sized projects. Explore and adopt as appropriate development incentives such as higher density and height allowances, a streamlined design review process, and financial incentives, including fee reductions and waivers and contributions from the City's Housing Trust Fund, to encourage employers to provide on-site employee housing.	2017	The St Helena 2040 General Plan update includes the creation of a mixed-use land use designation. The comprehensive zoning code update will create and implement the development criteria for mixed-use development within St Helena.	Delete

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.I	Review and revise development standards pertaining to second units. Ensure that the development of second units is physically and financially feasible in targeted areas. Give particular attention to parking standards, setbacks, and impact fees.	Ongoing	In 2020, the City adopted updated ADU regulations which streamlined the review process for ADU construction and conversion, in keeping with the requirements of State law. The St Helena 2040 General Plan update was adopted in May 2019. A comprehensive zoning code has begun and will include additional direction regarding the development of Accessory Dwelling Units.	Delete
HE2.J	Provide financial assistance for second unit development. Incentives might include low interest loans or fee waivers.	2020	The City of St. Helena has amended its zoning ordinance to be compliant with state law with regards to ADUs, their permitting, and reduced impact fees.	Modify and Expand
HE2.K	Target specific areas for second unit incentives. Create incentives to construct second units in the medium density areas near downtown. Incentives to adopt as appropriate include, but are not restricted to, fast tracking development applications, deferred development fees, and reduced parking and/or other city standards.	Ongoing	The City of St. Helena has amended its zoning ordinance to be compliant with state law with regards to ADUs, their permitting, and reduced impact fees.	Keep
HE2.M	Link financial incentives and development standard variances to affordability requirements for second units. Require that either the main house or the second unit is used as a rental unit that is affordable to moderate or below moderate households whenever the City assists in development through financial incentives or by granting a variance.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide which is expected to occur along with the comprehensive zoning code update. The City has also begun its 6 th Cycle Housing Element Update which will identify Key Housing Opportunity Sites and potential rezoning opportunities within the City.	Modify

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE2.N	Respond to complaints regarding illegal units. The City will work with the property owners to help bring illegal units up to code and to abate the use of non-habitable buildings as living units	Ongoing	While the City does not have a dedicated Code Enforcement Department, Planning and Community Improvement Department staff is responsible for responding to Code Enforcement complaints and prioritize life and safety issues, such as substandard housing, in these efforts. Additional Code Enforcement improvements have been identified as an element of the adopted City Council goals.	Keep
HE2.O	Identify appropriate 'target' areas for conversion of single-family homes to multi-unit dwellings, Identify areas, zoning districts, or specific sites where conversion would be appropriate or desirable.	Ongoing	A majority of the City's residential land is designated as Medium Density Residential, allowing conversion of existing SFD to MFD at a density of 5.1-16 units per acre. The City has also begun its 6 th Cycle Housing Element Update which will identify Key Housing Opportunity Sites and potential rezoning opportunities withing the City. The 6th Cycle Housing Element identifies sites for rezoning to increase density and encourage affordable housing production.	Delete
HE2.P	Develop a program to encourage affordable housing in clusters of 4-6 units on Infill parcels on west side of town. The City will post an inventory of available sites on the City's website. City will explore and adopt as appropriate incentives to encourage affordable housing clusters, including, but not limited to priority permitting processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide and has prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur along with the comprehensive zoning code update. Incentives for the development of these units, including parking ratio reductions, will be included as a part of this review. Further, a majority of the City's residential land is designated as Medium Density Residential, allowing conversion of existing SFD to MFD at a density of 5.1-16 units per acre. The City has also begun its 6 th Cycle Housing Element Update which will identify Key Housing Opportunity Sites and potential rezoning opportunities withing the City.	Delete

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE3.A	Restrict conversion of rental units to condominiums. Current policy allows conversion to condominiums under certain circumstances when the vacancy rate is high. The presence of second homes results in an inflated vacancy rate. The policy should be further studied to reflect a general guiding principle of preserving the affordable housing stock while eliminating the current linkage to vacancy rates.	Ongoing	The City will endeavor to work the Napa Housing Authority to create regulations to restrict the conversion of rental units to condominiums.	Keep
HE3.B	Charge an affordable housing impact fee whenever housing units are converted to other uses. Exempt conversion projects that create affordable for-sale housing from this impact fee.	Ongoing	The City currently charges a Housing Impact Fee. Further, the City Council has expressed an interest in reviewing housing needs Citywide and has prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur concurrently with the comprehensive zoning code update.	Keep
HE3.C	Address the potential loss of assisted units. Identify assisted properties at risk of conversion to market rates and work with the property owners and/or other parties to ensure that they are conserved as affordable housing.	Ongoing	The City Council has expressed an interest in reviewing housing needs; the maintenance of assisted units will be a part of this discussion.	Modify based on current at-risk units
HE3.D	Continue to limit the conversion of market rate housing to vacation rentals. Abate the use of illegal vacation rentals, including time shares and fractional interests.	Ongoing	The City strictly limits the use of residential units for short-term rental (STR) use to a maximum of 25 STR units within the City. Funds collected from these units are utilized to assist with active and aggressive enforcement of these limitations. This enforcement continued to be a priority throughout the planning period.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE3.E	Review housing needs, achievements and challenges as part of the City's regular General Plan review. As required by State law, submit a progress report to the State Department of Housing and Community Development and Governor's Office of Planning and Research by April 1 st of each year.	Annually	This report is being done as a part of this Goal and as of 2021 reporting year (submitted April 2022), the City of St. Helena is up to date on its reporting requirements regarding Housing Element implementation with the Office and HCD.	Keep
HE4.A	Review and possibly amend the inclusionary housing ordinance to: Adjust the inclusionary housing ordinance to require further distribution of affordable units within the various income categories... Balance collecting housing impact fees with the requirement to construct affordable housing, either on or off site depending on the size of the site and other site conditions, for larger commercial developments... Increase as appropriate residential construction in-lieu fees and/or create a sliding scale for larger houses. Add an above moderate-income workforce housing component to the Inclusionary Housing Ordinance requirements.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide. Potential revisions to the inclusionary housing requirements will be included as a part of this review.	Delete

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE4.B	Generate Revenues for Affordable Housing through the Transient Occupancy Tax. Either increase the Transient Occupancy Tax or increase the number of transient occupancy rooms and apply the increased revenue to support affordable housing.	Ongoing	The City passed Measure E which increased the Transit Occupancy Tax rate by 1% and those funds raised go towards affordable housing.	Keep
HE4.C	Reduce, defer, or waive fees for affordable housing developments. The City will establish a set of criteria for project eligibility to have fees reduced, deferred or waived. The City will explore and adopt as appropriate higher incentives for affordable housing developments with units affordable to extremely low and very low income households.	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. Since 2016, the City committed substantial amounts of Affordable Housing Trust Fund monies (approximately \$2,450,000) to three different affordable housing projects, anticipated to result in the construction and/or occupancy of 21 new affordable housing units in St. Helena through 2021. Since 2015, the City has fully funded all funding requests made by affordable housing developers to assist with the design and construction of affordable housing units within St. Helena.	Keep
HE4.D	Prioritize the use of Housing Trust Funds in support of the development and preservation of regulated affordable units for extremely low-income households.	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. Since 2016, the City committed substantial amounts of Affordable Housing Trust Fund monies (approximately \$2,450,000) to three different affordable housing projects, anticipated to result in the construction and/or occupancy of 21 new affordable housing units in St. Helena through 2021. Since 2015, the City has fully funded all funding requests made by affordable housing developers to assist with the design and construction of affordable housing units within St. Helena.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE4.E	Pursue mortgage revenue bonds and/or mortgage credit certificates. Promote affordable homeownership opportunities for moderate- and lower-income households.	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of continued Citywide housing review.	Keep
HE4.F	Pursue additional funding for affordable housing. Explore other options for affordable housing funding, including a real property transfer tax and Housing Trust Fund contributions from the wine and hospitality industry in Napa Valley.	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. In 2018, the City joined with all municipalities in Napa County, put Measure E on the ballot, requesting voter approval of a special tax to increase Transit Occupancy Taxes on hotels by one percent, with these additional funds being for the sole purpose of housing. This measure was approved and went into effect January 1, 2019. Estimated annual revenue from this measure is approximately \$280,000.	Keep
HE4.G	Continue Section 8 rent subsidy certificates. Work with the City of Napa Housing Authority to provide continued rental assistance to low, very low and extremely low-income households.	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.	Keep
HE4.H	Explore the possibility of establishing a full-time, shared Housing Coordinator for the up-valley communities to promote development of new affordable housing and enter into a cost-sharing agreement if feasible. The position would serve all of the up-valley communities, including Napa County.	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE4.I	Address farmworker housing needs. The City will contribute staff time and City resources, as appropriate, to countywide farmworker housing efforts that may occur during the Housing Element planning period. The City will reach out to affordable housing developers to support regional and City efforts to develop farmworker housing, including assisting with financing or applications, incentives and concessions, expedited review or other strategies to encourage the development of housing for farmworkers.	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of continued Citywide housing review.	Keep
HE4.J	Establish regulations requiring that a portion of units in all new developments meet the special housing needs of seniors and persons with disabilities, including developmental disabilities. Target 20 percent of new housing units to meet senior household needs and 10 percent accessible to persons with disabilities.	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part of continued Citywide housing review. A recent eight-unit market rate project (632 McCorkle) approved within the City will provide two fully compliant ADA units.	Delete
HE4.K	The City shall participate in mediation between property owners if needed to facilitate affordable housing. The City will provide staff resources and/or work with affected parties along with an outside mediator if necessary to address issues raised by community members in response to affordable housing development applications.	Ongoing	The City continues to look for options to incentivize affordable housing development, and will expand these efforts as a part continued Citywide housing review.	Delete

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE4.L	Explore the potential of using Housing Trust Fund money to purchase existing housing for conversion to restricted affordable housing and commit funding as appropriate. Priority use of Housing Trust Fund monies will be given to the creation of housing affordable to extremely low-income households.	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. Since 2016, the City committed substantial amounts of Affordable Housing Trust Fund monies (approximately \$2,450,000) to three different affordable housing projects, anticipated to result in the construction and/or occupancy of 21 new affordable housing units in St. Helena through 2021. Since 2015, the City has fully funded all funding requests made by affordable housing developers to assist with the design and construction of affordable housing units within St. Helena.	Keep
HE5.A	Adopt a Green Building Ordinance. The City shall adopt building code standards that meet or exceed the State's Green Building Standards Code. The Planning and Building Department shall coordinate this effort with the Climate Protection Task Force.	Ongoing	The City adopted the most recent standard building code updates in 2017 and again in 2019 and will continue to do so as updates are required.	Keep
HE5.B	Encourage use of alternative energy technologies. Create incentives for the use of solar energy in new and rehabilitated housing. Incentives to adopt as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and reduced applicable city standards.	Ongoing	The City currently issues building permits for solar panel installation, backup battery installation, and electric vehicle charging infrastructure under the "Rapid Permit" category and will continue to do so into the foreseeable future. The City has extended services for Solar Permits to be submitted via email and paid over the phone to expedite further the process and reduce the number of trips into City Hall to get the permit.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE5.C	Provide public information on alternative energy technologies for residential developers, contractors, and property owners. The City will provide information on its web site and/or at City Hall regarding alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits.	Ongoing	The City currently provides Green Building Code information upon request and has updated the City website, allowing additional information to be provided on an on-going basis.	Keep
HE5.D	Require cost-effective energy conservation measures in all new and rehabilitated housing to promote long-term affordability for occupants. The City will adopt the State's new Energy Efficiency Standards as part of any update to the California Building Standards Code and ensure that all new housing units constructed in the City meet or exceed these standards.	Tri-Annually	The City continues to work toward concurrent building code adoption along with standard building code updates. The last update being January 1, 2020, with adoption of the 2019 Code Standards.	Keep

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE5.E	Provide low-interest loans for implementation of energy conservation measures. The City will identify a source of loan funds to provide energy conservation assistance to homeowners and homebuilders. The City will continue to participate in AB-811 programs and will explore additional state and federal sources of funding to finance local energy conservation measures. Sources of state and federal funds include, but are not limited to, the California Energy Commission State Energy Program and Energy Efficiency and Conservation Block Grant Program, and the Low Income Home Energy Assistance Program.	Ongoing	No additional ability to provide loans from City funds have been identified as of yet, however the City continues to seek opportunities to assist homeowners with low-cost options for energy conservation.	Keep
HE5.F	Provide public information on alternative energy technologies for residential developers, contractors, and property owners. The City will provide information on its website and/or City Hall regarding alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits.	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis. In 2018, the City added information regarding solar panel installation, backup battery installation, and electric vehicle charging infrastructure to the City's website to ease access to the requirements and incentives available.	Delete or merge with 5.C

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
HE5.G	Require bicycle and pedestrian amenities and connectivity to surrounding areas, in all new housing developments. Support programs to develop more local and regional walking and biking trails. In addition to requiring bicycle and pedestrian connectivity in all new residential developments, the City will provide staff time in support of regional trail programs.	Ongoing	The City engaged with the Napa Valley Transportation Authority on the adoption of a county wide bicycle and pedestrian plan. Further, the City has engaged with the Vine Trail organization in an effort to assist with implementation of the best route for the trail through St Helena. The City has established a Trails Committee and a Trails and Open Space Plan to promote pedestrian connectivity has been drafted and is expected to be adopted by the City Council in 2023. Finally, it is anticipated the comprehensive zoning code update, will include additional requirements for bicycle parking.	Delete
HE5.H	Continue to apply Municipal Code provisions pertaining to water resources. City will continue to require water-efficient landscaping for new residential and commercial construction, as well as implementing the Water Use Efficiency and Use Guidelines.	Ongoing	The City has adopted a "Water Neutral" policy for all new development (Municipal Code Chapter 13.12) and continues to implement a Water Efficient Landscape Ordinance (MWELO) in keeping with anticipated State requirements.	Keep
HE6.A	Provide educational materials at City Hall, through the press and directly to interested parties to educate real estate professionals, property owners and tenants on their rights and responsibilities and the resources available to address fair housing issues.	Ongoing	The City works with Fair Housing Napa Valley to put on an annual housing workshop to highlight the rights and responsibilities of tenants and landlords, in addition to discussing affordable housing challenges generally.	Keep
HE6.B	Continue to utilize and support Fair Housing Napa Valley for implementing fair housing programs, receiving complaints, and providing referrals to available resources when necessary.	Ongoing	The City contracts with Fair Housing Napa Valley to support fair housing and allocates direct funding as part of the budget process for their assistance.	Merge with 6.A

#	Implementation Actions	Timeframe	Status of Program Implementation	Recommendation
Goal 3 Quantified Objective:	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units by January 31, 2023, of the end of the Housing Element planning period (two extremely low income, two very low income, three low income, and three moderate income households).	12/31/2022	City was awarded \$500,000 HOME funds grant in 2017 and initiated implementation of a program to make 0-interest, 0-payment 30-year loans for rehabilitation work to owners of deed restricted homes. To date, the City has expended or committed approximately \$448,000 of these funds to assist 18 low-income homeowners and continues to roll out funds as loans are repaid. The City was awarded another \$500,000 in HOME funds in 2020 however the City is waiting for approval from HCD to begin processing loan requests as they review the updated guidelines and environmental documentation.	Establish new Quantified Objectives in the Housing Element Update
Goal 1- Quantified Objective:	Construct four units of affordable housing to Extremely low- income households; four units of housing affordable housing to Very Low Income households; five units for Low Income households; five units for Moderate Income households; and 13 units for above Moderate Income households by October 31, 2022 (31 total RHNA).	12/31/2022	The City has issued building permits for the Turley Flats affordable housing project, an 8-unit multifamily project with loan funding from the Affordable Housing Trust Fund (all low income). Occupancy of all units occurred in 2019. Further, the City has issued building permits for the Brenkle Court 8-unit affordable housing project (two very-low and six low income). In 2020, the City approved a deed restricted affordable housing project (four low to very-low income and one moderate income) at 963 Pope Street. The combined affordability of these units is expected to help the City make significant progress toward meeting these unit counts.	Establish new Quantified Objectives in the Housing Element Update
Goal 4 Quantified Objective:	Reduce, defer or waive fees for 18 housing units affordable to extremely low, low, very low- and moderate-income households.	12/31/2022	The City has both reduced and deferred fees (through a loan from the Affordable Housing Trust Fund) for the Turley Flats Affordable Housing Project, an 8-unit multifamily development at 1105 Pope St, the Brenkle Court 8-unit affordable housing project access off of McCorkle, and the 5-unit affordable housing project at 963 Pope Street. Combined, the City has reduced, deferred or waived fees for 21 affordable housing units as of Jan. 1, 2022.	Establish new Quantified Objectives in the Housing Element Update

3. Demographic and Economic Trends

In order to understand the current housing needs of St. Helena residents, this section examines historic, current, and projected population, household, and employment trends. The figures for St. Helena are compared with the equivalent figures for Napa County and the Bay Area, to frame the St. Helena figures within the trends of the greater region.³

The data for the analysis of population, household characteristics, and employment come from the last four decennial Censuses, the 2015-2019 American Community Survey, the U.S. Department of Housing and Urban Development's (HUD) 2013-2017 Comprehensive Housing Affordability Strategy, the California Department of Housing and Community Development's (HCD) 2020 5th Cycle Annual Progress Report Permit Summary, the California Department of Finance's (DoF) 2020 E-5 series, and the 2010-2021 California Employment Development Department (EDD) Local Area Unemployment Statistics.

The Association of Bay Area Governments (ABAG) supplied an HCD Preapproved Data Package that included the vast majority of the data included in this analysis. Additionally, ABAG, in coordination with Baird + Driskell Community Planning provided a Housing Needs Data Report that directly informed this section of the Needs Analysis.⁴

The Bay Area continues to see growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In many cities, this has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

The 2023-2031 Housing Element Update provides a roadmap for how to meet our growth and housing challenges. Required by the state, the Housing Element identifies the existing housing conditions and community needs, reiterates goals, and creates a plan for more housing. The Housing Element is an integral part of the General Plan, which guides the policies of St. Helena.

This section presents information regarding population, household, and income trends between 2010 and 2019, with some additional analysis for the period between 2000 and 2010.

³ For the purposes of this Housing Needs Assessment, the Bay Area is defined to include the following counties in the Association of Bay Area Governments (ABAG): Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Sonoma, and Solano.

⁴ ABAG/MTC Staff and Baird + Driskell Community Planning, Housing Needs Data Report: St. Helena, May 2021.

Key Findings

- **Population.** Generally, the population of the Bay Area continues to increase because of natural growth and the strong economy drawing new residents to the region. The population of St. Helena increased by 2.1 percent from 2000 to 2020, which is lower than the growth rate of the Bay Area.
- **Age.** In 2019, St. Helena's youth population under the age of 18 was 1,050 and senior population 65 and older was 1,636. These age groups represent 17.2 percent and 26.8 percent, respectively, of St. Helena's population.
- **Race/Ethnicity.** In 2020, 65.1 percent of St. Helena's population was White while 1.6 percent was African American, 1.3 percent was Asian, and 30.9 percent was Hispanic or Latinx. People of color in St. Helena comprise a proportion below the overall proportion in the Bay Area as a whole.
- **Employment.** St. Helena residents most commonly work in the Health & Educational Services industry. From January 2010 to January 2021, the unemployment rate in St. Helena increased by 1.3 percentage points. Since 2010, the number of jobs located in the jurisdiction decreased by 2,620 (32.4 percent). Additionally, the jobs-household ratio in St. Helena has decreased from 3.47 jobs per household in 2002 to 2.23 in 2018.

Population Trends

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth. Table 3 shows population growth trends. In 2020, the population of St. Helena was estimated to be 6,073. From 1990 to 2000, the population increased by 19.2 percent, while it decreased by 2.3 percent during the first decade of the 2000s. In the most recent decade, the population increased by 4.5 percent to 6,073. The population of St. Helena makes up 4.4 percent of Napa County.⁵

Table 3 Population Growth Trends

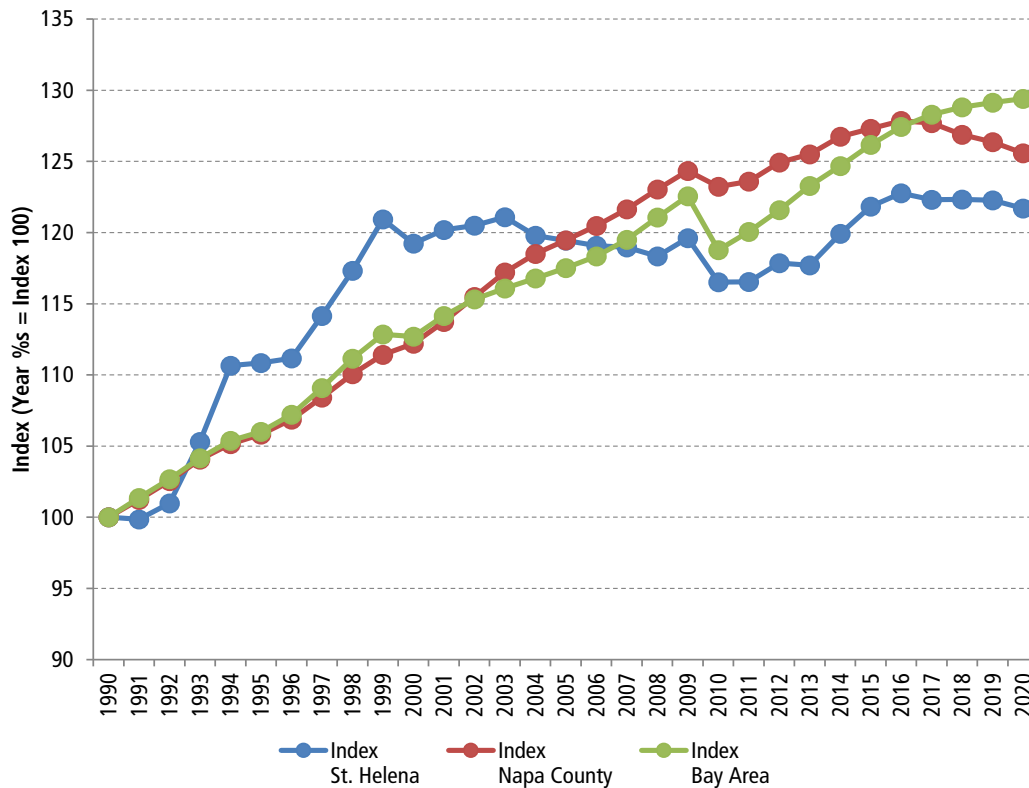
	1990	1995	2000	2005	2010	2015	2020
St. Helena	4,990	5,531	5,950	5,960	5,814	6,079	6,073
Napa County	110,765	117,216	124,279	132,314	136,484	141,010	139,088
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

Source: California Department of Finance, E-5 series, 2020.

⁵ To compare the rate of growth across various geographic scales, Figure 1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percent change) in each of these geographies relative to their populations in 1990.

Figure 1 displays population growth trends indexed to the population in the year 1990. Since 2000, St. Helena's population has increased by 2.1 percent; this rate is below that of the region as a whole, at 14.8 percent. In St. Helena, roughly 8.7 percent of its population moved during the past year, a number 4.8 percentage points smaller than the regional rate of 13.4 percent.

Figure 1 Population Growth Trends, Indexed to 1990



Source: California Department of Finance, E-5 series Note: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the first year shown. The data points represent the relative population growth in each of these geographies relative to their populations in that year. For some jurisdictions, a break may appear at the end of each decade (1999, 2009) as estimates are compared to census counts. DOF uses the decennial census to benchmark subsequent population estimates. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-01.

Household Trends

As shown in Table 4, between 1990 and 2020, the number of households in St. Helena increased moderately, by an average 0.73 percent annually, however much of this growth occurred prior to the year 2000. From 1990 and 2000, the number of households increased at a rate of 2.1 percent annually. Between 2000 and 2010, this rate decreased to an increase of only 0.1 percent annually, or about 21 households per year. The rate increased slightly to an average of 0.5 percent per year between 2010 and 2020, or about 105 households per year. In

contrast, the number of Napa County households grew by one percent annually between 2010 and 2020, representing an increase of about 5,000 households per year.

Table 4 Household Trends

Household Trends	1990	2000	2010	2020	Average Annual Growth 1990-2000	Average Annual Growth 2000-2010	Average Annual Growth 2010-2020
St. Helena	2,138	2,380	2,401	2,866	1.2%	0.1%	2.0%
Napa County	41,312	45,402	48,876	48,484	1.1%	0.8%	-0.1%

Source: Census 1990, 2000, 2010, 2020.

Average Household Size

Average household size (Table 5) is a function of the number of people living in households divided by the number of occupied housing units in a given area. In general, a decline or increase in average household size signals that the population and the number of households are growing at different rates. Overall, the average household size in St. Helena was slightly smaller than in Napa County in 1990, 2000, and 2010 and considerably smaller in 2020. With the number of households growing, and a slight drop in population in St. Helena between 2000 and 2020, average household sizes fell from 2.48 to 2.38 persons per household between 2000 and 2010 and then to 2.08 persons per household by 2020. In contrast, the population in Napa County increased more rapidly than the number of households, leading to increases in the average household size from 2.62 to 2.69 persons per household between 2000 and 2010 and up to 2.78 by 2020.

Table 5 Average Household Size, St. Helena and Napa County

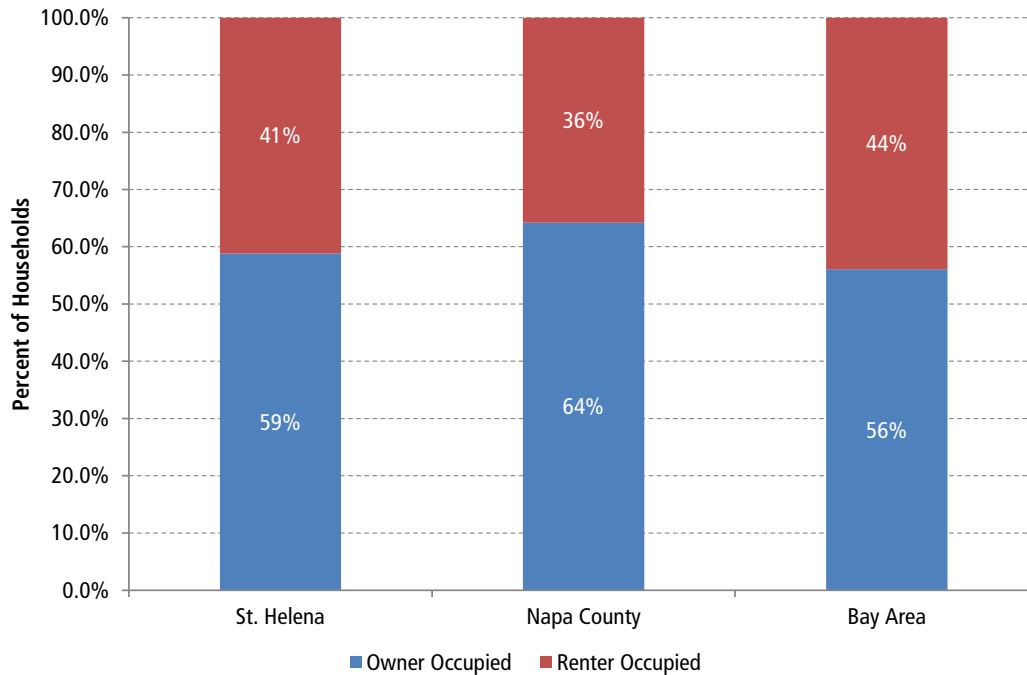
	1990	2000	2010	2020
St. Helena	2.31	2.48	2.38	2.08
Napa County	2.54	2.62	2.69	2.78

Source: Census 1990, 2000, 2010, 2020.

Household Tenure

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase. In St. Helena there are a total of 2,702 housing units, and fewer residents rent than own their homes: 41.2 percent versus 58.8 percent (Figure 2). By comparison, 35.8 percent of households in Napa County are renters, while 44 percent of Bay Area households rent their homes.

Figure 2 Housing Tenure

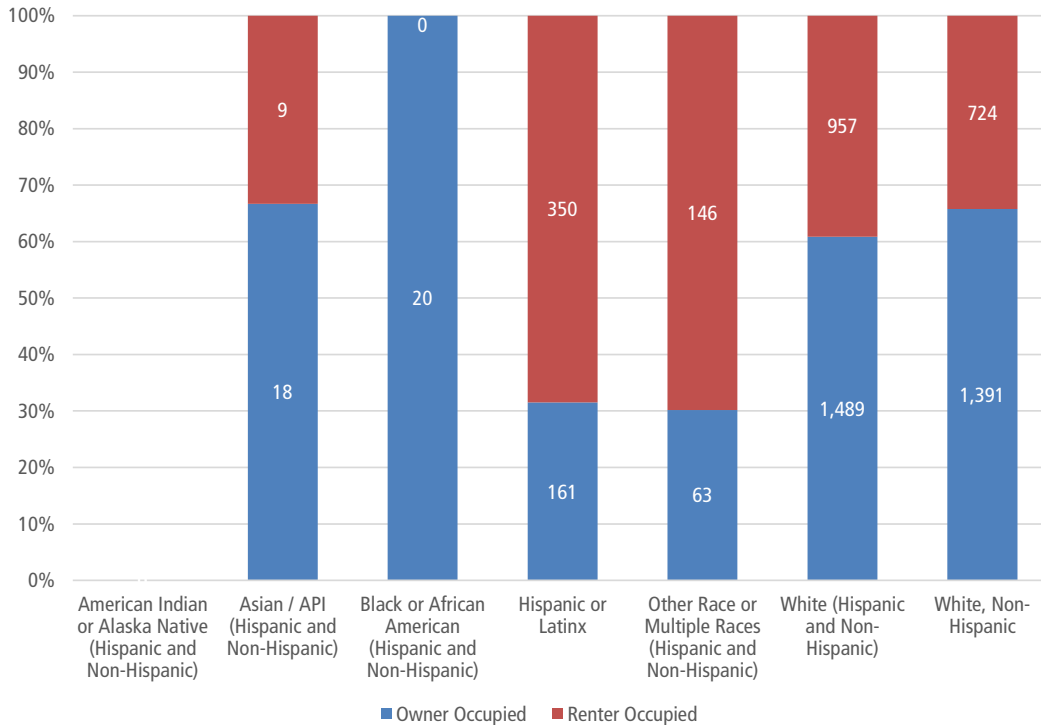


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-16.

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from Federal, State, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities. Figure 3 shows housing tenure by race. In St. Helena, 100.0 percent of Black households owned their homes, while homeownership rates were 66.7 percent for Asian households, 31.5 percent for Hispanic or Latinx households, and 60.9 percent for White households. Notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

Figure 3 Housing Tenure by Race of Householder



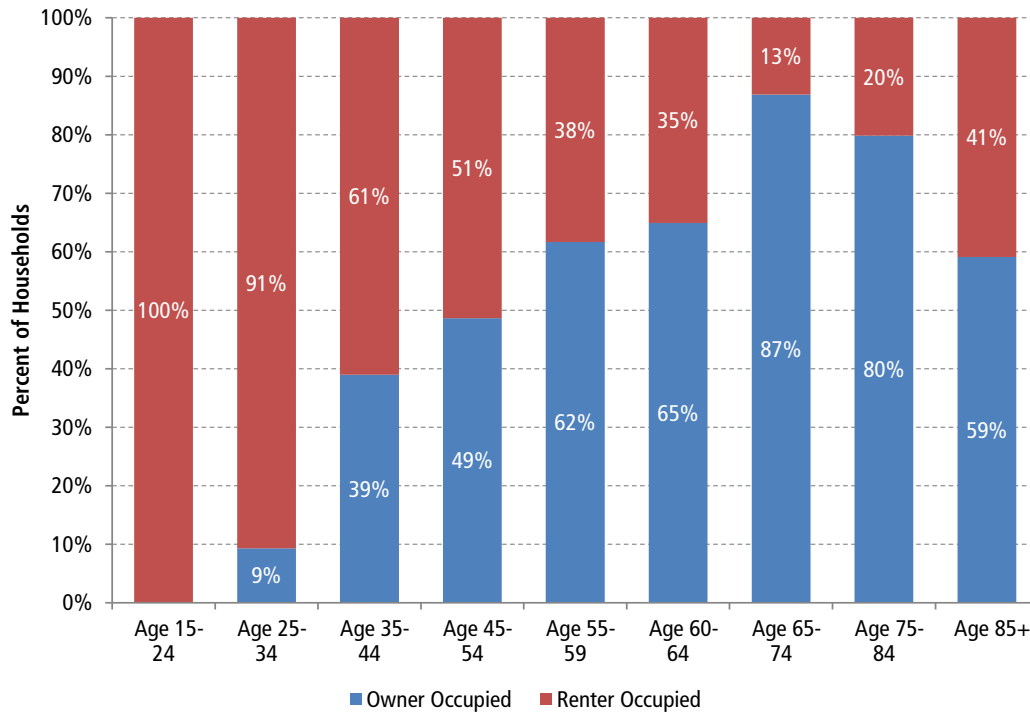
Universe: Occupied housing units

Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I) For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-20.

The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent and may struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market. In St. Helena, 75.1 percent of householders between the ages of 25 and 44 are renters, while 19.7 percent of householders over 65 are (Figure 4).

Figure 4 Housing Tenure by Age

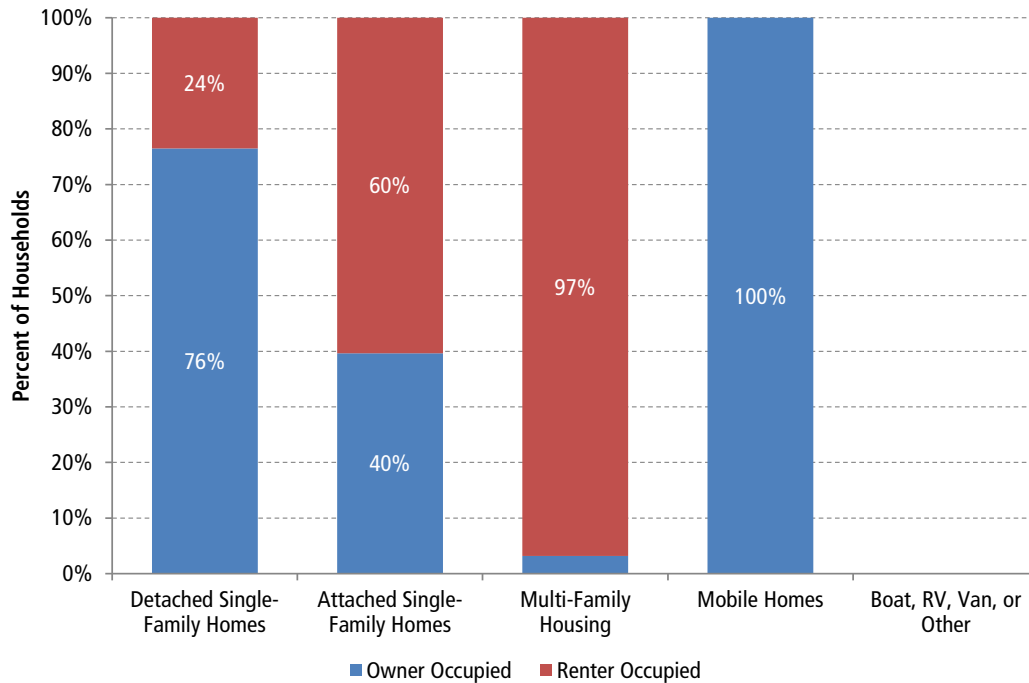


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In St. Helena, 76.5 percent of households in detached single-family homes are homeowners, while 3.2 percent of households in multi-family housing are homeowners (Figure 5).

Figure 5 Housing Tenure by Housing Type



Universe: Occupied housing units

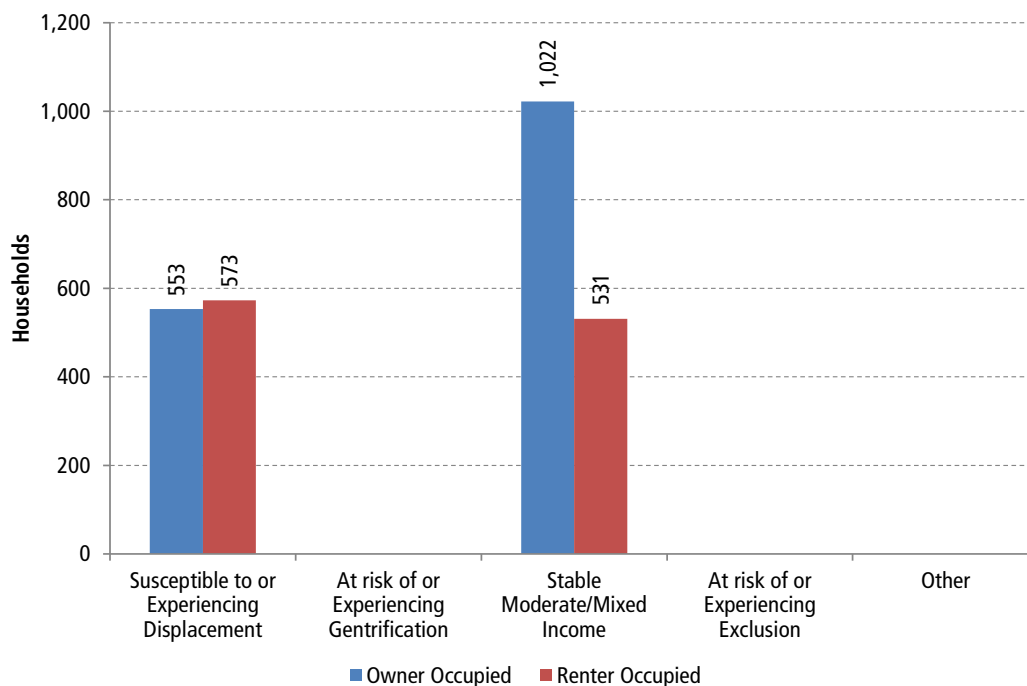
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-22.

Households by Displacement Risk

Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

The University of California, Berkeley has mapped all neighborhoods in the Bay area, identifying their risk for gentrification. They find that in St. Helena, 42.0 percent of households live in neighborhoods that are susceptible to or experiencing displacement and 0.0 percent live in neighborhoods at risk of or undergoing gentrification. Figure 6 shows households by displacement risk and tenure.

Figure 6 Households by Displacement Risk and Tenure



Universe: Households

Notes: Displacement data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources. Categories are combined as follows for simplicity: At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification Stable Moderate/Mixed Income: Stable Moderate/Mixed Income Susceptible to or Experiencing Displacement: Low-Income/Susceptible to Displacement; Ongoing Displacement Other: High Student Population; Unavailable or Unreliable Data Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-25.

Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates no households in St. Helena are in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.⁶

⁶ More information about this gentrification and displacement data is available at the Urban Displacement Project's webpage: <https://www.urbandisplacement.org/>. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 18 at this link: https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png. Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: <https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement>

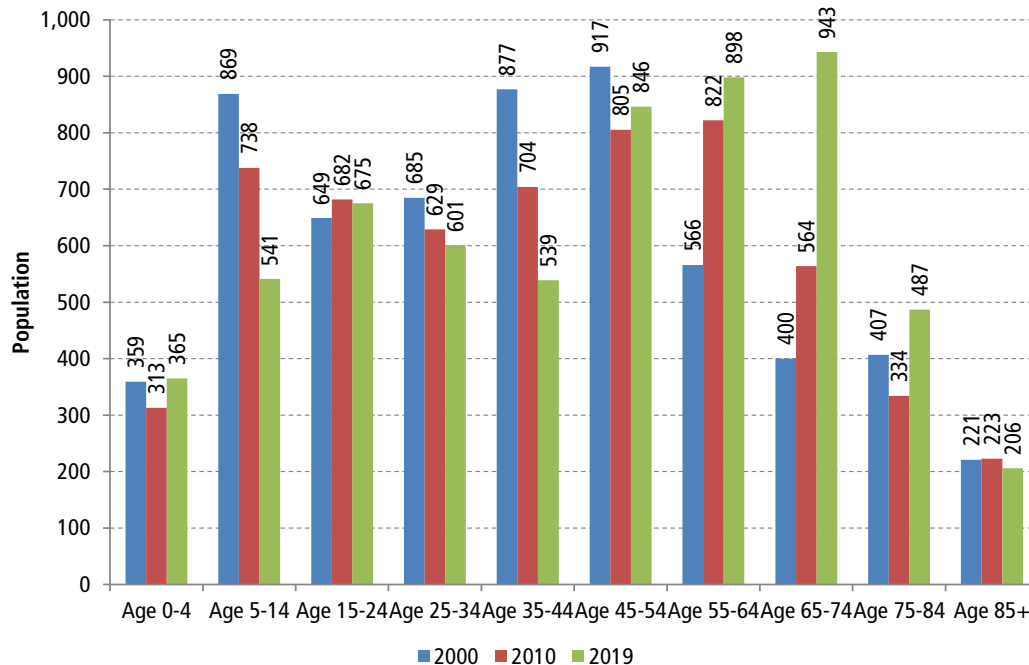
Demographic Trends

Age Distribution

The distribution of age groups in a city shapes what types of housing the community may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a move by many to age-in-place or downsize to stay within their communities, which can mean more multifamily and accessible units are also needed.

Figure 7 shows population growth trends. In St. Helena, the median age in 2000 was 39.2; by 2019, this figure had increased, landing at around 49 years. More specifically, the population of those under 14 has decreased since 2010, while the 65- and-over population has increased.

Figure 7 Population Growth Trends



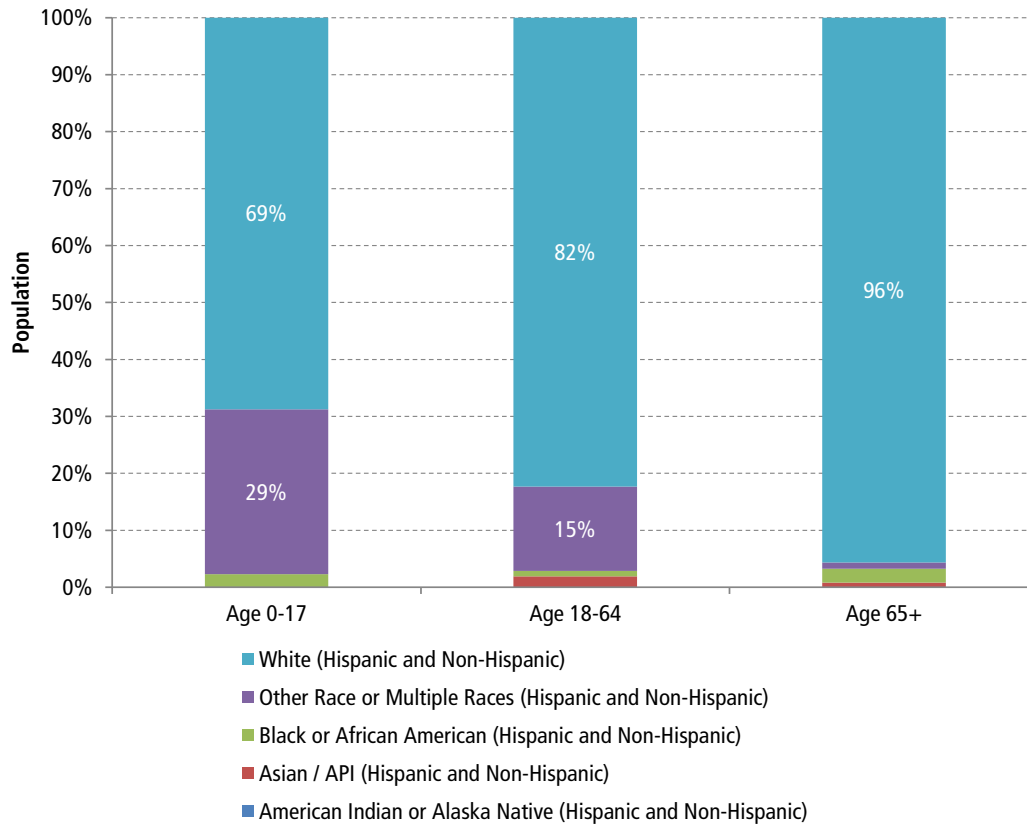
Universe: Total population

Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. People of color make up 4.3 percent of seniors and 31.2 percent of youth under 18 (Figure 8).

Figure 8 Senior and Youth Population by Race



Universe: Total population

Notes: In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity, and an overlapping category of Hispanic / non-Hispanic groups has not been shown to avoid double counting in the stacked bar chart.

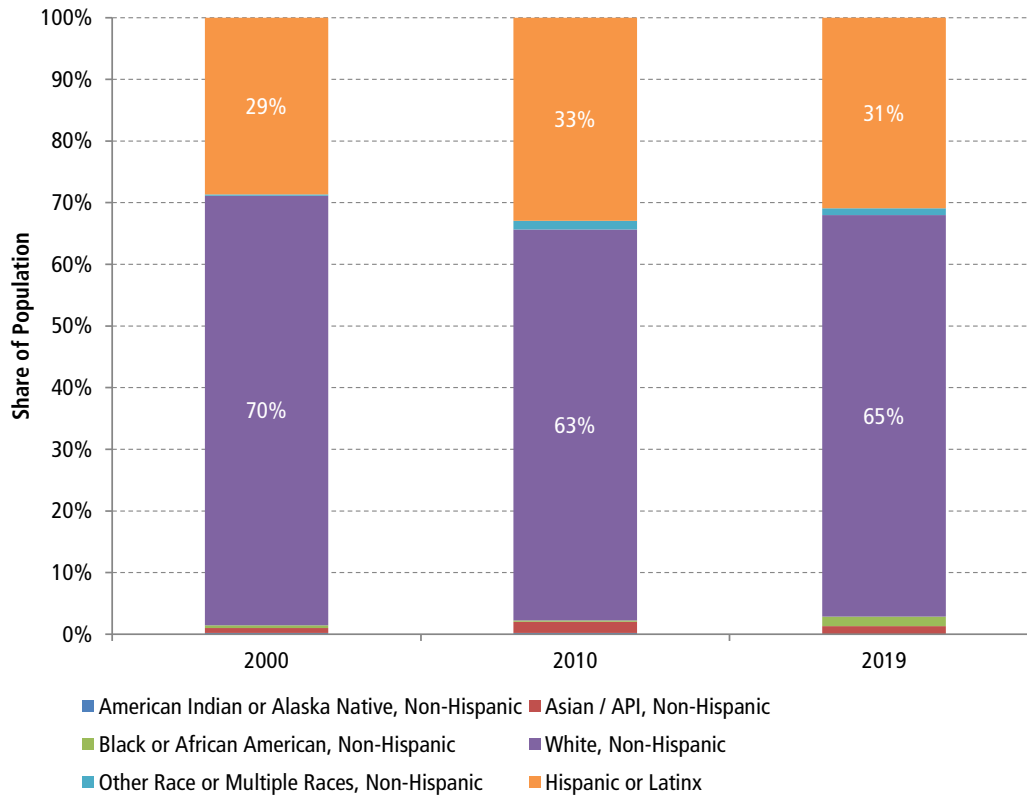
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G)

For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.

Race and Ethnicity

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today. Since 2000, the percentage of residents in St. Helena identifying as White has decreased – and by the same token the percentage of residents of all other races and ethnicities has increased – by 4.6 percent, with the 2019 population standing at 3,973. In absolute terms, the Hispanic or Latinx population increased the most while the White, Non-Hispanic population decreased the most. Figure 9 shows population trends by race.

Figure 9 Population by Race, St. Helena, 2000-2019



Universe: Total population

Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-02.

Income

Household Income Distribution

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state.⁷

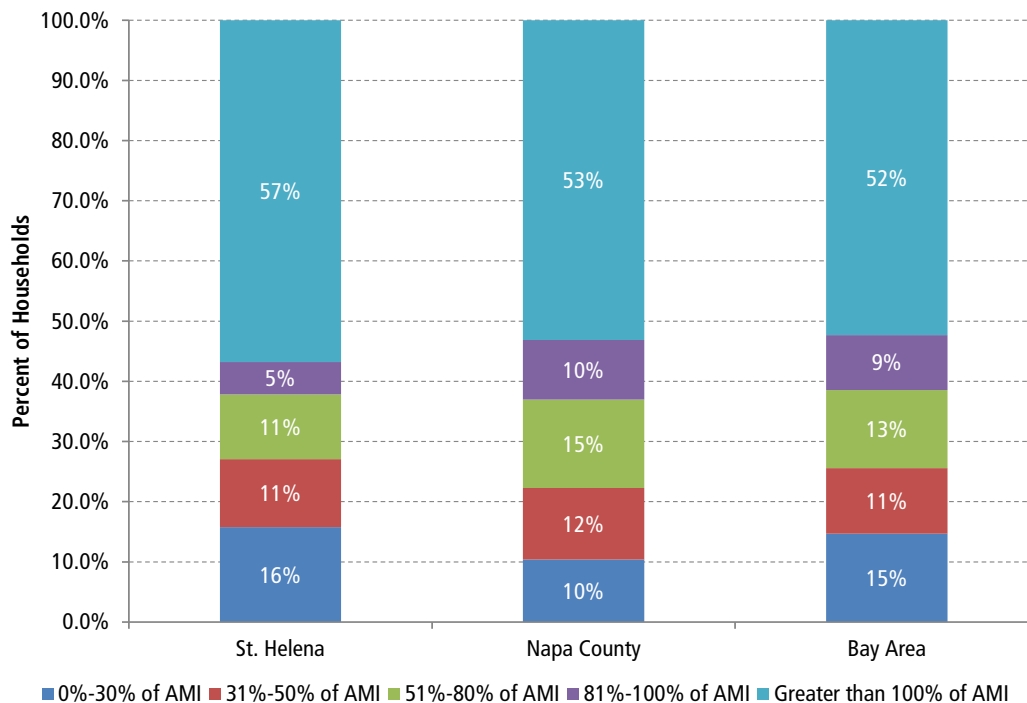
⁷ Bohn, S. et al. 2020. *Income Inequality and Economic Opportunity in California*. Public Policy Institute of California.

Household Income Categories

The Department of Housing and Urban Development defines income categories as a percentage of the Area Median Income (AMI). Households whose income equals 30 percent or less of the AMI are considered extremely low-income; households with incomes between 30 and 50 percent of the AMI are classified as very low-income; and those between 50 and 80 percent of the AMI are low-income. The CHAS data set also provides information on households earning between 80 and 100 percent of the AMI and households with incomes above 100 percent of the AMI.

In St. Helena, 56.8 percent of households make more than 100 percent of the Area Median Income (AMI)⁸, compared to 15.8 percent making less than 30 percent of AMI, which is considered extremely low-income (Figure 10).

Figure 10 Households by Household Income Level



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County).

⁸ Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). This is then adjusted for household size.

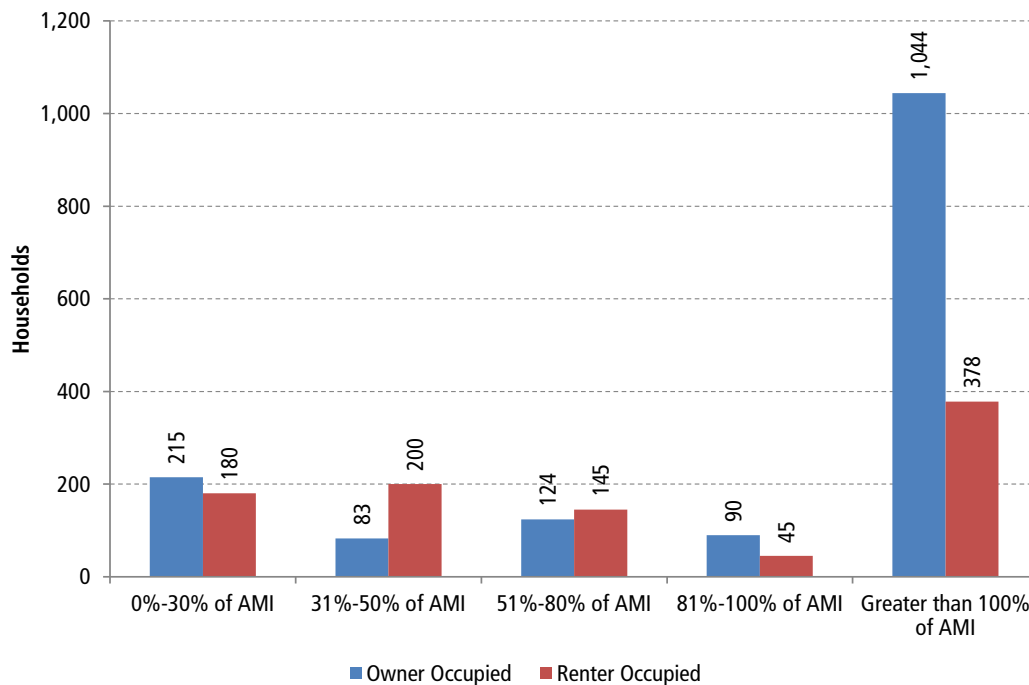
and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located. Local jurisdictions are required to provide an estimate for their projected extremely low-income households (0-30 percent AMI) in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50 percent AMI) to calculate their projected extremely low-income households. As Bay Area jurisdictions have not yet received their final RHNA numbers, this document does not contain the required data point of projected extremely low-income households. The report portion of the housing data needs packet contains more specific guidance for how local staff can calculate an estimate for projected extremely low-income households once jurisdictions receive their 6th cycle RHNA numbers.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-01.

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households. In St. Helena, the largest proportion of renters falls in the Greater than 100 percent of AMI income group, while the largest proportion of homeowners are found in the Greater than 100 percent of AMI group (Figure 11).

Figure 11 Household Income Level by Tenure



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County),

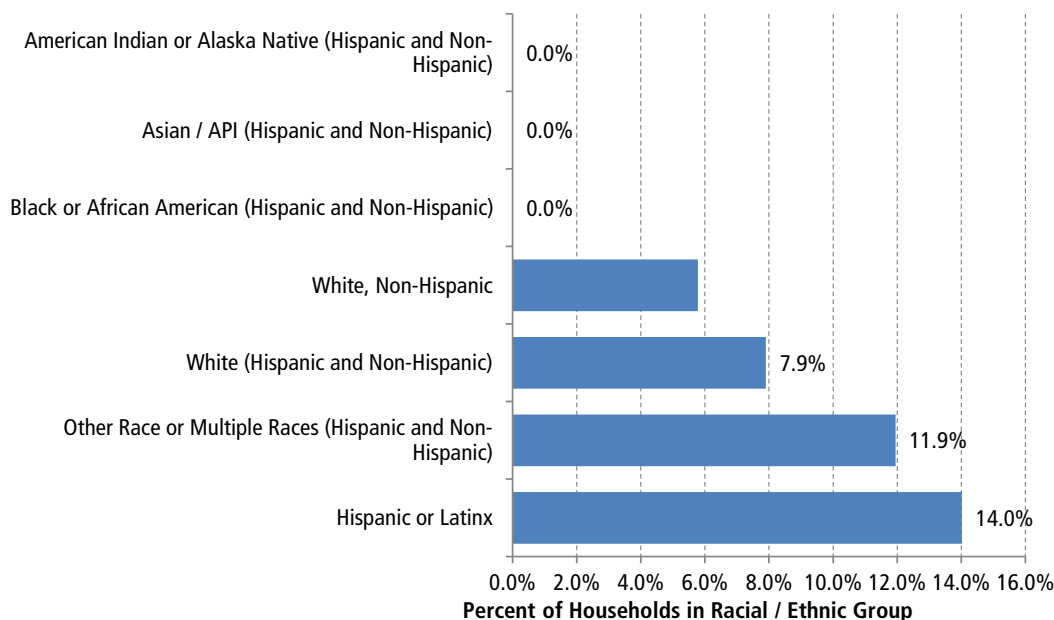
and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-21.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.⁹ These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In St. Helena, Other Race or Multiple Races (Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by White (Hispanic and Non-Hispanic) residents (Figure 12).

Figure 12 Poverty Status by Race



Universe: Population for whom poverty status is determined

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.

⁹ Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. Hass Institute.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I) For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.

Extremely Low-Income Households

In St. Helena, 56.8 percent of households make more than 100 percent of the Area Median Income (AMI), compared to 15.8 percent making less than 30 percent of AMI, which is considered extremely low-income (see Figure 10). Regionally, more than half of all households make more than 100 percent AMI, while 15 percent make less than 30 percent AMI. In Napa County, 30 percent AMI is the equivalent to the annual income of \$27,950 for a family of four. Many households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers, and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

Within the Housing Element, cities must estimate the extremely low-income housing need in the community. Based on HCD guidance, the City of St. Helena estimates that approximately 52 extremely low-income housing units are needed in the planning period. This estimate was calculated based on HCD guidance, as 50 percent of the very low-income housing need, as identified by the RHNA (Table 6).

Table 6 St. Helena Regional Housing Needs Allocation

Geography	Very Low Income (<50 percent of AMI)	Low Income (50%-80 percent of AMI)	Moderate Income (80%-120 percent of AMI)	Above Moderate Income (>120 percent of AMI)
St. Helena	104	59	26	67

¹ Per HCD guidance, the extremely low-income need in St. Helena is estimated at 50 percent of the very low income RHNA requirement, or approximately 52 units.

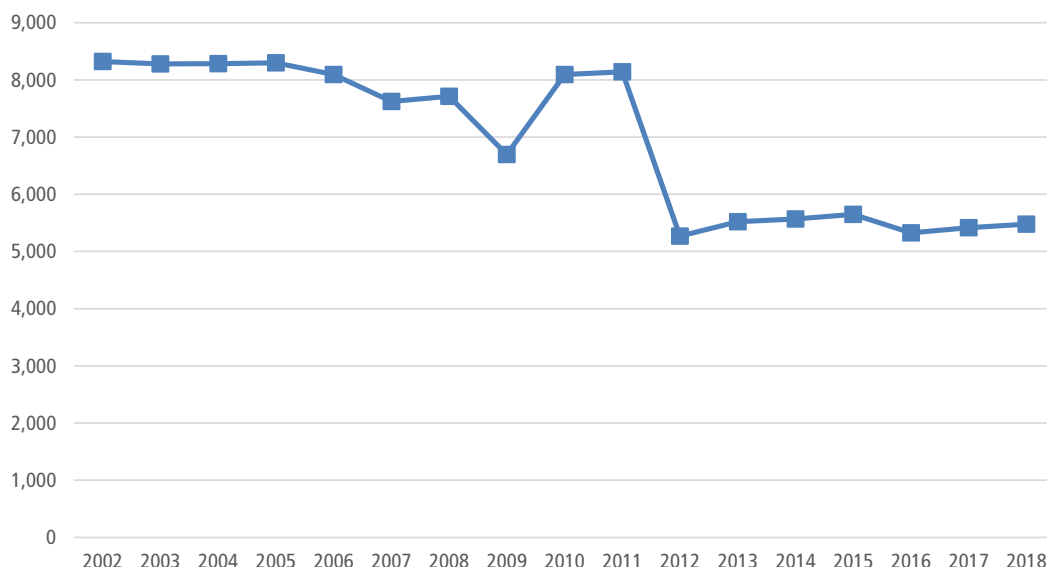
Employment Trends

Balance of Jobs and Workers

A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city, but more often employ workers commuting from outside of it. Smaller cities typically will have more employed residents than jobs and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between workers and jobs. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" them. Between 2002 and 2018, the number of jobs in St. Helena decreased by 34.2 percent (Figure 13).

Figure 13 Jobs in St. Helena



Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-11.

There are 3,005 employed residents, and 5,476 jobs¹⁰ in St. Helena - the ratio of jobs to resident workers is 1.82; St. Helena is a net importer of workers. Figure 14 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers - or conversely, it may house residents who are low wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A surplus of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear.

St. Helena has more low-wage jobs than low-wage residents (where low-wage refers to jobs paying less than \$25,000). This disparity implies that, every day, low wage workers commute to St. Helena from their residences outside of the city. At the other end of the wage spectrum, the city has more high-wage jobs than high-wage residents (where high-wage refers to jobs paying more than \$75,000). This figure suggests that high-wage

¹⁰ *Employed residents in a jurisdiction is counted by place of residence (they may work elsewhere) while jobs in a jurisdiction are counted by place of work (they may live elsewhere). The jobs may differ from those reported in Figure 5 as the source for the time series is from administrative data, while the cross-sectional data is from a survey.*

workers are also commuting into St. Helena. Since both high wage workers and low wage workers are faced with commuting into St. Helena for work, it suggests a lack of housing, both market-rate and affordable, within the city. (Figure 14).¹¹

Figure 14 Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence



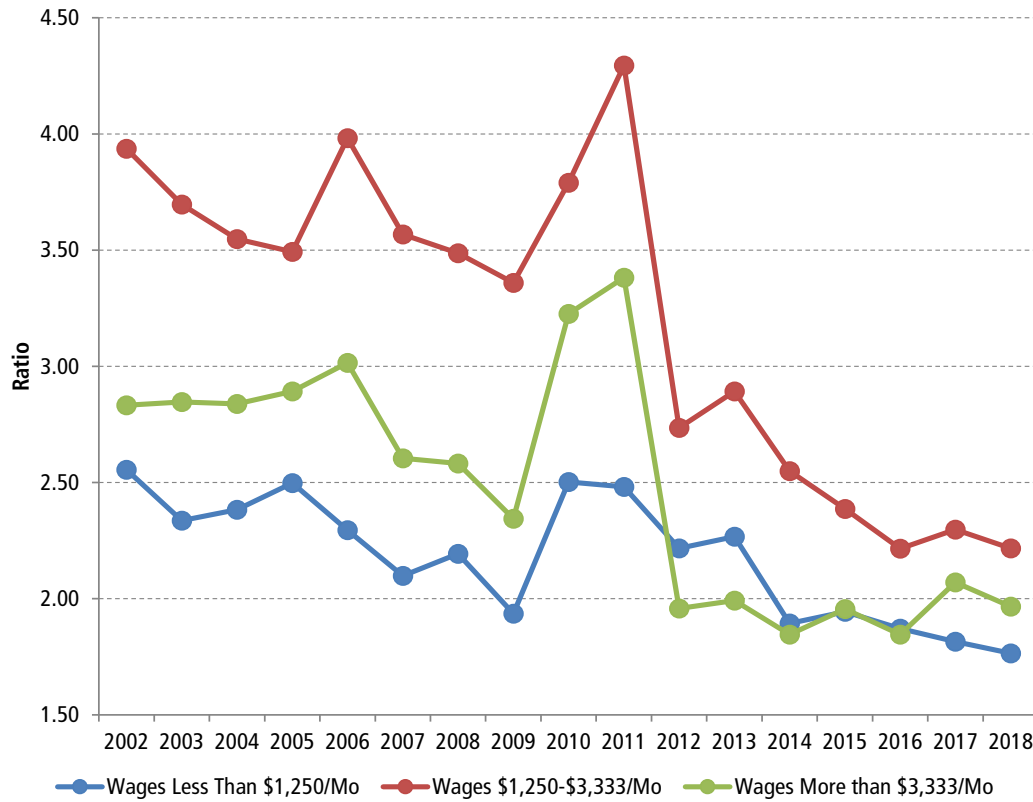
Universe: Workers 16 years and over with earnings

Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

Figure 15 shows the balance of a jurisdiction's resident workers to the jobs located there for different wage groups as a ratio instead - a value of one means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above one indicate a jurisdiction will need to import workers for jobs in a given wage group. At the regional scale, this ratio is 1.04 jobs for each worker, implying a modest import of workers from outside the region (Figure 15).

¹¹ The source table is top-coded at \$75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

Figure 15 Jobs-Worker Ratios, By Wage Group

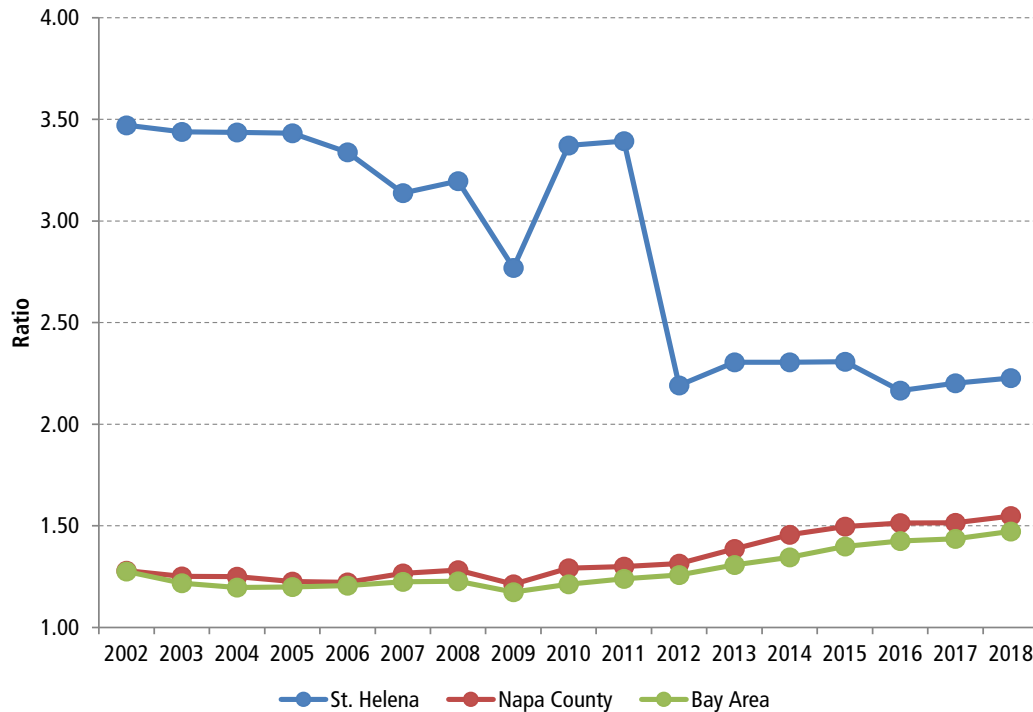


Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment
Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-14.

Such balances between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate, it contributes to traffic congestion and time lost for all road users.

If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs to household ratio. Thus, bringing housing into the measure, the jobs-household ratio in St. Helena has decreased from 3.47 in 2002, to 2.23 jobs per household in 2018 (Figure 16).

Figure 16 Jobs-Household Ratio



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.

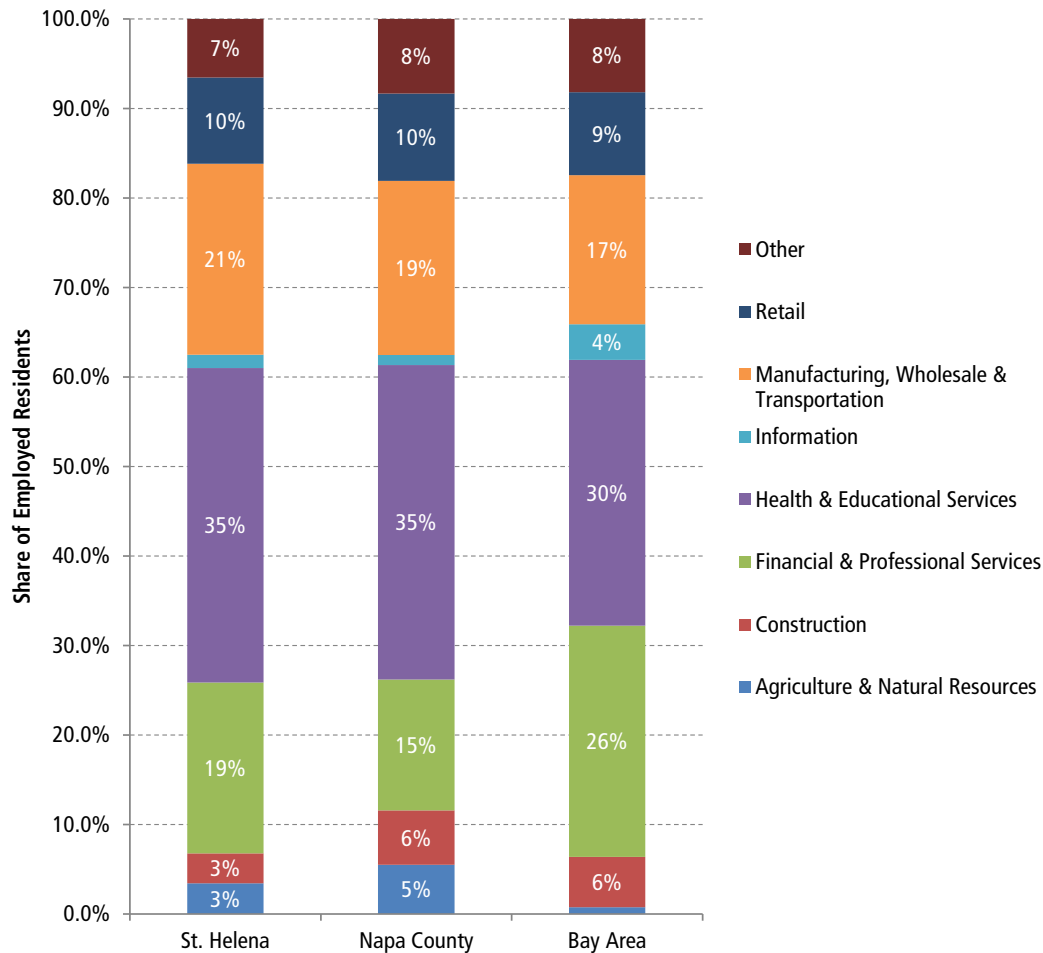
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-13.

Employment by Industry

In terms of sectoral composition, the largest industry in which St. Helena residents work is Health & Educational Services, and the largest sector in which Napa residents work is Health & Educational Services (Figure 17). For the Bay Area as a whole, the Health & Educational Services industry employs the most workers of any sector.

Figure 17 Resident Employment by Industry



Universe: Civilian employed population age 16 years and over

Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables:

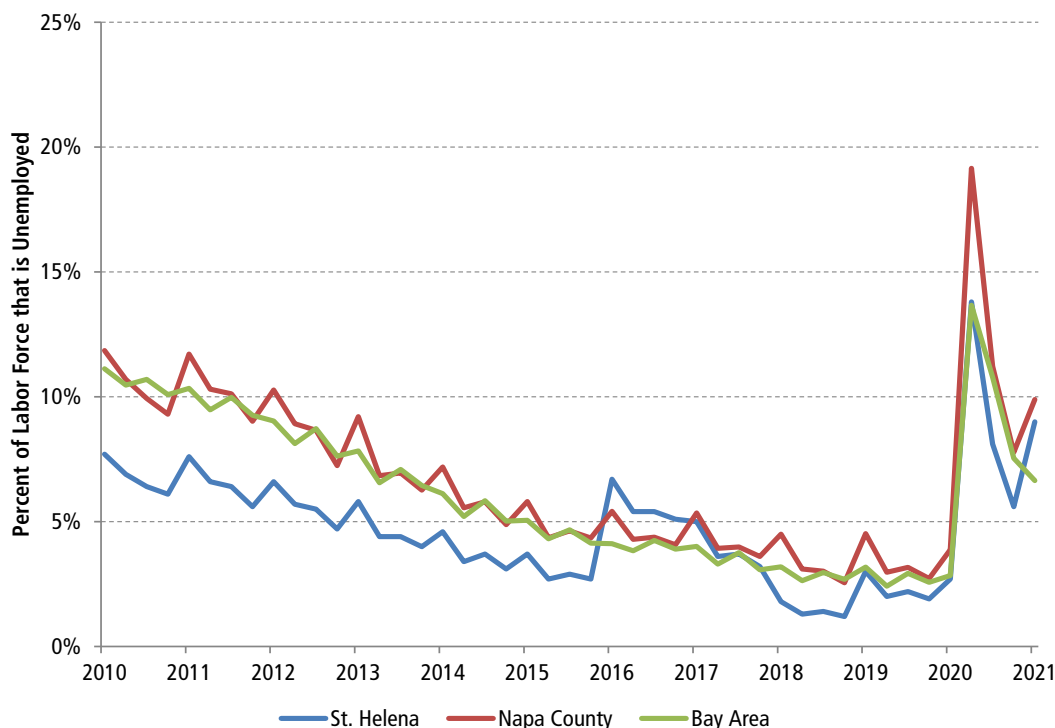
Agriculture & Natural Resources: C24030_003E, C24030_030E; Construction: C24030_006E, C24030_033E; Manufacturing, Wholesale & Transportation: C24030_007E, C24030_034E, C24030_008E, C24030_035E, C24030_010E, C24030_037E; Retail: C24030_009E, C24030_036E; Information: C24030_013E, C24030_040E; Financial & Professional Services: C24030_014E, C24030_041E, C24030_017E, C24030_044E; Health & Educational Services: C24030_021E, C24030_024E, C24030_048E, C24030_051E; Other: C24030_027E, C24030_054E, C24030_028E, C24030_055E

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-06.

Unemployment

Figure 18 shows the unemployment rate for St. Helena, Napa County, and the Bay Area. In St. Helena, there was a 1.3 percentage point increase in the unemployment rate between January 2010 and January 2021. Jurisdictions throughout the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and recovery in the later months of 2020.

Figure 18 Unemployment Rate



Universe: Civilian noninstitutional population ages 16 and older

Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data. Only not seasonally-adjusted labor force (unemployment rates) data are developed for cities and CDPs.

Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-15.

4. Population and Employment Projections

This section uses population, household, and employment projections provided by the Association of Bay Area Governments (ABAG), the California Department of Finance (DoF), and Plan Bay Area. Data specific to St. Helena is used when available (typically from Plan Bay Area 2040) and is supplemented by regional projections for North Napa County (Calistoga, St. Helena, and Yountville) and the Bay Area, available through the recently (2021) released Plan Bay Area 2050.

Key Findings

- ABAG anticipates much higher growth across the Bay Area than in St. Helena. While Plan Bay Area 2050 projects a 35 percent increase in total population from 2015 to 2050 (approximately 2.7 million new residents) across the nine counties of the Bay Area, it projects less than one percent growth in Calistoga, St. Helena, and Yountville.

Population

While Plan Bay Area 2050 does not provide jurisdiction-specific population projections, Plan Bay Area 2040 (2017) projected a 17 percent increase in total population from 2010 to 2040 for St. Helena, which translates to 1,550 new residents, as shown in Table 7. Countywide, Plan Bay Area 2040 projected a similar increase of 16 percent for Napa County.

Table 7 St. Helena, Population Totals and Projections, 2010-2040, Plan Bay Area 2040

Year	2010	2015	2020	2025	2030	2035	2040	Percent Change (2010-2040)
St. Helena	5,830	5,920	6,085	6,415	6,655	6,715	6,800	+17%
Napa County	135,880	136,885	141,240	146,130	151,445	155,860	158,050	+16%

Source: Plan Bay Area 2040.

For comparison, the DoF projects a countywide increase of seven percent in total population between 2010 to 2050, which translates to 9,463 new Napa County residents (Table 8).

Table 8 Department of Finance Population Projections, Napa County, 2010-2050

Year	2010	2015	2020	2025	2030	2035	2040	2045	2050	Percent Change
St. Helena	136,587	141,390	138,711	140,748	143,223	145,444	146,602	146,641	146,050	+7%

Source: California Department of Finance. Demographic Research Unit. Report P-2A: Total Population Projections, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2020 Release). Sacramento: California. July 2021.

ABAG anticipates much higher growth across the Bay Area than in St. Helena. While Plan Bay Area 2050 projects a 35 percent increase in total population from 2015 to 2050 (approximately 2.7 million new residents)

across the nine counties of the Bay Area, the Plan projects less than one percent growth in the North Napa County superdistrict (including Calistoga, St. Helena, and Yountville). Table 9 and Figure 19 show Plan Bay Area 2050 population projections for the Bay Area. While the Plan includes this regional population totals, data for individual subregions, termed superdistricts, is provided for households and jobs rather than population. For more information, please see the discussions on household and job projections below.

Table 9 Plan Bay Area 2050 Population Projections, Bay Area, 2015-2050

	2015	2020	2025	2030	2035	2040	2045	2050	Percent Change
Bay Area	7,660,000	7,940,000	8,230,000	8,560,000	9,010,000	9,490,000	9,930,000	10,330,000	+35%

Source: California Department of Finance. Demographic Research Unit. Report P-2A: Total Population Projections, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2020 Release). Sacramento: California. July 2021.

Figure 19 Bay Area, Population Totals and Projections, 1990-2050, Plan Bay Area 2050.



Source: Plan Bay Area 2050.

Households

In 2017, Plan Bay Area 2040 projected a one percent increase in total households from 2010-2040 in St. Helena, which translates to 300 or more new households (Table 10). Similarly, Plan Bay Area 2050 projects that the number of households in the Northern Napa County superdistrict (including Calistoga, St. Helena, and Yountville) will grow by less than one percent by 2050, compared to 51 percent growth in the projected number of households in the Bay Area (Table 11).

Table 10 Table 2: St. Helena, Household Totals and Projections, 2010-2040, Plan Bay Area 2040

	2010	2015	2020	2025	2030	2035	2040
Total Households	2,150	2,400	2,425	2,490	2,620	2,705	2,700

For 2010, the base year, a tabulation from the 2010 pre-run microdata, designed to approximate (but may still differ from) Census 2010 counts, is used. Numbers may not add to totals due to rounding. 2015 are modeled estimates, not observed. Source: Plan Bay Area 2040.

Table 11 Household Projections by Region, 2015-2050

Region	2015	2050	Growth	Percent Growth	Share of Regional Growth
North Napa County	16,000	16,000	0	<1%	0%
Bay Area	2,677,000	4,043,000	1,366,000	+51%	100%

Source: Plan Bay Area 2050.

Jobs

According to Plan Bay Area 2040, ABAG projected an increase of 280 jobs (five percent increase) between 2010 and 2040, which calculates to an annual average growth rate of 0.8 percent (Table 12). Employment is projected to increase in three categories: retail (+27 percent), Information, Government, and Construction (+12 percent), and Health, Educational, and Recreational Services Jobs (+5 percent). In contrast, ABAG expects that employment in the areas of manufacturing and wholesale; agriculture and natural resources, and financial and professional services to stagnate or slightly decrease. Countywide, Plan Bay Area 2040 projected an increase of 12,765 jobs (18 percent increase) at annual average employment growth rate of 2.8 percent in the same time period.

Table 12 Job Totals and Projections, St. Helena and Napa County, 2010-2040

Year	2010	2015	2020	2025	2030	2035	2040	Percent Change (2010-2040)
St. Helena	5,700	5,750	5,765	5,805	5,820	5,820	5,980	5%
Napa County	70,680	70,880	71,905	72,580	74,255	77,260	83,355	18%

Source: Plan Bay Area 2040.

Plan Bay Area 2050, however, projects that employment in the North Napa County superdistrict will decrease by 4,000 jobs by 2050 (Table 13). Employment in the region is assumed to be constrained based on limited job centers and transit options, as well as current and potential future wildfire impacts. Regionally however, the Bay Area job totals are projected to increase by 35 percent between 2015 and 2050, which coincides with the expected Bay Area population growth during that time (also 35 percent). This increase translates to 1,403,000 new jobs.

Table 13 Job Totals and Projections, North Napa County and the Bay Area, 2015-2050

Region	2015	2050	Growth	Percent Growth	Share of Regional Growth
North Napa County	24,000	20,000	-4,000	<1%	0%
Bay Area	4,005,000	5,408,000	1,403,000	35%	100%

Source: Plan Bay Area 2050.

5. Housing Conditions

The following section details the housing conditions in St. Helena and, where available, compares the data to Napa County and the Bay Area. Data sources include the Census, the American Community Survey, DoF, HUD, including the Comprehensive Housing Affordability Strategy (CHAS) dataset, and HCD).

ABAG supplied an HCD Preapproved Data Package that provided much of the data included in this analysis for the City. Additionally, ABAG, in coordination with Baird + Driskell Community Planning provided a Housing Needs Data Report that directly informed this section of the Needs Analysis.¹²

Key Findings

- **Number of Homes.** The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in St. Helena increased, 4.4 percent from 2010 to 2020, which is above the growth rate for Napa County and below the growth rate of the region's housing stock during this time period.
- **Home Prices.** A diversity of homes at all income levels creates opportunities for all St. Helena residents to live and thrive in the community.
 - **Ownership.** The largest proportion of homes had a value in the range of \$1 million-\$1.5 million in 2019. Home prices increased by 118.2 percent from 2010 to 2020.
 - **Rental Prices.** The typical contract rent for an apartment in St. Helena was \$1,470 in 2019. Rental prices increased by 15.7 percent from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$59,160 per year.
- **Housing Type.** It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 63.9 percent of homes in St. Helena were single family detached, 6.1 percent were single family attached, 6.2 percent were small multifamily (2-4 units), and 18.4 percent were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single-family units increased more than multi-family units. Generally, in St. Helena, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region.
- **Vacancy Rate.** Vacant units make up 17.4 percent of the overall housing stock in St. Helena. The rental vacancy rate stands at 3.1 percent, while the ownership vacancy rate is 5.3 percent. Of the vacant units, the most common type of vacancy is for seasonal, recreational, or occasional use. This statistic highlights how St. Helena contains many "second homes," which may sit unoccupied for a majority of the year. Additionally, with the increasing popularity of short-term rental sites, such as

¹² ABAG/MTC Staff and Baird + Driskell Community Planning, *Housing Needs Data Report: St. Helena, May 2021*.

Airbnb, at vacation destinations such as Napa Valley, many homes may be vacant in the sense of not having permanent residents.

- **Overcrowding.** Overcrowding often disproportionately impacts low-income households. 2.5 percent of very low-income households (below 50 percent AMI) experience severe overcrowding, while none of the households above 100 percent of the AMI experience this level of overcrowding.
- **Cost Burden.** The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30 percent of its income on housing costs. A household is considered “cost-burdened” if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered “severely cost-burdened.” In St. Helena, 21.1 percent of households spend 30-50 percent of their income on housing, while 16.6 percent of households are severely cost burden and use the majority of their income for housing. Lower-income, Latinx, and large households are disproportionately impacted by housing cost burdens.¹³

Existing Housing Conditions

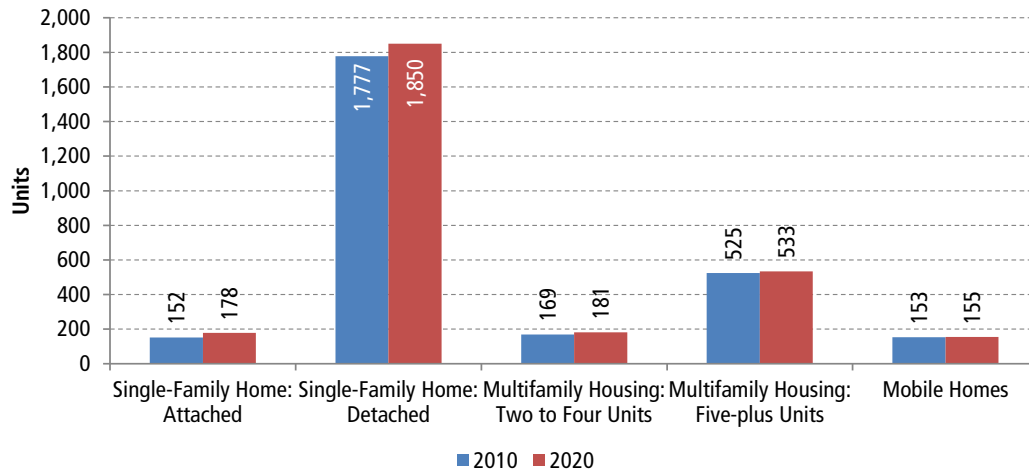
Housing Stock Characteristics

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing” – including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units (ADUs). These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

The housing stock of St. Helena in 2020 was made up of 63.9 percent single family detached homes, 6.1 percent single family attached homes, 6.2 percent multifamily homes with two to four units, 18.4 percent multifamily homes with five or more units, and 5.4 percent mobile homes (Figure 20). In St. Helena, the housing type that experienced the most growth between 2010 and 2020 was the detached single-family home.

¹³ Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070; U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

Figure 20 Housing Type Trends



Universe: Housing units

Source: California Department of Finance, E-5 series

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-01.

Age of Housing Stock

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not come close to meeting the population and job growth experienced throughout the region. According to American Community Survey estimates, in St. Helena, the largest proportion of the housing stock was built 1960 to 1979, with 1,217 units constructed during this period (Figure 21). Since 2010, 1.9 percent of the current housing stock was built, which is 63 units. Between 2015 and 2019, 74 housing units were issued permits in St. Helena. During this time, 73.0 percent of permits issued in St. Helena were for above moderate-income housing, 5.4 percent were for moderate-income housing, and 21.6 percent were for low- or very low-income housing (Table 14).

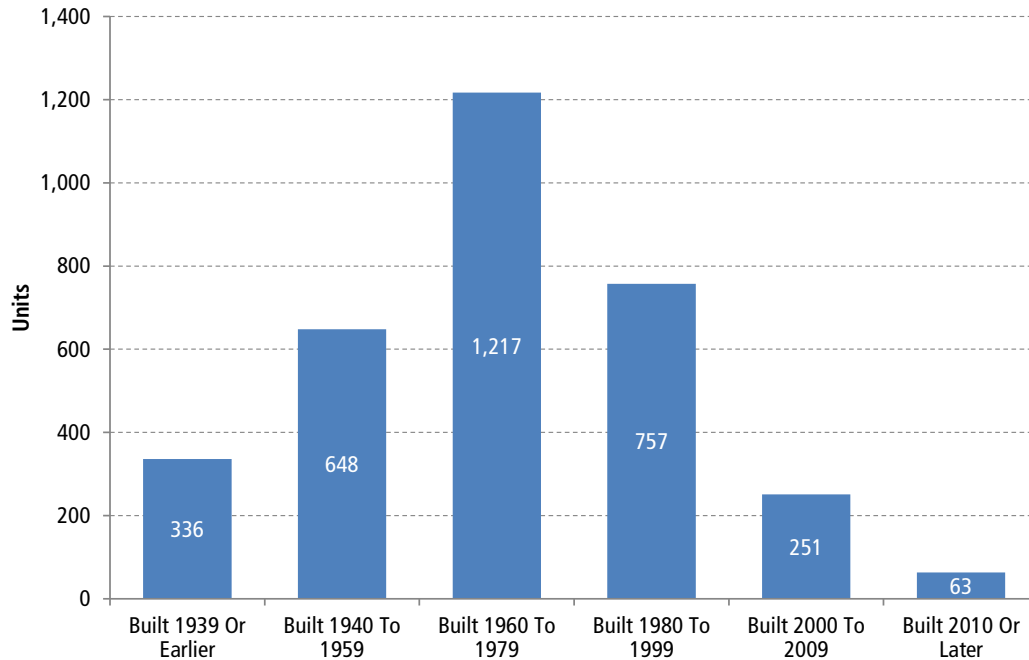
Table 14 Housing Permitting from 2015-2019 St. Helena

Income Group	Value
Above Moderate-Income Permits	54
Low Income Permits	9
Very Low-Income Permits	7
Moderate Income Permits	4

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020)

According to City records, however, these American Community Survey estimates are low. As reported in Table 1 above, the City permitted 110 units between 2015 and 2021, of which all units have been constructed.

Figure 21 Housing Units by Year Structure Built



Universe: Housing units

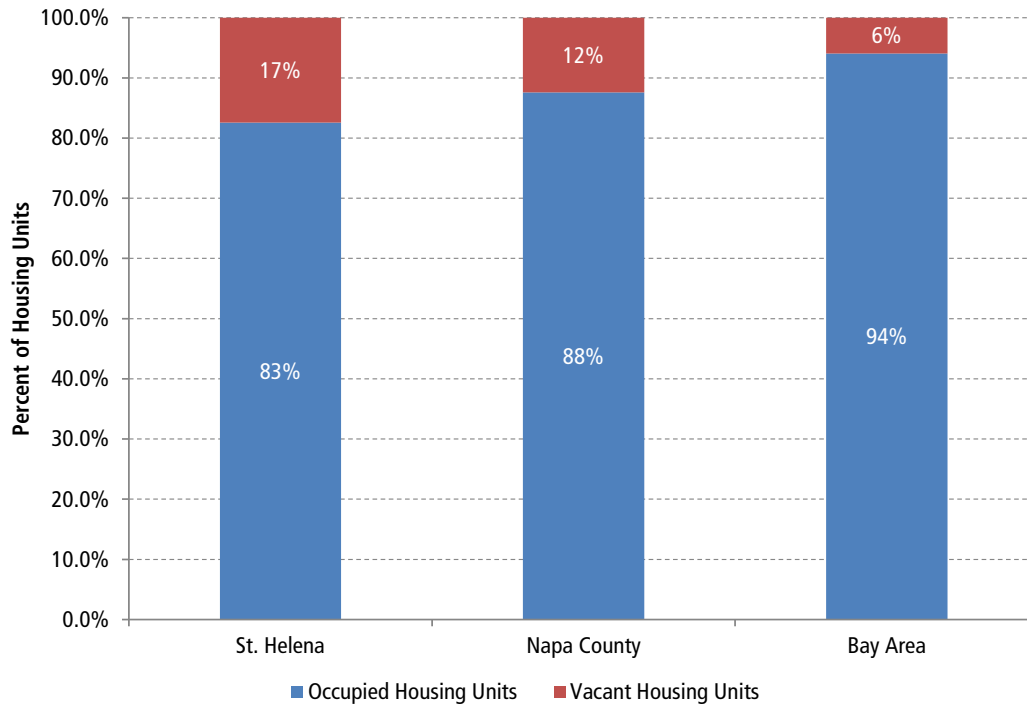
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034 For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-04.

Occupancy Rates

Vacant units make up 17.4 percent of the overall housing stock in St. Helena (Figure 22). The rental vacancy rate stands at 3.1 percent, while the ownership vacancy rate is 5.3 percent. Of the vacant units, the most common type of vacancy is for seasonal, recreational, or occasional use. Figure 23 shows the distribution of vacancies by type.¹⁴

¹⁴ The vacancy rates by tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (17.4%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a significant number of vacancy categories, including the numerically significant other vacant.

Figure 22 Occupancy Status

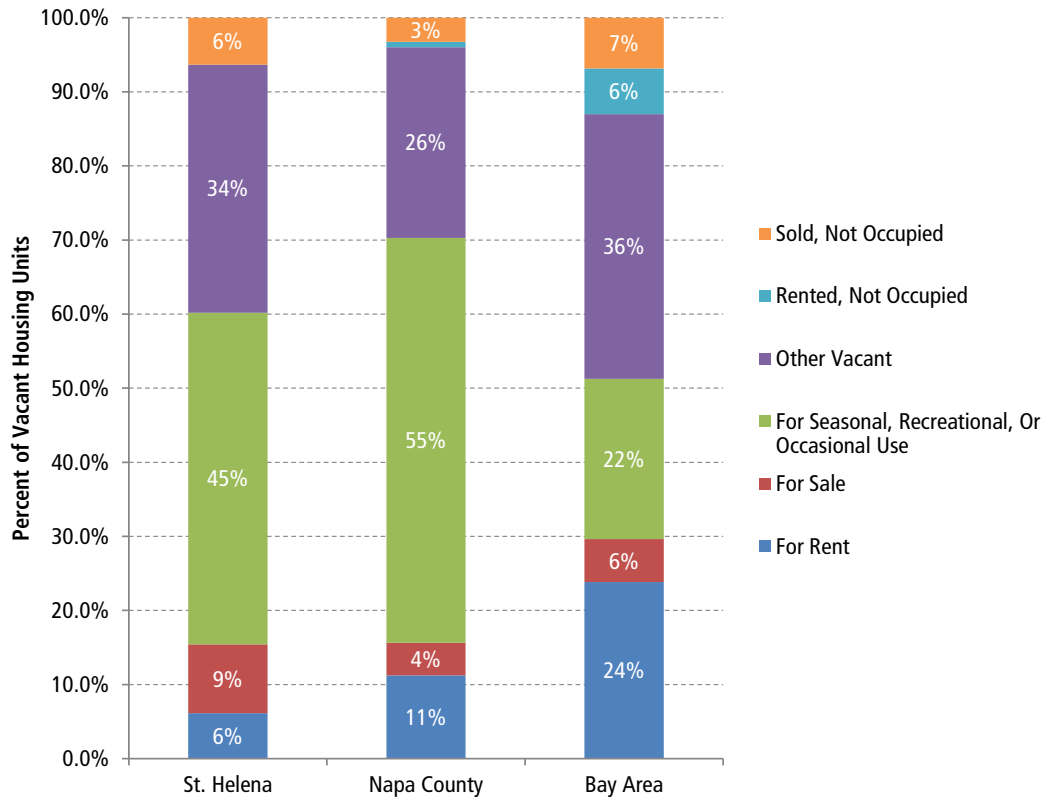


Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25002 Throughout the Bay Area, vacancies make up 2.6 percent of the total housing units, with homes listed for rent; units used for recreational or occasional use, and units not otherwise classified (other vacant) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.¹⁵ In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the “other vacant” category.

¹⁵ For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: <https://www.census.gov/housing/hvs/definitions.pdf>.

Figure 23 Vacant Units by Type



Universe: Vacant housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004 For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-03.

Throughout the Bay Area, vacancies make up 2.6 percent of the total housing units, with homes listed for rent; units used for recreational or occasional use, and units not otherwise classified (other vacant) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration. In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the “other vacant” category

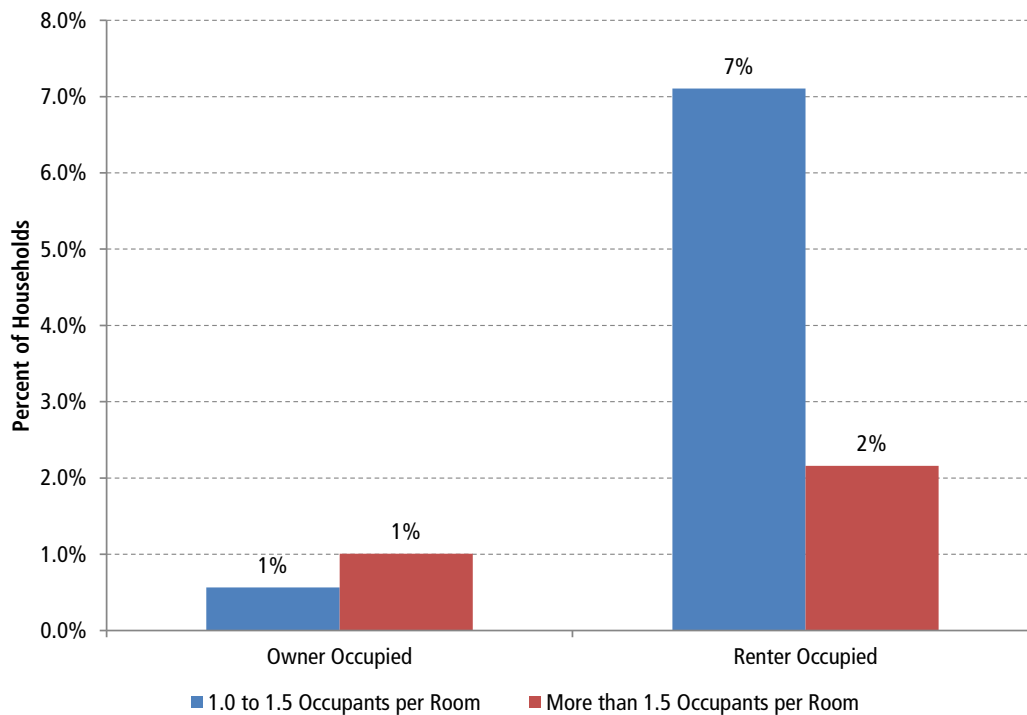
Overcrowding

Overcrowding occurs when the number of people living in a household is greater than the home was designed to accommodate. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens).

Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded.

Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities. In St. Helena, 2.2 percent of households that rent are severely overcrowded (more than 1.5 occupants per room), compared to 1.0 percent of households that own (Figure 24). In St. Helena, 7.1 percent of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 0.6 percent for those own.

Figure 24 Overcrowding by Tenure and Severity



Universe: Occupied housing units

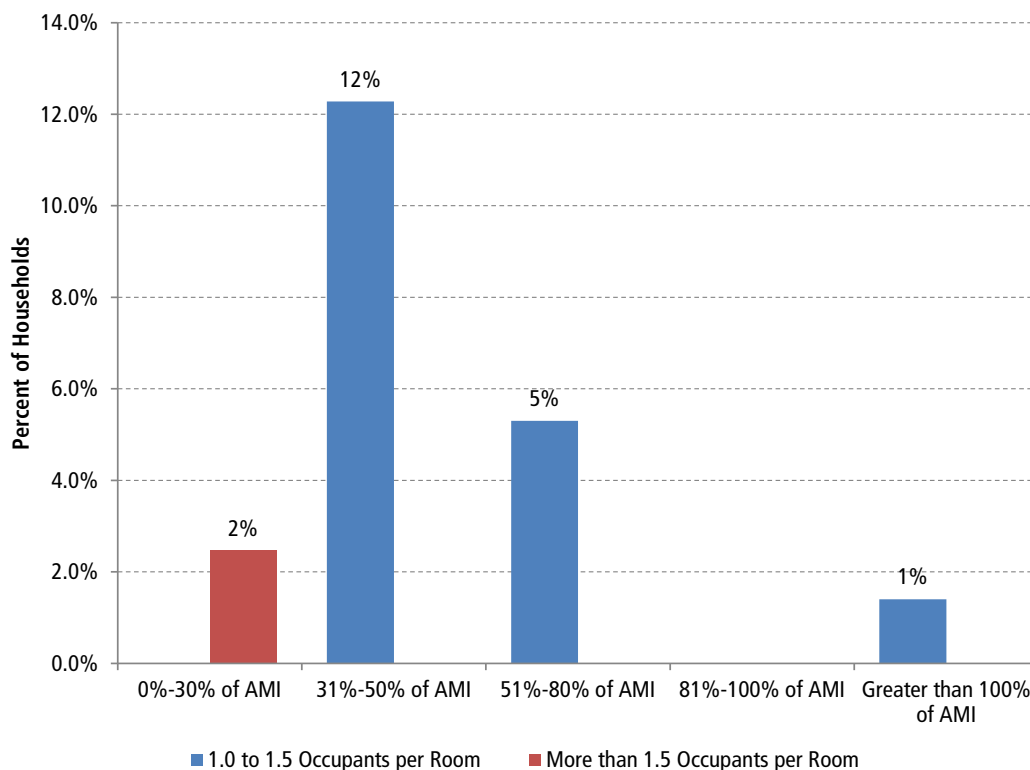
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-01.

Overcrowding often disproportionately impacts low-income households. 2.5 percent of very low-income households (below 50 percent AMI) experience severe overcrowding, while 0.0 percent of households above 100 percent experience this level of overcrowding (Figure 25).

Figure 25 Overcrowding by Income Level and Severity



Universe: Occupied housing units

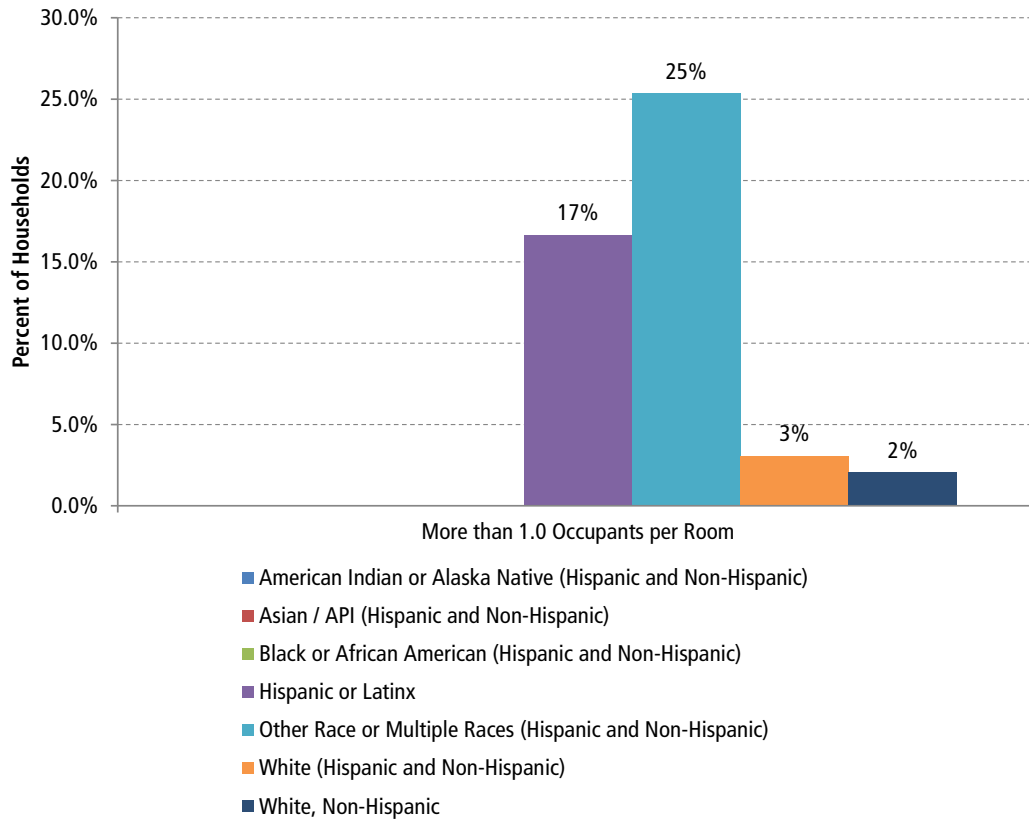
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.

People of color tend to experience overcrowding at higher rates than White residents. In St. Helena, the racial group with the largest overcrowding rate is other race or multiple races (Hispanic and Non-Hispanic) (Figure 26).

Figure 26 Overcrowding by Race



Universe: Occupied housing units

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

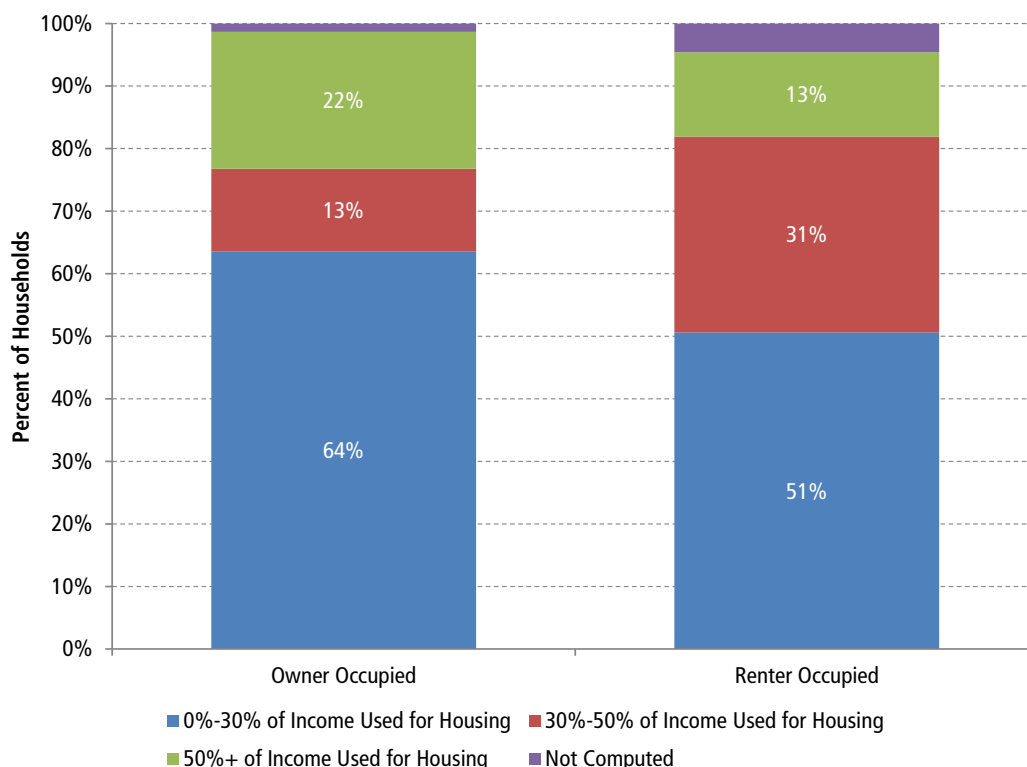
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014 For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-03.

Housing Cost Burden

A household is considered "cost-burdened" if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered "severely cost-burdened." Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in St. Helena (Figure 27), 31.3 percent of renters spend 30 percent to 50 percent of their income on housing compared to 13.3 percent of those that own. Additionally, 13.5 percent of renters spend 50 percent or more of their income on housing, while 21.9 percent of owners are severely cost-burdened.

Figure 27 Cost Burden by Tenure



Universe: Occupied housing units

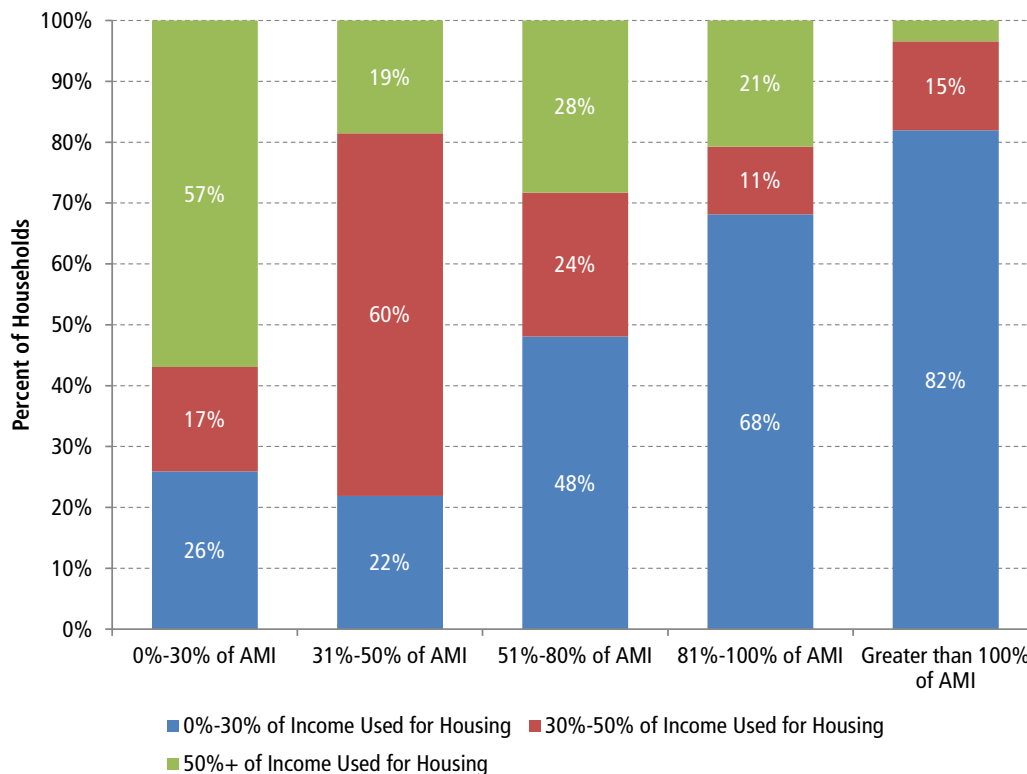
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091 For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-06.

In St. Helena, 16.6 percent of households spend 50 percent or more of their income on housing, while 21.1 percent spend 30 to 50 percent. However, these rates vary greatly across income categories (Figure 28). For example, 56.9 percent of St. Helena households making less than 30 percent of AMI spend the majority of their income on housing. For St. Helena residents making more than 100 percent of AMI, just 3.4 percent are severely

cost-burdened, and 81.9 percent of those making more than 100 percent of AMI spend less than 30 percent of their income on housing.

Figure 28 Cost Burden by Income Level



Universe: Occupied housing units

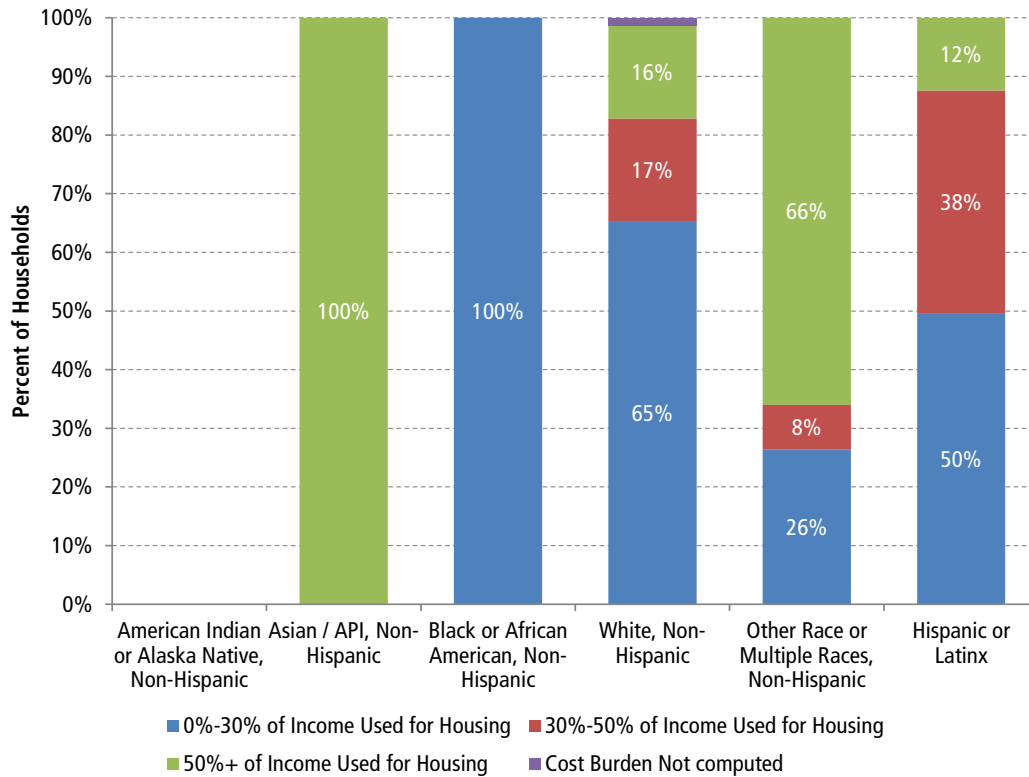
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.

Hispanic or Latinx residents are the most cost burdened with 38.1 percent spending 30 percent to 50 percent of their income on housing, and Asian / API, Non-Hispanic residents are the most severely cost burdened with 100.0 percent spending more than 50 percent of their income on housing (Figure 29).

Figure 29 Cost Burden by Race



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.

For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

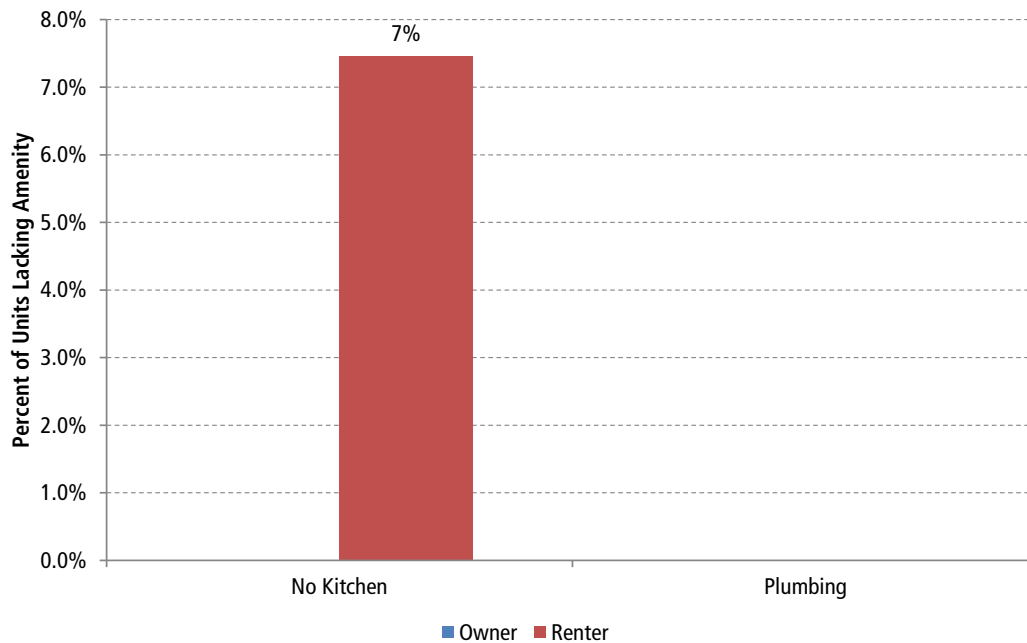
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-08.

Physical Housing Conditions

In general, the condition of the housing stock in St. Helena is good. This is primarily due to the high value of residential property, recent new construction, and minor to extensive remodeling which has been performed within the last ten years. Property owners are motivated to keep housing in good condition because of the high value of houses and rents.

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. However, American Community Survey data (Figure 30) gives a sense of some of the substandard conditions that may be present in St. Helena. For example, 7.5 percent of renters in St. Helena reported lacking a kitchen and no renters lack plumbing. No owners reported lacking either a kitchen or plumbing.

Figure 30 Substandard Housing Issues, St. Helena, 2019



Universe: Occupied housing units

Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-06.*

There are scattered areas where housing condition can be an issue. City staff estimates approximately two percent of the single-family houses and one percent of multi-family units need replacement. These units have improvement costs that exceed the estimated replacement cost. Approximately four percent of single-family houses (approximately 85 units) and two percent of multifamily units (approximately 15 units) are in need of significant rehabilitation, which is defined as having major deficiencies that may require immediate repair. About five percent of the housing stock needs limited rehabilitation (approximately 140 units). These structures exhibit minor repair need and are not considered to have major safety issues.

6. Housing Market Conditions

This section provides information on the private housing market in St. Helena and assesses the market's ability to accommodate the housing needs of residents. ABAG supplied an HCD Preapproved Data Package that provided data on home values, affordability, and contract rents in the City. Additionally, ABAG, in coordination with Baird + Driskell Community Planning provided a Housing Needs Data Report that directly informed this section of the Needs Analysis.¹⁶

Key Findings

- **Home Values.** Home values in St. Helena are high. The typical home value (December 2020) was \$1,665,790 in St. Helena, \$768,410 in Napa County and \$1,077,230 the Bay Area.
- **Affordability.** The current market conditions in St. Helena enable only above moderate-income households to purchase homes, though affordable rental and for-sale housing complexes in St. Helena provide 256 units of affordable housing.

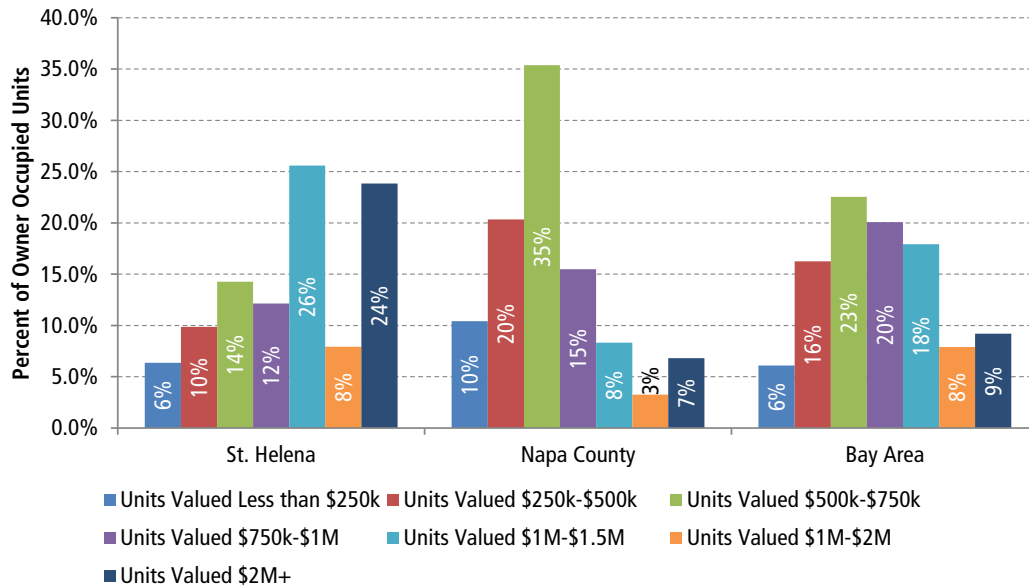
For-Sale Housing

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages and job outlook, and land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. The typical home value in St. Helena was \$1,665,790 by December of 2020, per data from Zillow. The largest proportion of homes were between \$1 million and \$1.5 million (Figure 31). By comparison, the typical home value is \$768,410 in Napa County and \$1,077,230 in the Bay Area, with the largest share of units valued \$500,000 to \$750,000.

The region's home values have increased steadily since 2000, besides a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical home value has increased 156.7 percent in St. Helena from \$648,900 to \$1,665,790. This change is above the change in Napa County, and above the change for the region (Figure 32).

¹⁶ ABAG/MTC Staff and Baird + Driskell Community Planning, *Housing Needs Data Report: St. Helena, May 2021*.

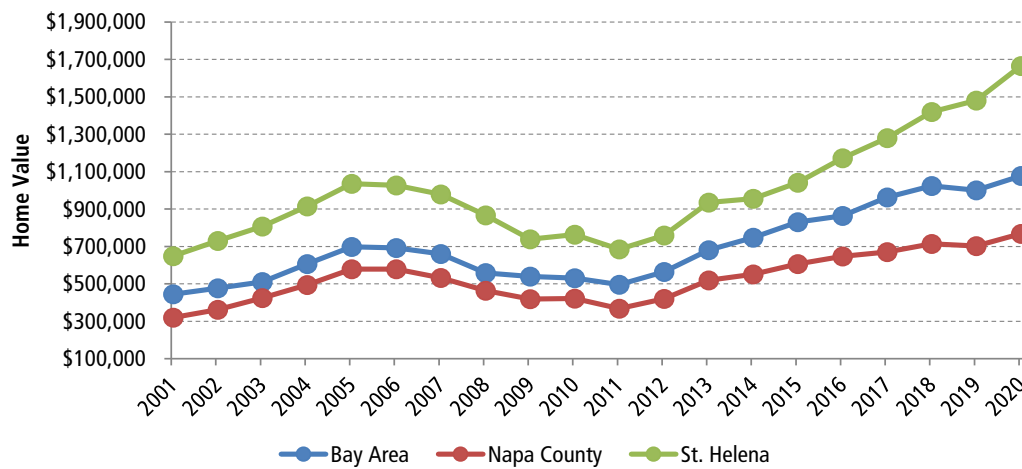
Figure 31 Home Values of Owner-occupied Units



Universe: Owner-occupied units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075 For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-07.

Figure 32 Zillow Home Value Index (ZHVI)



Universe: Owner-occupied housing units

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for lower to moderate valued homes in a

neighborhood. Specifically, the ZHVI is based upon the valuations of homes between 35th to 65th percentile range on a standardized curve encompassing all owner-occupied housing units, including both single-family homes and condominiums.

More information on the ZHVI is available from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.

Source: Zillow, Zillow Home Value Index (ZHVI)

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-08.

Affordable Home Purchase Prices

Table 15 examines affordability in another way. Instead of presenting the income required to buy a market rate house in St. Helena, Table 15 examines how much very low-, low-, and moderate-income households in St. Helena could afford to pay for housing, along with the corresponding maximum affordable home price. The table assumes 10 percent down payment, modeling a situation that is more typical of first-time homebuyers who have not amassed sufficient financial resources to make a larger down payment. These buyers are more likely to be in need of affordable housing options than the typical buyers of market rate housing in St. Helena. The lower down payment amount requires the owner to buy mortgage insurance.

As shown, in the case of a three-person household, the affordable home price varies from approximately \$203,461 for very low-income, to \$325,372 for low-income, and \$406,922 for moderate income households. The income limits increase with household size, and a six-person household with very low, low, or moderate income can afford to buy a home priced at \$262,243, \$419,548, and \$542,493, respectively. Based on this data and current market prices, lower-income households have very few options for purchasing a home in St. Helena, while moderate-income households may be able to afford to purchase a condominium or a small single-family home.

Table 15 Affordable Home Purchase Prices by Income Level, Napa County

Extremely Low-Income Households at 30 percent of Median Family Income

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Number of Persons	1	1.5	3	4	6	7.5
Income Level	\$22,950	\$24,550	\$29,500	\$32,750	\$38,000	\$39,300
Max. Monthly Gross Rent ⁽¹⁾	\$574	\$614	\$738	\$819	\$950	\$983
Max. Purchase Price ⁽²⁾	\$95,004	\$101,627	\$122,118	\$135,572	\$157,304	\$162,686

Very Low-Income Households at 50 percent of Median Family Income

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Number of Persons	1	1.5	3	4	6	7.5
Income Level	\$38,200	\$40,950	\$49,150	\$54,600	\$63,350	\$65,500
Max. Monthly Gross Rent (1)	\$955	\$1,024	\$1,229	\$1,365	\$1,584	\$1,638
Max. Purchase Price (2)	\$158,132	\$169,516	\$203,461	\$226,022	\$262,243	\$271,143

Low-Income Households at 80 percent of Median Family Income

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Number of Persons	1	1.5	3	4	6	7.5
Income Level	\$61,150	\$65,500	\$78,600	\$87,350	\$101,350	\$104,850
Max. Monthly Gross Rent (1)	\$1,529	\$1,638	\$1,965	\$2,184	\$2,534	\$2,621
Max. Purchase Price (2)	\$253,136	\$271,143	\$325,372	\$361,593	\$419,548	\$434,036

Median-Income Households at 100 percent of Median Family Income

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Number of Persons	1	1.5	3	4	6	7.5
Income Level	\$76,450	\$81,900	\$98,300	\$109,200	\$126,650	\$131,050
Max. Monthly Gross Rent (1)	\$1,911	\$2,048	\$2,458	\$2,730	\$3,166	\$3,276
Max. Purchase Price (2)	\$316,472	\$339,033	\$406,922	\$452,043	\$524,279	\$542,493

Moderate-Income Households at 120 percent of Median Family Income

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Number of Persons	1	1.5	3	4	6	7.5
Income Level	\$91,750	\$98,300	\$117,950	\$131,050	\$152,000	\$157,250
Max. Monthly Gross Rent/Payments (1)	\$2,294	\$2,458	\$2,949	\$3,276	\$3,800	\$3,931
Max. Purchase Price (2)	\$379,808	\$406,922	\$488,265	\$542,493	\$629,218	\$650,951

Note: Based on 2021 Napa County Area Family Income (Family of 4) of \$109,200, per State income limits.

¹Assumes that 30 percent (35 percent for moderate) of income is available for either: monthly rent, including utilities; or mortgage payment, taxes, mortgage insurance, and homeowners' insurance.

²Assumes 90.0 percent loan at 5.0 percent annual interest rate and 30-year term; assumes taxes, mortgage insurance, and homeowners' insurance account for 20 percent of total monthly payments.

Source: Mintier Harnish, 2021.

Current Market Rate For-Sale Housing

Since 2019, the price of for-sale housing in St. Helena has shifted even higher, making home ownership practically unattainable to working class residents of St. Helena. All single-family homes are for sale at prices greater than \$1,000,000. The median price of for-sale housing is \$1,872,500 and the average price of for-sale housing is \$2,965,458, which are both prices unaffordable to lower- and moderate-income households. Currently there are only four units listed for under \$1,000,000: three mobile homes and one condominium.

Table 16 Residential Properties for Sale, January 2023

Address	Bedroom	Bathrooms	Square Footage	For-Sale Price	Cost per Square Foot
1210-1250 Oakwood Ln	6	8	6,800	\$10,880,000	\$1,600.00
1933 Spring St	2	2	1,664	\$7,995,000	\$4,804.69
1817 Main St	6	6	7,000	\$5,500,000	\$785.71
1057 Pratt Ave	6	7	3,979	\$4,950,000	\$1,244.03
2490 Spring Mountain Rd	3	4	4,210	\$3,600,000	\$855.11
1820 Spring Mountain Rd	3	3	2,520	\$3,500,000	\$1,388.89
1721 Scott St	3	3	1,950	\$2,999,000	\$1,537.95
1648 Scott St	3	2	1,458	\$2,850,000	\$1,954.73
704 Hunt Ave	3	3	2,426	\$2,450,000	\$1,009.89
1434 Sylvaner Ave	3	2	1,968	\$2,250,000	\$1,143.29
1362 Stockton St	3	2	1,682	\$1,895,000	\$1,126.63
1626 Tainter St	2	2	1,758	\$1,850,000	\$1,052.33
1186 Meadowcreek Cir	3	2	2,078	\$1,795,000	\$863.81
1291 Sylvaner Ave	3	2	1,511	\$1,650,000	\$1,091.99
1727 Crinella Dr	3	2	1,683	\$1,395,000	\$828.88
1344 Magnolia Ave	3	3	2,082	\$1,375,000	\$660.42
24 Volker Ct	3	2	1,320	\$1,150,000	\$871.21
1382 Park St	3	2	1,800	\$1,084,000	\$602.22
16 Henry Ct	2	2	1,000	\$1,075,000	\$1,075.00
945 Hunt Ave	2	3	1,212	\$790,000	\$651.82
16 San Juan Ct	2	2	1,440	\$439,000	\$304.86
55 Laguna Seca Ct	2	2	1,512	\$365,000	\$241.40
10 Los Robles Ct	2	2	1,248	\$360,000	\$288.46

Source: Zillow.com, January 9, 2023.

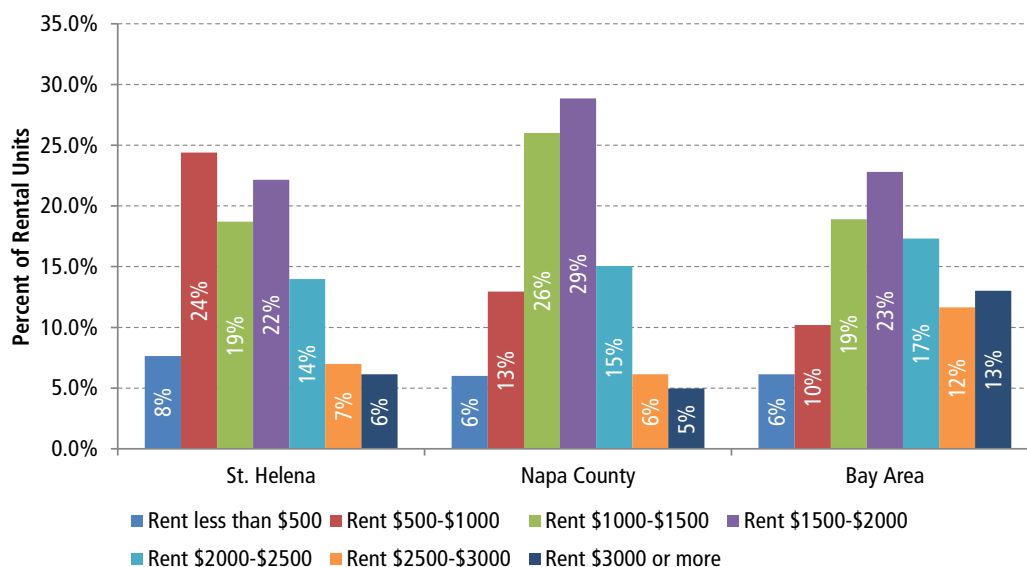
Rental Housing

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Regionwide, some renters were priced out, evicted, or displaced, particularly communities of color. Residents finding

themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In St. Helena, the largest proportion of rental units rented in the \$500 to \$1000 per month category, totaling 24.4 percent, followed by 22.2 percent of units renting in the \$1500 to \$2000 per month category (Figure 33). Both countywide, and in the Bay Area as a whole, the largest share of units is in the \$1500 to \$2000 per month category.

Figure 33 Contract Monthly Rents for Renter-occupied Units

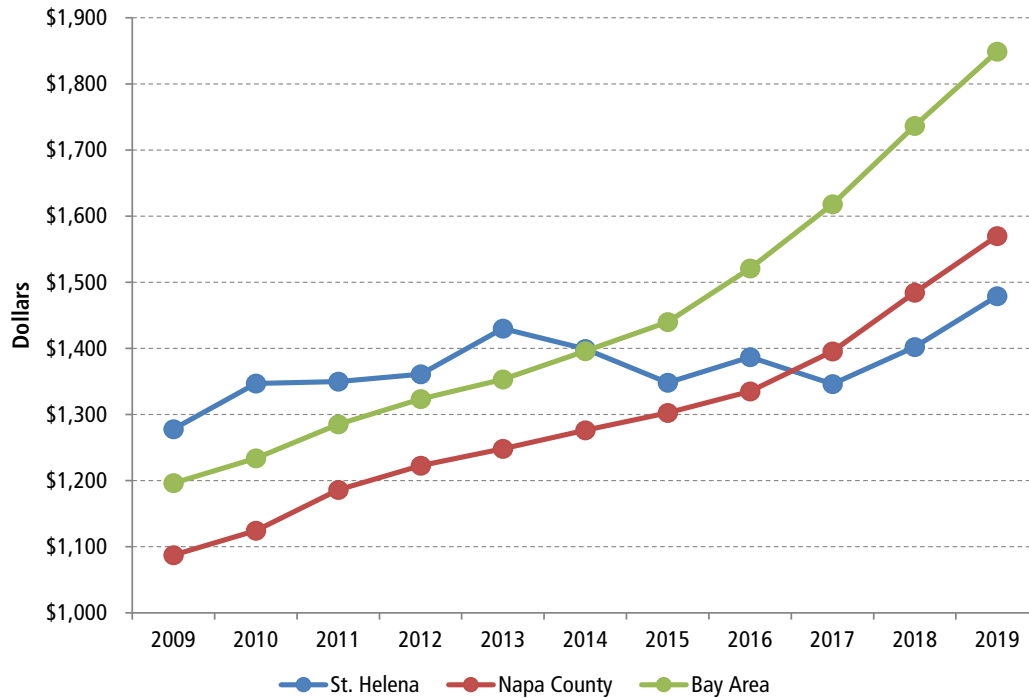


Universe: Renter-occupied housing units paying cash rent

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056 For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-09.

Since 2009, the median rent has increased by 15.7 percent in St. Helena, from \$1,390 to \$1,470 per month (Figure 34). In Napa County, the median rent has increased 23.0 percent, from \$1,270 to \$1,560 per month. The median rent in the region has increased significantly during this time from \$1,200 to \$1,850 per month, a 54 percent increase.

Figure 34 Median Contract Monthly Rent



Universe: Renter-occupied housing units paying cash rent

Notes: For unincorporated areas, median is calculated using distribution in B25056.

Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas). County and regional counts are weighted averages of jurisdiction median using B25003 rental unit counts from the relevant year.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-10.

Affordable Rental Rates

In addition to maximum home purchase price, Table 15 also calculates maximum monthly gross rent. This calculation assumes that 30 percent (35 percent for moderate) of income is available for either: monthly rent, including utilities; or mortgage payment, taxes, mortgage insurance, and homeowners' insurance. Among three-person households, the maximum monthly gross rent that can be paid is calculated at \$1,229 for very low-income households, \$1,965 for low-income households, and \$2,458 for moderate income households. While a studio, one-bedroom, and some of the two-bedroom market rate apartments in St. Helena are affordable to low income and a portion of very low-income households, they are in limited supply. Average apartment rents throughout Napa County are only affordable to low-, moderate-, and above moderate- households. In addition, single family rental units are significantly more expensive and are affordable only to above moderate-income households.

Affordable Housing Complexes

Table 17 lists affordable housing complexes and units in St. Helena, which are shown on Figure 35. These include four rental complexes, five for-sale subdivisions, and 13 regulated affordable units in the City, which increase the supply of housing and focus on meeting the housing needs unmet by the private housing market

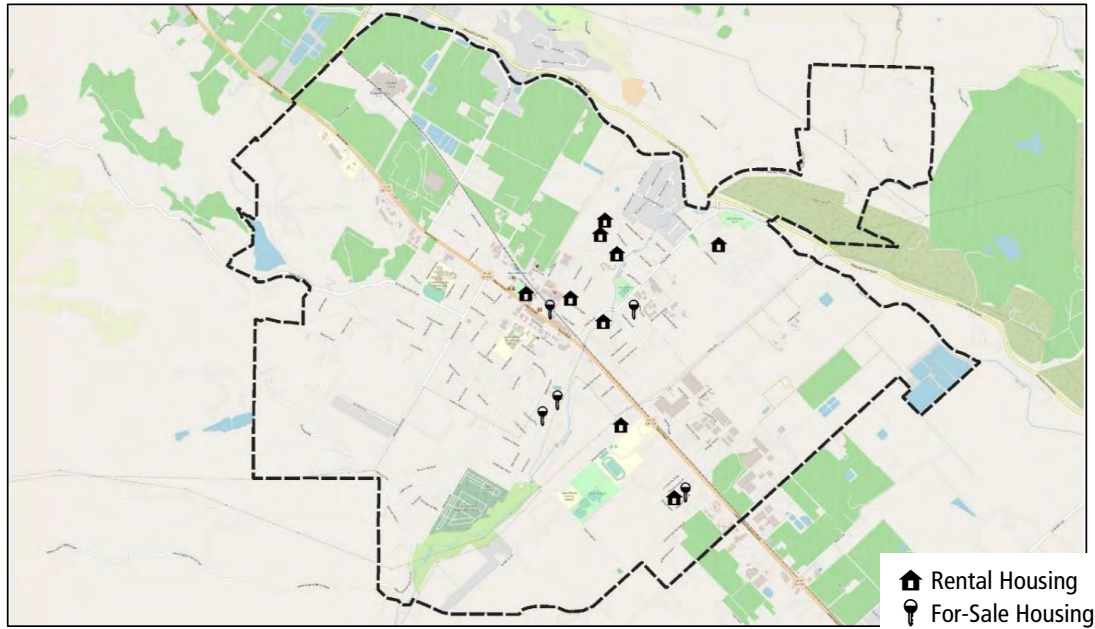
- The rental complexes noted in Table 17 provide 214 units of affordable housing to St. Helena residents. Waiting lists for affordable units can be quite long. For instance, as of January 2022, Hunt's Grove Apartments has a five-year waiting list¹⁷ and Stonebridge has a three to four year waiting list.¹⁸ Recently, the City has reduced and deferred fees for a five-unit affordable project at 963 Pope Street, which is currently under construction.
- The five for-sale subdivisions (Marietta Townhomes, Wallis Subdivision, Magnolia Oaks, and Brenkle Court) provide 41 affordable for-sale units with deed restrictions. The City of St. Helena contributed funds to the Marietta townhomes in 1997, including \$130,000 in silent second mortgages and \$12,500 in building fees. The City also reduced fees and contributed significant funds to the Brenkle Court development in 2016 and approved an additional five deed-restricted affordable units at this location in 2020.
- The 13 regulated affordable apartments in the City are incorporated into the Wydown Hotel, Hunt Street Apartments, Turley Flats, and Grayson Avenue Apartments. The City has both reduced and deferred fees (through a loan from the Affordable Housing Trust Fund) for the Turley Flats Affordable Housing Project, an 8-unit multi-family development.

In addition, mobile home parks like Vineyard Valley, although not officially regulated as affordable housing, do represent a housing option in St. Helena that is affordable to moderate income households.

¹⁷ Personal communication, January 26, 2022.

¹⁸ Personal communication. January 26, 2022.

Figure 35 Map of Affordable Housing Units, St. Helena



Source: City of St. Helena, 2022. Map data from OpenStreetMap.org Contributors.

Table 17 Affordable Rental Housing Units, St. Helena

Name	Affordable Units	Bedrooms/Bathrooms	Special Needs	Current Owner	Funding Sources	Status	Affordability Requirement
Hunts Grove	56	14 - 1 bdr/1 bath 28 - 2 bdr/1 bath 14 - 3 bdr/2 bath	n.a.	Bridge Housing	9 percent Tax Credit Equity; Residential Housing Construction Program; Bank of American, First Nationwide Bank, City of St. Helena, First Financial Management	Active	Low and Very Low Income
Stonebridge Apts.	78	8 - 1 bdr/1 bath 23 - 2 bdr/1 bath 28 - 3 bdr/2 bath 8 - 4 bdr/2 bath	n.a.	EAH Nonprofit Housing Corporation	9 percent Tax Credit Equity; HCD; Residential Housing Construction Program; City of St. Helena; Federal Home Loan Bank, Affordable Housing Program	Active	Low and Very Low Income
Woodbridge Apts.	49	48 - 1 bdr/1 bath 2 - 2 bdr/1 bath	Senior Citizens	Woodbridge RAL	CHFA, Section 8	Active	Very Low Income
Magnolia Oaks	14	10 - 2 bdr apartments 4 - 1 bdr second units	n.a.	n.a.	Developer Financed	Active	Low and Moderate Income
Wydown Hotel	1	1 - 1 bdr	n.a.	Wydown Hotel	Developer Financed	Active	Very Low Income
Hunt Street Apartments	2	Studio	n.a.	Jack Ibrahim	Owner Financed	Active	Very Low Income
Turley Flats	8	2-3 bdr multifamily	n.a.	n.a.	Private Financing, City and County Loans		
Grayson Apartments	2	2 bdr/1 bath	n.a.	n.a.	Private funds	Active	Low and Moderate Income
Christine Apartments	4	2 bdr/1 bath	n.a.	Our Town St. Helena	Private funds	Active	Very Low and Low Income
RENTAL TOTAL							214

Source: City of St. Helena, 2022.

Table 18 Affordable For-Sale Housing Units, St. Helena

Name	Affordable Units	Bedrooms/Bathrooms	Special Needs	Current Owner	Funding Sources	Status	Affordability Requirement
Wallis Subdivision	20	2bdr/2 bath	n.a.	n.a.	Developer Financed	Active	Moderate Income
Marietta Townhomes	10	Unknown	n.a.	n.a.	Napa Valley Community; City of St. Helena	Active	Moderate Income
Sherwin	1	4 bdr single family	n.a.	n.a.	Developer Financed	Active	Moderate Income
Magnolia Oaks	2	3 bdr single family	n.a.	n.a.	Developer Financed	Active	Moderate Income
Brenkle Court	8	3bdr/1.5 bath	n.a.	n.a.	City and County Loans, USDA & sweat equity	Under Construction	Low and Moderate Income
FOR SALE TOTAL							41

Source: City of St. Helena, 2022.

Current Market Rate Rental Housing

Since the release of the 2019 ACS data, the cost of rental housing in St. Helena has increased dramatically. For most looking to move to St. Helena, the price of market rate housing is almost entirely out of reach. Based on Zillow data, there are two available apartments for rent in St. Helena posted for a contract rent rate of \$1,850 and \$2,150. Several detached single-family homes are listed for rent at prices which are wholly out of reach of lower, moderate, and most above moderate-income households. The average market rent rate of available single-family homes is \$8,356 per month and the median rent is \$6,450 per month.

Table 19 Residential Properties for Rent, January 2023

Address	Bedroom	Bathrooms	Square Footage	Monthly Rent	Cost per Square Foot
709 Hunt Ave	4	4	2,915	\$24,500	\$8.40
679 Dowdell Ln	4	3.5	2,800	\$22,000	\$7.85
466 Pratt Ave	4	5	4,789	\$15,000	\$3.13
489 Fulton Ln	3	2	1,645	\$14,000	\$8.51
1316 Sulphur Springs Ave	3	2	1,648	\$9,500	\$5.76
925 Pratt Ave	3	3	2,523	\$8,500	\$3.37
1860 Quail Ct	2	2.5	2,433	\$6,500	\$2.67
911 Chiles Ave	3	2.5	2,217	\$6,500	\$2.93
1320 Elmhurst Ave	3	2	1,512	\$6,450	\$4.27
1629 Madrona Ave	4	3	2,746	\$6,000	\$2.18
963 McCorkle Ave	3	2	1,378	\$5,900	\$4.28
1091 Mariposa Ln	3	2	1,316	\$5,500	\$4.18
1220 Peppertree Cir	3	2	1,450	\$4,650	\$3.21

1969 Vineyard Ave	3	2	1,000	\$4,400	\$4.40
1328 Magnolia Ave	3	3	2,082	\$3,800	\$1.83
210 Nemo Ct	2	2	2,000	\$3,200	\$1.60
1444 Edwards St, Unit C	2	1	N/A	\$2,150	N/A
1444 Edwards St, Unit B	1	1	N/A	\$1,850	N/A

Source: Zillow.com, January 9, 2023.

"At Risk" Units

State law requires an analysis of the risk of conversion of affordable housing to market-rate housing within the next ten years. The 2009 Housing Element identified one affordable housing complex, the Woodbridge Apartments, as at-risk for losing its federal subsidies. In 2013, the City worked with the property owners and CalHFA to re-finance and renovate 50 units of affordable housing. Through this effort the Woodbridge Apartment Complex will continue to offer regulated affordable housing through November 2067. The 2014-2022 Housing Element reported no units at-risk of conversion.

The California Housing Partnership provides information on affordable housing developments subsidized through HUD, the U.S. Department of Agriculture, the Low-Income Housing Tax Credit Program, and public housing. Table 20, shows data on assisted affordable units with information on the estimated affordability end year and an estimation of at-risk status. As shown on the table, the California Housing Partnership's Preservation Database (2020) does not identify any affordable housing developments with subsidies expiring during the 2023-2031 planning period.

Table 20 Assisted Affordable Housing Developments by Conversion Risk Status, St. Helena

Universal ID	Name	Address	Zip	Affordable Units	Total Units	Funding Program	Estimated Affordability End Year	Risk Level
CA00001362	Woodbridge Village Apartments	727 Hunt Avenue	94574	49	50	LIHTC; HUD; CalHFA	2067	Low
CA00002539	Hunt's Grove Apartments	548 Hunt Avenue	94574	56	56	LIHTC; HCD	2047	Low
CA00002582	Stonebridge Apartments	990 College Ave	94574	78	80	LIHTC; HCD	2068	Low

Source: California Housing Partnership Preservation Database, 2021.

7. Special Housing Needs

California Government Code Section 65583 (a) (7) requires an analysis of any special housing needs, “such as those of the elderly, persons with disabilities, large families, farm workers, families with female heads of household, and families and persons in need of emergency shelter.”¹⁹ This section provides estimates of the prevalence of each of these special needs populations, discusses special housing concerns, and analyzes their housing cost burdens within St. Helena to the extent that available data allows. Data sources include the HCD Preapproved Data Package and Housing Needs Data Report prepared for St. Helena by ABAG, as well as the U.S. Census Bureau, American Community Survey.

Key Findings

- **People with Disabilities.** In St. Helena, people with disabilities make up around 12 percent of the total population. Children (under 18) make up around 38 percent of the developmentally disabled population, while adults make up around 62 percent. Most of the developmentally disabled population reside with their parent, family, or guardian.
- **Senior Households.** Senior households represent a higher percentage of the total households in St. Helena, at about 39 percent of households in the City. There is a large income disparity between seniors who rent housing and seniors who own their home. Most seniors who rent make 0 to 30 percent of AMI, and sixty-eight percent of senior households in this income category have housing cost burdens. By contrast, most seniors who own make greater than 100 percent of AMI; thirteen percent of senior households in this category experience housing cost burdens.
- **Large Households.** In St. Helena, most large households are renters. Among units with three or more bedrooms in St. Helena, approximately 77 percent renter occupied. In St. Helena, 43.2 percent of large family households experience a cost burden of 30 to 50 percent, and an additional 6.8 percent of households spend more than half of their income on housing.
- **Female-headed households.** Female-headed households in St. Helena make up 10 percent of the total population, while married-couple family households make up around 42 percent. In St. Helena, around 23 percent of female-headed households with children fall below the federal poverty line, while around 18 percent of female-headed households without children fall below the federal poverty line.
- **Farmworkers.** The number of permanent farm workers in Napa County has increased from 2,916 in 2002 to 4,290 in 2017, while the number of seasonal farm workers decreased from 7,855 to 5,734. The migrant worker student population totaled 20 during the 2019-20 school year, an increase of two students since the 2016-17 school year.

¹⁹ California Government Code Section 65583 (a) (7) at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65583. Accessed March 20, 2022.

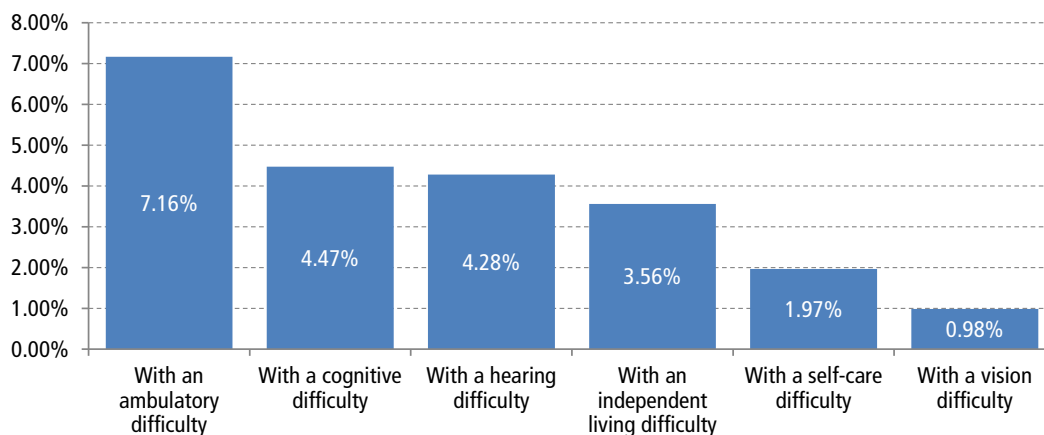
- **Persons experiencing homelessness.** According to a Point in Time Count provided by the Chief of Police, there is one homeless person who resides in St. Helena. Countywide, many of the persons experiencing homelessness report chronic substance abuse or mental illness.

People with Disabilities

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive and sensory impairments, many people with disabilities live on fixed incomes and need specialized care, yet often rely on family members for assistance due to the high cost of care.

When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs availability, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers. Figure 36 shows the rates at which different disabilities are present among residents of St. Helena. Overall, 11.9 percent of people in St. Helena have a disability of any kind.

Figure 36 Disability by Type



Universe: Civilian noninstitutionalized population 18 years and over

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. The Census Bureau provides the following definitions for these disability types: Hearing difficulty: deaf or has serious difficulty hearing. Vision difficulty: blind or has serious difficulty seeing even with glasses. Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions. Ambulatory difficulty: has serious difficulty walking or climbing stairs. Self-care difficulty: has difficulty dressing or bathing. Independent living difficulty has difficulty doing errands alone such as visiting a doctor's office or shopping.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

For the data table behind this figure, please refer to the Data Packet Workbook, Table DISAB-01.

Existing Resources

In-Home Supportive Services (IHSS), offered by Napa County, is a helpful resource to help allow persons with disabilities to find the help they need. IHSS offers personal in-home care services to low income aged, blind, and persons with disabilities who are at risk for out-of-home placement.

Gaps in Resources and Action Items

To address the unmet needs of people with disabilities in St. Helena, Programs H-BB, H-LL, and H-NN are included to directly improve housing accessibility and increase housing options for persons with disabilities. Program H-BB commits the City to pursuing State and Federal grants to gain funds necessary to construct and rehabilitate housing units accessible to persons with a disability. Program H-NN includes funding to assist with construction and rehabilitation of homes accessible to those with special housing needs. Program H-LL is designed to encourage developers to incorporate the needs of persons with disabilities.

People Living with Developmental Disabilities

Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them. Table 21 contains data on people with developmental disabilities in St. Helena. In St. Helena, of the population with a developmental disability, children under the age of 18 make up 38.1 percent, while adults account for 61.9 percent.

Table 21 People with Developmental Disabilities by Age, St. Helena

Age Group	Total
Age 18+	12
Age Under 18	20
Total	32

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (January 2022)

Existing Resources

There are several housing types appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types

of considerations that are important in serving this need group. Incorporating 'barrier-free' design in all, new multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income. The most common living arrangement for individuals with disabilities in St. Helena is the home of a parent, family member, or guardian (Table 22).

People living with developmental disabilities often face problems finding employment or a supportive housing. In Napa, Sonoma, and Solano counties, North Bay Regional Center aids those with developmental disabilities with the process of gaining employment and establishing independence, along with providing general community access and family support. North Bay Regional Center is one of twenty-one Regional Centers in California dedicated to assisting those with developmental disabilities. North Bay Regional Center is based out of the Napa County Airport Business Park located north of American Canyon, which is accessible from St. Helena via the 10 and 11 bus lines.

Gaps in Resources and Action Items

Recently, an eight-unit market rate fully ADA compliant housing development was completed in St. Helena, providing some much-needed housing to persons with special needs. The City wishes to encourage more ADA compliant developments to address the unmet needs of people with developmental disabilities. To pursue this goal, Program H-LL is included in the Housing Element to encourage new developments to allocate a portion of units being built to meet the needs of special needs groups, including people with developmental disabilities.

Table 22 People with Developmental Disabilities by Residence

Residence Type	Total
Home of Parent / Family /Guardian	31
Foster / Family Home	0
Independent / Supported Living	<11
Intermediate Care Facility	0
Community Care Facility	0
Other	0

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (January 2022)

Seniors

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility.

Senior Households

Table 23 shows data for households by age of householder for occupied housing units. As shown, in St. Helena, approximately 39 percent of households are 65 and older.

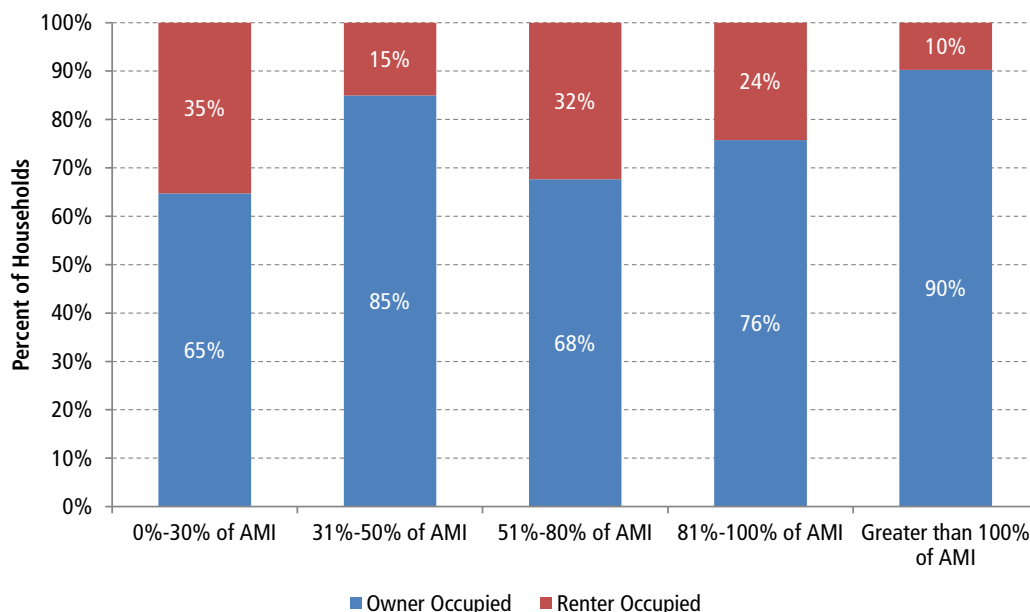
Table 23 Households by Age

Age	Number	Total by Grouping	Percent
Age 15-24	37	1,646	61%
Age 25-34	247		
Age 35-44	272		
Age 45-54	510		
Age 55-59	352		
Age 60-64	228		
Age 65-74	525	1,056	39%
Age 75-84	377		
Age 85+	154		
Total	2,702	2,702	100%

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of senior households who rent make 0-30 percent of AMI, while the largest proportion of senior households who are homeowners falls in the income group Greater than 100 percent of AMI (Figure 37).

Figure 37 Senior Households by Income and Tenure



Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

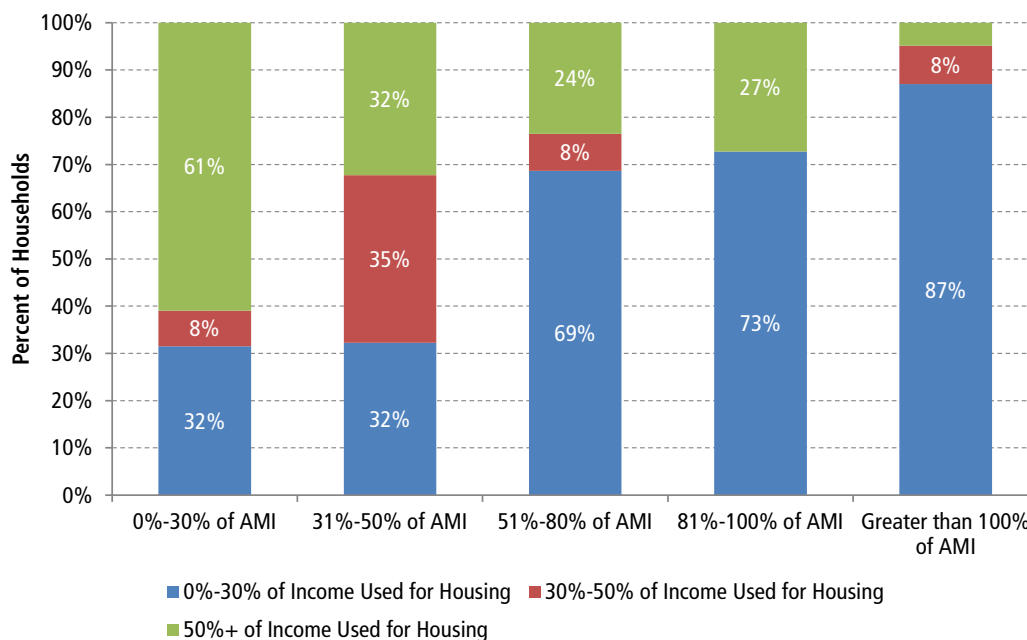
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-01.

Elderly Housing Cost Burden

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. 60.9 percent of seniors making less than 30 percent of AMI are spending the majority of their income on housing. For seniors making more than 100 percent of AMI, 87.0 percent are not cost-burdened and spend less than 30 percent of their income on housing (Figure 38).

Figure 38 Cost-Burdened Senior Households by Income Level



Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-03.

Existing Senior Housing Resources

Within St. Helena, there are 159 senior housing units, as shown on Table 24. With approximately 1,056 seniors households in the city, the city has a need for both market rate and affordable senior living facilities. The largest senior living facility, locally owned Silverado Orchards, has a residential capacity of 103. This facility is not income restricted. The only income restricted senior living facility, Woodbridge Village, has 50 units, with most being one-bedroom units. As a stark representation of the high demand and low supply of affordable senior living units, according to a manager at Woodbridge Village, there is a waiting list stretching several years to live in their affordable senior housing complex.

Table 24 Senior Housing Units, St. Helena.

Facility Name	Address	Tenure	Number of Units	Income Restriction
Silverado Orchards	601 Pope Street	Rent	103	No
Saint Helena Home Care	2011 Olive Avenue	Rent	6	No
Woodbridge Village	727 Hunt Avenue	Rent	50	Yes

Source: City of St. Helena, 2022; U.S. News, 2016.

Gaps in Resources and Action Items

Given the high proportion of St. Helena households that are senior, especially seniors aged 75 and older, it is important to work to address their housing needs. The Rianda house provides seniors with a meeting place and valuable information on topics ranging from housing and income-assistance to medical referrals, as a welcome and positive resource for seniors in St. Helena. There are still many needs of seniors that are not being met, however, and changes to St. Helena's housing policies could make it easier for seniors to age in place. Often, when seniors are released from a hospital stay and return to their own homes, they have trouble navigating inside the home and getting to neighborhood services like the grocery store and doctor's office.

The 2023-2031 Housing Element includes three programs directly related the senior housing.

- Program H-BB commits the City to pursuing funding for costs specifically associated with housing rehabilitation for lower income households and seniors. Such funding can help with the conservation of 20 units accessible to seniors, along with other units for persons with a disability.
- Program H-LL commits the city to encouraging new developments accessible to persons with special needs, which includes seniors. This program specifies 10 senior-accessible units being constructed in the next Planning Period.
- Program H-NN commits the City to pursuing federal and State funding for costs associated with both new construction and rehabilitation for lower-income households and seniors. Such funding can support the development of 20 units accessible to seniors.

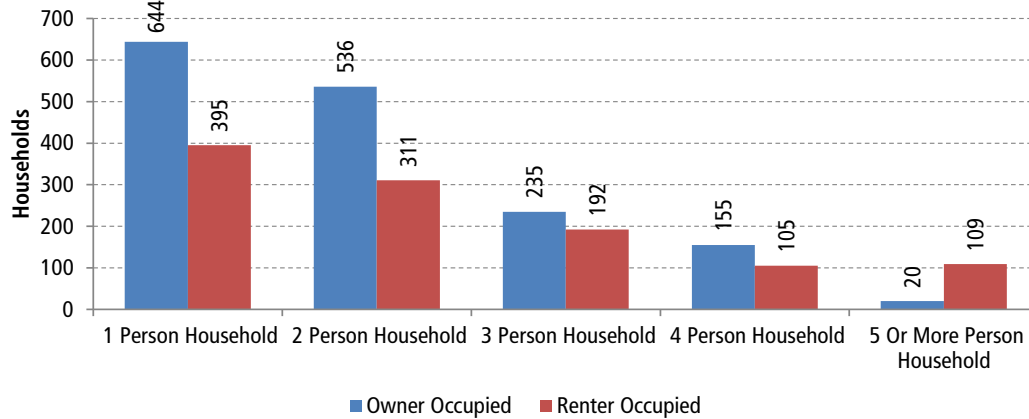
Additional policies and programs that the City should consider include zoning that encourages families to consider ADUs and JADUs to accommodate their aging relatives or caregivers. Such policies could also provide for more elder-friendly neighborhoods, improved lighting to increase visibility, and safe accessible sidewalks and walking paths.

Large Households

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In St. Helena, for large households with five or more persons, most units (84.5 percent) are renter occupied

(Figure 39). In 2017, 47.3 percent of large households were very low-income, earning less than 50 percent of the area median income (AMI).

Figure 39 Household Size by Tenure



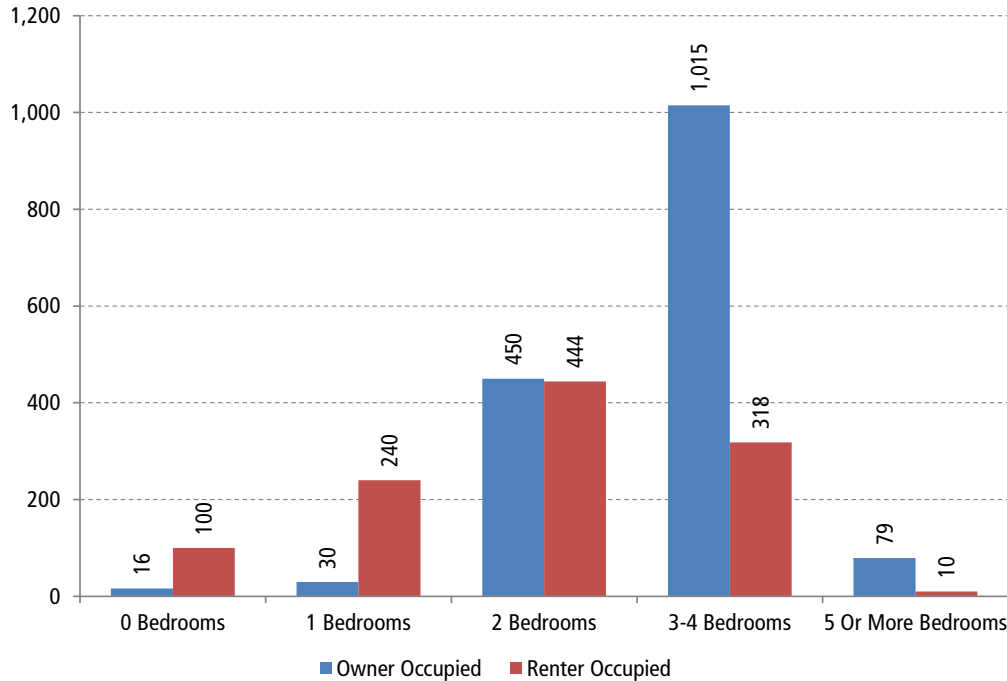
Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009 For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-01.

Existing Resources

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with three or more bedrooms, of which there are 1,422 units in St. Helena. Among these large units with three or more bedrooms, 23.1 percent are owner-occupied and 76.9 percent are renter occupied (Figure 40).

Figure 40 Housing Units by Number of Bedrooms



Universe: Housing units

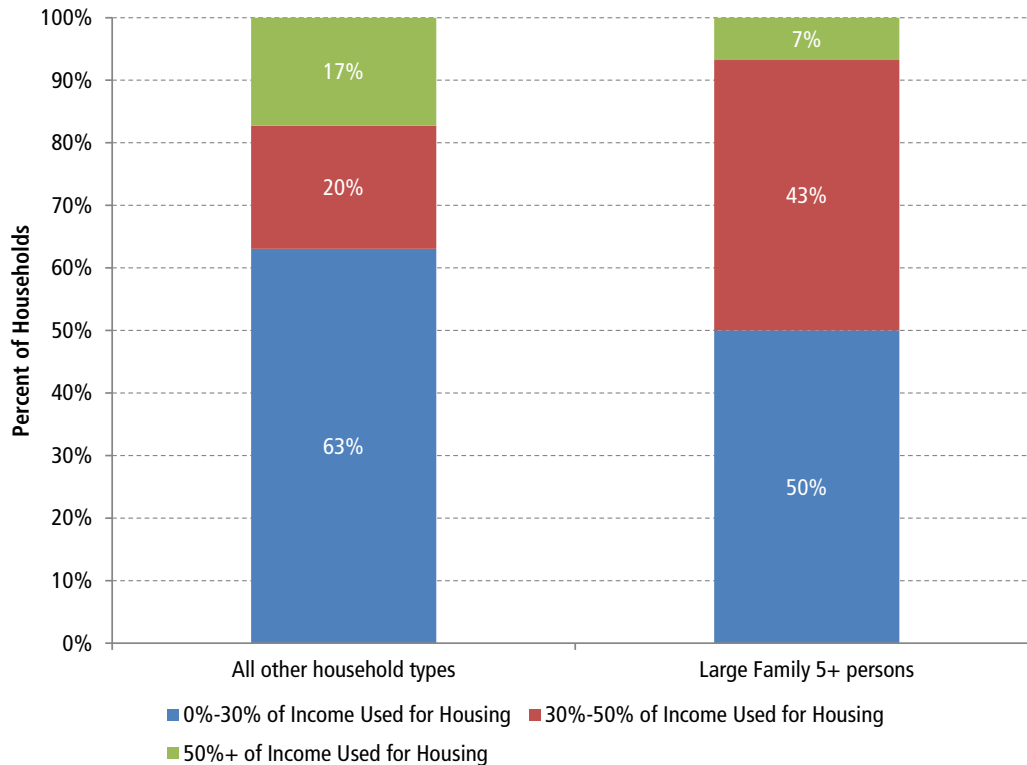
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042 For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-05.

Gaps in Resources

Large family households often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.

In St. Helena, 43.2 percent of large family households experience a cost burden of 30 to 50 percent, while 6.8 percent of households spend more than half of their income on housing. Some 19.7 percent of all other households have a cost burden of 30 to 50 percent, with 17.2 percent of households spending more than 50 percent of their income on housing (Figure 41).

Figure 41 Cost Burden by Household Size



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.

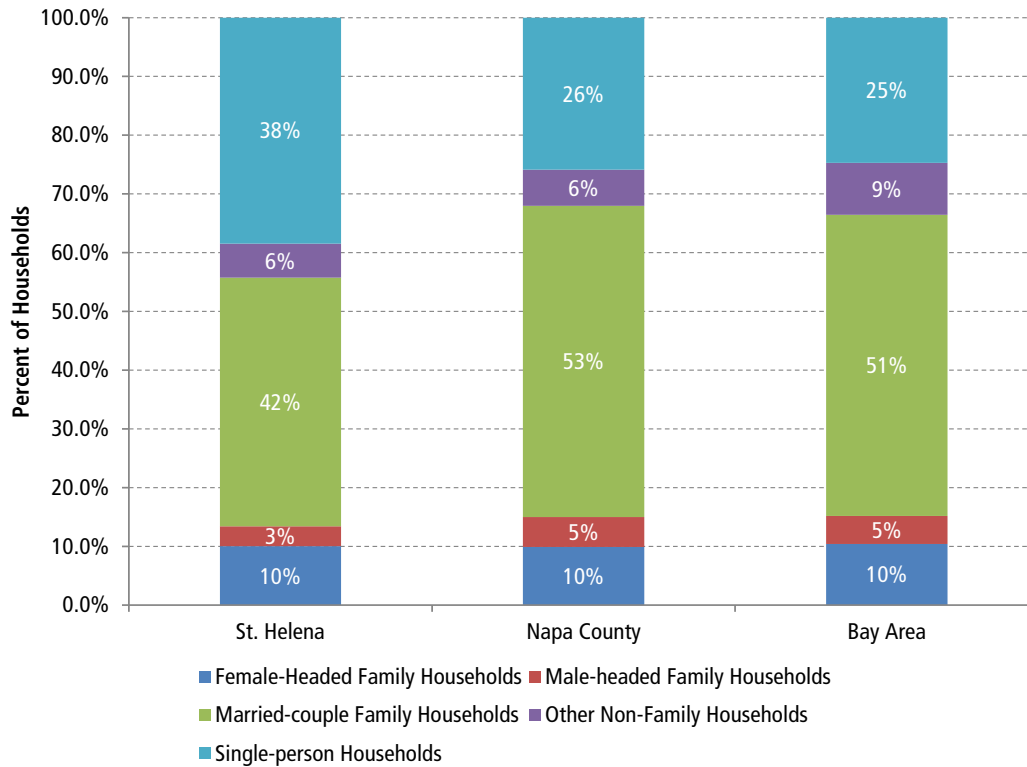
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-09.

Female-Headed Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. In St. Helena, the largest proportion of households is Married-couple Family Households at 42.3 percent of total, while Female-Headed Households make up 10.0 percent of all households (Figure 42).

Figure 42 Household Type



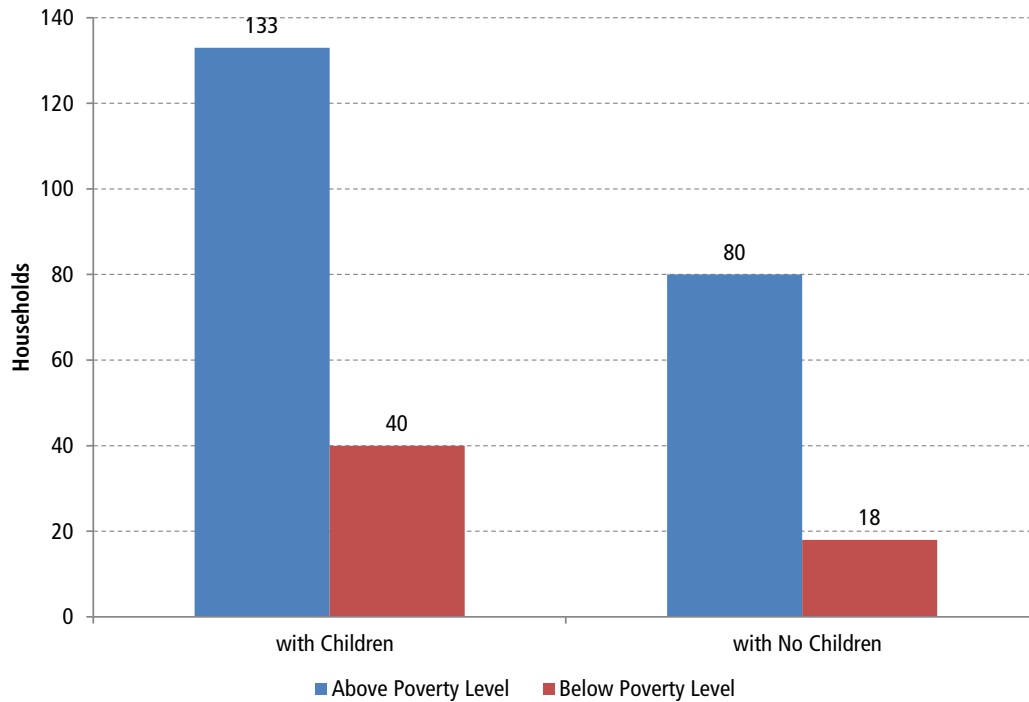
Universe: Households

Notes: For data from the Census Bureau, a "family household" is a household where two or more people are related by birth, marriage, or adoption. "Non-family households" are households of one person living alone, as well as households where none of the people are related to each other.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-23.

Female-headed households with children may face unique housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging. In St. Helena, 40 female-headed households with children fall below the Federal Poverty Line, while 18 female-headed households without children live in poverty (Figure 43).

Figure 43 Female-Headed Households by Poverty Status



Universe: Female Households

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012 For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-05.

Existing Resources

As discussed previously, childcare is a major concern for female-headed households, especially those with very young toddlers who need constant care and supervision. In St. Helena, the St. Helena Preschool For All, Inc. provides scholarships to low-income families to allow their children will be able to attend two years of preschool from ages 3 to 4. St. Helena Preschool for All, Inc. also partners with local childcare facilities, including Mila's Preschool and Childcare Center, to help facilitate their program.

Gaps in Resources and Action Items

St. Helena's northwestern area contains a higher proportion of female single-parent households compared to the rest of St. Helena and most of Napa County. As such, the City recognizes the importance of meeting the needs of female-headed households within the city. A major cost to female-headed households and single-parent households is transportation. All sites in the sites inventory of this Housing Element, which projects possible housing locations for the planning period, are located within walking distance of the no. 10 bus route, which enables direct connection to Napa or Calistoga. Additionally, all sites are within proximity of the central commercial district of St. Helena, which allows for cheaper, easier access to markets and commercial services.

Farmworkers

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

Table 25 estimates the migrant worker student population between 2016 and 2020. In St. Helena, the migrant worker student population totaled 20 during the 2019-20 school year, an increase of two students since the 2016-17 school year. The trend for the region for the past few years has been a decline of 2.4 percent in the number of migrant worker students since the 2016-17 school year. The change at the county level is a 19.4 percent increase in the number of migrant worker students since the 2016-17 school year.

Table 25 Migrant Worker Student Population

Academic Year	St. Helena	Napa County	Bay Area
2016-17	18	903	4,630
2017-18	12	1,173	4,607
2018-19	22	1,090	4,075
2019-20	20	1,078	3,976

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

This table is included in the Data Packet Workbook as Table FARM-01.

Table 26 presents an estimate of the total farmworkers in Napa County. Since 2007, the county has seen an increase in farmworker jobs. As of 2017, the county is reported to have more than 10,000 hired farm workers, of which 43 percent worked more than 150 days. The number of permanent farm workers in Napa County has increased since 2002, totaling 4,290 in 2017, while the number of seasonal farm workers has decreased, totaling 5,734 in 2017 (Figure 44). Notably, hired farm workers in Napa County represent a large proportion of the Bay Area's permanent (24.8 percent) and seasonal (31.4 percent) farm workers (Table 26).

Table 26 Farm Labor, Napa County

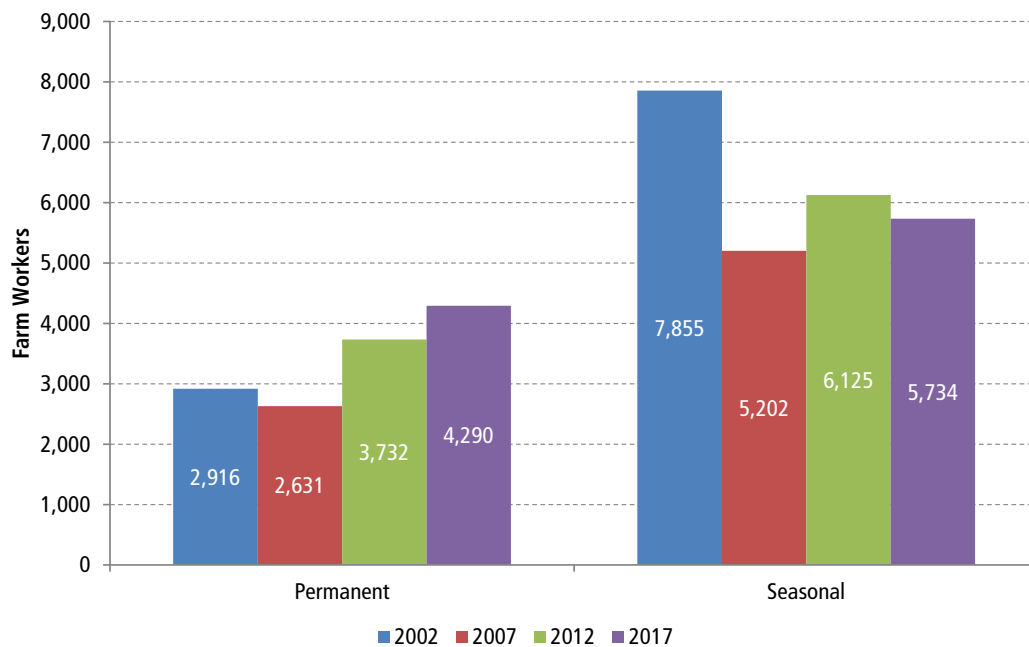
	2002	2007	2012	2017	County Distribution	Percent of Total Bay Area Farmworkers
Permanent	2,916	2,631	3,732	4,290	43%	24.80%
Seasonal	7,855	5,202	6,125	5,734	57%	31.40%
Totals	10,771	7,833	9,857	10,024	100%	28.20%

Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)

Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor

Figure 44 Farm Labor by County, Napa County



Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)

Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor For the data table behind this figure, please refer to the Data Packet Workbook, Table FARM-02.

Existing Resources

Five different kinds of housing exist for farmworkers in Napa County: farmworker centers, owned and operated by the Napa County Housing Authority (NCHA); private accommodations designated for agriculture employees that accommodate five or more employees and are monitored by the Napa County Department of Environmental Management; private accommodations designated as farm labor dwellings accommodating fewer than five residents, private apartments or other housing rented or owned by farmworkers; and affordable housing projects subsidized by the County and by incorporated cities, some of which have units set aside specifically for farmworker households.

Gaps in Resources and Action Items

Given the special housing needs of farmworkers in the region, the Housing Element contains Program H-H, which specifically encourages the development of more workforce or farmworker housing during the planning period through various incentives. Of the discussed incentives, most impactful is the City's commitment to explore opportunities to use funds from the City's Housing Trust Fund to help assist in the construction of farmworker housing. Additionally, programs H-E, H-I, H-KK, H-LL, H-NN also commit the City to exploring a variety of methods to better meet the housing needs of special needs households, including farmworkers.

Extremely Low-Income Households

Extremely-low income households are defined as households that make less than 30 percent of AMI, which equates to \$27,950 for a family of four. Approximately 395 households in St. Helena are extremely-low income households, which includes 215 homeowners and 180 renters (see Figure 11). The City currently estimates that there is a need for 52 additional housing units for extremely low-income households in the current planning period, which is 50 percent of projected very low-income housing needs (see Table 6).

Existing Resources

Currently, St. Helena has an estimated 214 units of deed restricted affordable housing, listed on Table 17. This figure stretches across the need for extremely low-, very low-, low-, and moderate-income housing. Given that there are 52 units needed for extremely low-income households, there is clearly a lack of adequate housing supply for extremely low-income households.

Beyond the availability of deed restricted affordable housing, there are a variety of resources available to assist extremely-low-income households with their recurring expenses. Extremely low-income households who are enrolled in the Supplemental Nutritional Assistance Program (SNAP), or any other qualifying government program, are eligible to be enrolled in the PG&E CARE Program, which allows for the lowest available electricity rates. Additionally, when households are enrolled in CARE, they are also permitted access to a fifty percent discount on their bill from the St. Helena Water District. The City also offers hardship payment agreements that can be arranged in person at City Hall to prevent water or sewer shutoff.

Gaps in Resources and Action Items

To help address the needs of extremely low-income households, numerous programs are included in this Housing Element to commit the City to preserving and expanding access to affordable housing to extremely low-income households. Program H-EE commits the city to continue reducing, deferring, or waiving the development fees for extremely low- and very low-income units. Program H-FF commits the City to prioritizing using the Affordable Housing Trust Fund to preserve existing or develop new extremely low-income housing units. H-II commits the City to continue supporting and participating in the Section 8 housing program with the City of Napa Housing Authority. Program H-OO commits the City to exploring the possibility of working with property owners of market rate multifamily complexes to convert some units to extremely low-income deed-restricted units.

Persons Experiencing Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term.

Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances. According to the City of St. Helena, there is one homeless person who resides in St. Helena. This data was provided by a point in time assessment by the Police Chief of the St. Helena Police Department in 2021.

Gaps in Resources

Countywide, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 53.7 percent are unsheltered. Of homeless households with children, most are sheltered in transitional housing (Table 27).

Table 27 Homelessness by Household Type and Shelter Status, Napa County

	People in Households Composed Solely of Children Under 18	People in Households with Adults and Children	People in Households without Children Under 18
Sheltered - Emergency Shelter	0	13	119
Sheltered - Transitional Housing	0	34	6
Unsheltered	0	5	145

Universe: Population experiencing homelessness

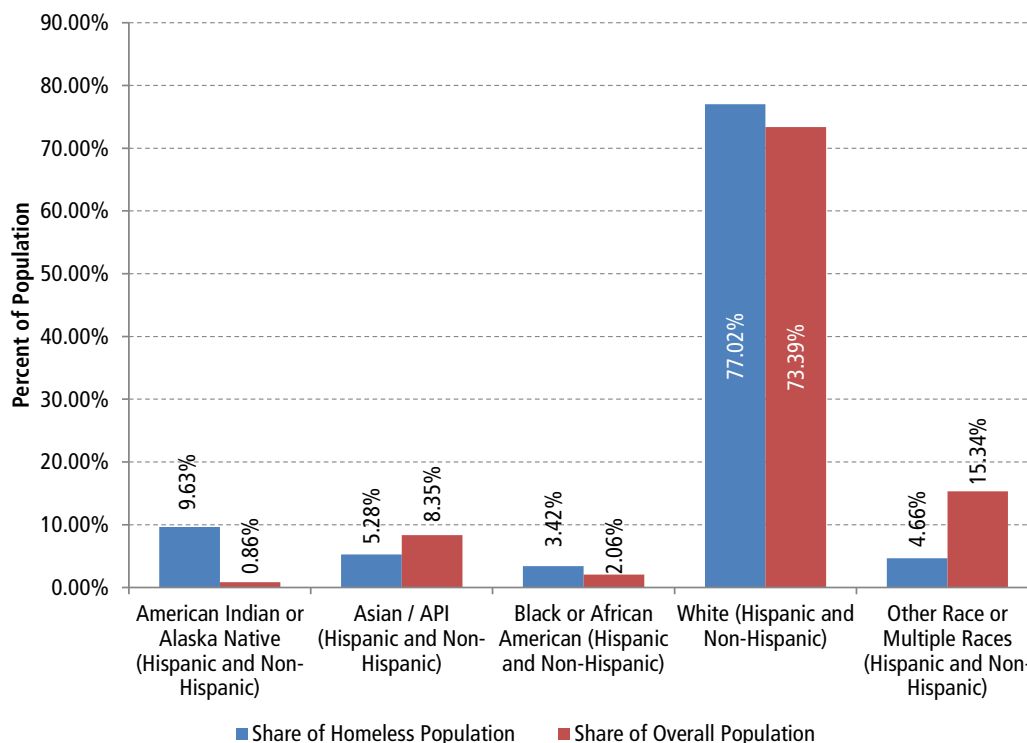
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-01.

People of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Napa County, White (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 77.0 percent of the homeless population, while making up 73.4 percent of the overall population (Figure 45).

Figure 45 Racial Group Share of General and Homeless Populations, Napa County

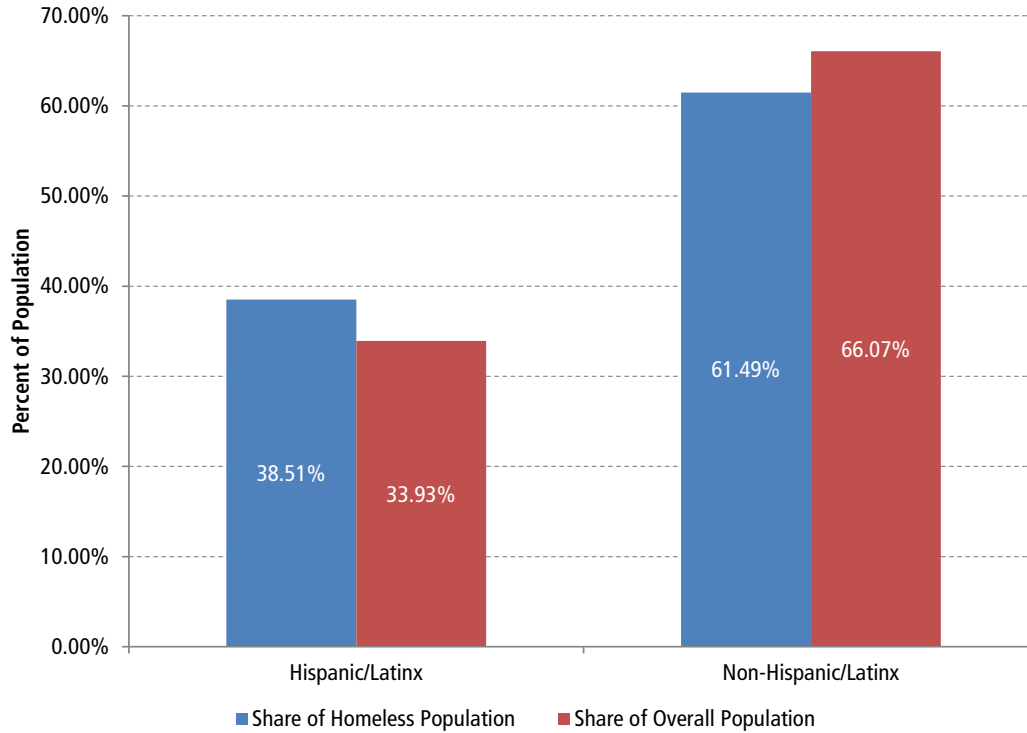


Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals. Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I) For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.

In Napa County, Latinx residents represent 38.5 percent of the population experiencing homelessness, while Hispanic or Latinx residents comprise 33.9 percent of the general population (Figure 46).

Figure 46 Hispanic or Latinx Share of General and Homeless Populations, Napa County



Universe: Population experiencing homelessness

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Napa County, homeless individuals are commonly challenged by severe mental illness, with 177 reporting this condition (0). Of those, some 44.1 percent are unsheltered, further adding to the challenge of handling the issue.

Table 28 Characteristics for the Population Experiencing Homelessness, Napa County

	Chronic Substance Abuse	HIV/AIDS	Severely Mentally Ill	Veterans	Victims of Domestic Violence
Sheltered - Emergency Shelter	70	0	91	8	11
Sheltered - Transitional Housing	0	0	8	0	4
Unsheltered	91	1	78	6	17

Universe: Population experiencing homelessness

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

In St. Helena, there were no reported students experiencing homelessness in the 2019-20 school year (Table 29). Napa County has seen a 29.1 percent decrease in the population of students experiencing homelessness, and the Bay Areas as a whole experienced an 8.5 percent decrease. However, during the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

Table 29 Students in Local Public Schools Experiencing Homelessness

Geography	2016-17	2017-18	2018-19	2019-20
St. Helena	0	0	0	0
Napa County	381	433	249	270
Bay Area	14,990	15,142	15,427	13,718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

Existing Resources & Action Items

Given the documented need for emergency shelters in Napa County, St. Helena is subject to Government Code Section 65583(a) (4). This code section, which became effective as of January 1, 2008, requires jurisdictions to designate zoning districts adequate for facilities to accommodate the identified need for emergency shelters, wherein emergency shelters must be allowed without a conditional use or other discretionary permit.^{20 21} The City is in compliance, as emergency shelters are currently a permitted use by-right in the Service Commercial and Industrial zones.

²⁰ Building Block for Effective Housing Elements, "Adequate Sites Inventory and Analysis: Zoning for Emergency Shelters and Transitional Housing". http://www.hcd.ca.gov/hpd/housing_element2/SIA_variety.php. Accessed February 14, 2014.

²¹ Senate Bill 2, Chapter 633. Amendment to Acts 655582, 65583 and 65589.5. Approved by Governor on October 13, 2007. Effective January 1, 2008. Accessed February 17, 2014.

The City is in compliance with State laws related to emergency shelters, supportive housing, and transitional housing. Emergency shelters are identified as a by-right use in the I and SC zoning districts. According to a Point in Time Count provided by the Chief of Police, there is one homeless person who resides in St. Helena. There are several parcels in these zones that can accommodate an emergency shelter, including APN 009-580-022-000 (I zoning district) and APN 009-194-005-000 (SC zoning district). These parcels are vacant, habitable, and in proximity to transportation and services. Combined, they total 1.48 acres and can provide capacity for 15 beds, by conservative assumption of 10 beds/acre. In addition, the City must allow transitional housing, as defined in Section 50675.2 of the Health and Safety Code, and supportive housing, as defined in Section 50675.14 of the Health and Safety Code, as residential uses. As required by state law, transitional and supportive housing must be subject only to the same permitting process as other similar residential uses in the same zone without undue special regulatory requirements. For example, a proposed multifamily supportive housing project would be subject to the same permitting process as any other similar multifamily development in the same zoning district. As required, the City allows transitional and supportive housing in all residential, commercial, and mixed use districts, subject only to the requirements of residential uses.

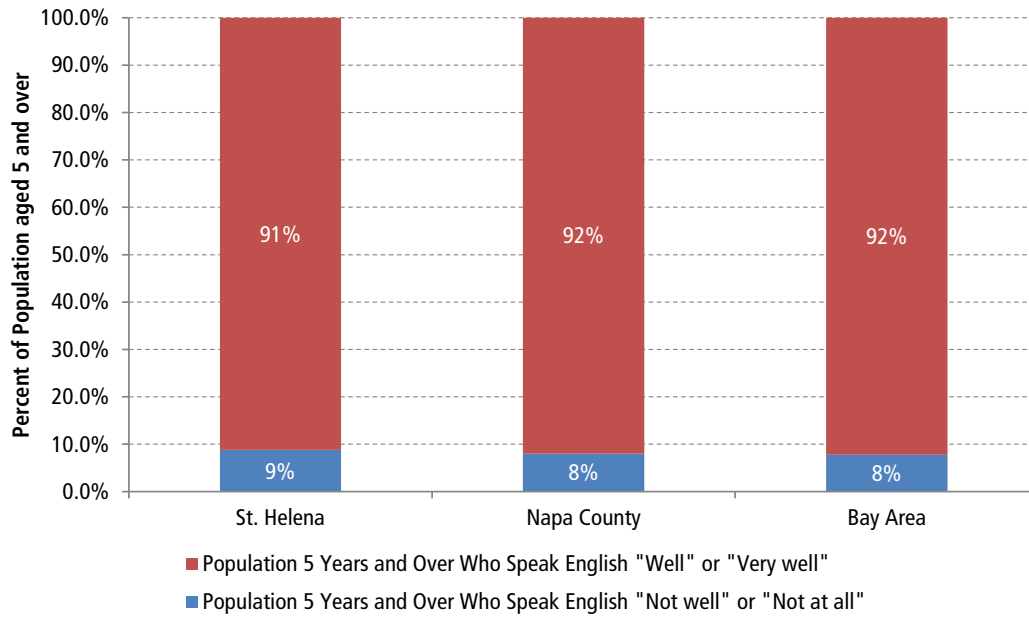
Emergency shelters, transitional housing, and supportive housing are subject to subjective design review, which poses a significant constraint to development. To overcome this constraint, Program H-F commits the City to adopting objective design standards, as well as a by-right streamlined review process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330.

Non-English Speakers

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights, or they might be wary to engage due to immigration status concerns.

Figure 47 shows population data by English proficiency. In St. Helena, nine percent of residents five years and older identify as speaking English not well or not at all, which is slightly higher than the proportion for Napa County. Throughout the region the proportion of residents five years and older with limited English proficiency is nine percent.

Figure 47 Population with Limited English Proficiency



Universe: Population five years and over

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005 For the data table behind this figure, please refer to the Data Packet Workbook, Table AFFH-03.

8. Non-governmental and Governmental Constraints

Constraints on the development of housing are divided into non-governmental constraints and governmental constraints. Non-governmental constraints include the price of land, cost of construction, flooding, conservation easements and long-term vineyard leases, and a lack of rental accessory dwelling units. Potential governmental constraints include land use controls, codes and code enforcement, on and off-site improvements, fees and exactions, processing and permit procedures, and regulations affecting housing for persons with disabilities.

Key Findings

- The possible non-governmental constraints discussed include the price of land, cost of construction, flooding, conservation easements and long-term vineyard leases, and a lack of rental accessory dwelling units. Land costs represent a significant component of the cost of housing development in St. Helena because the high price of vacant land. The cost of construction in St. Helena higher than the state average and further constrains development. Overall housing production costs for both single-family and multiple-family rental development indicate that a subsidy would probably be necessary for some moderate-income households, and all lower income households to own or rent new units in St. Helena.
- The governmental controls analyzed in this section were land use controls, codes and enforcements, on-and off-site improvements, fees and exactions, processing and permit procedures, and regulations affecting housing for persons with disabilities. The land use controls including zoning and current General Plan land use designations do not constrain residential development; however, some changes are necessary to streamline the design review process.
- The Growth Management System (GMS) does not appear to place an undue burden on market rate development, since there has never been a year when the demand for residential building permits has exceeded the number of available permits. Furthermore, housing projects affordable to households at up to 120 percent of AMI are exempt from the GMS. Due to recent state laws, the GMS is not currently enforceable.
- The on- and off-site improvement standards related to water, sewer, parking, and other miscellaneous regulations impact housing development in a variety of different ways. Sewer capacity is sufficient to support additional development. Water capacity during a normal year is sufficient and is expected to remain sufficient through 2023, but there will always be water shortages in dry years. The City has demonstrated its commitment to providing water and sewer service to affordable housing developments, and has included a program committing the City to continue to do so throughout the planning period.
- Neither the building codes nor the building fees represent a governmental constraint to development. St. Helena adopted the 2019 California Building Codes Standards, and although they have made some

changes to the Code such as seismic control measures, these changes were necessary for safety and do not unduly affect housing production. The fee structure for both single-family and multiple-family development reflects the costs of the development to the City, and therefore does not present an unnecessary constraint on residential development.

- The City works diligently to process applications quickly and without unnecessary delay. Permitting and processing procedures and timelines for residential development, both single and multifamily, are not a constraint to development.

Non-governmental Constraints

Price of Land

According to Zillow.com, there were approximately eighteen vacant lots for sale in St. Helena in March 2022, though many are large and in undeveloped rural areas. Sales are reported between \$229,000 and \$17,500,000 for properties ranging in size from less than one acre to 280 acres. A public comment made during a community workshop indicated that larger vacant sites tend to be located near or beyond the urban limit.

Table 30 Price of Vacant Land, March 2022

Site	Acres	List Price	Price per Acre
10 Acres or Less	0.35	\$525,000	\$1,500,000
	0.74	\$595,000	\$804,054
	1.00	\$375,000	\$375,000
	1.00	\$225,000	\$225,000
	1.00	\$975,000	\$975,000
	1.08	\$450,000	\$416,667
	1.14	\$5,000,000	\$4,385,965
	1.58	\$475,000	\$300,633
	2.40	\$1,000,000	\$416,667
	5.01	\$1,850,000	\$369,261
	10.00	\$2,695,000	\$269,500
Total	25.30	\$14,165,000	\$559,881

Site	Acres	List Price	Price per Acre
More Than 10 Acres	15.90	\$3,995,000	\$251,258
	23.09	\$2,950,000	\$127,761
	32.00	\$17,500,000	\$546,875
	92.72	\$229,000	\$2,470
	110.63	\$1,795,000	\$16,225
	160.69	\$549,500	\$3,420
	280.00	\$649,000	\$2,318
Total	715.03	\$27,667,500	\$38,694

Source: Zillow.com, accessed March 28, 2022.

Construction Costs

Construction costs include both hard costs, such as labor and materials, and soft costs, including architectural and engineering services and development fees. Average residential construction costs in St. Helena begin at \$300 to \$700 per square foot, which is higher than statewide averages, which are currently ranging between \$131 per square foot to \$195 per square foot.²² High-end, custom-built single-family homes, both locally and statewide, can cost more than \$500 per square foot. Soft costs (including architectural and engineering fees, property taxes during construction, city and utility fees, and construction loan interest and fees) typically increase these costs by approximately 35 to 40 percent. Construction costs can be higher if lots require substantial site work due to steep slopes, unstable soils, waterways, and other environmental concerns.

Public comments made during Housing Element workshops indicated that construction costs are a major constraint to the production of affordable housing, and that 100 percent affordable projects are not profitable without public subsidies, grant funding, or other public investment.

Flooding

Napa Valley areas near the Napa River and along some of its tributaries are prone to flooding. Napa River flows are largely influenced by precipitation; peak flows generally occur in January and February. Some of the worst flooding in the immediate area of St. Helena has occurred in and around the Vineyard Valley Mobilehome Park, which is near the confluence of Sulphur Creek and the Napa River. Flood hazards also exist in the York Creek and Sulphur Creek Watersheds in St. Helena.

²² Local estimate provided by city staff communication with Joe McGrath in March 2022. Statewide estimate sourced from: ProMatcher Home Construction, California Home Construction Costs & Prices, provided at <https://home-builders.promatcher.com/cost/california.aspx>

All new construction and substantial improvements in special flood hazard areas as defined by the Federal Emergency Management Agency are required to comply with the provisions of Municipal Code Chapter 15.52 "Flood Damage Prevention." The development standards are intended to meet, if not exceed, minimum National Flood Insurance Program (NFIP) criteria for requirements for floodplain management regulations. New development in these areas is required to assure that proposed development: 1) is designed or modified and anchored to prevent flotation, collapse and lateral movement of the structure; 3) uses construction materials and utility equipment that are resistant to flood damage; and 4) uses construction methods that minimize flood damage. In addition, projects must be elevated 18 inches above the base flood elevation.

Conservation Easements and Vineyard Leases

Agricultural land in St. Helena is valued for both a productive agricultural land and as open space that helps shape the character of St. Helena. Focus Group members and community workshop participants expressed, however, that conservation easements and long-term vineyard leases are a barrier housing production in the City. Sites included in the available sites inventory were screened for these constraints.

Lack of Rental Accessory Dwelling Units (ADUs)

While ADUs are often a less expensive housing option, Focus Group members and community workshop participants expressed that many ADUs in the City are not being rented, but are being used as additional square footage for the primary resident, a friend, a relative, or as a vacation rental. Programs H-Q, H-R, and H-S, work to encourage and incentivize development of accessory dwelling units.

Availability of Financing

A number of funding opportunities are currently available to support affordable housing development and the creation and preservation of homeownership opportunities. The Department of Housing and Community Developments lists active programs with current funding available to developers, non-profits, and local governments online. Statewide programs available for affordable housing development include Community Development and Block Grant (CDBG), Emergency Solutions Grants (ESG), HOME Investments Partnerships Programs (HOME), Housing for Healthy California (HHC), and the Multifamily Housing Program (MHP), among others. Programs available for homeowners or to assist in the creation or preservation of homeownership opportunities include CalHome, the Foreclosure Interventions Housing Preservation Program, and Homeownership Super NOFA. For a complete list, please see <https://www.hcd.ca.gov/programs-active>. Additionally, policies and programs under Goal 4: Assistance to Support Affordable Housing work to address non-governmental constraints by committing the City to seek additional funding opportunities to support affordable housing development, work to reduce fees for developers for affordable housing developers, and pursue mortgage credit certificates to assist prospective homeowners.

Governmental Constraints

Local government can directly influence housing production cost through land use controls, building codes, on and off-site improvement standards, fees and exactions, processing and permit procedures, regulations affecting housing for persons with disabilities, locally adopted ordinances, and with government codes and enforcement. This section discusses each of these topics and identifies the governmental controls that may adversely affect housing production.

Land-Use Controls

St. Helena has a variety of land use controls to maintain the standard of living, local environment, and safety of its residents. The two major instruments dictating land use control in the City are the Zoning Code and General Plan, which affect housing production because they determine the location, amount of land, development standards, and density of housing. These tools, as well as the City's agricultural preservation measures are discussed in this section.

Preservation of Agricultural Land

One major overarching theme and goal of the City's land use controls is to encourage in-fill development while preserving land for agriculture. The agricultural soils of St. Helena are identified as Prime Farmland by the California State Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. The wines produced from the grapes in this region achieve international recognition for their superb quality, sustaining an industry at the heart of the City and region's economy.

Roughly one-half of the 3,254 acres within the incorporated limits of the City are considered urbanized area. This portion of the St. Helena is defined by an Urban Limit Line (ULL) which denotes the area within which urban development is allowed. Cities use ULLs to establish where they intend to encourage and discourage land development through public-infrastructure investments, land-use regulations, land acquisitions, and other actions. Within the ULL, cities typically adopt land use policies that encourage urban development (i.e., in-fill development). Outside the ULL, cities set aside lands to be used for less urban land uses, such as preserving land for agriculture and open space. There are 1,779 acres of land outside of the ULL, but inside the incorporated limits of the City of St. Helena. Most of this land is farmed and planted for vineyards.

Zoning Code

Title 17 of the St. Helena Municipal Code outlines both the residential and nonresidential zoning designations. Table 31 provides a list of all of the residential zoning districts as well as information on the rights and requirements associated with each district. Residential uses are permitted, subject to design review, in the following zones: Twenty-Acre Agriculture (A-20), Winery (W), Woodland Watershed (WW), Agricultural Preserve (AP), Low Density Residential One Acre Minimum (LR-1A), Low Density Residential (LR), Medium Density Residential (MR), and High Density Residential (HR). Table 31 shows permitted residential uses by zoning district.

Table 31 Zoning Districts that Permit Residential Uses

Residential Use	Zoning District							
	A-20	W	WW	AP	LR-1A	LR	MR	HR
Agricultural Employee Housing	P	P	P	P	P	P	P	P
Dwelling, Accessory Dwelling Unit (ADU)	P	P	P	-	P	P	P	P
Dwelling, Duplex (new)	-	-	-	-	-	-	UP	P
Dwelling, Multiple-Family	-	-	-	-	-	-	-	P
Dwelling, Multiple-Family (key housing sites only)	-	-	-	-	-	-	P	P
Dwelling, Single-Family	P	P	P	P	P	P	P	P
Dwelling, Triplex (new)	-	-	-	-	-	-	UP	P
Intermediate Care Facility (seven or more persons)	-	-	-	-	UP	UP	UP	UP
Intermediate Care Facility (six or fewer persons)	-	-	-	-	P	P	P	P
Mobile/Manufactured Homes	-	-	-	-	P	P	P	P
Residential Care Facility (seven or more persons)	-	-	-	-	UP	UP	UP	UP
Residential Care Facility (six or fewer persons)	-	-	-	-	P	P	P	P
Single Room Occupancy	-	-	-	-	-	-	-	P
Supportive Housing	P	P	P	P	P	P	P	P
Transitional Housing	P	P	P	P	P	P	P	P
P = Permitted; UP = Use Permit Required; (-) = Not Permitted								

Source: City of St. Helena, 2022.

Note: For an expanded table with more uses, notes on conditions, and zones where residential uses are conditionally permitted, see Table 42.

In terms of units per acre, the lowest allowable density is in the AP district. The AP district permits, by right, one single-family dwelling per lot, agricultural employee housing (up to 36 beds or 12 units), supportive housing, and transitional housing. The A-20 and W districts allow one single-family dwelling and one second unit by right on 20 acres of land. With a Use Permit, these districts can accommodate more than one single-family dwelling, as well as farm labor housing above the initially permitted density. Both the LR and LR-1A districts permit by right single-family dwellings, mobile and manufactured homes, and intermediate and residential care facilities for six or fewer persons. In addition, both districts permit as a conditional use single-family dwellings at less than one unit per acre and intermediate and residential care facilities for seven or more persons.

The MR district allows the same uses as the LR district and also allows duplexes and triplexes with a Use Permit. Unlike the previously mentioned districts, the MR district allows multiple-family dwelling projects that are located on "key sites" subject to design review. The HR district, in addition to allowing the same residential uses as the LR and MR districts, permits multiple-family dwellings, apartments, and dwelling groups containing four units or less. With a Use Permit, structures with more than four units, multiple-family dwellings,

apartments, and dwelling groups are permitted. The HR district is the only district that permits single room occupancy units (SROs).

In addition to the residential districts described above, some overlay districts can affect the type and amount of housing that can be built, including the Planned Development, Rural-Residential, Specific Plan, Historic Preservation, and Mobile Home Park overlay district. An overlay district expands upon the regulations already set by the underlying zoning district. For example, the Planned Development Overlay District (PD) allows for a wider variety of development, including mixed-use development not otherwise allowed in the Zoning Code. The PD zone is often applied to large pieces of land and requires approval of a rezoning and a conditional use permit application.

Table 32 shows density and intensity ranges allowed in the Zoning Code for each zoning district in dwelling units per acre (du/ac), or Floor Area Ratio (FAR) for commercial districts. Table 33 shows development standards by zoning district. As shown, density is allowed up to 28 dwelling units per acre and development standards are minimal, required setbacks for residential development are between 10 and 30 feet, depending on the zone, and minimum unit sizes are not regulated in residential zones. Further, the HDR zone, the City's primary multifamily zone, allows three-story developments up to 35 feet in height. Finally, the City is in the process of creating a new Mixed-Use zone to increase residential capacity in previously commercial and professional office districts.

Development standards related to maximum lot coverage and height pose potential constraints to multifamily affordable housing development. Currently the City allows 45 percent lot coverage and a maximum height of 30 feet in the MR and HR zones. Due to the potential to constraint affordable housing development, the City has, in the proposed Draft Zoning Code and in Program H-N: Zoning to Facilitate Higher Density Housing included development standards and actions, respectively, that commit the City to increasing lot coverage to 55 percent and maximum height to 42' (three stories) in the HR zone and on multifamily sites in the MR zone. Please note that the MR zone is a single-family zone, but the zoning code has been updated to allow multifamily uses on housing opportunity sites identified in the 5th Cycle Housing Element Update. Additionally, the program commits the City to allowing minor modifications to these standards that can be approved by the Community Development Director without a public hearing. Minor modifications should include up to 10 percent modification to maximum lot coverage and up to five percent (or two feet, whichever is greater) modification in maximum height.

Table 32 Density/Intensity Standards by Zoning District

Residential Zoning District	Corresponding General Plan Land Use Designation(s)	Minimum Density of Land Use Designation	Maximum Density of Land Use Designation
A-20	Agriculture	Min. 5 acres/parcel	Max. 40 acres/parcel
W	Woodland and Watershed	Min. 5 acres/parcel	No maximum
WW	Woodland and Watershed	Min. 5 acres/parcel	No maximum
AP	Agriculture	Min. 5 acres/parcel	Max. 40 acres/parcel
LR-1A	Low Density Residential	1.0 du/ac	5.0 du/ac
LR	Low Density Residential	1.0 du/ac	5.0 du/ac
MR	Medium Density Residential	5.1 du/ac	16.0 du/ac
HR	Higher Density Residential	16.1 du/ac	28.0 du/ac
CB	Central Business	N/A	Max. FAR 2.0
SC	Service Commercial	N/A	Max. FAR 0.5
BPO	Business and Professional Office	N/A	Max. FAR 0.5
Mixed Use ¹	Mixed Use	12 du/ac	20 du/ac

1: The City has adopted a new mixed-use designation within the 2040 General Plan Update and has released a Draft Comprehensive Zoning Code Update that includes a new Mixed-Use zone. Because the sites inventory assumes rezoning land to the new Mixed-Use zoning district, mixed-use development standards are shown in this table based on the October 2022 Public Review Draft Zoning Code.

Source: City of St. Helena, 2022.

Table 33 Development Standards by Zone

Residential Zone	LR	LR-1A	MR	HR
Development Standards				
Maximum lot coverage	35%	35%	45%	45%
Maximum height of principal building	30 feet	30 feet	30 feet	30 feet (if 4 du or less) 35 feet (if 5 du or more)
Maximum height of accessory building	15 feet	15 feet	15 feet	15 feet
Maximum floor area ratio (FAR)	Dictated by Parcel Size See SHMC 17.32.070	Dictated by Parcel Size See SHMC 17.32.060	Dictated by Parcel Size See SHMC 17.40.070	Dictated by Parcel Size See SHMC 17.40.070
Maximum width	=< 60% of lot width, subject to further requirements in SHMC 17.32.060	=< 60% of lot width, subject to further requirements in SHMC 17.32.030	=< 60% of lot width, subject to further requirements in SHMC 17.32.030	N/A
Minimum Unit Size	N/A	N/A	N/A	N/A
Minimum standards for parcels except for flag lots and small lots				
Lot Area	7,000 sq feet	1 acre	7,000 sq ft	7,000 sq ft
Lot width	70 feet	70 feet	70 feet	70 feet
Lot frontage	70 feet	70 feet	70 feet	70 feet
Minimum standards for structures with a maximum height of twenty-five (25) feet or less				
Front setback	20 feet	20 feet	20 feet	20 feet
Side setback	20 feet	20 feet	20 feet	20 feet

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Side yard	10 feet	10 feet	10 feet	10 feet
Rear yard	20 feet	20 feet	20 feet	20 feet
Minimum standards for structures with a maximum height greater than twenty-five (25) feet and thirty (30) feet or less				
Front setback	30 feet	30 feet	30 feet	N/A
Side setback	30 feet	30 feet	30 feet	
Side yard	15 feet	15 feet	15 feet	
Rear yard	30 feet	30 feet	30 feet	

Nonresidential Zones				
Non-Residential Zone	CB	SC	BPO	Mixed Use ¹
Development Standards				
Maximum lot coverage	10,000 sq feet. of floor	10,000 sq feet of floor area	N/A	Max. 15,000 sq feet per building
Maximum height of principal building	35 feet or 30 feet if abutting residential use	35 feet	30 feet	Pitched roof: 45 ft/3 stories; 30 ft/2 stories within 20 feet of a residential district. Flat roof: 40 ft/3 stories; 26 ft/2 stories within 20 feet of a residential district
Maximum height of accessory building	35 feet or 30 feet if abutting residential use	35 feet	N/A	16 feet
Maximum floor area ratio (FAR)	2.0	0.5 by General Plan designation	0.5 by General Plan designation	1.0, inclusive of residential uses
Maximum width	N/A	N/A	N/A	Min. 50% of lot width
Minimum Unit Size	200 sq feet	200 sq feet	N/A	N/A
Lot Area	5,000 sq feet	10,000 sq feet	7,000 sq ft	5,000 sq ft
Lot width	N/A	70 feet	N/A	45 feet
Lot frontage	N/A	70 feet	N/A	70 feet
Minimum Setbacks				
Front setback	0 feet, or 10 feet if abutting residential use	35 feet	20 feet	Nonresidential: Max 10 feet; Residential: No setback allowed north of Mitchell Dr.; 5-15 ft everywhere else
Side setback	0 feet, or 10 feet if abutting residential use	25 feet	10 feet	0 feet on street side; 10 ft. abutting a residential district
Side yard	0 feet, or 10 feet if abutting residential use	10 feet/floor	10 feet	N/A
Rear yard	0 feet, or 10 feet if abutting residential use	15 feet, or 20 feet if abutting residential use	15 feet	0 ft; 10 ft. abutting a residential district

** The standards contained in this table are "typical" and are for illustrative purposes only. More specific development regulations and exceptions may apply. See Chapter 17 (Zoning) of the Municipal Code for additional development standards and requirements.*

1: The City has adopted a new mixed-use designation within the 2040 General Plan Update and has released a Draft Comprehensive Zoning Code Update. Because the sites inventory assumes rezoning land to the new Mixed Use zoning district, mixed-use development standards are shown in this table based on the October 2022 Public Review Draft Zoning Code. Source: St. Helena Municipal Code, Title 17; St. Helena Public Review Draft Zoning Code Update, October 2022.

Overlay Zones

The Zoning Code outlines standards for several overlay zones that allow residential uses. The following summarizes each of these overlay zones.

Historic Preservation Overlay Zone. The purpose of the HP overlay district regulations is to preserve the unique architectural character of those certain specific structures which have contributed to the city's historic development. No permits for remodeling or demolition shall be issued for properties within the HP district which would result in exterior changes to building facades, structures, or to passageways providing inter-accessibility within a block, unless such change is approved by the planning commission. When it can be demonstrated to the satisfaction of the Planning Commission and City Council that preservation and/or restoration of designated properties cannot and is not economically viable, the City may grant certain incentives in the form of relaxation of certain provisions of this chapter only when it can be shown that such relaxation makes preservation or restoration economically feasible. The HP overlay zone does not impose additional development standards beyond those of the base zoning district.

Mobilehome Park Overlay (MHP) District. The purpose of the MHP mobilehome park overlay district is to provide, when combined with an underlying residential zoning district, a place which allows the establishment and operation of mobilehome parks. The city of St. Helena's MHP mobilehome park regulations are intended to complement and be subordinate to state law. The state law governing mobilehome parks is entitled the "Mobilehome Parks Act" and may be found in Division 13, Parts 2.1 and 2.3 of the California Health and Safety Code. Mobilehome park regulations are contained in the California Code of Regulations, Title 25, Division 1, Chapters 2 and 2.2. The city of St. Helena does not assume responsibility for the enforcement of the regulations contained therein and all mobilehome parks within the city remain subject to the jurisdiction of the California Housing and Community Development Department in its role as the enforcement agency for the above described State laws. Nothing contained in this chapter shall be construed to abrogate, void or minimize such other pertinent regulations and all pertinent state and city regulations concerning the development and operation of mobilehome parks shall be observed. Mobilehomes located within areas of special flood hazard are required to be in compliance with Chapter 15.52, Flood Damage Prevention. The MHP overlay district does not impose additional development standards beyond that of the base zoning district.

Planned Development Overlay (PD) District. It is the purpose of the PD planned development overlay district to encourage high quality, innovative and creative development in the city. The PD planned development overlay district is intended to provide for the consideration and approval of development plans

which serve public objectives more fully than development permitted under conventional zoning regulations. Planned development overlay districts are typically characterized by (in whole or in part): significant variations from the standards of the zoning ordinance, mixed land uses, a variety of housing types, the assembly of small parcels of land into a larger more effective unit, the preservation of open space, natural features or historical structures and structures with diverse building setbacks, lot sizes and building heights. The PD planned development overlay district may be combined with any existing zoning district provided both design and the proposed uses including density for residential land use designations can be found consistent with the policies of the General Plan. Development standards applicable to the zoning district which the planned development district is being combined shall be required unless modified in conjunction with approval of the planned development overlay district. The city shall address issues related to landscaping, parking, site design, ingress and egress, signage, lighting, relationship to adjoining properties and land uses, setbacks and yards and any other items toward achieving an integrated and compatible project within the city and environs.

Specific Plan Overlay (SP) District. The SP district is established to implement the policies of the general plan which call for the preparation and adoption of specific plans in certain areas of the community described in the general plan. In addition, the SP district is established to provide the city with the ability to require and/or to implement specific plans when the city council finds it necessary and appropriate. When applied to properties in advance of the adoption of a specific plan, the SP district serves to alert individuals to the requirement for a specific plan. When applied to properties after the adoption of a specific plan it serves to alert individuals to the policies and regulations of a specific plan. No new development will be approved within the specific plan areas designated in the general plan until a specific plan meeting the requirements of Section 65451 of the Government Code has been adopted by the city. The city council may determine that a site development plan for a specific property may be prepared in-lieu of a specific plan for the entire specific plan area. The site development plan shall be prepared and adopted prior to approval of new development. The site development plan shall include an analysis of infrastructure improvements as determined during review of a pre-application pursuant to Section 17.84.030. Based on the pre-application review, the city council shall determine the scope of the proposed specific plan or site development plan. The proposed specific plan or site development plan and associated documents shall be prepared under the supervision of the city with all costs paid by the property owners unless the city determines that all or a portion of the costs will be paid by the city. The SP Overlay district does not impose additional development standards, however standards for any specific plan should be developed under the supervision of the City, as stated previously.

Rural Residential Overlay (RR) District. It is the purpose of the RR rural-residential overlay district to identify those parcels within the city which are not serviced by city water or sewer and which have the ability to subdivide into additional parcels. Minimum lot sizes which are larger than the minimum lot sizes established for the underlying zoning district are required for parcels which do not have city water or sewer services. The following regulations shall apply in all districts with which are combined RR district. The only uses permitted shall be those uses permitted in the district with which the RR district is combined; provided, however, where water is available from a private well, the land may not be subdivided into less than one acre or if water is available from a mutual or utility company the land may be subdivided into parcels of twenty thousand (20,000)

square feet or greater as determined by the health officer of the city; or if sanitation and public water are available the land may be subdivided into parcels not less than ten thousand (10,000) square feet. "Health officer of the city" as used in this section, is defined to mean the official or officials of the city charged with the duty of enforcing the health ordinances of the city and the official or officials of any other governmental agency with whom the city has contracted for the enforcement of such ordinances.

Please note, the Rural Residential Overlay (RR) District is being deleted through the Comprehensive Zoning Code Update currently (2023) underway and scheduled for adoption in fall 2023.

General Plan

St. Helena adopted the current General Plan in 2019. The General Plan has a planning horizon of 2040. The city of St. Helena consists of approximately 3,254 acres. Of that total, 19 percent are designated for residential uses, four percent for commercial uses, 2.5 percent for business/industrial uses, and 69 percent for open space and agriculture.²³ Not all the land within the City Limits are available for development; rather approximately 1,475 acres within the Urban Limit Line (ULL) are eligible for development.²⁴ Thirteen land use designations cover the land in St. Helena.

The ULL contains land use designations including Low, Medium, and High Density Residential, Central Business, Service Commercial, Industrial, Business and Professional Office, Parks and Recreation, Public/Quasi-Public, Open Space and Agriculture. Some land outside, yet contiguous to the ULL has a General Plan designation of Urban Reserve (UR) indicating that it should be considered first if land outside the ULL is needed for development. All lands with a UR land use designation are zoned A-20.

Residential Growth Management System

The Residential Growth Management System (GMS) limits the number of building permits available for residential growth each year.²⁵ The stated purpose of the system is "to regulate the residential growth of the City to approximately two percent per year, while providing for both market rate and affordable housing units."²⁶ The GMS previously instituted a cap of 2,800 units by 2010, which resulted in a restriction of nine permits being issued per year. Program H-B commits the city to removing the GMS from the Zoning Code, thus removing this governmental constraint and further encouraging the construction of housing to meet RHNA goals.

²³ City of St. Helena General Plan Update 2040, Chapter Two Land Use and Growth Management. https://www.cityofstheleena.org/sites/default/files/fileattachments/planning_resources/page/3505/final_plan_compiled.pdf January 27, 2022.

²⁴ City of St. Helena General Plan Update 2040, Chapter Two Land Use and Growth Management. https://www.cityofstheleena.org/sites/default/files/fileattachments/planning_resources/page/3505/final_plan_compiled.pdf January 27, 2022.

²⁵ City of St. Helena Municipal Code. Chapter 17.152. <http://www.codepublishing.com/CA/stheleena/>. Accessed on January 27, 2022.

²⁶ City of St. Helena Municipal Code. Chapter 17.152. <http://www.codepublishing.com/CA/stheleena/>. Accessed on January 27, 2022.

Requests to Develop Below Allowable Density

During the previous housing element cycle (2014-2023) there were no requests to develop housing opportunity sites below allowable density.

Building Codes and Enforcement

For the purpose of establishing proper regulations for the administration of the various codes covered in the Building Code, the City has adopted Chapter 1 of the California Building Code, Chapter 1 of the Plumbing Code, Chapter 1 of the Mechanical Code, and Annex H of the Electrical Code, 2019 Edition, excepting additions, revisions and omissions listed in Section 15.08.020 of the Municipal Code. The major local amendments included the continuation of St. Helena's program for the seismic retrofit of unreinforced buildings and the requirement that all new construction install an approved automatic fire-suppression sprinkler system. Existing residential structures that undergo additions or repairs equal to at least 50 percent of the existing floor area, and units experiencing a change in occupancy to a more hazardous use, also require the installation of an approved sprinkler system.²⁷ Otherwise, Title 15 of the St. Helena Municipal Code closely adheres to the 2019 California Building Standards Code and places no greater constraints on housing development than any other jurisdiction in the State that follows this model code.

The City has the power to inspect and declare unsafe any structure or piece of equipment, be it existing or under construction, that does not meet specific Municipal Code standards. These include, but are not limited to, structures with insufficient modes of egress; structures that are unsafe or that have been made structurally unsound due to fire, earthquake, or other natural disaster; buildings that are deemed a public nuisance; and buildings that have been constructed or maintained in violation of local or state law. Once a building has been declared unsafe, the building official may issue notice that the structure be repaired, vacated, or demolished within a reasonable amount of time and with the appropriate permits.²⁸

The enforcement of building codes within the City of St. Helena is centered on the inspection of new construction and remodels or renovations requiring building permits. However, for existing structures, City Staff prioritizes code enforcement complaints according to the severity of the violation on the community and individuals. Situations that appear to pose a serious risk to health and safety are given top priority; others are pursued in the order in which they are received, as resources are available. In most cases for non-emergency complaints, a warning letter or courtesy notice is sent to the alleged violator to verify the status of the potential complaint and to obtain compliance. The purpose of this first step is to inform the alleged violator that there is a possible code violation on their property and to give them time to correct it. If the violation still exists after the correction date, the inspector will conduct a subsequent inspection and send a follow up notice with additional correction time. Staff provides detailed instructions on how a violation can be corrected and will meet with the property owner as necessary to assist in getting the violation corrected. The City also contracts with the Napa Housing Authority who assists property owners and tenants with any issues that may arise.

²⁷ Municipal Code, 15.36.060 Fire protection systems.

²⁸ City of St. Helena. St. Helena Municipal Code, Title 15. <http://www.codepublishing.com/CA/sthelenal/>. Accessed January 31, 2022.

On/Offsite Improvement Standards

The St. Helena Municipal Code lists requirements for new development related to streets and roadways, including street widths, sidewalks, curbs, and gutters, as well as water and sewer connections and parking requirements.

Street and Roadway Improvements

The City of St. Helena Standard Specifications for Public Improvements governs the requirements for public infrastructure improvements. Developers are completely responsible for the cost of these general improvements to the properties.

Residential street widths in St. Helena follow the specifications outlined in Table 34. The requirements for street widths in St. Helena do not serve as barriers to housing production as they are significantly less than the requirements of nearby jurisdictions which have much more housing stock available. The City of St. Helena Standard Specifications for Public Improvements allows for developers to construct subdivisions with narrower streets, thus allowing for more homes with less acreage reserved for rights-of-way.

Table 34 Residential Street Width Requirements

Type		St. Helena	Napa Yountville	American Canyon
Residential				
Single-Family Residence	16'	Standard: 56' (both sides parking) Rural: 29' With Parking: 48'	40'	
2-10 units	20'			
11-60 units	25'			
Over 60 units	30'			
Non-residential				
One-way access drive	16'	60' to 82'	Not Applicable	
Two-way access drive	25'			

Source: Section 902, City of St. Helena Standard Specifications for Public Improvements, 2015.

Sidewalks

According to the City of St. Helena Standard Specifications for Public Improvements, Standard No. 315, the minimum standard sidewalk width is four feet in residential areas and 10 feet in business or commercial areas. This sidewalk standard is compliant with Americans with Disabilities Act (ADA) standards and are only what is necessary for the activities occurring in their respective areas. Curbs are required to be designed with a six-inch top, 12-inch gutter, and six-inch rise above the roadway surface. The sidewalk, curb, and gutter standards do not pose a constraint to housing development.

Landscaping

Landscaping is required for projects subject to design review and the Water Efficient Landscape Ordinance. All open space and common areas are required to be landscaped and landscaping plans must be approved through the design review process. Further, St. Helena requires compliance with California's Model Water Efficient Landscape Ordinance (MWELO), which focuses on several goals, including water conservation and

environmental quality. Although the MWEL requirements add additional planning cost to projects, they are State mandated requirements.

Landscaping requirements work to ensure efficient water use and basic environmental quality, health, and safety and are not a constraint to development. However, subjecting landscaping plans to the design review process constrains the development of affordable housing. Through the current (2022) comprehensive zoning code update, the City is revising the code to provide a ministerial review process for projects meeting objective design standards, including standards addressing landscaping.

Street Signs

Street signs are not a required improvement to developments to be paid for by the developer. Street signs, and other signs, are subject to the requirements of Municipal Code Section 17.112.

Other

Other miscellaneous improvements required by the City of St. Helena can include curb, gutter and sidewalk treatments, fire hydrants, and street trees. When new development fronts a public street, the developers may be required to provide curb, gutter, and sidewalk treatments to the specifications supplied by the Public Works Director.²⁹ If the Fire Chief or Public Works Director decides that there is not sufficient supply of fire hydrants nearby, new development would cover the cost of additional hydrants as necessary.³⁰ Finally, if a new development fronts a planting strip, the owner must care for and maintain the trees and other vegetation in the strip.

Sewer

The City of St. Helena owns the Wastewater Treatment Plant, which provides secondary-level treatment for domestic and commercial wastewater within the City. The plant has a permitted average dry weather treatment capacity of 0.5 million gallons per day (mgd) and can treat up to 2.8 mgd during wet weather.³¹ In 2016, the City initiated planning efforts to upgrade the existing Plant in order to meet stricter environmental requirements. Working with the Regional Water Resources Control Board, the City developed a strategy to meet the new requirements, and began construction of the needed improvements in 2022. Construction is expected to be completed by fall 2023.³²

Per Chapter 727, Statutes of 2004 (SB 1087), sewer providers must grant priority for service allocations to proposed development that include housing units affordable to lower-income households. Local public and private wastewater service providers must adopt written policies and procedures that grant priority for service

²⁹ Municipal Code 12.08.090 Plans and specifications.

³⁰ Municipal Code 16.32.110 Fire protection.

³¹ California Regional Water Quality Control Board San Francisco Bay Region. Order No. R2-0210-0105, NPDES No. CA0038016.

http://www.waterboards.ca.gov/rwqcb2/board_decisions/adopted_orders/2010/R2-2010-0105.pdf.

³² City of St. Helena. Initial Study. WWTRP Phase I Upgrades Project. November 2020.

https://www.cityofsthenelena.org/sites/default/files/fileattachments/public_works/page/2831/st_helena_wwtrp_public_initial_study_compiled.pdf

Accessed January 28, 2022.

hook-ups to developments that help meet the community's share of the regional need for lower-income housing. In addition, the law prohibits wastewater service providers from denying, conditioning the approval, or reducing the amount of sewer service for an application for development that includes housing units affordable to lower-income households unless written findings are made as specified in Government Code Section 65589.7(c).

Water

The City has three sources of potable water: Bell Canyon Reservoir, water purchased from the City of Napa under a long-term water supply contract, and groundwater from City-owned and operated wells. Bell Canyon Reservoir is the City's primary source of potable water. Bell Canyon is an on-stream reservoir with a physical storage capacity of 2,384 acre-feet, although the maximum amount of water that is available annually to the City is 992 acre-feet (AF). The City also purchases significant water quantities from the City of Napa through a contract, expiring in 2035, which guarantees delivery of a minimum of 600 AF per year. Additionally, the City pumps groundwater from its two wells. The City seeks to limit groundwater withdrawals to 450 AF in normal years.

The City calculates a safe annual yield for its water system as "the quantity of water which can be reliable delivered on an annual basis through most rainfall years, including a dry year (rainfall at 22" to 25.9") without undue hardship on water customers through water shortage restrictions. The City defines "undue hardship" as three or more consecutive months of Phase II water restrictions or Phase III water restrictions. Based on water supplies available in 2020, the City estimates the safe annual yield of its water system is 992 AF.

In 2011, the City adopted a new Water Shortage Emergencies Ordinance. The ordinance establishes three water shortage emergency phases with increasing water use restrictions. Phase I water regulations are triggered when the supply/usage balance is in deficit, meaning that the five-year rolling average of total water usage exceeds the safe annual yield of the City's water system. Under Phase I regulations, water customers are prohibited from expanding or installing new water-using appliances, plumbing, or improvements, such as landscaping and pools, unless the installation will result in no increase in water use. Replacement fixtures must be water efficient. In addition, new water connections for new development may only be approved if the projected water demand for the project can be offset by a corresponding reduction in the existing water demand on the city water system. New development proposals may demonstrate that the project is water-neutral through a combination of on-site water conservation measures, off-site retrofitting or well water.

Phase II water shortage emergency regulations include all Phase I regulations plus mandatory conservation measures. Under Phase II, residential water users are limited to 65 gallons per person per day. An additional allocation of 2,500 gallons per month for single-family homes landscape irrigation is provided during the April through October billing cycle. Multiple-family or mobile home occupants are permitted up to 70 gallons per day per 1,000 square feet of landscaped area or for dedicated irrigation meters, a 60 percent limit of current reference evapotranspiration. There are strict penalties for non-compliance of these mandatory conservation measures. In addition, no new water connections are permitted during a Phase II water emergency. Phase III

water shortage emergency regulations limit water use further to 60 gallons per person per day, and place additional limits on landscape irrigation.³³

The City has adequate water supply to meet current demand, however the effects of climate change will likely reduce water supply from current sources. The City needs to obtain new water supplies and/or achieve more water savings in order to reliably meet future water demand. At the same time, the City recognizes that any new water supply, even if forthcoming, is likely to be expensive, potentially increasing the unit cost of potable water. The main emphasis within the General Plan (regarding water supply) is on conservation, seeking to reduce demand by all classes of users.

According to the City's Water Shortage Emergency Ordinance, if the City's water balance pursuant to the safe yield calculation is in deficit, then the City must comply with Phase I water restrictions. Most importantly, this requires that any new water demand, such as from a new residential project, must be completely offset by a reduction in current water demand, to the satisfaction of the Director of Public Works. Phases II and III involve the imposition of mandatory water restrictions on customers. If Phase II appears imminent, the City Council must appoint a Water Board which, if Phase II is implemented, will work with the Director of Public Works to ensure compliance by all sectors (residential, commercial, and industrial) with Phase II restrictions. Phase III restrictions are severe.

Per Chapter 727, Statutes of 2004 (SB 1087), water providers must grant priority for service allocations to proposed developments that include housing units affordable to lower-income households. Public and private water providers must adopt written policies and procedures that grant priority for service hook-ups to developments that help meet the community's share of the regional need for lower-income housing. In addition, the law prohibits water providers from denying, conditioning the approval, or reducing the amount of water service for an application for development that includes housing affordable to lower-income households unless written findings are made as specified in Government Code Section 65589.7(c). A city may deny, condition, or reduce water services to developments that include lower-income housing units if the city does not have "sufficient water supply" as defined in Government Code Section 66473.7(a) (2) or is operating under a water shortage emergency as defined in Section 350 of the Water Code.

The 2040 General Plan contains Implementation Action PF1-J that commits the City to granting projects that include affordable housing units priority access to water resources over other new projects should the capacity of local water systems become inadequate to meet the full demand for new connections.

Parking

St. Helena is a rural jurisdiction with limited public transport options, making commuting by automobile a common practice among residents of all income groups. Some local employers, such as wineries located off of the State Highways, only have access through roadways without suitable sidewalks or bus service. Thus, for residential developments in St. Helena, it is necessary to have some adequate amount of parking to sustain

³³ City of St. Helena. Report to the City Council. June 23, 2020. <https://sthenela.civicweb.net/document/41860/2020>
Accessed January 28, 2022.

regular life for residents of the rural town. Additionally, within neighborhoods, it is important to keep enough cars off the street due to some streets having little to no parking availability. For example, many streets in St. Helena's older neighborhoods only offer one-side parking and some roads on the edges of town have no paved side parking at all.

Residential parking requirements vary according to the number of dwelling units, as follows:

- One to two dwelling units: Minimum of two spaces per unit, with one of the spaces in a garage or carport.
- Three or more dwelling units (studio and one bedroom units): One covered space plus a half space per unit
- Three or more dwelling units (two or more bedroom units): One covered space plus one additional whole space per unit
- Rooming, boarding, or lodging house: Minimum of one space per room, and two spaces for the owner-occupied unit.
- Mobile home: Minimum of two spaces per unit plus centralized space for guest parking.³⁴

Exceptions to these requirements are provided for housing subject to the affordable housing ordinance (see Locally Adopted Ordinances for more details). Some examples of parking minimum exceptions include projects built for senior citizens and deed-restricted affordable projects built with funding from the Federal or State government.³⁵ For all other uses not covered in the Municipal Code or State Density Bonus Law, the Planning Commission has the power to set the parking requirements based upon the general parking guidelines of the City.

The City of St. Helena's parking standards do not impose undue constraints to development of multifamily uses with two or more bedrooms. As shown in Table 35, when compared to other nearby jurisdictions, St. Helena's housing requirements are not only less restrictive, but much less complex. However, parking standards for multifamily uses with three or more studio or one-bedroom units require 1.5 parking spaces per unit. This requirement is a constraint to development of smaller unit multifamily uses. Program H-N commits the City to limiting parking requirements for these uses to one space per unit through the currently (2023) ongoing Comprehensive Zoning Code Update scheduled for adoption in fall 2023.

³⁴ Municipal Code 17.124.030 Minimum on-site parking requirements

³⁵ Municipal Code 17.144 Affordable Housing

Table 35 Parking Requirements, St. Helena, Napa, Yountville

Type	St. Helena	City of Napa	Town of Yountville
1-2 dwelling units	2 spaces per unit with 1 in garage/carport	<i>Single-family:</i> 2 spaces per unit with 1 in garage + 1 for each bedroom in excess of 2 and guest parking	2 space, 1 covered and 1 screened; 4 for duplex with 1 covered and 1 screened
3+ dwelling units (studios and 1 bedroom units)	1 covered space + ½ space per unit	1.5 per unit (1-3 units) 1.4 per unit (4-49 units) 1.25 per unit (50+ units)	3 dwelling units – 4 spaces, 2 covered, 2 screened 4 dwelling units – 6 spaces, 3 covered, 3 screened Additional units require 1 additional covered and 1 additional screened space per 2 units
3+ dwelling units (2 or more bedroom units)	2 space per unit with 1 covered	Varies, from 1.75-2 spaces per unit plus 0.4 space for each bedroom in excess of 3	
Rooming, boarding, or lodging house	1 space per room and 2 for owner-occupied unit	1 space per sleeping room with ability for planning commission to override under certain circumstances	1.14 spaces per room
Mobile home	2 spaces per unit with centralized guest parking	<i>Not specified, however, using single family requirements:</i> 2 spaces per unit with 1 in garage + 1 for each bedroom in excess of 2 and guest parking	<i>Not specified, however, using single family requirements:</i> 2 space, 1 covered and 1 screened; 4 for duplex with 1 covered and 1 screened

Source: Chapter 17.124, City of St. Helena Municipal Code, 2015; Town of Yountville Municipal Code 17.116.020; City of Napa Municipal Code 17.54.040.

Parking requirements are additionally not a constraint given the size of the parcels identified in the Sites Inventory. For example, one site with large capacity identified in the sites inventory is Site 8, a 1.5 acre vacant lot located at 882 and 886 College Avenue. This site is projected to have a capacity of 39 units with 15 lower income and 15 moderate income units. If the complex were to have 15 two-bedroom units, 15 one-bedroom units, and 9 studios, it would need a total of 66 parking spaces with 39 of them being covered. The St. Helena Standard Specifications for Public Improvements, Standard Number 321A and 321B call for parking spaces that are 19 feet long by 9.5 feet wide, which equates to 180.5 square feet per parking space. Thus, for Site 8, there would be an allocation of 11,913 square feet of surface space allocated for parking, which accounts for approximately 18.23 percent of the site. This allocation does not pose an undue constraint on the project and provides sufficient parking for the projected residents of the project. Further, developers can design garages, overhangs, and other architectural features which can allow for greater building footprint and thus less land allocated to uncovered parking.

The City's parking minimums are also in line with State data. According to the Department of Motor Vehicles, there were 147,603 registered vehicles in Napa County in 2021, equating to approximately 1.06 vehicles per person in Napa County. St. Helena's parking minimums, particularly figures regarding multifamily one-bedroom units, matches the data provided by the DMV.

To help promote the development of emergency homeless shelters, Assembly Bill 671 (2019) was passed which included a variety of measures to incentivize the construction of such facilities, including the requirement that jurisdictions can only require the number of spaces necessary for staff working in the shelter and no more than

other uses in the same zones. According to Municipal Code Section 17.124, emergency homeless shelters are considered an unlisted use, which leaves it up to the planning commission to determine the parking requirements. Emergency homeless shelters are permitted in the Industrial and Service Commercial zoning districts, which only conditionally permit housing. Commercial and industrial parking requirements require one parking space per 300 square feet of office area, one parking space per 650 square feet of industrial uses, and one parking space per 1,000 square feet of warehouse space, respectively. Based on these standards, the City does not currently comply with State law. The City is committed through Program H-F to amend the Zoning Code to require only be the number of spaces necessary for staff working in the shelter and no more than other uses in the same zones.

Further, the City is also evaluating and revising, as necessary, parking requirements for multifamily uses as a part of the currently ongoing (2023) Comprehensive Zoning Code Update to identify and remove potential constraints to housing development. The Update is scheduled for adoption in fall 2023.

The City does not impose any on-site and off-site improvement standards beyond those necessary to achieve health and safety requirements. The City's on-and-off site improvements standards, including roadway improvements, water and sewer requirements, and parking standards do not constrain residential development in St. Helena.

Fees and Exactions

The City's building department fee schedule is designed to directly offset the costs incurred by the City when processing and reviewing development applications, and to inspect new construction. Fees are charged when a building permit is issued and are based on building plans and estimated construction costs.

Development impact fees are charged to new projects in order to offset costs for the construction, expansion, and maintenance of off-site improvements that either were built for the purposes of the new project or were existing improvements from which the new developments will benefit. In the case of St. Helena, impact fees are charged for public safety, civic facilities, water and wastewater services, drainage, traffic mitigation, and schools. In 2013, the City conducted a comprehensive study and update of all of its development impact fees. As a result, total impact fees for single-family houses decreased from \$19.78 per square foot to \$16.32 per square foot, a 17.5 percent reduction. Fees for multiple-family development increased from \$13.78 per square foot to \$21.37 per square foot, a 55 percent increase.

The single-family fee calculations shown in Table 36 are based on an example 2,300 square foot single family residence with three-bedrooms and two-bathrooms with a total construction cost estimate of approximately \$920,000 (\$400 per square foot). The multifamily fee calculations shown in Table 36 are based on an example eight unit, three story 6,780 square foot multi-family development project.

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Table 36 Planning and Development Fees

Fee Description	Single-Family	Multiple-Family
Planning and Application Fees		
Variance	\$4,500	\$4,500
Conditional Use Permit (CUP)	\$5,200	\$5,200
General Plan Amendment	\$13,000 deposit plus staff time	\$13,000 deposit plus staff time
Zone Change	\$8,200 deposit plus staff time	\$8,200 deposit plus staff time
Site Plan Review	\$2,578	\$2,578
Specific Plan	\$25,000 deposit plus staff time	\$25,000 deposit plus staff time
Specific Plan Amendment	\$4,100	\$4,100
Development Agreement	\$13,500	\$13,500
Building Inspection / Permit	\$1,838	\$1,838
Home Occupation Permit	\$200 standard, \$250 expanded	\$200 standard, \$250 expanded
Lot Subdivision	\$6,300 minor; \$35,000 major	\$6,300 minor; \$35,000 major
Lot Line Adjustment	\$3,000	\$3,000
Tentative Tract Map	\$4,500	\$4,500
Final Parcel Map	\$2,100	\$2,100
Design Review	<1,000 square feet: \$2,600 >1,000 square feet: \$3,700	\$3,700
Environmental Fees		
Negative Declaration	\$5,600 plus staff time	\$5,600 plus staff time
Mitigated Negative Declaration (In-House)	\$11,600 plus staff time	\$11,600 plus staff time
Mitigated Negative Declaration (Contract)	\$3,200 plus staff time	\$3,200 plus staff time
Environmental Impact Report	\$9,000 deposit plus staff time	\$9,000 deposit plus staff time
Permit Fee	\$433	\$5,503
City Impact Fees		
Public Safety Fee (\$1.04/sq ft)	\$2,392	\$7,051
Civic Facilities Fee (\$1.95/sq ft)	\$4,485	\$13,221
Parks Fee (\$7.16/sq ft)	\$16,468	\$82,580
Water System Fee (\$3.05/sq ft)	\$7,015	\$16,747
Wastewater System Fee (\$0.45/sq ft)	\$1,035	\$4,475

Drainage System Fee (\$0.73/sq ft)	\$1,679	\$4,678
Transportation Fee (\$1.94/sq ft)	\$4,462	\$16,001
Housing Fee (2.5% of construction cost)	\$18,400	\$27,933
Other District Fees		
School District Fee (\$3.20/sq ft)	\$6,831	\$21,696

Source: City of St. Helena Planning Department, Mintier Harnish, 2022.

City impact fees are included in Table 36 above. Among these, the costliest fee is the Parks fee of \$7.16 per square foot. These funds are used to develop and maintain City parks, a critical resource in the community. The City's wastewater impact fee (\$0.45 per square foot), drainage system fee (\$0.73 per square foot) and public safety fee (\$1.04 per square foot) are particularly low. Further, the City's civic facilities and transportation fees are both under \$2 per square foot. Importantly, City impact fees for multifamily listed in Table 36 are based on an eight-unit development, as explained previously, and have a lower per unit cost than City impact fees shown for a typical single-family use. These impact fees are based on the City's actual costs and are reevaluated and revised each year. The City's impact fees do not impose undue impacts to housing cost, supply, and feasibility, and are not a constraint to the development of housing.

Continuing with the example single-family and multi-family projects used in Table 36, Table 37 provides a breakdown of the cost-per-unit and estimated proportion of fee cost for the example project. These fees would be \$70,830 and \$21,525 per unit, respectively. This represents 7.7 percent of the single-family home project's construction cost and 12.3 percent of the multi-family home project's construction cost.

Table 37 Construction Cost Summary, Cost Per Unit and Cost Per Square-Foot

	Single-Family	Multiple-Family
Building Size (square feet)	2,300	6,780
Construction Cost (per square-foot)	\$400	\$206.49
Valuation	\$920,000	\$1,400,000
Total Estimated Fees Per Unit	\$70,840	\$21,525
Fees as % of Construction Cost	7.7%	12.3%

Source: City of St. Helena Planning Department; Mintier Harnish, 2022

The multiple-family development impact fees have increased to reflect the costs of the improvements necessary to serve multifamily residential development. Without the funds collected through the fees, the City could not afford to make the necessary improvements in infrastructure, and thus the fees do not represent an undue governmental constraint to housing development. In addition, fee reductions and adjustments for affordable

and other housing projects are permitted on a case-by-case basis, as approved by City Council under Section 3, Chapter 3.32 of the St. Helena Municipal Code.

In comparison to nearby jurisdictions, St. Helena's planning fees are similar in range, as shown on Table 38. For rezoning, St. Helena has some of the most expensive fees in the region, however for tentative tract or parcel maps, St. Helena has some of the lowest fees in the region. Overall, St. Helena does not have fees that result in an extremely significant cost difference between development projects situated in the city and those situated outside of the city in nearby jurisdictions.

Table 38 Planning Application Fees – Surrounding Jurisdictions, Single-Family and Multiple-Family

Jurisdiction	General Plan Amendment	Zone Change	Tentative Tract Map	Variance
St. Helena	\$13,000 deposit plus staff time	\$8,200 deposit plus staff time	\$4,500	\$4,500
City of Sonoma	\$16,581	\$981	\$3,735 plus \$395 per lot plus engineering time	\$2,279
Yountville	\$7,500 deposit plus staff time	\$7,500	\$5,000 plus staff time	\$2,500
American Canyon	\$8,312	\$3,714	\$8,129	\$1,896
County of Napa	Established by resolution of the Board of Supervisors	N/A	\$622.90 plus staff time	\$6,100.90 plus staff time

Source: City of St. Helena Planning Department; Mintier Harnish, 2022

Given similar fee structures to nearby jurisdictions and the development impact fee study in 2013, St. Helena's fee structure does not pose an undue constraint on the production of housing.

Processing and Permit Procedures

St. Helena, as with other jurisdictions, has two primary types of processing and permit procedures: ministerial and discretionary.

Ministerial Permit Procedures

Ministerial permits are any permits that do not require a decision-making body to provide additional input before its approval. Ministerial permits are handled internally within the planning department and are approved by the planning director. Ministerial permits cover all development that is permitted by right in zones without design review. An example of a common ministerial permit is one for the construction of an accessory dwelling unit on a lot with a preexisting single-family dwelling. Ministerial review typically takes 2-4 weeks. As shown in Table 41, there is very little delay among previous projects. Ministerial permit procedures do not pose a constraint to housing development.

Discretionary Permit Procedures

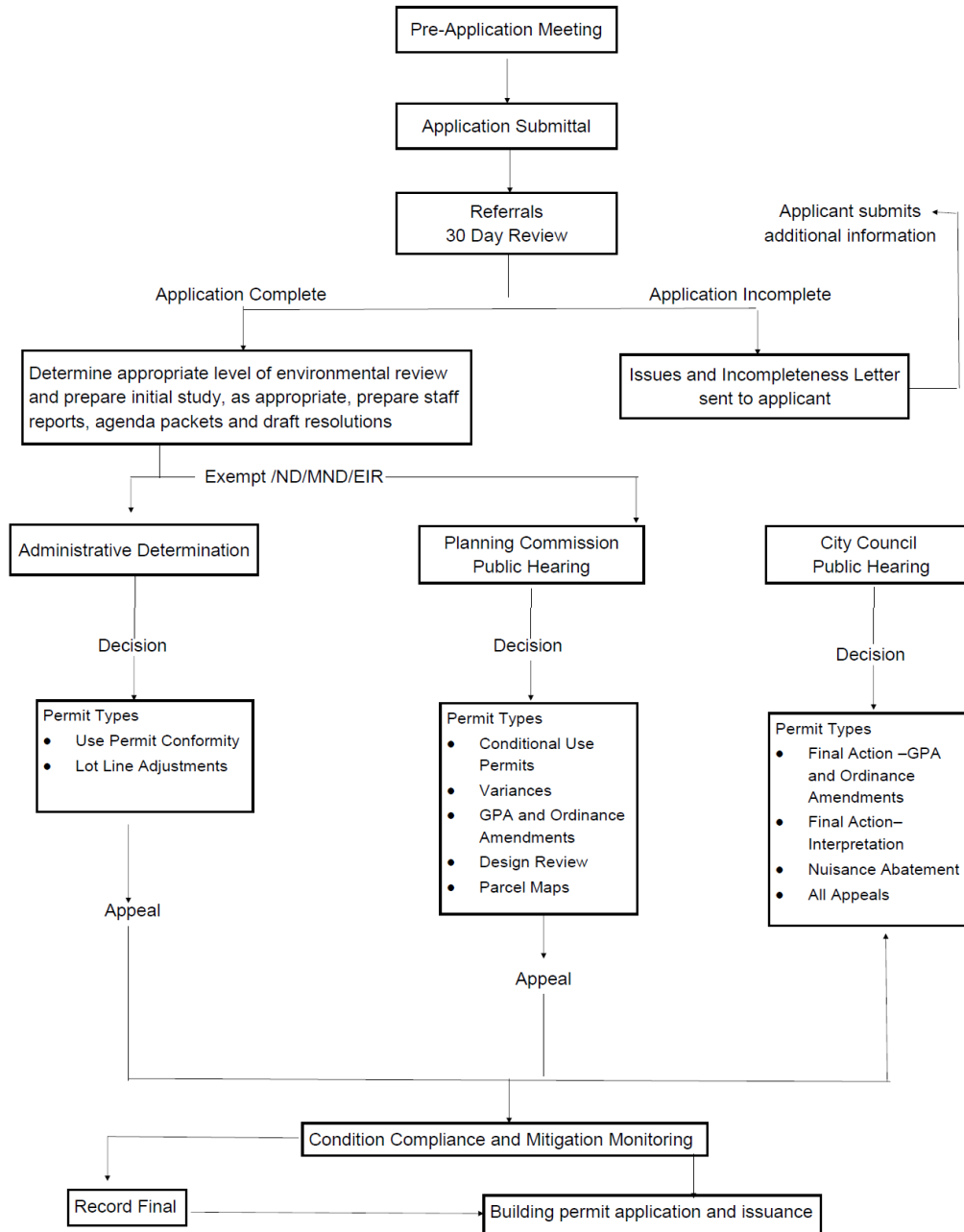
Discretionary permits are any permits requiring a decision-making body to exercise judgment prior to its approval. As shown in Figure 48, after successfully completing a use permit and passing State environmental review, discretionary permits can be handled administratively through the Planning Director, or through public

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review with the Planning Commission. If an appeal is made against the project, the project is sent to City Council for review.

Figure 48 Discretionary Permit Process Flowchart



Discretionary permits in St. Helena include general plan amendments, code amendments, specific plans, variances, development agreements, use permits, parcel and subdivision maps, design review, permit/map extensions, lot line adjustments, appeals, revocation of land use permits, and interpretations. As shown in Table 39 and Table 40, most discretionary permits take 3-6 months to process, with some permits taking less time (conditional use permit) or significantly more time (general plan amendment). For the purposes of residential development, conditional use permits (CUPs) and design review are the most pertinent to affecting the affordability, speed, and thus availability of affordable housing.

Table 39 Typical Processing Procedures by Project Type

	Single-Family Unit	Subdivision (20 units)	Multiple-Family (20 Units)
Required Permit Procedures	Ministerial Review - ADU	Tentative Map	Conditional Use Permit
	Design Review – new SFD	Final Map	
		Design Review	Design Review
		Initial Environmental Study Environmental Impact Report	Initial Environmental Study Mitigated Negative Declaration
Estimated Total Processing Time	2 months	12 months	9 months

Source: City of St. Helena, Mintier Harnish, 2022.

Table 40 Timelines for Permit Procedures

Type of Approval or Permit	Typical Processing Time	Approval body
Ministerial Review	2 – 4 weeks	Planning Director
Conditional Use Permit	3 months	Planning Commission
Zone Change	6 months	Planning Commission & City Council
General Plan Amendment	6 months	Planning Commission & City Council
Design Review	3 months	Planning Commission
Subdivision Maps	6 months	Planning Commission & City Council
Parcel Maps	3 months	Planning Commission
Initial Environmental Study	6 months	Planning Commission & City Council, depending on project
Environmental Impact Report	10 months	Planning Commission & City Council

Source: City of St. Helena, Mintier Harnish, 2022.

Actual Project Times

Table 41 outlines a selection of seven projects with their entitlement approval dates and issuance of building permits. The time between entitlement and building permit issuance is negligible in St. Helena and is not a constraint to the city meeting its share of the regional housing need.

Table 41 Timelines for Permit Procedures

Description of Project	Entitlement Approval	Building Permit Issued	Time Elapsed
A single family dwelling with an accessory dwelling unit (601 Fulton)	3/19/2020	3/25/2020	4 days
An accessory dwelling unit (1856 Adams St, B)	3/12/2020	6/2/2020	3 months, 20 days
An accessory dwelling unit (1730 Stockton St, B)	1/6/2020	4/9/2020	3 months, 3 days
An accessory dwelling unit (940 Hunt Ave)	9/17/2020	9/17/2020	Same day
A single family dwelling (222 Pope St)	7/28/2020	7/28/2020	Same day
An accessory dwelling unit (1607 Kearney St, B)	6/1/2020	6/4/2020	3 days
An accessory dwelling unit (1135 Church St, B)	6/8/2020	6/23/2020	15 days

Source: City of St. Helena, Mintier Harnish, 2022.

Conditional Use Permit (CUP)

Conditional use permits (CUPs) are required when a land use is listed as a conditional use for a zoning district in the Zoning Code. Conditional Use Permits are subject to review by the Planning Commission, which considers compatibility with surrounding uses, public input, and staff feedback. Conditional use permits typically take three months to fully process, which is not considered a constraint to residential development. All projects that require a conditional use permit, except for the installation or modification of fences, require design review.

Design Review

Design Review is a process undertaken by the Planning Commission on certain projects to promote environmental quality, foster attractiveness, sustain functional utility, preserve neighborhood character, protect public investments, encourage a mix of uses, and raise the level of community expectations for the quality of the environment.³⁶ Chapter 17.164 of the St. Helena Municipal Code outlines the City's Design Review policies. The Municipal Code lists 14 specific design criteria considered by the Planning Commission:

1. Consistency and compatibility with applicable elements of the general plan;
2. Compatibility of design with the immediate environment of the site
3. Relationship of the design to the site;
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
6. Compatibility with future construction both on and off the site;
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;

³⁶ St. Helena Municipal Code. 17.165 Design Review.

8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
10. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
11. Whether natural features and vegetation are appropriately preserved and integrated with the project;
12. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structures and functions;
13. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors, create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site; and
14. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.³⁷

The Planning Commission examines all proposed new structures and some exterior additions (e.g., additions on historical residential properties, addition of new residential floors) in relation to the above listed design criteria and arrives at one of three recommendations: approve, approve with minor modifications, or disapprove.

Projects that are subject to design review include:

- Any exterior modification to a commercial, multi-family, or designated historic building, including new construction
- The construction of a new single-family home
- Structures, buildings or site modifications requiring use permits in any district, excluding fences
- Additions to a single-family home which create a second or third floor, story or living space where one does not currently exist
- Any new structure prior to the issuance of any future building permits for structures on newly created parcels created on maps approved after January 1992
- Any new public facility, or modification thereof
- Demolition, except when required for emergency protection of public health, safety or welfare

³⁷ St. Helena Municipal Code. 17.165 Design Review.

The following projects are subject to administrative design review, which means that they are ministerially decided on by city planning staff as opposed to the Planning Commission:

- 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
- Accessory dwelling units, subject to requirements identified in SHMC 17.116.030
- Alteration, modification, or addition to an existing single-family home that is not eligible for design review
- Construction of an accessory structure in keeping with all development criteria of the zoning district in which the structure is proposed

Design review is required for practically all projects, including all primary residential structures. The City has not adopted a design review exemption for affordable housing development in the City. Therefore, design review is considered a significant constraint to affordable housing development in the City.

The complex and subjective nature of the design review process is a constraint housing production. Through the current comprehensive zoning code update, the City is working to codify objective design standards for single-family, small lot, and multifamily uses. Program H-F commits the City to amending the Municipal Code to provide objective design standards for residential development and a ministerial, by-right, process for approval of developments meeting all zoning and design standards.

Currently (2023) the MR zone does not allow for multifamily uses without a conditional use permit (CUP), with the exception of 5th Cycle Housing Element opportunity sites. Although the MR zone is primarily a single-family zone, the requirement for a CUP in this zone constrains the development of smaller multifamily uses. Program H-N commits the City to allowing duplexes and triplexes and a density range of 5.1 to 16 dwelling units per acre in the MR zone without a CUP.

Please note: the City implemented 5th Cycle Housing Element program HE1.D which committed the City to eliminating use permit requirement for multifamily projects on Housing Opportunity sites (Key Housing Sites) in the medium density residential zone. Section 17.40.020 was amended to permit the following:

N. Multiple-family dwellings, apartments, and dwelling groups at a density up to the maximum allowed by the medium density residential district shall be allowed as a permitted use on the following MR zoned parcels, which are identified as "Key Housing Sites" in Table 42 of the city's 2015-2023 housing element, and are identified as follows by street address and assessor's parcel number (APN): 567 Pope St. APN 009-070-002; 591 McCorkle Ave. APN 009-070-003; 1817 Spring St. APN 009-322-009; Sulphur Springs Ave. APN 009-362-015; Spring St. APN 009-441-023 and 009-552-002; 576 Pope St. APN 009-552-003; 1105 Pope St. APN 009-090-003. (Ord. 17-2 § 6 (part); Ord. 16-8 § 1; Ord. 15-2 § 7 (part); Ord. 12-2 § 6; Ord. 07-5 § 2 (part); Ord. 05-4 § 1 (part); Ord. 03-4 § 11: prior code § 27.51)

Further, The City has received SB 2 and LEAP grants from the State of California to assist with encouraging and streamlining affordable housing development in the city. The City has applied these funds to the Comprehensive

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Zoning Code Update currently underway. The Draft Update works to overcome constraints and encourage development by incorporating objective design standards for residential development and removing CUP requirements for duplexes and triplexes and densities of 5.1 to 16 du/ac in the MR zone, among other efforts.

Table 42 Housing Types Permitted by Base Zoning District

Zone Type	Agricultural			Residential				Commercial/Office			I	WW
Zoning District	A-20	W	AP	LR	LR-1A	MR	HR	CB	SC	BPO		
Design Review Required	No			Yes								
Single-family dwelling	P ¹	P ^{1,2}	P	P ⁴	P	P ⁴	P ⁴	—	—	—	—	P
Residential units (in a mixed-use setting)	—	—	—	—	—	—	—	C ⁵	C ^{5,7}	C ⁵	C ⁸	—
Residential Condominium or Townhouse	—	—	—	—	—	C	C	—	—	—	—	—
Duplex or triplex units	—	—	—	—	—	C	P	—	—	—	—	—
Multiple-family dwellings	—	—	—	—	—	P ⁶	P	—	—	—	—	—
Mobile homes	—	—	—	P	P	P	P	—	—	—	—	—
Agricultural employee housing	—	—	P	P ³	P ³	P ³	P ³	—	—	—	—	P ³
Supportive housing	—	—	P	P	P	P	P	C ⁵	C ^{5,7}	C ⁵	—	P
Transitional housing	—	—	P	P	P	P	P	C ⁵	C ^{5,7}	C ⁵	—	P
Single room occupancy housing	—	—	—	—	—	—	P	—	—	—	—	—
Intermediate care facility, 6 or fewer persons	—	—	—	P	P	P	P	—	—	—	—	—
Intermediate care facility, 7 or more persons	—	—	—	—	C	C	C	—	—	—	—	—
Residential facility, 6 or fewer persons	—	—	—	P	P	P	P	—	—	—	—	—
Residential facility, 7 or more persons	—	—	—	C	C	C	C	—	—	—	—	—
Emergency Shelter	—	—	—	—	—	—	—	—	P	—	P	—

P=Permitted C=Conditional —=Prohibited

¹Permitted if the single-family dwelling(s) existed prior to October 1, 1993.

²Additional dwellings for occupancy by owners, caretakers and/or other employees, provided density does not exceed one dwelling unit per each five acres of the winery's contiguous property is a Conditional Use.

³Six or fewer persons only.

⁴New construction of single-family dwellings where the minimum density of 2 units or greater is a Conditional Use.

⁵Limited to upper floors only.

⁶Permitted only to parcels identified in the adopted Housing Element.

⁷Upper floors only in conjunction with a mixed-use project

⁸Subject to the restrictions outlined in SHMC 17.60.030, including a maximum 850 square feet floor area, one off-street parking space, and residency requirements.

Note: The Zoning Code text takes precedence over this table and there may be additional requirements or limits not noted on this table.

If the zone is not present in the table (PQP, PR, OS), it does not allow any residential uses by right or through any permitting processes.

Source: St. Helena Municipal Code, Title 17.

SB 330 Streamlining

On October 9, 2019, Governor Newsom signed into law SB 330, the Housing Crisis Act of 2019. The act amends existing state laws and creates new regulations around the production, preservation and planning of housing. The bill has been in effect since January 1, 2020, and sunsets on January 1, 2025. SB 330 will affect both project planning procedures and community planning outcomes.

The goal of SB 330 is to create certainty in the development of housing projects, speeding up the review of these projects, preserving affordable housing and preventing certain zoning actions that reduce the availability of housing. SB 330 does the following (not a comprehensive list):

- Creates a new vesting process for zoning and land use ordinances, policies, and standards in place at the time a preliminary application is submitted (with limitations);
- Requires that the historic status or designation of any site be determined at the time an application for a discretionary action is deemed complete;
- Prohibits imposing or enforcing non-objective design review standards established after January 1, 2020;
- Limits the number of public hearings to five for housing projects that meet all objective design standards; and
- Prohibits actions that reduce the total zoned capacity for housing (i.e., down-zoning).

A project that meets any of the following criteria per California Government Code Section 65589.5(h)(2)(B) is subject to the provisions of SB 330:

1. The project consists of residential units only;
2. The project is a mixed-use development consisting of residential and non-residential uses with at least two-thirds of the square footage of the project designated for residential use, including dwelling units and any uses accessory to the residential units; or
3. The project is transitional or supportive housing.

New Preliminary Application Form. SB 330 creates a new vesting process for discretionary housing projects during the five-year period of the bill. It achieves this through the creation of a new “preliminary application” process that establishes a new date for the purposes of locking projects into the ordinances, policies, and standards in effect when a preliminary application (including all required information) is submitted and deemed complete. This vesting does not apply to California Environmental Quality Act (CEQA) determinations, including historic resource determinations pursuant to CEQA.

Once a complete Preliminary Housing Development Application is submitted (along with other required applications if applicable), the zoning, design, subdivision, and fee requirements in effect as of that date will remain applicable to the project for the duration of the review and entitlement process, provided that all the following provisions are satisfied:

- Complete discretionary entitlement applications must be submitted and accepted by the Planning Department within 180 days of the Preliminary Housing Development Application being deemed complete;
- If the entitlement applications are deemed incomplete after filing, the application must submit all missing or incomplete items to the Planning Department within 90 days of being notified in writing by Planning Department staff;
- The project may not increase by more than 20 percent in the number of units or total square footage indicated in the Preliminary Housing Development Application, except as the project may be revised using the State Density Bonus; and
- The project must commence construction within 30 months of site permit issuance.

Note that the following modifications may be required even when a Preliminary Housing Development Application is on file:

- Development impact fees, application fees, capacity and connection fees, or other charges may be annually adjusted based on a published cost index;
- Requirements necessary to avoid an adverse impact to public health or safety, or to avoid or lessen an impact under CEQA may be applied; and
- Applicants may submit a new or amended Preliminary Housing Development Application at any time, in which case the requirements in effect at that time shall apply.

The City has created a preliminary SB 330 process and checklist to streamline the design and approval of by-right multi-family units within the community. Program H-F provides a by-right streamlined review process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330.

Procedures for Selected Housing Types

The following section describes the processing and permit procedures for selected housing types that are typically used by lower income households. For more housing types, see the Zoning for a Variety of Housing Types section.

Multifamily Rental Housing

Multifamily rental housing is housing traditionally identified as any housing available for rent that has greater than one dwelling unit in a building. Some examples of multifamily rental housing include duplexes, triplexes, fourplexes, and apartment buildings. Multifamily rental housing is permitted entirely in the High Density Residential (HR) district only. Multifamily rental housing is permitted in the Medium Density Residential (MR) district only on parcels identified in the housing element. MR zoned parcels identified in the fifth cycle housing element are currently codified as being the MR zone parcels that allow multifamily housing. Currently, all multifamily rental housing projects, affordable and market rate, are subject to subjective design review.

Therefore, multifamily rental housing is constrained by the design requirements set forth in the Zoning Code. Program H-F is included to commit the City to adopting objective design standards to reduce barriers to multifamily rental housing and eliminate subjective design standards.

Mobile Homes

Mobile homes, or manufactured homes, are small, prefabricated homes which are often situated on rented portions of land in mobile home parks. Mobile homes can offer affordable pathways to home ownership and stable shelter for many low-income households. Mobile homes, as shown in Table 42 are permitted in all residential zoning districts in St. Helena. Mobile homes in St. Helena are subject to the following conditions in all residential zoning districts:

- To be occupied only as a single-family residential use,
- To be subject to all provisions of the zoning ordinance applicable to conventionally built dwellings,
- To be attached to a permanent foundation system in compliance with all applicable building regulations,
- To be covered with an exterior material customarily used on conventionally built dwellings extending to the top of the foundation,
- To have parapet walls or roofs which utilize shingles or other materials customarily used on conventionally built dwellings;

These requirements do not constitute a constraint to the development of mobile homes. However, mobile homes are subject to subjective design review, which poses a significant constraint to their development. Program H-F is included to commits the City to incorporate objective design standards for single-family, small lot, and multifamily developments, including mobile homes, that provide a ministerial design review process for projects that meet zoning and design standards.

Housing for Agricultural Employees

Housing for agricultural employees is permitted in the agricultural zone for up to 36 persons, thus complying with California Health and Safety Code Section 17026.1. Housing for agricultural employees is also permitted for up to six persons in all residential zones and in the WW zone. Housing for agricultural employees is subject to subjective design review, which poses a significant constraint to development. Program H-F commits the City to incorporate objective design standards for single-family, small lot, and multifamily developments, including farmworker housing, that provide a ministerial design review process for projects that meet zoning and design standards.

Supportive and Transitional Housing

Supportive and transitional housing is permitted in the AP zone, all residential zones, and the WW zone. Supportive and transitional housing is subject to subjective design review, which poses a significant constraint to development. Program H-F commits the City to incorporate objective design standards for single-family,

small lot, and multifamily developments, including transitional and support housing, that provide a ministerial design review process for projects that meet zoning and design standards.

Constraints to Housing for Persons with Disabilities

On January 1, 2002, SB 520 went into effect, requiring local jurisdictions to analyze potential governmental constraints to the development, improvement, and maintenance of housing for persons with disabilities as part of a jurisdiction's housing element update. Under SB 520, housing elements must also include one of the following: 1) a program to remove constraints, or 2) provide reasonable accommodations for, "housing designed for occupancy by, or with supportive services for, persons with disabilities." A jurisdiction can fulfill this second clause in a variety of ways including establishing policies that facilitate the provision of housing that is physically accessible to people with mobility impairments, residential care facilities for individuals with Alzheimer's, housing for persons with AIDS/HIV, and transitional housing that serves homeless with disabilities.

Reasonable Accommodation

The City of St. Helena adopted a reasonable accommodation ordinance in 2015 that provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies, and procedures.

A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This chapter is intended to apply to those persons who are defined as disabled under the Acts.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed in Section 17.200.030.

Requests for reasonable accommodation are submitted on an application form provided by the Planning Department, or in the form of a letter, to the Planning Director and should contain the following information:

1. The applicant's name, address, and telephone number.
2. Address of the property for which the request is being made.
3. The current actual use of the property.
4. The basis for the claim that the individual is considered disabled under the Acts.
5. The zoning code provision, regulation or policy that is the subject of the applicant's requested reasonable accommodation, and a narrative and graphic (where applicable) description of the specific accommodation requested.

6. Why the reasonable accommodation is necessary to make the specific property accessible to the individual.

Requests for reasonable accommodation shall be reviewed by the Planning Director if no discretionary permit approval is required other than the request for reasonable accommodation. Requests for reasonable accommodation submitted for concurrent review with another discretionary permit application shall be reviewed by the review authority reviewing the discretionary permit application. The Director shall make a written determination within forty-five (45) days and either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with Section 17.200.060. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on a consideration of the following factors:

1. Whether the housing which is the subject of the request will be used by an individual considered disabled under the Acts.
2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the town.
4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a town program or law, including but not limited to land use or zoning.
5. Whether the requested reasonable accommodation would adversely impact surrounding properties or uses.
6. Whether there are reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the City's applicable rules, standards and practices.
7. Whether the accommodation would alter the significance of a historic structure.

In granting a request for reasonable accommodation, the Planning Director may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection A of this section, including but not limited to the following:

1. Inspection of the property periodically, as specified, to verify compliance with this chapter and any conditions of approval.
2. Removal of the improvements, where removal would not constitute an unreasonable financial burden, when the need for which the accommodation was granted no longer exists.
3. Time limits and/or expiration of the approval if the need for which the accommodation was granted no longer exists.
4. Recordation of a deed restriction requiring removal of the accommodating feature once the need for it no longer exists.
5. Measures to reduce the impact on surrounding uses.
6. Measures in consideration of the physical attributes of the property and structures.
7. Other conditions necessary to protect the public health, safety and welfare.

A determination by the Planning Director to grant or deny a request for reasonable accommodation may be appealed to the City Council in compliance with Section 17.08.180.

The City's required finding "5. *Whether the requested reasonable accommodation would adversely impact surrounding properties or uses*" poses a potential constraint to housing for residents with disabilities seeking equal access to housing under the federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts). HCD indicates that, given its importance in addressing barriers to housing for persons with disabilities, reasonable accommodation should not impose discretionary findings similar to that of a Conditional Use Permit, such as impacts to surround uses. Program H-F commits the City to update the municipal code to remove this discretionary finding.

Zoning and Land Use

The City of St. Helena allows residential care facilities serving six or fewer persons as a permitted use in the LR-1A, LR, MR, and HR residential zones. For compliance with state law, the City must allow these uses in any zone allowing single-family uses, subject only to the conditions imposed upon residential uses in the same zone. The City currently allows single-family homes in the A-20, W, and WW zones. The City should revise the municipal code to allow residential care facilities of six or fewer in these zones.

Residential care facilities serving seven or more persons require the approval of a Conditional Use Permit. A use permit requirement in zones allowing multifamily uses is a constraint to the development of these uses. The City should revise the municipal code to allow residential care facilities of six or fewer in these zones.³⁸

Program H-F commits the City to updating the municipal code to allow residential care facilities in all zones, subject only to the requirements imposed upon single-family uses; and facilities of seven or more in all zones, subject only to the same requirements as multifamily uses.³⁹

The City's parking and loading requirements do not have specific provisions related to persons with disabilities, but there is a provision stating that "rest homes, convalescent hospitals, residential care and similar group care facilities" require only one space for each four beds, which is a reduced requirement compared to the two parking spaces required for typical "one-and two-family dwelling units."⁴⁰ Consequently, the reduced parking requirements for group care facilities decrease the parking requirements for some disabled persons, but parking requirements for residential development need to serve all disabled persons.

Permits and Processing

The City's permitting and processing procedures do not negatively affect the ability to design or retrofit homes that will be accessible for the disabled or constrain the siting of group homes. The City, however, applies the

³⁸ City of St. Helena Municipal Code, Title 17.

³⁹ City of St. Helena Municipal Code, Title 17.

⁴⁰ City of St. Helena Municipal Code, Chapter 17.124: Parking and Loading Requirements

same process required for other renovations to retrofitting homes for accessibility, and the City does not have a special process for such retrofits.

As discussed above, residential and intermediate care facilities with fewer than six persons are permitted in residential zones. Although care facilities with seven or more persons are permitted with a Conditional Use Permit in the residential zones, no additional permits are required. This is consistent with the City's requirements for other multifamily uses such as condominiums, townhomes, apartments, and dwelling groups containing more than four units, which also require a Conditional Use Permit. There are no additional requirements placed on residential or intermediate facilities.

Building Codes

In 2019, the City of St. Helena adopted the 2019 California Building Code with minor amendments. The changes made to this Code by the City, enumerated in the Governmental Constraints section of this document, do not unfairly treat residential and intermediate care homes differently than other residential uses. Nevertheless, no specific exemptions to the 2019 California Building Code exist for housing for disabled persons. The City of St. Helena does not have local universal design requirements but adopted a reasonable accommodation ordinance in 2015 which provides a reasonable accommodation procedure related to "a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities", including building codes and the issuance of Building Permits.

Definition of Family

The Municipal Code currently (2022) defined "family" as:

"Family" means any of the following groups living together in the same dwelling unit as a single housekeeping unit:

1. Any number of persons related by blood, marriage or legal adoption;
2. A nuclear family identified by extended cohabitation;
3. A group not exceeding five persons whose interpersonal relationships relating to shared household expenses, duties and private lives are indistinguishable from groups listed in subsections 1 and 2 above.

The definition of family in a jurisdiction's municipal code can pose some challenges for persons with special needs who may have live-in caregivers, group home arrangements, or other arrangements not reflective of the typical nuclear family. Additionally, the definition used by a city can cause confusion or difficulty when applying to programs such as Community Development Block Grants, which use a more inclusive definition of a family unit.

In the previous element, Program 1.K was included to amend the zoning ordinance to define "family" as one or more persons living together as a single housekeeping unit in a dwelling unit, as required by State law. This change has not been made to the Zoning Code, however, all City actions are made in keeping with California

State law, as it has precedence over any in-consistent locally adopted land use definitions. The City is undergoing a comprehensive Zoning Code update, which will address the existing outdated adopted definition of "family." Further, Program H-Fis included in this Housing Element, committing the City to updating this definition specifically.

Spacing or Concentration Requirements

The City of St. Helena does not have any additional spacing or concentration requirements for housing for persons with disabilities. There are no spacing requirements for group homes, residential care facilities, transitional housing facilities, and supportive housing facilities.

In the Service Commercial (SC) and Central Business (CB) districts, supportive housing is permitted only on the upper floors, which is the same requirement imposed on all other residential developments in these zones.

Locally Adopted Ordinances

St. Helena has passed five development-related local ordinances to help ensure growth of quality housing and to create a balance between the need for affordable housing and the market demands of the tourism industry.

Bed and Breakfast Inns

Bed and breakfast inns, a common sight in many tourist-oriented towns like St. Helena, are regulated by a use permit process that requires certain findings to be made, including that:

- A. The establishment of a bed and breakfast inn is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
- B. The establishment of a bed and breakfast inn will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.
- C. The establishment of a bed and breakfast inn is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.⁴¹

Additionally, bed and breakfast inns are required to only use up to four bedrooms, a requirement that helps ensure that larger homes are still partially available for use as a permanent residential dwelling. Such affordances can be considered helpful to special needs groups, such as large households. Given these strict requirements, St. Helena's bed and breakfast inns ordinance does not pose additional constraints to housing and helps limit potential reduction of housing units in the case of a homeowner wishing to convert their residential property to a bed and breakfast.

Short-Term Rentals

Short term rentals are strictly regulated in the City of St. Helena to reduce the impact on the area's already scarce housing inventory. The City allows only twenty-five short-term rental permits at a time with a maximum

⁴¹ City of St. Helena. St. Helena Municipal Code, Title 17. <http://www.codepublishing.com/CA/sthelenal/>. Accessed January 9, 2023.

of four bedrooms in the household being used for short-term rentals. Additionally, the City restricts uses of the property by guests and enforces additional regulations on sounds and general activities during the hours of 10 P.M. to 7 A.M. Given the strict measures in place, the short-term rentals ordinance doesn't pose additional constraints to housing. Instead, the ordinance incentivizes property owners to use their homes for other uses with less stringent requirements, which may include long-term rentals.

Time-Share Uses

Time-shares are strictly regulated in the City of St. Helena, are considered commercial uses, and are permitted only in commercial zoning districts. Any existing housing stock in the city is prohibited from being converted into a time-share. As such, the time-share ordinance is not a constraint to housing, but instead assists with ensuring residential land is being put to more productive, residential purposes that assist with alleviating the existing housing crisis.

Affordable Housing

The City's affordable housing ordinance is a codified ordinance that specifies how the City will provide density bonuses, concessions, and incentives for the construction of affordable housing projects that are designed for seniors, low-income, very low-income, and moderate-income (in the case of condominiums) persons and families. The affordable housing ordinance also specifies how the City will grant priority for the provision of water and sewer services to affordable developments, a requirement stated in California Government Code Section 65589.7. The affordable housing ordinance also describes the process in which a person voluntarily donates land to the City for residential development use. The ordinance additionally allows for vehicular parking ratios to be beneath those required by the city, subject to California Government Code 65589.7 and a recorded covenant against the property.

The affordable housing ordinance does not pose any constraint to housing, but instead acts to formalize State mandated programs and laws designed to incentivize affordable housing.

Housing Trust Fund, Housing Impact Fee and Inclusionary/In-Lieu Fee Requirements

In September 2004, the City Council passed Ordinance 2004-7 adding Chapter 17.146 Housing Trust Fund, Housing Impact Fee, and Inclusionary/In-Lieu Fee Requirements to the St. Helena Municipal Code. The regulations are designed so that new non-residential developments and additions are required to pay a housing impact fee and new residential developments containing five units or more are required to include 20 percent of their units as affordable housing, and developments with less than five units pay an in-lieu fee. The fees collected from the nonresidential and residential development then go into a Housing Trust Fund. The use of Housing Trust Fund monies is directed exclusively to "increase and improve the supply of housing affordable to households of moderate, low and very low income" including costs such as land, construction, financing, and reimbursements to the City.⁴² The monies are available for both ownership and rental projects and services.

⁴² St. Helena Municipal Code. 17.146.030

These affordable housing requirements do add additional cost to market rate residential development in the process of creating additional affordable housing in St. Helena. To minimize the impact on the price of market rate housing, the Municipal Code allows developers to submit an “alternative equivalent proposal” and offers a series of concessions or incentives.⁴³ An “alternative equivalent proposal” enables developers to meet the affordable housing requirements through alternative means like dedicating vacant land as long as the proposed alternative aligns with the purpose of the Municipal Code and is approved by the City Council. Concessions and incentives that are automatically available to residential developers who construct inclusionary units include the opportunity to submit a preliminary development proposal, priority in the City application process, and fee deferment. In addition, the City Council can grant additional concessions and incentives including extra density bonuses, changes to City standards, and monetary assistance. The automatic and discretionary concessions and incentives help expedite the process of building affordable housing and therefore minimize the cost to developers.

⁴³ St. Helena Municipal Code. 17.146.050

9. Opportunities for Energy Conservation

Government Code Section 65583(a) (7) requires the “analysis of opportunities for energy conservation with respect to residential development.”⁴⁴ This is important due to the key role played by energy efficiency in determining the relative affordability of housing. Lower rates of energy usage decrease utility costs for residents, making a housing unit more affordable. The discussion that follows outlines current State policies and development standards along with local City policies that promote energy conservation for new and existing development in the City of St. Helena.

Instituted by legislative action in 1978 to reduce overall energy consumption statewide, the California Building Energy Efficiency Standards set thresholds and guidelines for energy efficiency for both residential and nonresidential construction. The revised standards for 2022 went into effect August 11, 2021, under Title 24, Part 6, of the California Code of Regulations. Title 24 is otherwise known as the California Building Standards Code. The energy requirements of the new State code are significantly more stringent than the prior codes (heat pump requirements for single-family and multi-family homes and businesses; electricity-ready requirements for single-family homes; and new solar power requirements for high-rises, hotels/motels, tenant spaces, offices, stores, restaurants, schools, and civic spaces) and are intended to progress to 100 percent clean electricity and carbon neutrality by 2050 or earlier.

In addition to the Building Energy Efficiency Standards, Part 11 of Title 24 contains California’s Green Building Standards Code (CALGreen). St. Helena adopted the revised standards in 2019, with amendments to require all new indoors plumbing fixtures to meet the 20 percent reduction in water use, a 20 percent reduction in cement use in foundations, and certified U.S. EPA Phase II certified wood-burning devices or pellet-fueled device. These amendments are not considered an impediment to housing development.

On a local level, the 2040 City of St. Helena General Plan Climate Change Element addresses energy conservation for residential development by including goals such as:

- reducing energy demand through improved building and design;
- reducing consumption and divert waste; and
- increasing community engagement and advocacy.

The City participates in an AB811 program that allows commercial and residential property owners to finance renewable energy, water efficiency, and energy efficiency improvements through a property tax assessment. Additionally, the City of St. Helena is currently implementing a program to reduce GHG emissions from City facilities and has an Active Transportation and Sustainability Committee and a Water Advisory Board that oversee its natural resources for energy conservation.

⁴⁴ HCD Building Blocks for Effective Housing Elements, “Opportunities for Energy Conservation.” Accessed September 24, 2008. http://www.hcd.ca.gov/hpd/housing_element/index.html.

The City has included Programs H-RR through H-UU to educate, encourage, and fund pushes for energy conservation within the community. Through education provided by the City, residents, contractors, and property owners can learn about various ways to integrate energy conservation programs into St. Helena residential developments. The City also intends to stay up to date on State efficiency and building code standards to ensure new and rehabilitated housing developments provide future owners and tenants with long-term cost-savings and energy efficiency.⁴⁵ Additionally, to further encourage energy efficiency, the City also aims to explore the possibility of offering low-interest loans for energy conservation measures, in addition to continuing to participate in AB-811 programs to finance local efforts.

⁴⁵ See *St. Helena Municipal Code Chapter 15.18*

10. Zoning for a Variety of Housing Types

Key Findings

- St. Helena's Zoning Code allows for a variety of housing types in the City including multiple-family units, transitional and supportive housing, single-room occupancy units, manufactured and mobile homes, and accessory dwelling units. However, to comply with Section 65915 through 65918 of the California Government Code, St. Helena should amend the Zoning Code to reflect the new maximum density bonus provisions that were adopted by the State in 2020. Additionally, St. Helena must also amend the Zoning Code to allow for low barrier navigation centers, consistent with State law.

Multiple-Family Rental Housing

The St. Helena Zoning Code allows multiple-family dwellings subject to design review in the High Density Residential (HR) zoning district. In addition, the Medium Density Residential (MR) district permits the construction of attached duplex or triplex units with a Conditional Use Permit.⁴⁶ Multiple-family rental housing is subject to subjective design review, which poses a constraint to development. For more information regarding the design review process and development standards applied to multi-family housing, see the Governmental Constraints section.

Density Bonuses for Affordable Housing

Per California Government Code Sections 65915 through 65918, local governments are required to provide density bonus provisions to projects that comply with specific standards. Legislation approved in 2020 increased the maximum density bonus amounts for very-low-, low-, and moderate-income housing. The California Government Code describes how maximum densities shall be calculated for very low-, low-, and moderate-income housing in a tabular format. Additionally, local governments are also required to provide one or more incentives for qualifying projects and are required to accept an incentive proposed by a developer unless the incentive proposal is found to cause environmental harm, a health and safety issue, a cost reduction, a detriment to historical property, or otherwise contrary to law. Both density bonuses and incentives are granted based on the number of affordable units present in each project.

The City of St. Helena currently establishes density bonus provisions for affordable housing in Chapter 17.144 (Affordable Housing). The provisions in that Chapter do not reflect the new maximum density bonus tier framework that was adopted by the State in 2020. Because of this, the City is not currently in compliance and has included Program H-F to commit the City to amend the Zoning Code for compliance with California Government Code Sections 65915 through 65918. The City is currently (2023) undertaking a Comprehensive Zoning Code Update. Density bonus provisions in the Draft Zoning Code have been revised for compliance with State law. The Comprehensive Zoning Code Update is scheduled for adoption in fall 2023.

⁴⁶ City of St. Helena. *St. Helena Municipal Code, Title 17.*

Housing for Permanent and Seasonal Agricultural Employees

Sections 17021.5 and 17021.6 of the California Health and Safety Code establish specific requirements for the permitting of agricultural employee housing in a jurisdiction's zoning code. Specifically, Section 17021.5 mandates that "employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use."⁴⁷ Furthermore, designated employee housing, as defined above, cannot be subject to Conditional Use Permit requirements, zoning variance, fees, taxes, or any other requirement other than those pertaining to a traditional single-family structure. Section 17021.6 pertains to larger employee housing facilities featuring a maximum of 36 beds in group quarters, or 12 single-family units. Under this legislation, such units are deemed an agricultural land use and cannot be subject to any restrictions, conditional use requirements, zoning variance, fees, taxes, or other requirements not imposed on other agricultural uses in the same zone.

The City is in compliance with Sections 17021.5 or 17021.6 of the California Health and Safety Code. The A-20, AP, and W zoning districts allow large employee housing facilities (12 units or 36 beds) by right. Whereas, the WW, LR-1A, LR, MR, and HR zoning districts allow agriculture employee housing for six or fewer persons subject to design review. Housing for permanent and seasonal agricultural employees is subject to subjective design review, which poses a significant constraint to development. Program H-F commits the City to amending the Zoning Code to replacing subjective design review with objective design standards and SB 330-compliant streamlined review. The City is currently (2023) undertaking a Comprehensive Zoning Code Update. The Draft Zoning Code incorporates objective development and design standards for residential development. These standards will apply to housing for permanent and seasonal agricultural employees. The Comprehensive Zoning Code Update is scheduled for adoption in fall 2023.

Zoning for Emergency Shelters, Transitional Housing, and Supportive Housing

AB-139 requires local government to identify a zone(s) where emergency shelters are allowed by-right without a conditional use or other discretionary permit. Local governments are authorized to impose only those development standards that apply to residential or commercial development within the same zone. However, a local government may impose specified objective standards, including standards for off-street parking based on demonstrated need, as specified. The intent of these regulations is to help streamline the development of varying housing types.

AB-139 requires the need for emergency shelter to be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count, the number of shelter beds available on a year-round and seasonal basis, the number of beds that go unused on an average monthly basis, and the percentage of those in emergency shelters that move to permanent housing. The bill also requires sufficient parking for employees and one space per two beds in the shelter. Under AB-139 and California Government Code Section 65651, local governments shall allow supportive and transitional housing as a by-right use in all districts where

⁴⁷ California Government Health and Safety Code 17021.5 (b)

single-family and multiple-family dwelling unit uses are allowed. Additionally, the State requires that these uses be subject only to those regulations that apply to other residential dwellings (i.e., single-family dwellings, multiple-family dwellings) of the same type in the same district.

Emergency shelters are identified as a by-right use in the I and SC zoning districts. According to a Point in Time Count provided by the Chief of Police, there is one homeless person who resides in St. Helena. There are several parcels in these zones that can accommodate an emergency shelter, including APN 009-580-022-000 (I zoning district) and APN 009-194-005-000 (SC zoning district). These parcels are vacant, habitable, and in proximity to transportation and services. Combined, they total 1.48 acres and can provide capacity for 15 beds, by conservative assumption of 10 beds/acre.

Due to new State law, AB 2339, which amended Government Code section 65583 and took effect in 2023, jurisdictions must now provide capacity for emergency shelters in a zone(s) that allow residential uses and must expand the definition of emergency shelters to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care. The City is currently (2023) not in compliance with State law as it only allows emergency shelters by-right in the I and SC zones – which don't allow residential uses – and does not include other interim interventions within the definition of emergency shelters. The City is working to meet these requirements through the currently ongoing (2023) Comprehensive Zoning Code Update by expanding the definition of emergency shelter to include interim interventions, and by allowing emergency shelters as a permitted use without a conditional use or other discretionary permit in the BPO zone where multifamily and single-room occupancy residential uses are permitted. There are several parcels in the BPO zone that could accommodate an emergency shelter, including APN 009-201-019, an underutilized quarter-acre parcel. The parcel is an infrequently used parking lot with no structures or active uses, and an existing floor area ratio (FAR) of 0.0. The BPO zone allows an FAR of up to 0.5, indicating significant underutilization and an available potential building area of 5,625 square feet. Additionally, the parcel is located in proximity to Safeway, a pharmacy, Adventist Health St. Helena's cardiology clinic, the fire department, and high-quality transportation options along Main Street. Based on the calculation methodology established within Government Code Section 65583 by AB 2339 that requires a minimum of 200 square feet per person, this parcel alone has potential capacity for more than 28 people. Program H-F includes actions committing the City to revising the Zoning Code to allow for emergency shelters in compliance with recent amendments to Government Code section 65583 subdivision (a)(4).

Further, emergency shelters, transitional housing, and supportive housing are subject to subjective design review, which poses a significant constraint to development. Program H-F commits the City to amending the Zoning Code to replacing subjective design review with objective design standards and SB 330-compliant streamlined review through the currently ongoing (2023) Comprehensive Zoning Code Update. The Draft Zoning Code (released October 2022) incorporated objective development and design standards for residential development. The Comprehensive Zoning Code Update is scheduled for adoption in fall 2023.

The City is in compliance with State laws related to supportive housing, and transitional housing. The Zoning Code allows both supportive and transitional housing by-right in all residential zoning districts, and in non-residential and mixed use zones subject to the same requirements imposed upon residential uses.

Residential Care Facilities

California Government Code Section 65583 requires that housing elements provide a program to “address and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing for persons with disabilities. The program shall remove constraints to and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.” In line with encouraging the development of housing for those with disabilities, the State requires that small, licensed residential care facilities (defined as facilities with six or fewer residents) be allowed “by right” in all residential zones. Additionally, the State, through HCD, requires that cities consider constraints to reasonable accommodation for large, licensed residential care facilities (defined as facilities with seven or more residents).⁴⁸

The City of St. Helena allows residential care facilities serving six or fewer persons as by-right uses in the LR-1A, LR, MR, and HR residential zones. For compliance with state law, the City must allow these uses in any zone allowing single-family uses, subject only to the conditions imposed upon residential uses in the same zone. The City currently allows single-family homes in the A-20, W, and WW zones. The City should revise the municipal code to allow residential care facilities of six or fewer in these zones. Just like all other residential uses, residential care facilities are subject to design review, which poses a significant constraint to development. Program H-F is included to commit the City to amending the Zoning Code to replacing subjective design review with objective design standards and SB330-compliant streamlined review through the currently ongoing (2023) Comprehensive Zoning Code Update. The Draft Zoning Code (released October 2022) incorporated objective development and design standards for residential development. The Comprehensive Zoning Code Update is scheduled for adoption in fall 2023.

Residential care facilities serving seven or more persons require the approval of a Conditional Use Permit. A use permit requirement in zones allowing multifamily uses is a constraint to the development of these uses. The City should revise the municipal code to allow residential care facilities of six or fewer in these zones.⁴⁹

Program H-F commits the City to updating the municipal code to allow residential care facilities in all zones, subject only to the requirements imposed upon single-family uses and facilities of seven or more in all zones, subject only to the same requirements as multifamily uses.

⁴⁸ HCD Building Blocks for Effective Housing Elements, “Constraints for People with Disabilities.” Accessed May 19, 2022. <https://www.hcd.ca.gov/community-development/building-blocks/constraints/constraints-for-people-with-disabilities.shtml>

⁴⁹ City of St. Helena Municipal Code, Title 17.

Low Barrier Navigation Centers

California Government Code Section 65660 identifies low barrier navigation centers are facilities that focus on moving people into permanent housing and connecting temporary residents with opportunities for income, public benefits, health services, shelter, and housing. Similar to displaced persons shelters, these facilities are intended to accommodate people with disabilities, pets and their owners, partners (if not a gender-specific site), the storage of possessions, and survivors of domestic violence. Specifically, the State mandates that low barrier navigation centers have services “to meet the diverse needs of (the) population.” As of 2018, low barrier navigation centers are allowed, subject to design review, wherever multiple-family dwellings and mixed-use development are allowed. In addition, local governments may not impose parking requirements onto low barrier navigation centers.

The City is not currently in compliance and has included Program H-F to commit the City to amend the Zoning Code for compliance with California Government Code Section 65660. In updating the Code the City shall list low barrier navigation facilities as allowed by-right wherever multiple-unit dwellings and mixed-use development are allowed.

Single Room Occupancy (SRO)

Single-room occupancy residential units are a traditional form of affordable housing for very low- and low-income individuals. These units consist of a single room, often between 80 and 250 square feet in size, with or without cooking and sanitary facilities, that is rented out, often on a daily, weekly, or monthly basis. The St. Helena Municipal Code currently permits single-room occupancy type units in the form of Lodging Houses serving up to two paying occupants in an owner-occupied dwelling, as an accessory use in the LR and MR zoning districts. The HR zoning district currently allows single room occupancy units, subject to design review. As defined under Chapter 17.04 of the Municipal Code, lodging houses are buildings other than hotels, motels or bed and breakfast inns, where individuals can pay a rent in exchange for accommodations, including room and board, or board alone. Lodging houses serving more than two and up to five occupants require a use permit. Accessory structures featuring cooking and sanitation facilities are required to meet design and building standards like those of standard single-family and second units. Units without such facilities are subject to significantly fewer requirements and are more likely to address very low- and low-income housing needs.⁵⁰

Factory Built Housing and Mobile Homes

Government Code Section 65852.3(a) requires that manufactured and mobile homes, including the lots on which they are installed, meeting certain standards of construction and be subject to the same development standards that apply to conventional, stick built, single-family homes.⁵¹ In accordance with this legislation, the St. Helena Municipal Code, Title 17, defines a single-family dwelling to include a “mobilehome constructed to

⁵⁰ City of St. Helena. *St. Helena Municipal Code, Title 17.*

⁵¹ GCS 65852.3(a) standards include the constructed or purchased after October 1976, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, and installed on a foundation system pursuant to Section 18551 of the Health and Safety Code.

meet 1976 HUD standards, when placed on a permanent foundation, which is designed or used exclusively as a residence, including only one dwelling unit.”⁵² Mobile units meeting the above definition are permitted under single-family site development standards in all zones that allow single-family housing units.

In addition, the Low Density Residential (LR), Low Density Residential One Acre Minimum (LR-1A), Medium Density Residential (MR) and High Density Residential (HR) districts specifically permit as an allowed use, permanent mobile homes constructed in accordance with the 1974 safety standards and installed on a permanent foundation. Chapter 17.100 of the Municipal Code sets forth requirements for the Mobilehome Park Overlay (MHP) zoning district that applies the State Mobilehome Parks Act to the establishment and operation of mobilehome parks within the boundaries of the City of St. Helena.⁵³ Under these provisions of the Municipal Code, St. Helena fully adheres to the State standards regarding manufactured and mobile homes, and mobile home parks. Factory built housing and mobile homes are subject to subjective design review, which poses a significant constraint to development. Program H-F is included to commit the City to amending the Zoning Code to replacing subjective design review with objective design standards and SB 330-compliant streamlined review through the currently ongoing (2023) Comprehensive Zoning Code Update, scheduled for adoption in fall 2023. The Draft Zoning Code (released October 2022) incorporated objective development and design standards for residential development in compliance with State law.

Accessory Dwelling Units

Accessory dwelling units (ADUs) are defined as attached or detached dwelling units that provide independent living facilities on the same parcel as a legal single-unit or multiple-family unit dwelling, and which include permanent provisions for living, sleeping, eating, cooking, and sanitation. Due to the lower cost of construction and reduced environmental impact, the State has enacted many laws aimed at incentivizing the development of ADUs to help combat the worsening housing crisis. The State requires local governments to treat all ADUs that comply with specific standards as ministerial approvals. Local governments reserve the exclusive right to impose specific design and development standards, which include, but are not limited to setbacks, minimum and maximum parcel size, and maximum height. Second units are exempt from the GMS in Municipal Code Section 17.152.040.

On January 10, 2023, the City adopted a new ADU Ordinance for compliance with California Government Code Sections 65852.2 and 65852.22. The City now permits ADUs or JADUs on any lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use (including all residential, mixed-use, and agriculturally zoned parcels). The updated Ordinance also addressed compliance issues related to the definition of a cooking facility, definition of an efficiency kitchen, allowing both an ADU and JADU for conversions on a lot with an existing or proposed single-family dwelling, separate conveyance of an ADU or JADU, and restricting bedroom count, to meet the requirements of State law.

⁵² City of St. Helena. St. Helena Municipal Code, Title 17.

⁵³ City of St. Helena. St. Helena Municipal Code, Title 17.

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The City is currently undertaking a Comprehensive Zoning Code Update that will address any remaining compliance issues that HCD may find in their review of the newly Adopted ADU Ordinance. Program H-F in this Housing Element commits the City to revising the code for additional compliance with State law by 2026, though the City expects to adopt the Zoning Code Update in summer/fall 2023.

11. Housing Resources

Future Housing Need

State Housing Element law requires that a local jurisdiction accommodate a share of the region's projected housing needs for the planning period, called the Regional Housing Needs Allocation (RHNA). Compliance with this requirement is measured by the City's ability to provide adequate land with adequate density and appropriate development standards to accommodate the RHNA. The Association of Bay Area Governments (ABAG), as the regional planning agency, is responsible for allocating the RHNA to individual jurisdictions within the region.

For the sixth Housing Element cycle, the City of St. Helena has been allocated a RHNA of 256 units, divided into four income levels as follows:

- Very Low Income: 104 units (41 percent)⁵⁴
- Low Income: 59 units (23 percent)
- Moderate Income: 26 units (10 percent)
- Above Moderate Income: 67 units (26 percent)

The City must ensure the availability of residential sites at adequate densities and appropriate development standards to accommodate these units by income category.

Credits Towards RHNA

Projects with housing units approved or permitted that would not be occupied before the start of the planning period can be credited towards meeting the City's RHNA. These units can count towards the RHNA based on affordability and unit count provided it can be demonstrated that the units can be built within the planning period of February 2023 through February 2031. Affordability (income category) is based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability of the units within the project. In addition, the City can project the number of Accessory Dwelling Units (ADUs) that may be built between 2023 and 2031, based on trends of ADU permitting during the last three years.

Pending or Approved/Entitled Projects

Currently there is one single-family residence and four moderate-income units, not to exceed 120 percent of the AMI, that are approved and undergoing building permit processing. In addition, there are 87 units that are pending planning/entitlement approval under the Hunter Subdivision project. While the Hunter Subdivision

⁵⁴ The City has a RHNA allocation of 104 very low income units (inclusive of extremely low income units). Pursuant to State law (AB 2634), the City must project the number of extremely low income housing needs based on Census income distribution or assume 50 percent of the very low income units as extremely low. Therefore, the City generally estimates 52 extremely low and 52 very low income units.

project is proposing approximately 25 affordable units, because the affordable agreements are not in place at the time of Housing Element, all unit credits were assumed to be above moderate.

On February 7, 2023, the Planning Commission approved a resolution recommending that the City Council approve the Hunter Subdivision project. The Project was presented to and discussed by the City Council at a duly noticed public hearing on May 1, 2023. A second public hearing for the project is scheduled for June 2023 where City Council action on the proposed project is expected to occur. If approved by the City Council, the applicant will need to record the tentative tract map with Napa County Recorders Office which is expected in the fall of 2023 and then submit for final map approval by the City Council in late 2023 to early 2024. The project may then undergo Design Review which could be completed within 12 months of final map approval; with the issuance of building permits expected in 2025. As referenced in Chapter 8, *Non-Governmental and Governmental Constraints*, recent trends show building permits were issued within four months of entitlement approval for recent housing unit developments, with many projects receiving building permits within a week of entitlement approval. Program H-A further ensures the City is committed to supporting the Hunter Subdivision project through completion and finding alternative solutions if the project is not meeting timelines for the 6th Cycle. As an alternate strategy should there be delays with the Hunter Subdivision beyond control of the City, such as developer financing challenges, the City has also included surplus capacity of 116 units in the above moderate-income category to ensure capacity to meet the RHNA is sustained throughout the planning period. Table 43 details the pending and entitled projects with housing units.

Table 43 Pending and Entitled Projects

Project Number	Address	APN	Zoning	Project Description	Net Units
PL20-046	777 Pratt Ave.	009-030-060	Twenty-acre Agriculture District (A-20)	Construction of a single-family residence	1 above moderate-income
PL20-015	963 Pope St.	009-090-012/013	Medium Density Residential	Construction of four (4) new deed restricted affordable housing units on a site with one (1) existing deed restricted unit.	1 moderate and 4 lower-income
#2010-40	Terminus of Adams Street	009-030-057	Medium Density Residential	Hunter Subdivision Tentative Map to subdivide the 16.9-acre parcel into 51 single-family lots and a 3.4-acre multi-family parcel. The applicant intends to construct 51 single-family residences, 11 ADUs, and 25 multi-family units.	87 above moderate-income*

*The project is subject to Inclusionary Housing requirements with 20% affordable housing.

Projected Accessory Dwelling Units

Pursuant to Government Code Section 65583.1, the City can satisfy its regional housing need using ADU and junior accessory dwelling unit (JADU) trends and existing resources and incentives that promote their development. Using 2018-2021 data on ADUs/JADUs, the City has issued permits for approximately 9 ADUs on average. Extending this trend over the next 8 years, the City can assume approximately 72 ADU units will be permitted over the next planning period. Feedback from public outreach and research on ADU rental prices indicated that ADUs are typically rented at market rate and should be considered above moderate.

Remaining RHNA

Accounting for the entitled, approved and pending projects, as well as projected ADUs, the City has a remaining RHNA of approximately 184 units, including 159 lower- and 25 moderate-income units. Existing pending and approved projects and ADU trends currently meet the City's above moderate RHNA requirement. Table 44 details the existing progress towards the 6th cycle RHNA and the remaining RHNA that the City must demonstrate the availability of sites with appropriate zoning and development standards.

Table 44 Progress Towards RHNA

Income/ Affordability Category	RHNA Allocation	Pending or Approved	Estimated ADUs	Remaining RHNA
Lower	163	4	0	159
Moderate	26	1	0	25
Above Moderate	67	88	72	0
Total	256	92	72	184

Residential Site Inventory

Following the analysis of RHNA credits, specific sites throughout the city were considered for potential for housing development. Site selection for the residential site inventory started with City owned sites where residential development is in line with short-term City goals, then vacant and nonvacant sites zoned for residential use, and lastly sites that could be rezoned to accommodate residential development or residential development at a higher density. Several constraints were considered for each site, including environmental concerns, utility or infrastructure access, feasibility of redevelopment during the next planning period, and realistic capacity assumptions. Sites identified for lower income housing must meet certain density and site requirements, including a minimum density of 20 units per acre, parcel size between 0.5 and 10 acres, and access to high performing schools, jobs, amenities, health care facilities, and grocery stores. Zoning designations with allowable density appropriate for lower income housing capacity include Mixed Use (12-20 du/ac) and High Density Residential (16-26 du/ac).

City-Owned Sites

A review of City-owned properties for sites that are feasible for housing and reflect City priorities was conducted by the City Council in 2021. There are three City-owned properties (1480 Main Street, 1572 Railroad Avenue, and Adams Street/Library Lane) where near-term affordable housing development is in line with community and City priorities for these sites. In 2015, Vernazza Wolfe Associates, Inc conducted a *Feasibility Analysis and Comparison of Sites for New Affordable Housing Development* which looked at site feasibility and capacity for each of the three City-owned sites. The study evaluated potential risks and time to develop each site and identified the number of units, cost per unit, and funding gaps associated with each site. The analysis determined the three City-owned sites included in the site inventory are suitable for development of housing with 100 percent of units dedicated to lower-income housing. The capacity analysis factored in the size of the site, buildable footprints, maximum allowable floor area ratio and height, a ground-floor commercial

assumption, and required open and support services spaces. The inventory incorporated the 2015 site feasibility and capacity analysis and revised certain assumptions as needed based on land use changes and new density bonus law. The City is interested in redeveloping these sites and intends to conduct studies to determine the most efficient use of these sites for housing and proceed with the findings for housing development by 2025, consistent with Program H-L. In 2022, the City hired an appraiser to get the most current real estate valuation of all city surplus sites. The City is engaging the services of a consultant in spring 2023 to help begin the surplus land act process.

Site 1: 1480 Main Street (APN 009-211-016)



Table 45 Site 1 Summary

Current Use	Fire Stations and Vacant City Hall Structures
Parcel Size	1.66 acres (0.9 acres available for redevelopment)
Existing General Plan Land Use	Central Business and Public/Quasi-Public
Existing Zoning	Public/Quasi-Public
Proposed Land Use and Zoning	Mixed-Use
Allowed Density	12 to 20 units/acre
Site Capacity	22 units
Assumed Capacity and Income Category	6 Lower Income units

Site 1 is a 1.66-acre property owned by the City of St. Helena located at 1480 Main Street. City goals for the site include redevelopment of the portion of the site fronting Main Street with a visitor-serving commercial uses as a primary use and housing as a secondary use. The site is currently developed with the St. Helena Fire Department on the northern portion of the site and a vacant one-story building on the southwestern portion of the site. Only the vacant components of the site are proposed for redevelopment. A General Plan Amendment and Rezone change is proposed to change the land use and zoning designation from Central Business & Public/Quasi-Public to Mixed-Use. While the Mixed-Use Zone could potentially support 100 percent commercial development, the City has identified this site as suitable for mixed use housing development with intentions to develop.

The 2015 site feasibility and capacity analysis evaluated housing capacity of the site by analyzing current and adjacent land uses and zoning, site topography, environmental sensitivities, service connection feasibility, as well as setback, height, lot coverage, FAR, density, parking, and landscape requirements. The analysis identified two development scenarios for the site, resulting in a maximum capacity of approximately 44 units in scenario one or 46 units in scenario two. The assessment also accounted for the required number of-site parking spaces, 82 spaces in scenario one and 88 in scenario two. No environmental constraints or service connection obstacles were identified on the site. According to the analysis, development of 44 housing units would result in a building lot coverage of approximately 39 percent in both development scenarios. In the Draft Zoning Code there is currently no standard for building coverage in the proposed Mixed-Use zone, therefore the resulting lot coverage would not conflict with the City's Zoning Ordinance. Due to the existing Fire Department, the site developable area is assumed to be approximately 0.9 acres (the location of the vacant building on the southwestern portion of the site), which is approximately half the area assumed in the 2015 analysis. The inventory conservatively assumes a maximum of 6 housing units, as the site area could approximately 22 units based on half the units assumed in the 2015 study.

Site 2: 1572 Railroad Avenue (APN 009-193-002)



Table 46 Site 2 Summary

Current Use	Temporary City Hall
Parcel Size	0.93 acres
Existing General Plan Land Use	Business and Professional Office
Existing Zoning	Business and Professional Office
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	24 units
Assumed Capacity and Income Category	20 Lower Income units

Site 2 is a 0.93-acre property owned by the City of St. Helena located at 1572 Railroad Avenue. City goals are in line with affordable housing development on the site. This site is currently used as a temporary location for City Hall. A General Plan Amendment and Rezone is proposed to change the land use and zoning designation to High Density Residential.

The entire 0.93-acre site is able to be redeveloped with the removal of the existing buildings. Based on allowed density under High Density Residential, 24 units would be permitted as a baseline. Density bonus provisions allowed with affordable housing projects would increase the number of units permitted on-site. However, 20 lower-income units were assumed in order to ensure adequate off-street parking capacity. According to the 2015 site feasibility and capacity analysis, which evaluated housing capacity of the site by analyzing current and adjacent land uses and zoning, site topography, environmental sensitivities, service connection feasibility, as well as setback, height, lot coverage, FAR, density, parking, and landscape requirements, the site can accommodate a total of 20 housing units with adequate area for the required 38 parking spaces. According to

the 2015 assessment, development of 20 housing units on the site would result in a building lot coverage of approximately 31 percent and would be consistent with the maximum lot coverage allowed in High Density Residential zone, 45 percent. The 2015 feasibility analysis and site assessment did not identify any environmental constraints or service connection obstacles that would affect redevelopment of the site. Twenty housing units is slightly higher than 80 percent of the maximum allowable density, at 83 percent. However, given that the City owns and intends to redevelop the site for housing and that this is consistent with the findings 2015 site feasibility and capacity analysis, the development of 20 housing units on-site is considered feasible.

Site 3: Adams Street (APN 009-150-006)**Table 47 Site 3 Summary**

Current Use	Vacant
Parcel Size	5.6
Existing General Plan Land Use	Central Business
Existing Zoning	Central Business
Proposed Land Use and Zoning	Central Business
Allowed Density	n/a
Site Capacity	n/a
Assumed Capacity and Income Category	31 Lower Income units

Site 3 is a 5.6-acre property owned by the City of St. Helena located at the terminus of Adams Street and the crossroads of Adams Street/Library Lane. City priorities of the site include a mix of public, commercial, and residential uses. The site is currently vacant but being leased for a small vineyard operation. No land use changes are proposed as residential uses are permitted on upper stories within the Central Business district.

The site inventory assumes a portion of the site, approximately 1.3 acres, would be dedicated for affordable housing, while the remainder of the site would be used for other public and commercial uses such as a potential location for City Hall and Police station. Based on the 2015 site feasibility and capacity analysis, which evaluated housing capacity of the site by analyzing current and adjacent land uses and zoning, site topography, environmental sensitivities, service connection feasibility, as well as setback, height, lot coverage, FAR, density,

parking, and landscape requirements, approximately 31 units could be accommodated on the portion of the site adjacent to the Public Library. The site would also accommodate 58 parking spaces where only 53 are required. According to the 2015 site feasibility and capacity analysis, development of 31 housing units on the 1.3 acre portion of the site would result in a building lot coverage of 28 percent. There is no standard for building coverage in the Central Business zone, therefore the resulting lot coverage would not conflict with the City's Zoning Ordinance. No environmental sensitivities or service connection constraints were identified for the site. This site was identified as a housing opportunity site in the 5th housing element cycle.

Privately Owned Vacant and Nonvacant Properties

After reviewing the pending and approved projects, existing ADU/JADU trends, and City-owned properties, additional capacity is needed to fully accommodate the City's RHNA and to allow for a buffer. A desktop and City tour of parcels that could accommodate more housing and meet the City's regional housing needs was conducted. Pursuant to Government Code section 65583.2(a), these included:

- Vacant sites zoned for residential use
- Vacant sites zoned for nonresidential use that allow residential development
- Residentially zoned sites that are capable of being developed at a higher density than existing conditions
- Commercially zoned sites that are capable of being developed at a higher residential density than existing conditions
- Sites suitable for rezoning to allow for residential uses or allow residential uses at a high density
- Sites zoned for residential use or suitable for rezoning to allow residential uses with expressed property owner interest for residential development

Suitability of Nonvacant Sites

The City has recently seen redevelopment of nonvacant, residentially zoned parcels for housing development. Recently redeveloped parcels included those with existing single-family residences. In addition, the City has recently seen the development of housing on sites with existing vineyards. Examples of recent development trends in residential zones and on properties with existing vineyards include the following:

- 632 McCorkle Avenue: The completed project demolished an existing single family residence to construct 8 new housing units
- 684 McCorkle Avenue: The completed project demolished an existing single family residence to construct 8 new, affordable housing units
- 963 Pope Street: The approved project merged two existing parcels with an existing single family home and constructed 4 new multi-family housing units; all 5 units will be affordable
- 500 Mills Lane: The completed project constructed a single-family residence, ADU, and barn on a property with an existing vineyard

- 601 Fulton lane: The completed project constructed a single-family residence, ADU, and barn on a property with an existing vineyard

The site inventory identified nonvacant residentially zoned sites with similar conditions to trends detailed above (nonvacant sites with existing, single-family residences). The projects listed above were infill sites that redeveloped parcels with existing single family residences with multi-family developments and affordable housing. These projects were located on parcels zoned Medium and High Density Residential. The conditions and characteristics of these projects are similar to Sites 6, 7, and 9 which each have one existing single-family residence and are zoned Median and High Density Residential.

The 632 McCorkle Avenue project had a density of 14.9 units per acre which is 57 percent of the maximum allowed density of the site, the 684 McCorkle Avenue project had a density of 14.7 units per acre which is 56 percent of the maximum allowed density, and the 601 Fulton Lane project had a density of 17.1 units per acre which is 107 percent of the maximum allowed density. The recent redevelopment projects have an average density of 15.5 units per acre, which equates to an average of 73 percent of the maximum allowed density on each site. The site inventory assumes a capacity of approximately 80 percent of the maximum allowed density on each site. This is slightly higher than the average density of recently constructed and approved projects. However, the sites identified in the inventory are larger than the recent redevelopment projects listed above which allows for more efficient layout and greater capacity for development. In addition, two of the three recently redeveloped sites were narrow parcels where the parcel size and shape limited the configuration and available area for housing development on-site.

Other jurisdictions in the region have also seen redevelopment of nonvacant, residentially zoned parcels for housing development as well. Additional redevelopment projects on nonvacant, residentially zoned parcels in the region include the following:

- City of Calistoga – 2008 Grant Street: The approved project includes demolition of an existing residential structure, a three-sided wooden garage, and a large, fire-damaged shed on a 5.84-acre parcel and construction of 15 single-family homes
- City of Calistoga – Yellow Rose Ranch: The proposed project consists of the demolition of an existing single-family residence, barn, and four accessory buildings and construction of 46 single-family homes, 33 attached ADUs, and 12 detached ADUs
- City of Napa - Browns Valley Subdivision: The proposed project includes the demolition of a single-family residence, barn, and several outbuildings and construction of 11 single-family homes
- City of Napa – Old Sonoma Road Mixed Use: The proposed project includes the demolition of nine existing non-historic buildings and rehabilitation of three existing historic buildings into two townhome clusters, six new condominium structures, eight single-family homes, and commercial space. The project proposes a total of between 155 and 162 housing units.

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- City of Napa – Redwood Grove Housing: The proposed project includes the removal of an existing single-family residence and construction of a two-story, 34-unit, multi-family, 100 percent affordable housing development.

Site 4: 905 Main Street (APN 009-180-008)



Table 48 Site 4 Summary

Current Use	Vacant
Parcel Size	0.27 acres
Existing General Plan Land Use	Mixed-Use
Existing Zoning	Service Commercial
Proposed Land Use and Zoning	Mixed-Use
Allowed Density	12 to 20 units/acre
Site Capacity	5 units
Assumed Capacity and Income Category	4 Above Moderate Income units

Site 4 is a 0.27-acre property located at 905 Main Street. The property is a vacant site in a location prime for development along Main Street. The property owner has expressed interest in development of the site with housing and community members have expressed support for this use. A zoning change is proposed to change the zoning designation from Service Commercial to Mixed-Use, which would bring the property into conformance with the existing General Plan land use designation and incentivize owner redevelopment of the site due to the new allowed on-site uses. In addition, mixed-use development incentives anticipated under Program H-P, such as streamlined design review and fee waivers, would further encourage development of housing on the site. The Mixed-Use land use designation is a new designation introduced in the City's recent 2040 General Plan Update. The City is currently in the process of updating the Zoning Ordinance to include a Mixed-Use zone consistent with the General Plan and anticipates adopting these changes in Fall of 2023. Because the Mixed-Use zone has not yet been adopted in the Zoning Ordinance, there are no recent development trends in the city for sites zoned Mixed-Use. According to the City of Napa's Housing Element Update, two recent mixed-use projects in the city had an average of 92 percent of the maximum allowed

density of the sites. Napa's sites inventory assumed a realistic density of 80 percent of the maximum allowed density of each site based on the density of recent mixed-use developments, which averaged 83 percent of the maximum allowed density.⁵⁵ There is potential that Site 4 could be developed with 100 percent commercial uses. However, the inventory only includes one site with a Mixed Use land use and only a total of four above-moderate housing units. In addition, the property owner has expressed to the City that they are interested in developing housing on the site. The site is vacant, and the entire 0.27-acre site is able to be developed. Based on 80 percent of the maximum allowed density under Mixed-Use, four above-moderate income units are feasible.

⁵⁵ City of Napa. 2022. Housing Element Update.
file:///C:/Users/lsegal/Downloads/Napa%20Housing%20Element%20Rev%2002%2020230216.pdf

Site 5: Main Street between Mills Lane and Dowdell Lane (APN 009-660-005)**Table 49 Site 5 Summary**

Current Use	Vacant
Parcel Size	1.8 acres
Existing General Plan Land Use	Service Commercial
Existing Zoning	Service Commercial
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	45 units
Assumed Capacity and Income Category	45 Lower Income units

Site 5 is a 1.8-acre property located on Main Street between Mills Lane and Dowdell Lane. The property is a vacant site in a location prime for development along Main Street. The site is privately owned currently but a local affordable housing non-profit has secured an exclusive option to purchase the property to develop affordable housing, consistent with an approved development agreement for the Farmstead Hotel. A General Plan Amendment and Rezone is proposed to change the land use and zoning designation from Service Commercial to High Density Residential to allow for affordable housing development. The affordable housing project is in the preliminary site design phase which is pending pursuant to adoption of the Housing Element Update and subsequent rezoning of the property to accommodate multi-family housing.

The entire 1.8-acre site is vacant and able to be developed. Based on allowed density under High Density Residential, a total of 45 housing units would be permitted. The affordable housing non-profit organization that owns the site intends to develop a housing project affordable to households earning between 30 percent and 60 percent of the AMI (very low- and low-income). A conceptual site plan was analyzed which determined

four-story development along Fountain Court and three-stories along Main Street with structured parking could yield approximately 45 units and all required parking spaces. The inventory assumes 45 units. While this is greater than 80 percent of the maximum allowable density of the site, it is consistent with the non-profit's project plans and less than the maximum density of the project site (46 units).

Site 6: 709 McCorkle Avenue (APN 009-100-031)



Table 50 Site 6 Summary

Current Use	Single Family Residences
Parcel Size	0.9 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	Medium Density Residential
Allowed Density	14 units/acre
Site Capacity	5 units
Assumed Capacity and Income Category	4 Above Moderate Income units

Site 6 is composed of a 0.9-acre property located at 709 McCorkle Avenue. The property is underutilized with one existing single family residence and a large undeveloped space. The site is considered underutilized based on the additional density, FAR, height, and lot coverage available.

The property owner along with community members and local nonprofit groups expressed interest in developing more housing on the site. The property owner inquired with the City regarding the possibility of subdividing the property pursuant to SB9, which would allow the lot to be split into two lots with development of up to two units on each lot. The current land use and zoning designation is Medium Density Residential and no changes to land use or zoning are proposed. The site is currently underutilized and does not meet the maximum density allowed under the Medium Density Residential Zone (16 units/acre) with a current density of 1 unit per acre. The site currently has 1 unit, which is approximately 7 percent of the total allowed capacity. The

existing building lot coverage is about seven percent of the site, allowing for an additional 38 percent coverage for new structures.

The site is composed of a single family lot which could accommodate 14 units under current land use regulations. Due to the existing residence on the site, the inventory conservatively assumed additional units would be added pursuant to SB 9. Each lot can be split into two lots with development of up to 2 units on each lot, for a total of 4 above moderate units (a net increase of 3 units). In addition, each lot could develop ADUs for a total net capacity of 5 units. However, a total of 4 above moderate income units were assumed, given the property owner's development interests.

Site 7: 821 Pope Street (APN 009-503-001)



Table 51 Site 7 Summary

Current Use	Single Family Residence
Parcel Size	1.0 acres
Existing General Plan Land Use	High Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	26 units
Assumed Capacity and Income Category	10 Lower Income and 10 Moderate Income units

Site 7 is a 1.0-acre property located at 821 Pope Street. The site is underutilized with one existing single-family residence and large undeveloped areas on-site. The site is considered underutilized based on the additional density, FAR, height, and lot coverage available.

Land use designations and existing development surrounding the site consist of multi-family housing. The current land use and zoning designation is High Density Residential and no changes to zoning are proposed. This site mirrors the condition of properties that were recently redeveloped with multi-family housing in the city. Similar to the 632 McCorkle Avenue, 684 McCorkle Avenue, and 963 Pope Street projects, this site contains existing single family residences on a large parcel but is underutilized as it is located on a High Density Residential zone

The entire 1.0-acre site is able to be redeveloped. Based on allowed density under High Density Residential, development of 26 units would be permitted. However, a total of 20 units, 10 lower income units and 10

moderate income units, is assumed in order to accommodate off-street parking capacity. The site is currently underutilized and does not meet the minimum density of the High Density Residential Zone (16.1 units/acre) with a current density of 1 unit per acre. The site currently has 1 unit, which is approximately 4 percent of the total allowed capacity. The existing building lot coverage is about 16 percent of the site, allowing for an additional 29 percent coverage for new structures or up to 45 percent if the site is redeveloped.

This site was included in the 5th Cycle Housing Element and is considered non-vacant, therefore requiring by-right approval for projects with at least 20% affordable units.

Site 8: 882 and 886 College Avenue (APN 009-070-043, -044, -045)

**Table 52 Site 8 Summary**

Current Use	Vacant
Parcel Size	1.5 acres
Existing General Plan Land Use	Public/Quasi-Public
Existing Zoning	A-20 (Agriculture)
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	39 units
Assumed Capacity and Income Category	15 Lower Income and 15 Moderate Income units

Site 8 is composed of three adjacent properties that total 1.5 acres located at 882 and 886 College Avenue. All three properties are vacant and are owned by a single property owner who has expressed interest in residential development on these properties. The site is adjacent to areas with existing multi-family development. A General Plan Amendment and zoning change is proposed to change the land use and zoning designation from Public/Quasi-Public and Agriculture to High Density Residential.

The entire 1.5-acre site is able to be redeveloped. Based on allowed density under High Density Residential, 39 units would be permitted. However, a total of 30 units, 15 lower-income units and 15 moderate income units, is assumed in order to accommodate off-street parking capacity. Future development of the site would not be dependent upon lot consolidation as all three parcels are under the same ownership. Furthermore, Program H-ZZ would incentivize lot consolidation at the time the property is developed.

Site 9: 1447 and 1515 Spring Street (APN 009-590-003, -010)



Table 53 Site 9 Summary

Current Use	Single Family Residences
Parcel Size	2.4 acres
Existing General Plan Land Use	High Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	62 units
Income Category	24 Lower Income and 24 Above Moderate Income units

Site 9 is composed of two adjacent properties that total 2.4 acres located at 1447 and 151 Spring Street. Both properties are underutilized with one existing single-family residence and large undeveloped areas on each parcel. The overall site is considered underutilized based on the additional density, FAR, height, and lot coverage available. This site mirrors the condition of properties that were recently redeveloped with multi-family housing in the city. Similar to the 632 McCorkle Avenue, 684 McCorkle Avenue, and 963 Pope Street projects, this site contains existing single family residences on large parcels but is underutilized as it is located on a High Density Residential zone. The site is surrounded by single- and multi-family development and sites zoned High Density Residential, similar to the 632 McCorkle Avenue and 684 McCorkle Avenue projects. The current land use and zoning designation is High Density Residential and no changes to zoning are proposed.

The entire 2.4-acre site is able to be redeveloped. Based on allowed density under High Density Residential, 62 units would be permitted. However, a total of 48 units, 24 lower income units and 24 above moderate income units, is assumed in order to accommodate site circulation improvements and adequate off-street parking

capacity. The site is currently underutilized and does not meet the minimum density of the High Density Residential Zone (16.1 units/acre) with a current density of 0.83 units/acre. The site has two existing housing units, which equals approximately three percent of the total allowed capacity of the site (62 units). The existing building lot coverage is approximately eight percent and the maximum allowed lot coverage is 45 percent. Future development of the site would not be dependent upon lot consolidation as all three parcels are under the same ownership. Furthermore, Program H-ZZ would incentivize lot consolidation at the time the property is developed.

This site was included in the 5th Cycle Housing Element, therefore requiring by-right approval for projects with at least 20% affordable units.

Site 10: Spring Street between Hudson Avenue & Valley View Street (APN 009-441-023)**Table 54 Site 10 Summary**

Current Use	Vineyard
Parcel Size	4.4 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	114 units
Assumed Capacity and Income Category	44 Lower Income and 44 Moderate Income units

Site 10 is a 4.4-acre parcel located on Spring Street between Hudson Avenue and Valley View Street. Recent property owner interest in residential development of the site indicates opportunity for housing. Additionally, Focus Group meetings showed interest in High Density Residential uses on this residentially zoned parcel in the form of town homes, which is compatible with the surrounding residential neighborhoods. The site is considered underutilized as it has a residential land use designation but is currently used as vineyards. As previously discussed, the City has seen recent development of housing on properties with existing vineyards. Site 10 has greater development potential than the recently developed vineyard parcels since it is located on a residentially zoned parcel, while the 500 Mills Lane and 601 Fulton Lane projects were located on parcels with a land use and zoning designation of Agriculture and therefore are only allowed to develop one housing unit and one ADU per parcel. A General Plan Amendment and zoning change is proposed to change the zoning from Medium Density Residential to High Density Residential.

The entire 4.4-acre site is able to be redeveloped. Based on allowed density under High Density Residential, 114 units would be permitted. However, a total of 88 units, 44 lower income units and 44 moderate income units, is assumed in order to accommodate adequate off-street parking capacity. The site is currently underutilized and does not meet the maximum density allowed under the Medium Density Residential Zone (16 units/acre) or the minimum density allowed under the proposed land use change to High Density Residential (16.1 units/acre) with a current density of 0 units per acre. The site currently has no on-site development and would be allowed 45 percent lot coverage, or approximately 86,000 square feet of building footprints.

This site was included in the 5th Cycle Housing Element and is considered non-vacant, therefore requiring by-right approval for projects with at least 20% affordable units.

Site 11: 1637 Spring Street (APN 009-600-018)**Table 55 Site 11 Summary**

Current Use	8 Detached Residential Housing Units
Parcel Size	1.1 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	High Density Residential
Proposed Land Use and Zoning	High Density Residential
Allowed Density	16.1 to 26 units/acre
Site Capacity	28 units
Assumed Capacity and Income Category	8 Additional Lower Income units

Site 11 is a 1.1-acre parcel located at 1637 Spring Street. Recent property owner interest in adding housing units on-site indicates there is opportunity to develop additional housing. The property owner emailed City Staff on March 7, 2022, interested in the development of additional housing units on the property. The property owner stated a desire to double the number of housing units on the site and expressed support for changing the land use designation from Medium Density Residential to High Density Residential, to match the current zoning. Further, correspondence with the property owner confirmed they are interested in including the site in the site inventory. The land use designation of the site is currently Medium Density Residential, changed from High Density Residential during the latest General Plan Update in 2019. However, the site is still zoned High Density Residential and is adjacent to other parcels zoned High Density Residential. A General Plan Amendment is proposed to change the land use designation from Medium Density Residential to High Density Residential, in conformance with the current zoning designation.

Based on allowed density under High Density Residential, a total of 28 units would be permitted. With the existing 8 units and current on-site structures, the site is underutilized based on density, FAR, and lot coverage. Based on discussions with the property-owner and existing site layout, approximately 8 additional units could

be accommodated on-site. Therefore, the inventory assumed 8 lower income units, resulting in 16 units total on-site, based on the property owner's development interests. The site is underutilized and currently does not meet the minimum density of the High Density Residential Zone (16.1 units/acre) with a current density of 7.3 units/acre. The site has 8 existing housing units, which equals approximately 29 percent of the total allowed capacity of the site (28 units). The existing building lot coverage is approximately 30 percent and the maximum allowed lot coverage is 45 percent.

Site 12: 620 McCorkle Avenue (APN 009-502-003)**Table 56 Site 12 Summary**

Current Use	Single Family Residence
Parcel Size	0.76 acres
Existing General Plan Land Use	Medium Density Residential
Existing Zoning	Medium Density Residential
Proposed Land Use and Zoning	Medium Density Residential
Allowed Density	5.1 to 16 units/acre
Site Capacity	12 units
Assumed Capacity and Income Category	3 Additional Above Moderate Income units

Site 12 is a 0.76-acre parcel located at 620 McCorkle Avenue. The site is considered underutilized as it is zoned medium density residential but is currently developed with a single family residence. The site is considered underutilized based on the additional density, FAR, height, and lot coverage available. The site is surrounded by single- and multi-family development and properties zoned Medium and High Density Residential. In addition, community feedback from public meetings and public comment letters have shown the site is a strategic location for housing and the community is interested in including this site in the site inventory. The current land use and zoning designation is Medium Density Residential and no changes to zoning are proposed. This site also is adjacent to recently redeveloped sites at 632 McCorkle Avenue and 684 McCorkle Avenue, which removed an existing single-family residence with multi-family units.

The entire site could accommodate approximately 12 units based on allowed density alone. However, three additional above-moderate income units are assumed in order to accommodate adequate off-street parking capacity and existing residential uses. Therefore, the inventory assumed three additional above moderate income units, resulting in four units total onsite. The site is currently underutilized and does not meet the

minimum or maximum density allowed under the Medium Density Residential Zone (5.1 and 16 units/acre) with a current density of 1.3 units per acre. The site currently has 1 unit, which is approximately 8 percent of the total allowed capacity. The existing building lot coverage is about 25 percent of the site, allowing for an additional 20 percent coverage for new structures or 45 percent if the site is redeveloped similar to adjacent parcels.

Summary of Site Inventory

In combination with the City's pending projects and ADU development trends, the site inventory provides adequate sites to meet the City's RHNA allocation and buffer requirements. Between these three methods, the city can accommodate a total of 472 housing units, including 207 lower-income, 70 moderate-income, and 195 above moderate-income units. Table 57 shows a summary of the number of housing units accommodated by pending projects, ADU trends, and the site inventory.

Table 57 Summary of Housing Units

	Lower Income	Moderate Income	Above Moderate Income	Total
Pending Projects	4	1	88	93
ADU Trends	0	0	72	72
Site Inventory				
Site 1 (1480 Main St.)	6	0	0	6
Site 2 (1572 Railroad Ave.)	20	0	0	20
Site 3 (Adams St.)	31	0	0	31
Site 4 (905 Main St.)	0	0	4	4
Site 5 (Main St. btw Mills Ln. and Dowdell Ln.)	45	0	0	45
Site 6 (709 McCorkle Ave.)	0	0	4	4
Site 7 (821 Pope St.)	10	10	0	20
Site 8 (882 and 886 College Ave.)	15	15	0	30
Site 9 (1447 and 1515 Spring St.)	24	0	24	48
Site 10 (Spring St. btw Hudson Ave. And Valley View St.)	44	44	0	88
Site 11 (1637 Spring St.)	8	0	0	8
Site 12 (620 McCorkle Ave.)	0	0	3	3
Total	207	70	195	472
St. Helena RHNA plus 20% Buffer	192	31	79	302
Surplus	15	39	116	170

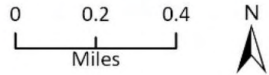
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Figure 49 Residential Site Inventory Map

-  City Boundary
-  Selected Sites
- 1 - 1480 Main Street
- 2 - 1572 Railroad Avenue
- 3 - Adams Street
- 4 - 905 Main Street
- 5 - Main Street (between Mills & Dowdell)
- 6 - 709 McCorkle Avenue
- 7 - 821 Pope Street
- 8 - 882 and 886 College Avenue
- 9 - 1447 and 1515 Spring Street
- 10 - Spring Street (between Hudson & Valley View)
- 11 - 1637 Spring Street
- 12 - 620 McCorkle Avenue



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Additional data provided by County of Napa, 2022.

Availability of Infrastructure and Services

The City of St. Helena is dedicated to improving existing and new infrastructure and facilities to support existing and future development. The City's annual budget devotes funds towards the Public Works Department which provides design, construction, maintenance, and operation of public facilities and infrastructure within the city. Public Works is responsible for infrastructure including streets, storm drains, parks, water treatment, water distribution, wastewater collection, and wastewater treatment. Environmental compliance services provided by Public Works also include storm water pollution prevention, sustainability, protection of public trees and floodplain administration, response to infrastructure and weather emergencies. The city's existing infrastructure system may require minor upgrades to address age and condition-related issues. New construction would be located in areas served by existing infrastructure.

The Integrated Urban Master Plan analyzed future infrastructure and water supply capacity accounting for planned development within the city, including the Hunter Subdivision project, and estimated buildout proposed under the 2040 General Plan, which would be about 7,400 residents by the year 2040. The City's RHNA plans for the addition of a total of 256 housing units within the planning period. Currently the city has a population of approximately 6,073. Therefore, the additional 256 units would not exceed buildout assumed in the Master Plan.

Wastewater System

The City's Integrated Utility Master Plan was adopted in 2021 and serves as the guiding document for planning and implementing sewer system improvements through the year 2040. The plan is consistent with the population, land use, employment, and housing projections presented in the 2040 General Plan. The City also has a Sewer System Management Plan that was developed in 2006 and last updated in April 2016. The City's sewer system service area consists of the City limits and includes approximately 24 miles of active gravity sewer pipelines, 0.4 miles of force mains, and two lift stations that convey flow to the Wastewater Treatment Plant. Improvements to the Wastewater Treatment Plant began in 2022 to adhere to stricter environmental requirements and are expected to be completed in 2023.

A capacity analysis of the existing wastewater collection system showed a storm event would result in multiple pipeline capacity deficiencies and sanitary sewer overflows at several locations with the existing system. Wastewater collection systems improvement projects proposed by the Utility Master Plan included gravity main improvements with pipeline replacement and lift station improvements. These improvements would be constructed based on prioritization within the Master Plan and developed as a Capital Improvement Project. The improvements would be financed through City budgeting and collection of project impact fees. As discussed under the Government Constraints section, impact fees in the city do not represent a constraint to housing.

Potable Water System

The City's Integrated Utility Master Plan serves as the guiding document for planning and implementing water system improvements through the year 2040, consistent with growth under the 2040 General Plan. Previously, the City utilized the Water Master Plan, developed in 2006, to identify infrastructure need to the year 2020. The City's water system service area extends beyond the City limits to unincorporated areas in the Meadowood Napa Valley Resort/Neighborhood area and area between Chaix Lane and Zinfandel Lane along Main Street. There are three main water supply sources: Bell Canyon Reservoir, Stonebridge wells, and an interconnection with the City of Napa. The City's water system consists of approximately 47 miles of water distribution pipelines.

A capacity analysis of the existing water distribution system showed there is one pump station, the Holmes pump station, that does not have sufficient firm pumping capacity to meet maximum daily demand. Evaluation of the existing treated water storage system capacity found one area that does not have adequate capacity to meet peak hour demand, fire flow storage, and emergency storage. Improvement projects proposed by the Utility Master Plan to prevent system failures caused by leaks, fails, and main breaks include rehabilitation and replacement of water main and transmission lines, which would enable the City to meet potable water demands. The potable water improvements would be constructed based on prioritization within the Master Plan and developed as a Capital Improvement Project. The improvements would be financed through City budgeting and collection of project impact fees. As discussed under the Government Constraints section, impact fees in the city do not represent a constraint to housing.

Storm Water System and Drainage System

The City's Integrated Utility Master Plan guides planning and implementing the storm drainage system improvements through the year 2040 with growth projections consistent with the 2040 General Plan. Previously, the Storm Drainage Master Plan, developed in 2000, served as the City's guide to analyze the existing storm drain system and plan for implementation of improvements. The City's storm drainage collection system service area consists of the city limits and includes street drainage, inlets, gravity pipelines, open channels, one storm water detention basin, and 33 outfalls that discharge in Sulphur Springs Creek, York Creek, or Napa River.

Evaluation of existing storm drainage capacity showed there would be multiple areas of flooding throughout the system in the event of a 10-year, 50-year, and 100-year storm. Improvement projects proposed by the Utility Master Plan to mitigate storm water system capacity issues include implementing an annual storm drain rehabilitation and replacement program with the assumption that approximately 1.25 percent of the system would be replaced per year until 2040. Storm water infrastructure upgrades would be constructed based on prioritization within the Master Plan and developed as a Capital Improvement Project. The improvements would be financed through City budgeting and collection of project impact fees. As discussed under the Government Constraints section, impact fees in the city do not represent a constraint to housing.

Dry Utilities

PG&E is responsible for supplying electricity and natural gas to the City and surrounding areas. Other dry utilities such as telephone and data services and cable television are serviced by contracted providers within the city, including Xfinity and AT&T.

Circulation System

The City's Circulation Element, updated in 2019 along with the General Plan, identifies the principal components of the City's circulation system and issues related to parking, public transit, and pedestrian and bicycle infrastructure. The Circulation Element also includes standards and guiding principles for implementing transportation improvements.

The City's street network is largely grid based with some streets east of State Route 29 that are not fully connected to the network. State Route 29 (Main Street) is the main street used for traveling north-south throughout the city and is the main route for vehicles traveling between Lake County, northern Sonoma County, and the City of Napa and other destinations further south. It runs northwest to southeast through the city and divides the city in two. Congestion along State Route 29 is a major issue within the city and pushes traffic onto local city streets. Much of the traffic congestion seen in the city is caused by tourists traveling throughout the region. The primary transit option in the city is the Vine bus service, however ridership is low with only 0.9 percent of St. Helena residents commuting via transit. Future improvements to the City's transportation network include improvements aimed at reducing congestion along State Route 29 and enhancing alternative modes of travel, including the addition of pedestrian and bicycle infrastructure.

Environmental Constraints

In 2019, the City certified a FEIR with the 2040 General Plan Update that analyzed all potential environmental impacts associated with the population and development growth proposed under the plan. City Council also adopted CEQA Findings and a Statement of Overriding Considerations identifying public benefits that override the significant and unavoidable impacts of the General Plan, including agricultural preservation, a balanced mix of land uses and sustainable land use pattern, creation of construction jobs, managing effects of regional traffic, and a shift to a multi-modal circulation system. Environmental clearance for future development projects may tier from the General Plan FEIR, thereby expediting the approval process. Mitigation measures set forth in the FEIR include measures to minimize impacts associated with potential flooding, and other environmental constraints.

There are no known conditions that would preclude any of the selected sites from being developed within the planning period. Sites 4 and 7 are located in the Federal Emergency Management Agency (FEMA) flood hazard zone, Zone X, an area of moderate- to low-risk. Development within Zone X would not preclude the properties from development, as future development would be subject to development standards contained within the Saint Helena Municipal Code, which incorporates FEMA standards for construction in flood hazard zones, as well as relevant policies within the City's General Plan which regulate development in flood risk areas. In

addition, future development would comply with applicable mitigation measures within the 2040 General Plan EIR, including HYDRO-1 which ensures that no development will impede waters in the floodway, raises base flood levels, or expose housing to undue risk from flooding. The remaining sites are not located within a FEMA flood zone. None of the sites are located within a state of local fire hazard severity zone.

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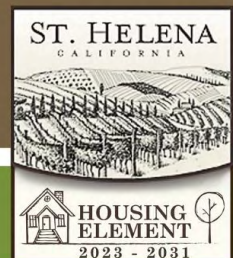


Appendix A: Affirmatively Furthering Fair Housing

Adopted, May 9, 2023

Revised, July 2023

Certified, September 25, 2023



City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023



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Certified, September 25, 2023



1. Introduction

In 2018, the California State Legislature passed Assembly Bill (AB) 686 to expand upon fair housing requirements and protections outlined in the Fair Employment and Housing Act. The law requires all State and local public agencies to facilitate deliberate action to explicitly address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities. AB 686 created new requirements that apply to all housing elements due for revision on or after January 1, 2021. The passage of AB 686 protects the requirement to affirmatively further fair housing within State law.

AB 686 defined “affirmatively further fair housing (AFFH)” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity.” AB 686 added an assessment of fair housing to the Housing Element which includes the following components:

- A summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity
- An analysis of segregation patterns and disparities in access to opportunities
- An assessment of contributing factors
- An identification of fair housing goals and actions.⁵⁶

1.1 Approach to Analysis

This AFFH analysis is consistent with the 2021 California Department of Housing and Community Development’s Affirmatively Furthering Fair Housing Guidance for All Public Entities and for Housing Elements (AFFH Guidance Memo) which provides guidance on the preparation of housing elements and ensures statutory requirements are satisfied, pursuant to Government Code Section 65583(c)(10).

This AFFH analysis evaluates fair housing issues on the following topics:

1. Fair Housing Enforcement and Outreach Capacity
2. Integration and Segregation Patterns and Trends
3. Racially and Ethnically Concentrated Areas of Poverty
4. Disparities in Access to Opportunity
5. Disproportionate Housing Needs

⁵⁶ Housing and Community Development (HCD). 2021. <https://www.hcd.ca.gov/community-development/affh/index.shtml>

6. Other Relevant Factors, including historical disinvestment, lack of infrastructure improvements, and presence of older affordable housing units that may be at risk of conversion to market-rate housing.

Fair housing priorities goals and actions are also provided specific to St. Helena to address as implementation actions for the Housing Element. The goals and actions address the major contributing factors for the topics above.

1.2 Fair Housing Methodology

The California Government Code Section 65583 (10)(A)(ii) requires cities and counties to analyze areas of segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.

To conduct this analysis, the City utilized data from a variety of sources, including:

- The Housing and Community Development (HCD) AFFH Data Viewer
- AFFH Segregation Report by ABAG
- Napa Sonoma Collaborative
- Urban Displacement Project (UDP)
- U.S Housing and Urban Development (HUD)
- CalEnviroscreen
- California Tax Credit Allocation Committee (TCAC)
- The Comprehensive Housing Affordability Strategy (CHAS)
- US Census American Community Survey (ACS)
- AllTransit
- Walk Score

Additionally, the analysis includes input from sources of local knowledge, including special needs groups, housing advocacy organizations, housing and services providers, and residents.

1.2.1 Housing and Community Development's AFFH Viewer

The AFFH Data Viewer is a tool developed by HCD that features census block group and tract level data from an expansive collection of sources including ACS, HUD, TCAC, UDP, and CHAS. The Data Viewer tool serves as a resource for local and regional governments and provides the ability to explore spatial data patterns concerning fair housing enforcement, segregation and integration, racially and ethnically concentrated areas of poverty, and disparities in access to opportunities and housing. The Data Viewer is

intended to assist in the creation of policies that alleviate disparities, combat discrimination, and increase access to safe and affordable homes.

1.2.2 AFFH Segregation Report

The University of California, Merced and STIR Labs, on behalf of ABAG, prepared reports for jurisdictions in California studying segregation patterns and current land use policies that correlate with patterns of racial segregation. The report for St. Helena addresses racial and income segregation using the racial isolation index, racial dissimilarity index, and Thiel's H-Index at the neighborhood level within and regional level.

1.2.3 Napa Sonoma Collaborative

The Napa Sonoma Collaborative (NSC) is a collaboration between Napa and Sonoma Counties that aims to address housing challenges within the region. NSC is made up of housing staff from jurisdictions within Napa and Sonoma Counties and is working to raise awareness and increase participation in the Housing Element update process. The collaborative conducted outreach to gather information on fair housing issues within local communities and discuss constraints to affordable housing.

1.2.4 Urban Displacement Project (UDP)

The UDP was developed to track neighborhood change and identify areas that are vulnerable to gentrification and displacement in California. Indicators of gentrification and displacement are measured at the census tract level based on data from the 2015 ACS. UDP indicators examine census tracts to identify areas that qualify as disadvantaged neighborhoods. Additionally, census tracts identified as disadvantaged neighborhoods by UDP's criteria are further analyzed to explore changes in the percentage of college educated residents, non-Hispanic White population, median household income, and median gross rents over time to determine levels of gentrification and displacement risk.

1.2.5 CalEnviroScreen

The California Office of Environmental Health Hazard Assessment developed a screening methodology to identify communities disproportionately burdened by multiple sources of pollution. This tool, called the California Communities Environmental Health Screening Tool (CalEnviroScreen), utilizes existing environmental, health, and socioeconomic data to rank census tracts based on 20 distinct indicators. In general, if a community has a high score for that indicator, it is more impacted by pollution burdens and population vulnerabilities compared to other communities. Designated disadvantaged communities are those with CalEnviroScreen percentile scores of 75 or higher, meaning that they scored within the highest 25 percent of census tracts across California. There are no disadvantaged communities in St. Helena.

1.2.6 California Tax Credit Allocation Committee (TCAC)

HCD and the TCAC created the California Fair Housing Task Force to provide research, evidence based policy recommendations, and other strategic recommendations to HCD and other related state

agencies/departments to further the fair housing goals.⁵⁷ The Task Force created the AFFH Data Viewer, an interactive mapping tool to assess population and housing characteristics related to fair housing and access to opportunity to aid in the development of policy for the promotion of equitable and inclusive communities. The data viewer includes Opportunity Maps made from composite scores of three different domains made up from a set of indicators data shown in Table 1. The Opportunity Maps include a measure or “filter” to identify areas with poverty and racial segregation. To identify these areas, census tracts were first filtered by poverty and then by a measure of racial segregation. The criteria for these filters were:

- **Poverty Status.** Census tracts with at least 30 percent of population that earned an income that was below the federal poverty level.
- **Racial Segregation.** Census tracts with a location quotient that is higher than 1.25 for Black, Hispanic, Asians, or all non-White populations in comparison to the county.

Table 1 Domains and List of Indicators for Opportunity Maps

Domain	Indicator
Economic	Poverty, Adult Education, employment, Job proximity, median home value
Environmental	CalEnviroScreen 3.0 pollution indicators and values
Education	Math proficiency, reading proficiency, high school graduation rates, student poverty rates

Source: California Fair Housing Task Force, Methodology for the 2020 TCAC/HCD Opportunity Maps, December 2020

1.2.7 AllTransit

AllTransit is an online database that details transit opportunity for communities. The website explores metrics that reveal the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. The AllTransit performance score explores metrics that reveal the social and economic impact of transit, such as connectivity, access to jobs, and frequency of service.

1.2.8 Walk Score

Walk Score provides walkability services and apartment search tools to addresses across the United States, with the mission “to promote walkable neighborhoods.” Walk Score measures walkability by assigning a numerical walkability score based on distance to amenities within a 30-minute walk and evaluates pedestrian friendliness by analyzing population density and road metrics, including block length and intersection density.

⁵⁷Office of The State Treasurer (STO). 2021. <https://www.treasurer.ca.gov/ctcac/opportunity/2020-tcac-hcd-methodology.pdf>

1.2.9 Community Engagement and Outreach

As part of the Housing Element Update, the City implemented a community engagement program, soliciting input from the general public, housing stakeholders, and City decision makers. Results and feedback obtained during the community engagement program have been incorporated into the Housing Element, including this section on affirmatively furthering fair housing practices. Please see Chapter 1 for more details on the City's outreach efforts.

2. Summary of Fair Housing Issues

This summary guides the prioritization of contributing factors to fair housing issues and the creation of goals and actions to address these issues. Fair housing issues are conditions that restrict fair housing choice or access to opportunity in the geographic area of interest. Fair housing choice means realistic housing opportunities exist, can be accessed without discrimination towards protected characteristics such as race, color, religion, sex, disability, etc., and are informed with adequate information regarding options.

2.1 Regional Trends

Impediments to fair housing within Napa County, and the Bay Area as a whole, include the following:

- Residential segregation between White residents and non-White residents has increased in the last decade.
- Areas with higher percentages of non-White residents generally have less access to proficient schools, jobs, and cleaner air and water.
- Median rental prices rose an approximately \$483 (unadjusted for inflation) since 2009, from \$1,087 to \$1,570, an increase of 44.4 percent in a 10-year period.
- The average home value increased from approximately \$319,926 to \$768,414 in less than 20 years, from 2001 to 2020 (unadjusted for inflation).
- Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit based on locating a unit of appropriate size and/or cost.
- Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the Office of Fair Housing and Equal Opportunity.

2.2 Local Trends

Contributing factors identified as impediments to fair housing in St. Helena are discussed in detail below and include descriptions of how each impediment is addressed in this Housing Element.

2.2.1 Concentrations of Lower- and Moderate-Income Earning Populations

HUD defines a Lower and Moderate Income (LMI) area as a census tract or block group where over 51 percent of the population earn an income that is considered lower or moderate relative to the area median income. In St. Helena, residents with low and moderate household incomes are concentrated in the eastern portion of the city. The Housing Element ensures available land to accommodate all income levels on sites located across the city. Efforts to combat this impediment are outlined in Programs H-A, H-B, H-N, H-O, H-R, H-U, H-V, H-W and H-OO, which focus on maintaining an inventory of sites suitable for residential development and prioritize and incentivize housing development for lower- and moderate-income residents in the western portion of the city.

2.2.2 Insufficient Housing Stock for Farmworkers

Farmworker housing is a critical need in Napa County and St. Helena due to the presence of year-round agricultural production. The migratory and sometimes seasonal nature of farm workers pose housing challenges for a community and are seen as an impediment for St. Helena as the City tries to house its entire population. Efforts to combat this impediment are outlined in Programs H-E, H-H, H-I, and H-KK, which work to support regional and City farmworker housing efforts, including creating incentives and fast-tracking development for workforce/farmworker housing.

2.2.3 Lack of Affordable Housing Types

There is a lack of diversity in housing types that restricts development of affordable housing in St. Helena. Local land use and zoning regulations perpetuate this deficiency by limiting the form of housing that can be developed on a particular site. Much of the residentially zoned parcels within the city are zoned low and moderate density residential and are not compatible with the construction of duplexes, triplexes, quadplexes and multifamily housing developments. The City is upzoning a number of parcels as a part of the Housing Element Update to allow higher density residential development. Efforts to combat this impediment are outlined in Programs H-A, H-B, H-E, H-H, H-I, H-J, H-M, H-N, H-P, H-Q, H-V, H-X, H-AA, H-DD, H-EE, H-FF, H-GG, H-LL, H-NN, and H-OO, which focus on maintaining an inventory of sites suitable for residential development, updating municipal code for developing workforce/farmworker housing, ADUs, housing for disabled and homeless persons, and non-traditional housing types, increasing development density, and fast-tracking housing development.

2.3 Enforcement and Outreach Capacity

Fair housing enforcement and outreach capacity is the ability of a local jurisdiction and fair housing agencies to distribute fair housing and tenants' rights information to their community. Enforcement and outreach capacity also includes the ability to address compliance with fair housing laws, such as investigating complaints, resolving issues, and conducting fair housing testing.

2.3.1 Regional Resources

Several organizations in Napa County provide aid for fair housing issues and outreach. Table 2 shows organizations and agencies that collaborate with local governments, including St. Helena to address housing and community needs and provide the following services:

- Housing Need Assessment
- Homelessness Needs
- Market Analysis
- Fair housing testing and complaints
- Fair housing counseling and education
- Tenant/landlord counseling and mediation
- Homeless prevention program
- Rental assistance program
- Rent/deposit grant program
- Home seeking services
- Shared housing counseling placement
- Homebuyers' education learning program

Table 2 Fair Housing Organizations Active in Napa County

Organization	URL	Phone Number
Abode Services	https://www.abodeservices.org/napa-county	(510) 657-7409
Bay Area Legal Aid (BALA)	https://baylegal.org/	(800) 551-554
CA Department of Fair Employment and Housing	https://www.dfeh.ca.gov/	(800) 884-1684
EAH Housing	https://www.eahhousing.org/	
Fair Housing Advocates of Northern California (FHANC)	https://www.fairhousingnorcal.org/	(415) 457-5025
Fair Housing Napa Valley (FHNV)	https://napafairhousing.org/	(707) 224-9720
Napa Continuum of Care	https://homelessnapa.com/	
Napa County Housing and Homeless Services Division	https://www.countyofnapa.org/272/Homeless-Services	(707) 271-7818
Napa Valley Community Housing	https://nvch.org/	(707) 253-6140
North Bay Housing Coalition	https://www.northbayhousingcoalition.org/	(707) 289-7000

Source: City of Napa AI, 2020; Napa Sonoma Collaborative Fair Housing Enforcement, Outreach Capacity and Resources, 2022

2.3.2 Local Resources

The City of St. Helena contracts with the non-profit organization Fair Housing Napa Valley (FHNV), a regional non-profit fair housing agency, to assist residents with fair housing counseling services, connections to rental assistance and homelessness prevention programs, and to conduct fair housing testing. FHNV assists residents and landlords throughout the city, providing mediation, investigation, and referral services. In addition to the fair housing services provided by active organizations, the Napa County Housing Authority administers the Housing Choice Voucher program for St. Helena and other jurisdictions in the county.

The City complies with existing fair housing laws and regulations. The City does not place more scrutiny or deny projects or individuals of their right to tenancy, residence, or entitlement based on memberships of protected class, in compliance with Government Code section 65008. Implementation of the 6th Cycle Housing Element would bring the City's adopted regulations and policies into compliance with other fair housing regulations such as Program H-F which would bring density bonus provisions into compliance and allow for greater incentives for affordable housing. The City is also proposing updates to their existing Inclusionary Ordinance to promote more housing choices for residents.

2.3.2.1 Ability to Address Complaints

The Department of Justice's Civil Rights Division initiated fair housing testing in 1991. This is a technique used to uncover evidence of discrimination in rental housing. Fair housing testing involves one or more individuals who pose as prospective renters for the purpose of determining whether a landlord is complying with local, State, and federal fair housing laws. Enforcement actions may be taken when investigations yield evidence of a pattern or practice of illegal housing discrimination. Testing may be initiated following the filing of a specific housing discrimination complaint or, as is the case when testing for disability discrimination, as part of an overall effort to determine whether the design or architectural features of a specific rental facility comply with state and federal accessibility requirements. In Napa County, fair housing testing is used to identify unlawful housing discrimination practices based on the real or perceived race, ethnicity, color, religion, gender identity or expression, national origin, disability, familial status, marital status, age, ancestry, sexual orientation, and source of income of prospective renters. Fair Housing Napa Valley conducts fair housing testing of rental properties to assess how well rental properties are conforming to fair housing laws, assists residents in filing fair housing complaints, provides education and technical assistance to housing providers, and provide conciliation services for tenants and landlords.

The Department of Fair Employment and Housing (DFEH) maintains a record of housing discrimination complaints filed in local jurisdictions. From 2015 - 2019, 256 fair housing complaints originating in Napa County were filed with DFEH. Overall, disability-related discrimination comprised the largest proportion of cases (56 percent). The next highest basis for discrimination were race and familial status, comprising nearly 8 percent each. According to the HCD AFFH Data Viewer, no fair housing inquiries for the City of St. Helena were received between 2013 and 2021. Fair housing inquiries are comments or questions related to fair housing received by HUD's Office of Fair Housing and Equal Opportunity (FHEO), not formal

discrimination complaints. The lack of inquiries is low for the region, as seen when compared to the cities of Santa Rosa (received 61), Sonoma (received 8), and Napa (received 33).

2.3.3 Findings, Lawsuits, and Enforcement Actions

There are currently no active fair housing lawsuits or enforcement actions in the city. However, historically, low-income and minority populations have struggled to procure affordable housing opportunities in the city. In addition, residents have challenged the City for not doing enough to combat housing segregation issues between the western and eastern portions of the city.

In 2013, the City of St. Helena signed a settlement agreement with Esvin Calderon as well as other residents and fair housing providers who had filed a lawsuit against the City on the basis that the City “promoted or maintained policies, practices, or actions that had the purpose or effect of displacing or excluding Latino residents and low-income residents from the City”. According to the settlement the City would comply with a list of requirements that would promote the development of affordable housing units in the city, including depositing \$500,000 to the City’s Affordable Housing Trust Fund and amending the St. Helena Municipal Code to support and prioritize affordable housing development, and to host fair housing workshops in collaboration with Napa Valley Fair Housing.

In 2016, St. Helena Residents For An Equitable General Plan, the McCorkle East Side Neighborhood Group, and the Protect the St. Helena Vineyard Riverwalk Community Group filed a claim with the City citing that the city is “a segregated city, with an affluent White west and diverse east side where most Hispanics, seniors, and members of other protected groups live largely in a concentrated area near the Napa River.”

The City is in the process of adopting a new Zoning Ordinance to be consistent with the 2040 General Plan, which would permit duplexes and triplexes within the MR District (see Program H-N). This would create additional housing choices and affordability levels in the MR Districts on the western side of the city. In addition, several programs, including H-BB, H-EE, and H-XX would implement placemaking strategies to outreach and work with the more diverse and older populations living in the east due to the historic development patterns.

3. Segregation and Integration Patterns and Trends

To inform priorities, policies, and actions, the housing element must include an analysis of integration and segregation, including patterns and trends. Integration generally means a condition in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability in a specific geographic area. Segregation generally means the opposite condition, in which there is a high concentration of the characteristics described above in a specific geographic area. To adequately assess the patterns of integration and segregation, this section identifies trends at the regional scale (Napa County) and at the local scale (St. Helena).

3.1 Race and Ethnicity

The ethnic and racial composition of a community relates to other housing characteristics including household size, locational preference, and economic opportunity. Additionally, race/ethnicity is a known contributor to unfair housing practices. Historical patterns of racial/ethnic segregation were results of governmental policies from the federal to local level that promoted exclusionary actions and disparate treatment of people of color such as redlining, racially restrictive covenants, and mortgage lending practices. The existence of concentrations of minorities living in one location may be an indicator that some minority groups do not have as many housing choices as non-minority residents.

3.1.1 Regional Trends

Regionally, the urbanized areas of Napa County are more diverse, with a minimum of 40 percent of the population consisting of non-White residents, as demonstrated in the geographic depiction of 2014-2018 ACS data shown in Figure 1. Comparatively, populations in the less urbanized and less densely populated areas of Napa County are generally more predominantly White with populations consisting of about 60 percent or greater of White residents.

HUD utilizes the racial/ethnic dissimilarity index as a measure of segregation. The racial/ethnic dissimilarity index represents the extent of which any two racial/ethnic groups differ across a defined geographical area. The index ranges from 0-100, where 0 represents perfect integration between the two racial/ethnic groups and 100 representing perfect segregation. An index value below 40 is generally considered low segregation, a value between 40 and 54 is considered a moderate level of segregation, and a value above 55 is a high level of segregation.⁵⁸ Racial/ethnic segregation in Napa County slightly increased between 2010 and 2019. Table 3 shows racial/ethnic segregation in Napa County using the dissimilarity index using data from HUD's AFFH mapping tool. Black and Asian/Pacific Islander residents are the most segregated compared to other racial and ethnic groups. Segregation between Black and White residents and between Asian/Pacific Islander and White residents is high, since their racial dissimilarity index scores are above 55 for 2019. Segregation between Non-White and White residents and between Hispanic and White residents

⁵⁸ HUD, 2020. <https://www.hud.gov/sites/dfiles/FHEO/documents/AFFH-T-Data-Documentation-AFFHT0006-July-2020.pdf>

is considered low, since their racial dissimilarity index scores are below 40 for 2019. In Napa County, there has been an increase in segregation across all measured racial/ethnic groups between 2010 and 2019.

Table 3 Racial/Ethnic Dissimilarity Trends (Napa County)

Racial/Ethnic Dissimilarity Index	1990	2000	2010	2019
Non-White/White	19.58	26.18	31.24	36.84
Black/White	56.22	52.61	58.76	67.86
Hispanic/White	21.86	28.94	30.13	35.61
Asian or Pacific Islander/White	37.11	38.97	57.35	64.47

Source: Affirmatively Furthering Fair Housing Mapping Tool – Table 3, Version AFFHT0006, 2022

3.1.2 Local Trends

St. Helena is more diverse compared to rural areas of Napa County, which are predominantly White, and less diverse than the cities of Napa and American Canyon. According to 2015-2019 ACS estimates, White residents comprise the largest racial/ethnic group in St. Helena, followed by Hispanic/Latino residents. The predominant population throughout the entire city is White, as shown in Figure 3. The northwest area of the city has the highest predominance of White residents, although the southeast area of the city is predominantly White as well. The eastern areas of the city have the largest non-White populations, as shown in Figure 3.

3.2 Persons with Disabilities

Persons with disabilities include those with a physical or mental impairment including hearing, vision, mobility, cognitive function. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual's needs as required under federal civil rights law, including equitably provided disability-related services that an individual needs to live in such housing. For example, persons with disabilities who are unable to use stairs or need a zero-step shower may not have actual housing choice without the presence of housing units with these accessibility features.⁵⁹

High spatial segregation of persons with disabilities may indicate fair housing issues related to both physical needs and economic disparities. According to the *2020 Annual Report on People with Disabilities in America*, more than 25 percent of persons with disabilities (including physical, intellectual, and developmental; sensory; and other disability categories) live below the Census Bureau-designated poverty line, which is 14.5 percentage points higher than people without a disability.⁶⁰ Persons with disabilities may be more reliant than persons without disabilities on fixed incomes or access to public transit.

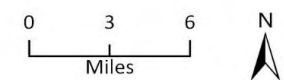
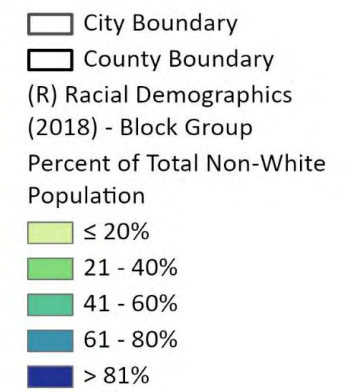
⁵⁹ HCD 2021. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf

⁶⁰ The Rehabilitation Research and Training Center on Disability Statistics and Demographics. 2020. <https://disabilitycompendium.org/annualreport>

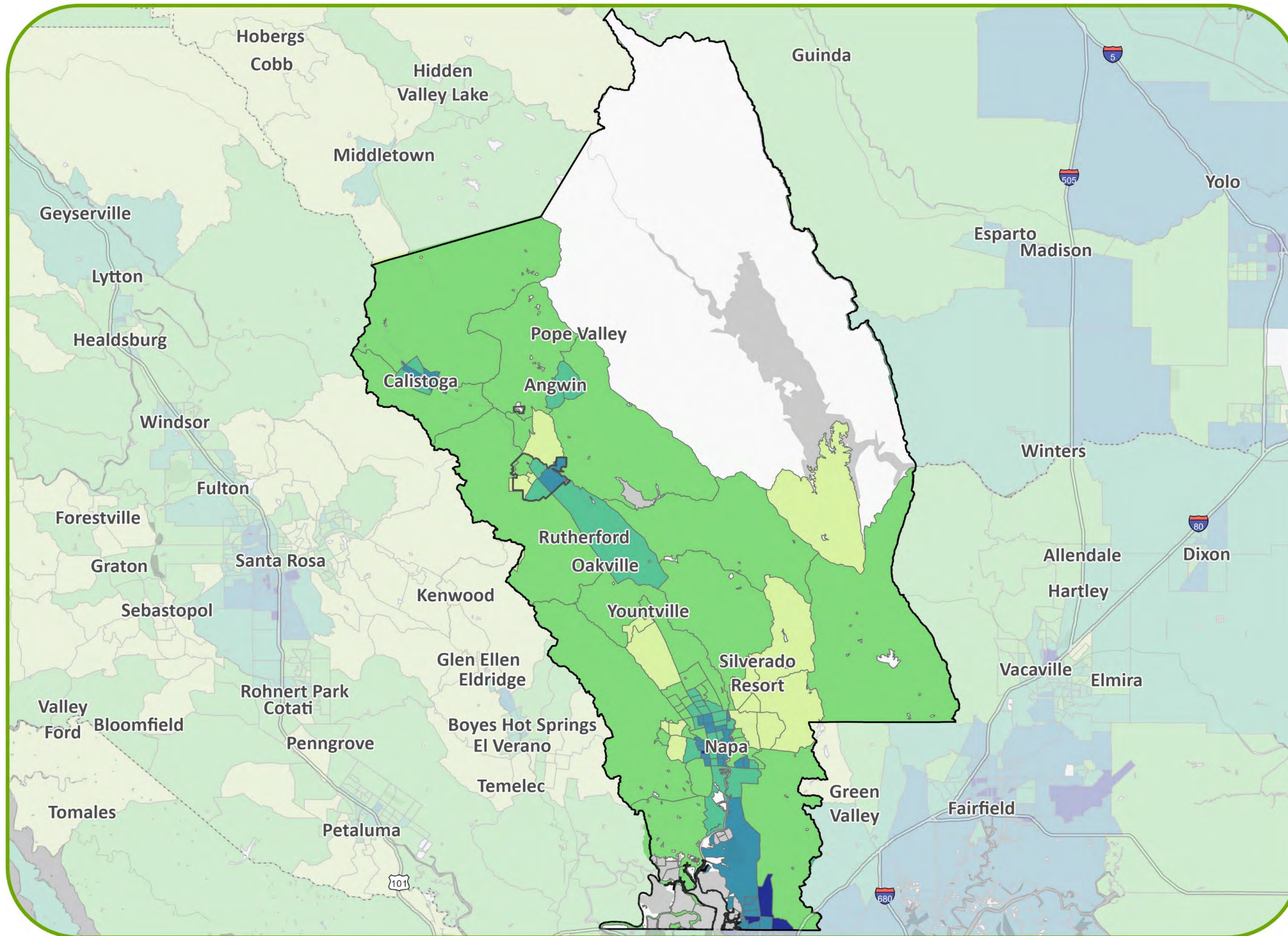
3.2.1.1 Regional Trends

According to 2015-2019 ACS estimates, a total of 16,244 Napa County residents had one or more disabilities, which represents approximately 11.8 percent of the county's total population. Figure 4 shows the percentage of the population living with one or more disabilities throughout Napa County. The western areas of the county, which includes the urban areas of the cities, have higher concentrations of persons living with one or more disabilities compared to the eastern areas of the county. The southeastern area of the City of Napa has the highest concentration of persons living with one or more disabilities in the county.

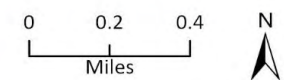
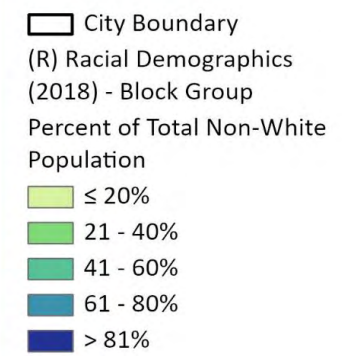
**Figure 1:
Percent of Total
Non-White Population
(Napa County)**



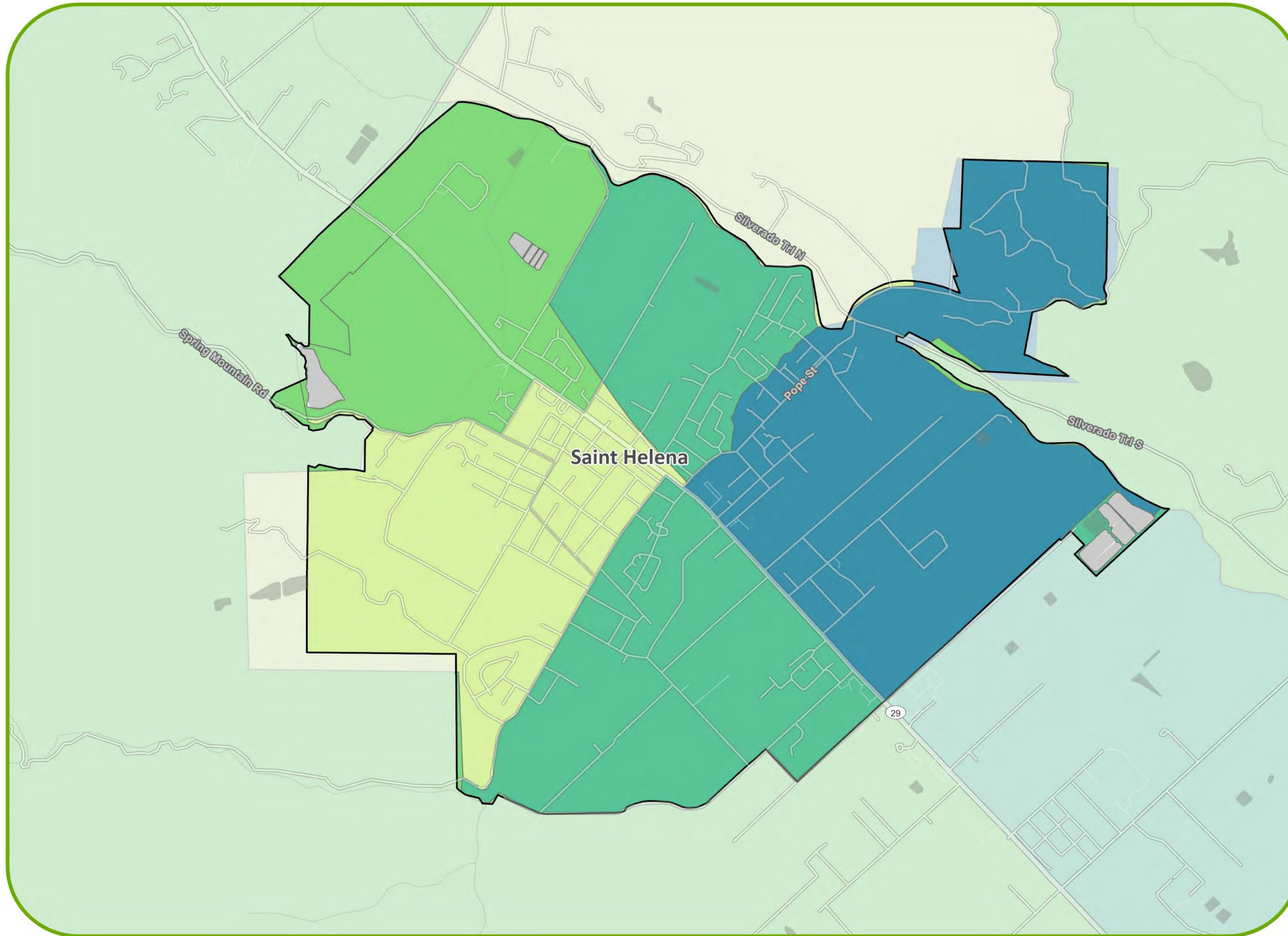
County of Napa, Yolo County, California State
 Parks, Esri, HERE, Garmin, SafeGraph, FAO,
 METI/NASA, USGS, Bureau of Land Management,
 EPA, NPS, California Department of Housing and
 Community Development.



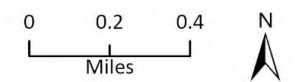
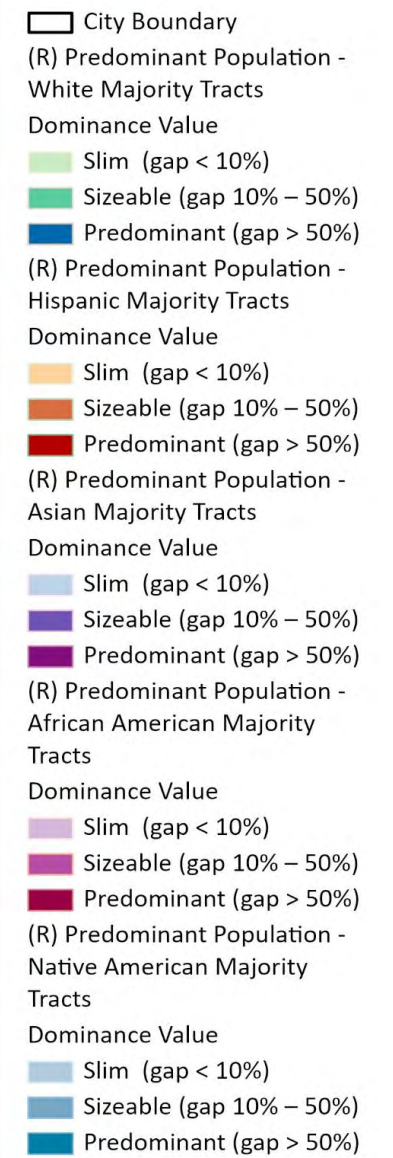
**Figure 2:
Percent of Total
Non-White Population
(St. Helena)**



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



**Figure 3:
Predominant Populations
(St. Helena)**



County of Napa, California State Parks, Esri,
 HERE, Garmin, SafeGraph, GeoTechnologies, Inc,
 METI/NASA, USGS, Bureau of Land Management,
 EPA, NPS, US Census Bureau, USDA, California
 Department of Housing and Community
 Development.

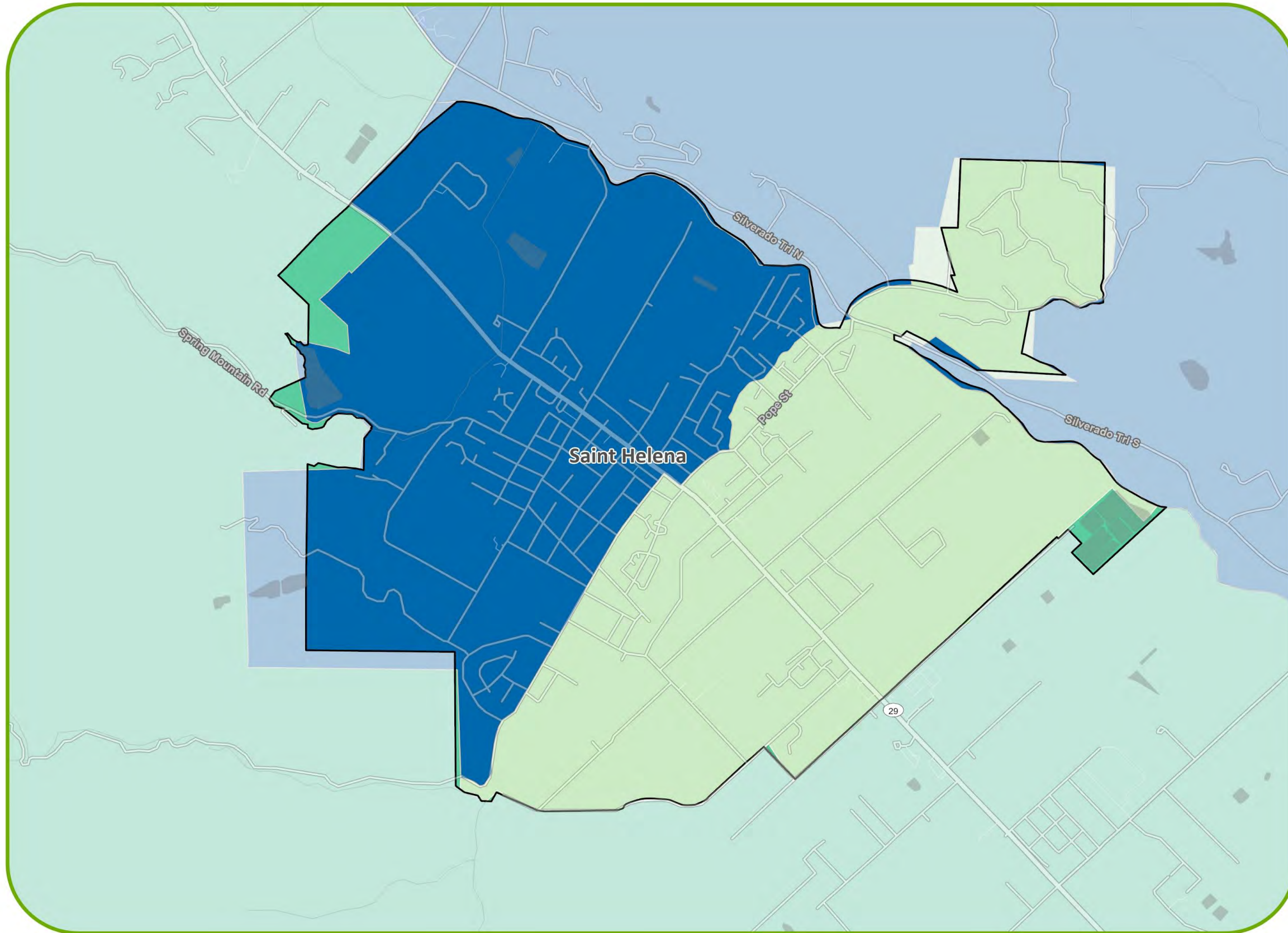


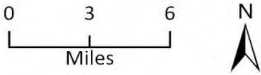
Figure 4 Percent of Population with a Disability (Napa County)
Source: AFFH Viewer, 2022

Figure 4:
Percent of Population
with a Disability
(Napa County)

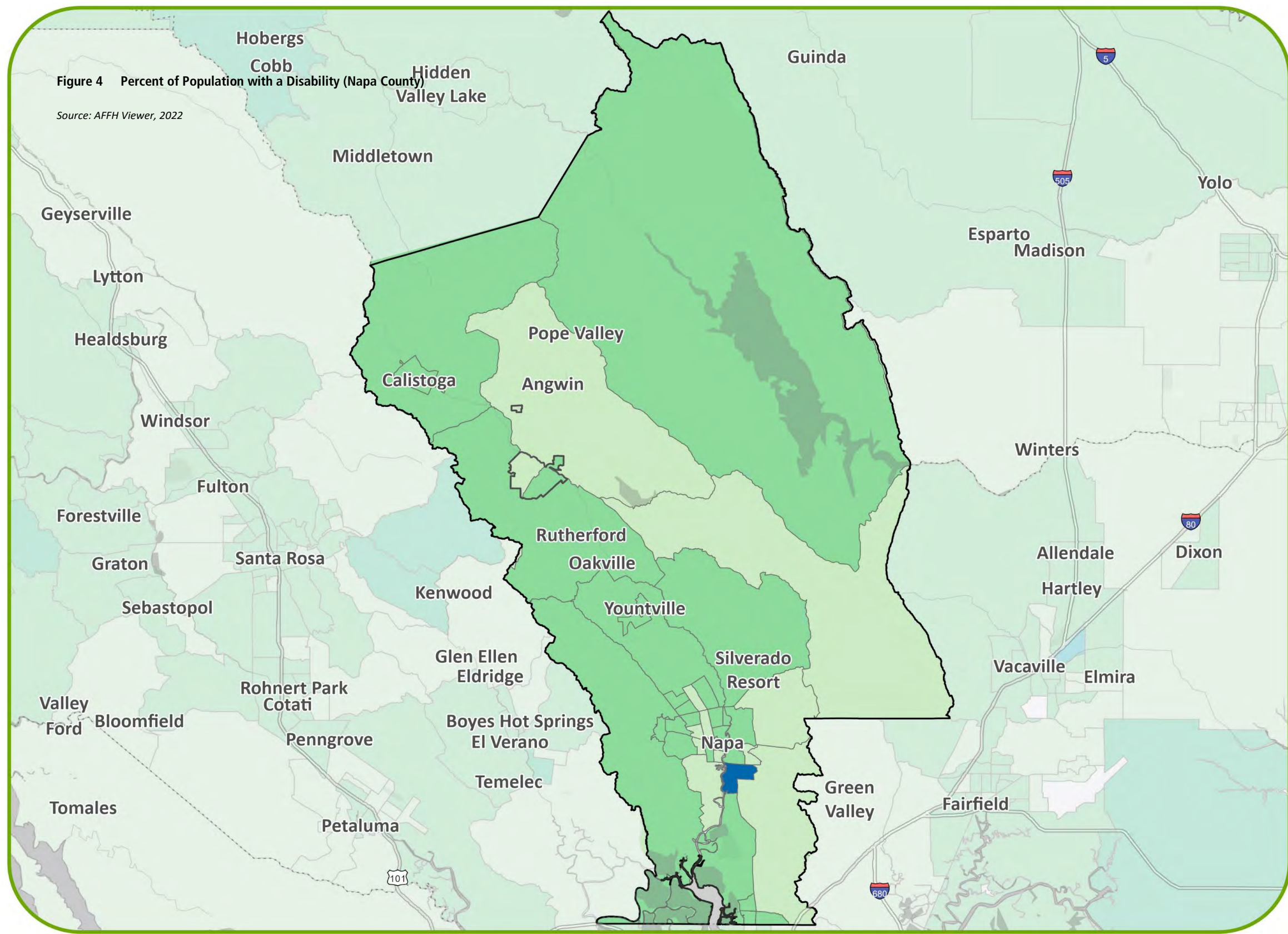
City Boundary
County Boundary
(R) Population with a Disability (ACS, 2015 - 2019) - Tract

Percent of Population with a Disability

- < 10%
- 10% - 20%
- 20% - 30%
- 30% - 40%
- > 40%



County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

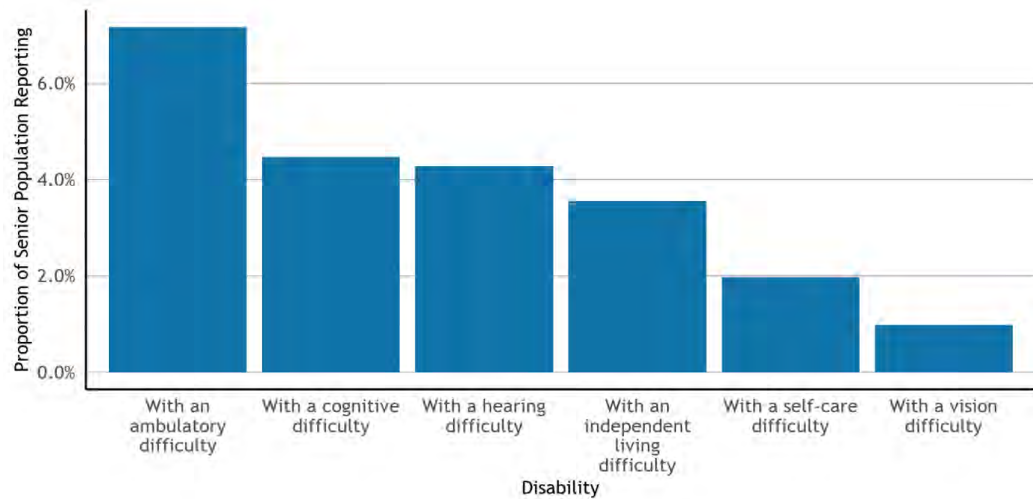


3.2.2 Local Trends

The 2015-2019 ACS estimated a total of 726 residents in St. Helena were living with one or more disabilities, which is approximately 11.9 percent of the total population. Of the 726 individuals living with a one or more disabilities, 466 (64.2 percent) are age 65 or older. The most common type of disability in St. Helena is ambulatory difficulty, defined as those who have serious difficulty walking or climbing stairs, as shown in

Figure 5. Persons with ambulatory disability have specific housing needs and may require housing that is wheelchair accessible or lacks stairs or steps.

Figure 5 Disability by Type (St. Helena)



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Figure 6 highlights the percentage of the population living with one or more disabilities in the city by census tract. The southeastern parts of the city, east of Spring Street and Pope Street, have higher concentrations of residents with one or more disabilities (between 10 and 20 percent living with at least one disability).

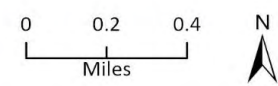
City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

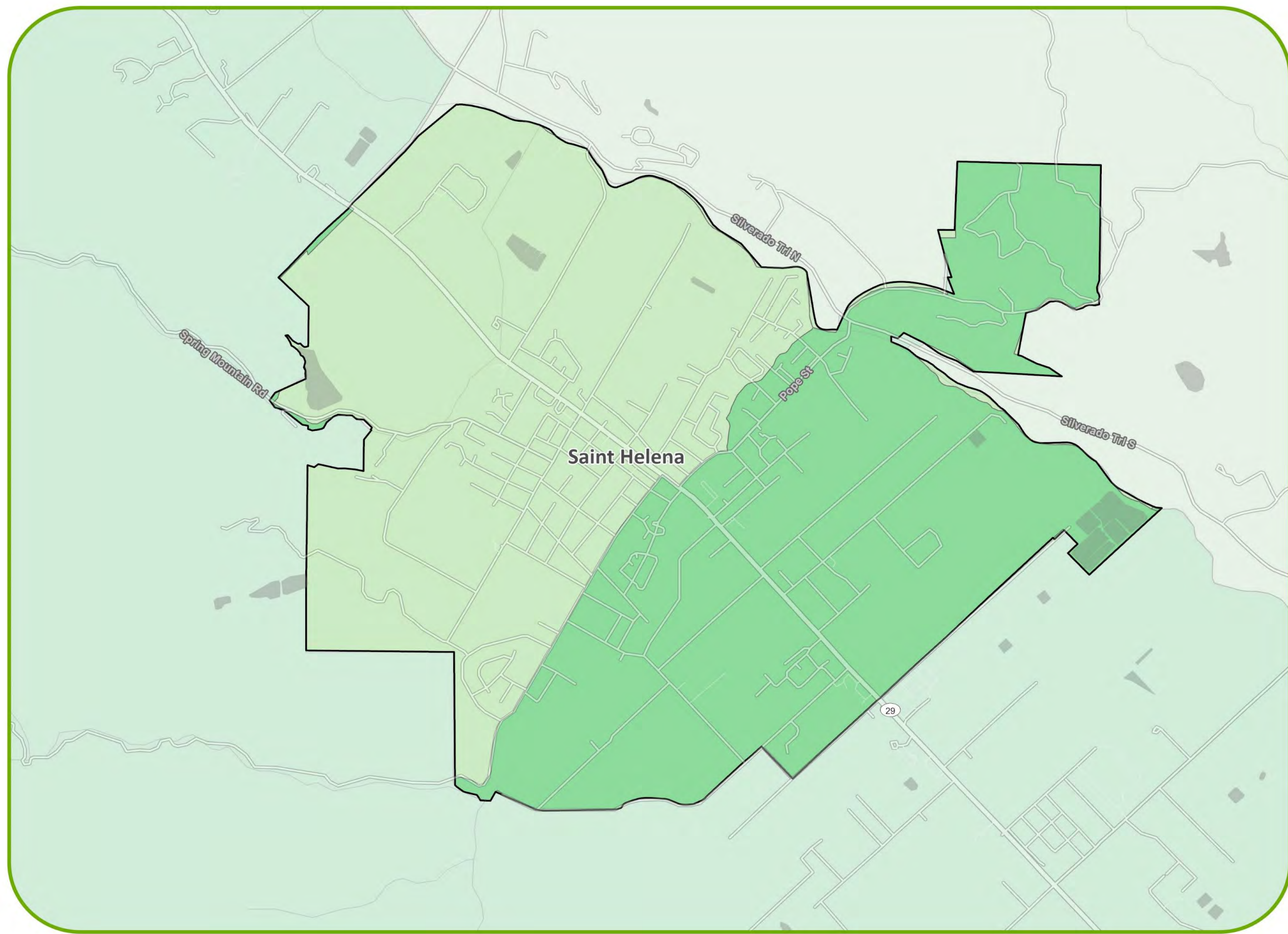
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**Figure 6:
Percentage of
Population with One or
More Disabilities
(St. Helena)**

- City Boundary
- (R) Population with a Disability (ACS, 2015 - 2019) - Tract
- Percent of Population with a Disability
- < 10%
- 10% - 20%
- 20% - 30%
- 30% - 40%
- > 40%



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



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3.3 Familial Status

Familial status refers to families with children under the age of 18, including those with legal custody of a child, pregnant persons, and those in the process of adopting or gaining legal custody. Families with children may face housing discrimination by landlords, including being denied housing due to the presence of children or being subject to special restrictions or fees. Differential treatments such as limiting the number of children in a complex or confining children to a specific location or unit are also fair housing concerns. In a 2016 housing discrimination study, researchers found that compared to households without children, households with children were shown slightly fewer units and were commonly told about units that were slightly larger, and as a result, slightly more expensive to rent.⁶¹ Additionally, female-headed households with children require special consideration and assistance because of generally greater needs for affordable housing and accessible day care, health care, and other supportive services.

3.3.1 Regional Trends

Most households in Napa County are family households, comprising approximately 68 percent of the total 48,705 households in the county. Households with children present comprise 28.1 percent (13,699 households) of the total households or 41.4 percent of all family households in the county. Married couples without children represent 46.9 percent of family households. The majority of family households with children are married couple households with fewer numbers of female and male single parent households. Single-parent households are more often at risk for housing issues because they rely on a single income and may require access to affordable childcare. Table 4 shows a breakdown of household type by tenure (owned versus rented) and presence of children in Napa County. Single-parent households are more likely to rent than own, especially female, single-parent households. There are 1,008 single-parent households that own and 2,323 single-parent households that rent in Napa County.

Table 4 Household Type and Tenure (Napa County)

Household Type	Owner-Occupied	Percent of Total Owner-Occupied	Renter-Occupied	Percent of Total Renter-Occupied
Married Couple Family, with Children Present	6,257	20.0%	4,036	23.2%
Single-Parent, Male Householder, no Spouse Present	383	1.2%	577	3.3%
Single Parent, Female Householder, No Spouse Present	700	2.2%	1,746	10.0%
Total Households with Children Present	7,340	23.5%	6,359	36.5%
Total Households	31,276	100%	17,429	100%

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table B25115 Tenure by Household Type (Including Living Alone) and Age of Householder, 2015-2019 Estimates.

⁶¹ HUD. 2016. <https://www.huduser.gov/portal/sites/default/files/pdf/HDSFamiliesFinalReport.pdf>.

Figure 7 shows the percentage of children in married couple households in Napa County. The less urban areas of the county have higher concentrations of children residing in married couple households while the urban areas have a lower percentage of children residing in married couple households. In most areas of the county the majority of children live in married couple households, however the northern half of the county generally has a higher percentage of children living in married couple households compared to the southern half.

Figure 8 shows the estimated percentage of children in households with a female head of household with no spouse or partner. Urban areas of the county, especially areas of the City of Napa and Town of Yountville, have higher concentrations of children in female single-parent households with between 20 and 40 percent of family households headed by a single parent female. The southern area of the City of Napa has the highest concentration of children in households with a female head of household with no spouse or partner, with between 40 and 60 percent of families headed by a single parent female. Less urban areas of the county, outside of incorporated cities, have less than 20 percent of families headed by a single female.

Figure 9 shows the percentage of adults living with a spouse or partner in Napa County. In most areas of the county 40 to 60 percent of adults are living with a spouse/partner. In areas in the southeast portion of the county, and on the west side of the City of Napa, there is a higher concentration of adults living with a spouse/partner, consisting of approximately 60 to 80 percent of adults.

Figure 10 shows the percentage of adults living alone, with less than 20 percent adults living alone in most areas in Napa County. In several of the more urban areas, specifically portions of the City of Napa, Yountville, and St. Helena, there is a higher concentration of adults living alone (greater than 20 percent).

3.3.2 Local Trends

Approximately 58 percent of the total 2,702 households in St. Helena are family households, as shown in Table 5. The majority of families are married couple families with more renters than homeowners. However, more single-parent households own their home than rent. Table 6 shows the breakdown of families with children by tenure and household type.

Non-family households are the second most common household type; a total of 42 percent of households fall into this category. These are primarily individuals living alone. Female single parent families make up about 10 percent of both owner-occupied units and rented units. Compared to the entire county, St. Helena has a greater percentage of non-family households, especially those living alone.

Table 5 Household Type and Tenure (St. Helena)

Household Type	Owner-Occupied	Percent of Total Owner-Occupied	Renter-Occupied	Percent of Total Renter-Occupied
Family Households	920	58	586	53
Married couple family	735	46	408	37
Male householder, no spouse present	29	2	63	6
Female householder, no spouse present	156	10	115	10
Non-family households	670	42	526	47
Living Alone	644	41	395	36
Not Living Alone	26	2	131	12
Total Households	1,590		1,112	

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table S2501 Occupancy Characteristics, 2015-2019 Estimates.

Table 6 Tenure by Household Type and Presence of Children (St. Helena)

Household Type	Owner-Occupied	Percent of Total Owner-Occupied	Renter-Occupied	Percent of Total Renter-Occupied
Married Couple Family, with Children Present	164	10.3%	230	20.7%
Single-Parent, Male Householder, no Spouse Present	17	1.1%	11	0.1%
Single Parent, Female Householder, No Spouse Present	114	7.2%	50	4.5%
Total Households with Children Present	295	18.6%	291	26.2%
Total Households	1,590	100%	1,112	100%

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table B25115 Tenure by Household Type (Including Living Alone) and Age of Householder, 2015-2019 Estimates.

The majority of children in St. Helena live in married couple households; however, this percentage is less than in rural areas of Napa County. Figure 11 shows the percentage of children in married couple households in St. Helena is between 60 and 80 percent, while more than 80 percent of children in the surrounding rural areas live in married couple households.

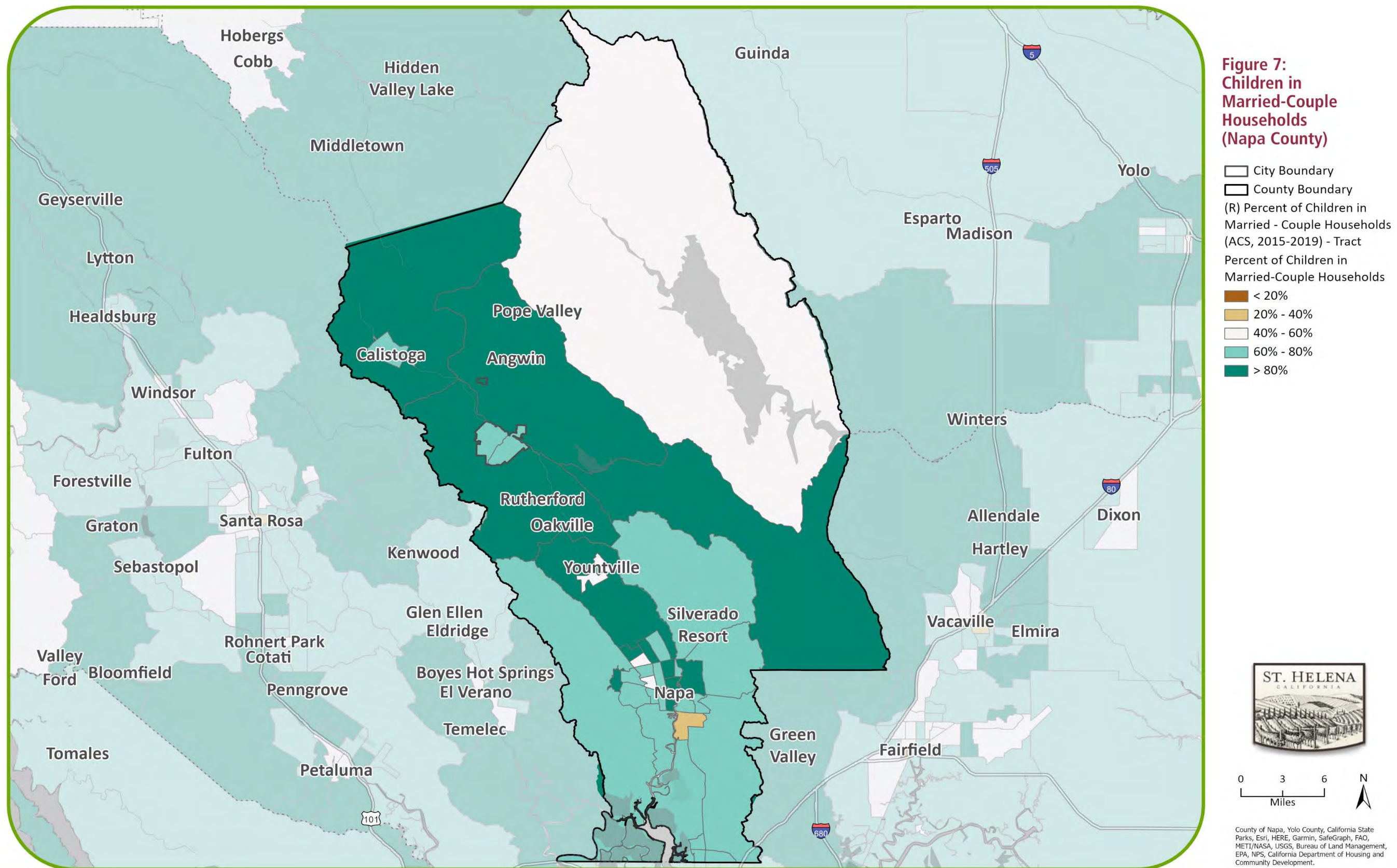
Figure 12 shows the percentage of children in female single-parent households in St. Helena. In the northwest areas of St. Helena, 20 to 40 percent of children live in female single-parent households. In the southeast areas of the city less than 20 percent of children live in female single-parent households.

Figure 13 provides estimates regarding the percent of the adult population living with a spouse in St. Helena. Throughout the city, 40 to 60 percent of adults are living with a spouse. Figure 14 shows the

City of St. Helena 2023-2031 Housing Element Update

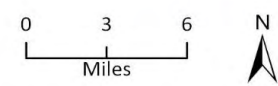
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percentage of the adult population living alone in St. Helena. In the western half of the city, 20 to 40 percent of adults live alone while in the eastern half of the city less than 20 percent of adults live alone.

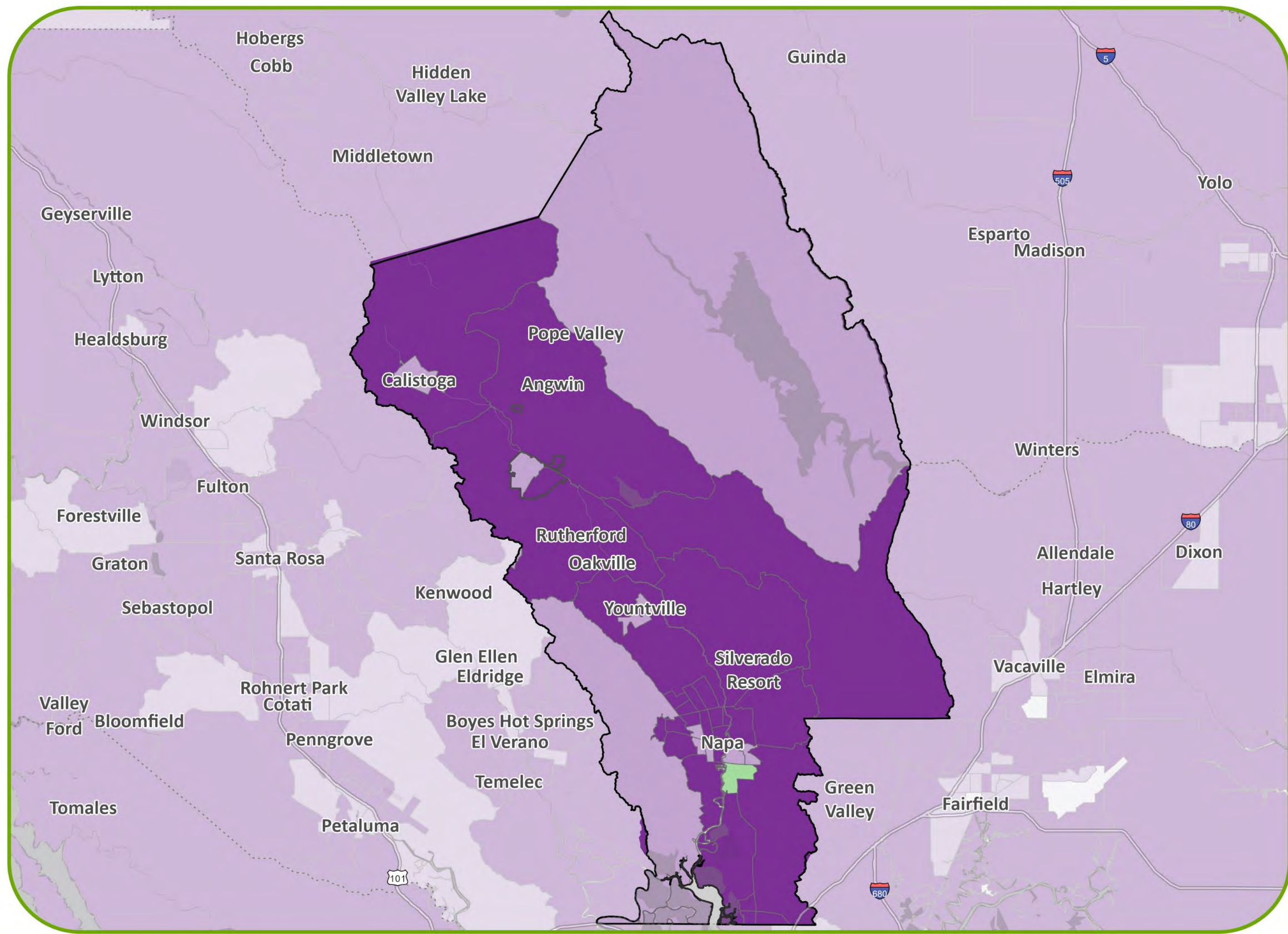


**Figure 8:
Female Headed
Households with
Children, No
Spouse/Partner Present**

□ City Boundary
 □ County Boundary
 (R) Percent of Children in Female Householder, No Spouse/Partner Present Households (ACS, 2015-2019) - Tract
 Percent of Children in Female Householder, No Spouse/Partner Present Households
 ■ ≤ 20%
 ■ 20% - 40%
 ■ 40% - 60%
 ■ 60% - 80%
 ■ > 80%



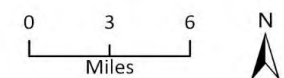
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



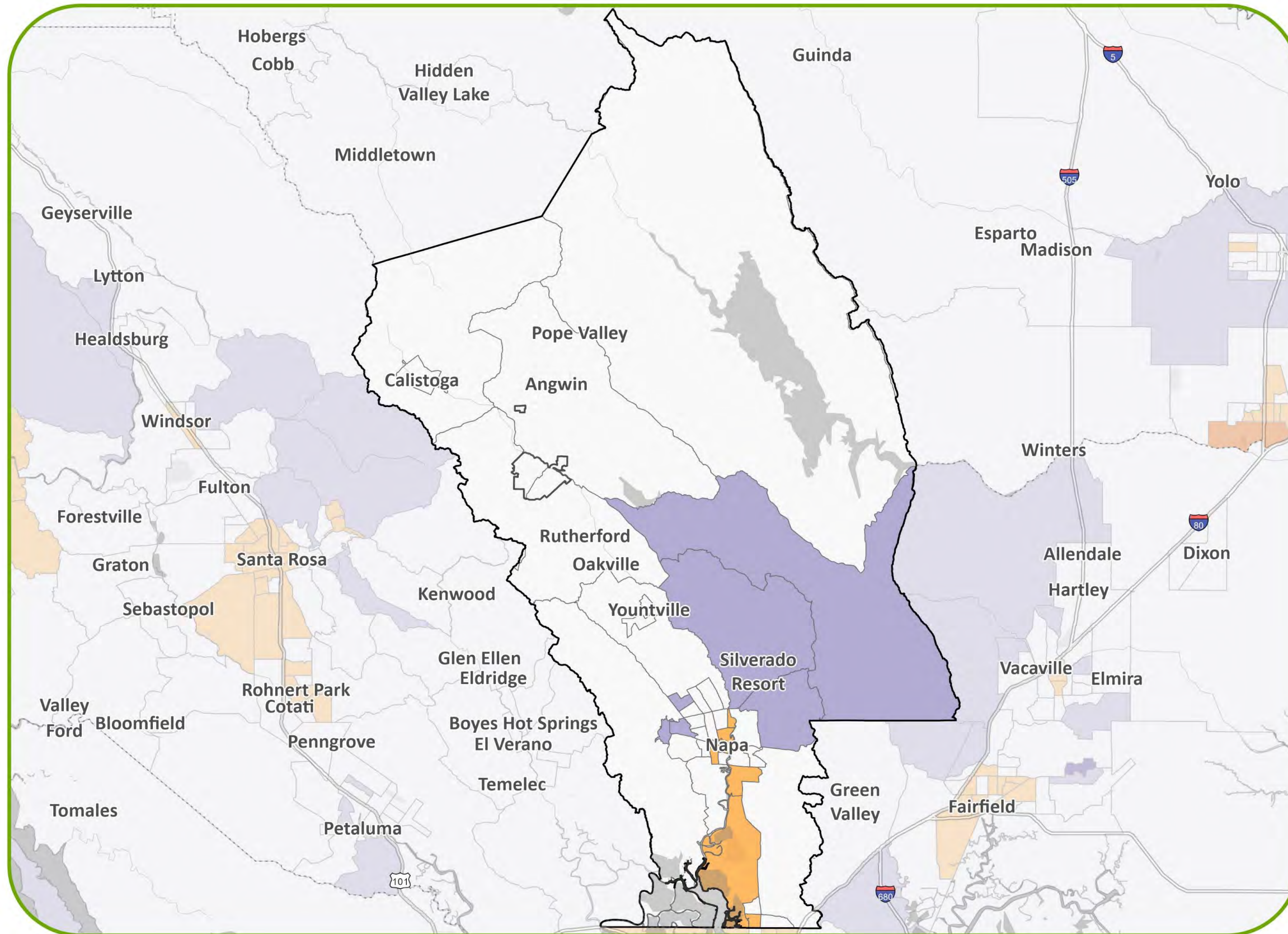
**Figure 9:
Population of Adults
Living with Spouse/
Partner (Napa County)**

City Boundary
County Boundary
(R) Percent of Population 18 Years and Over in Households Living with Spouse (ACS, 2015-2019) - Tract
Percent of Population 18 Years and Over in Households Living with Spouse

- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- > 80%

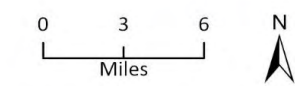


County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

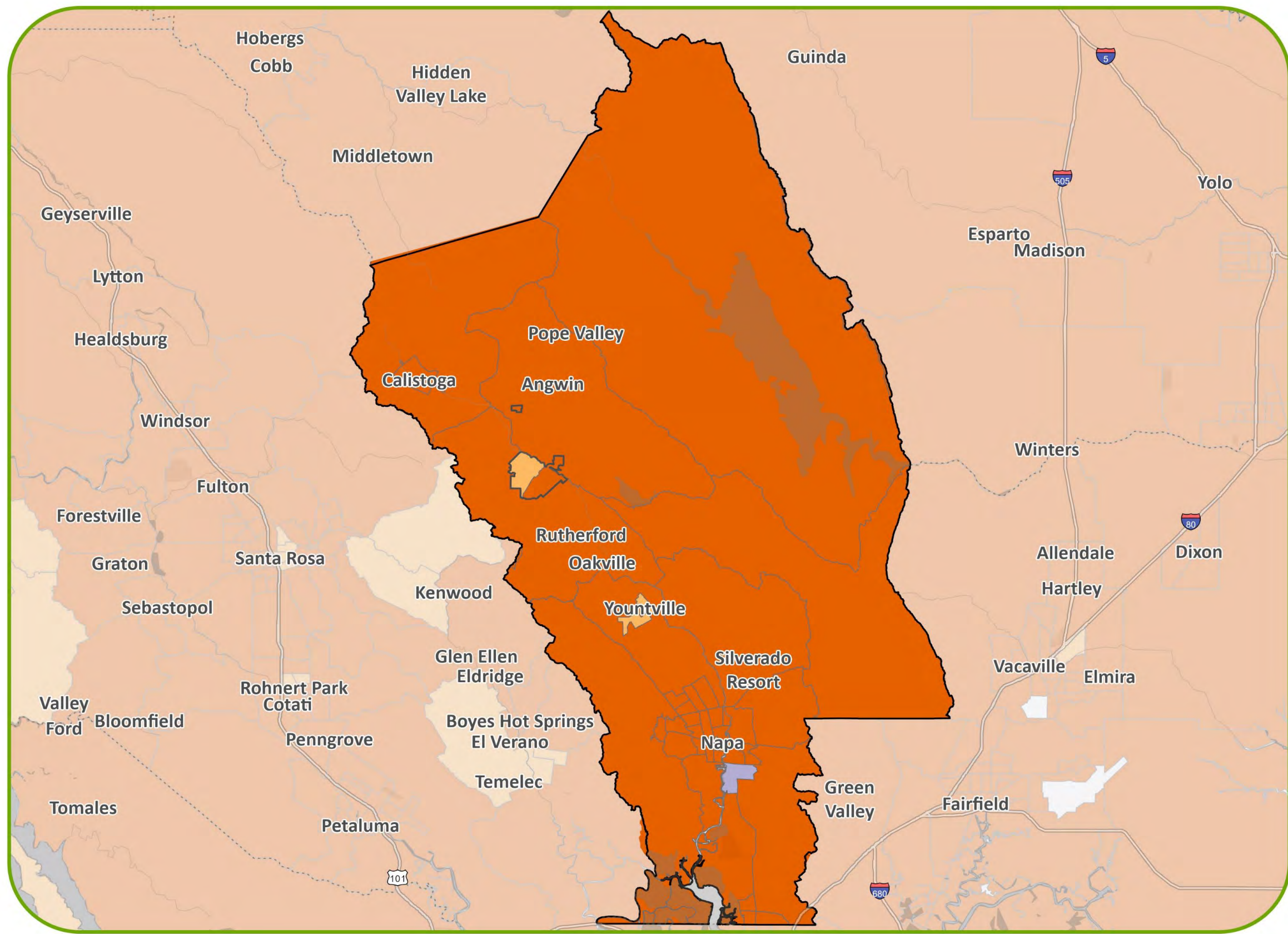


**Figure 10:
Population of Adults
Living Alone
(Napa County)**

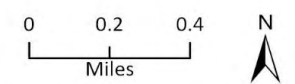
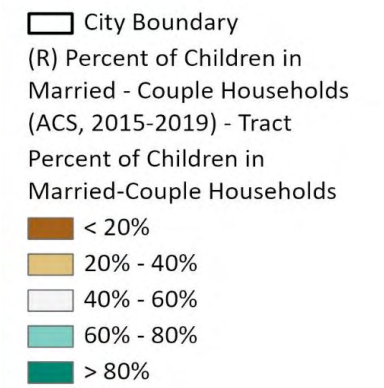
City Boundary
 County Boundary
 (R) Percent of Population 18 Years and Over in Households Living Alone (ACS, 2015-2019) - Tract
 Percent of Population 18 Years and Over in Households Living Alone
 < 20%
 20% - 40%
 40% - 60%
 60% - 80%
 > 80%



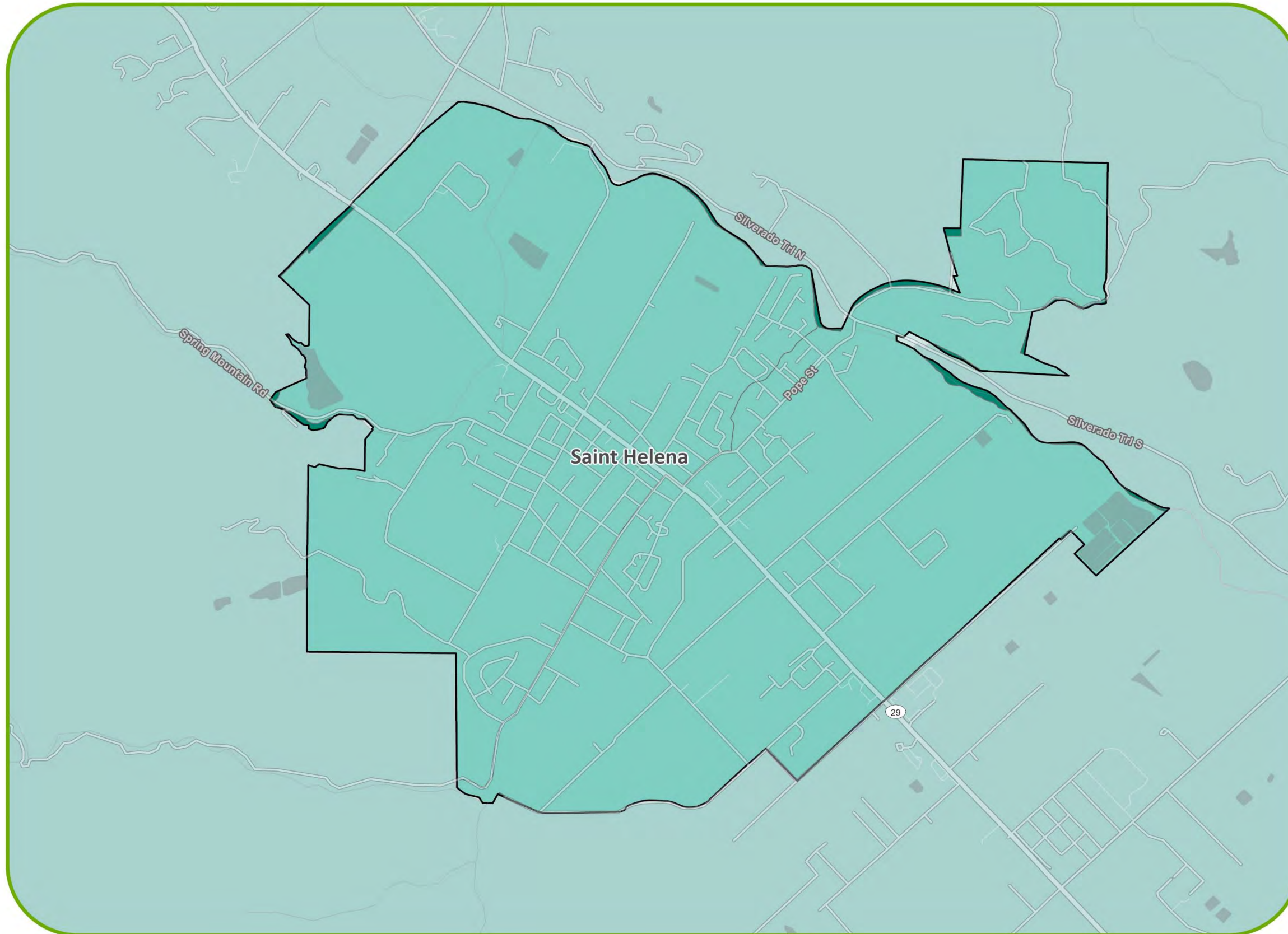
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



**Figure 11:
Children in
Married-Couple
Households
(St. Helena)**

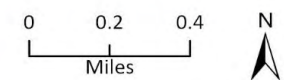


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

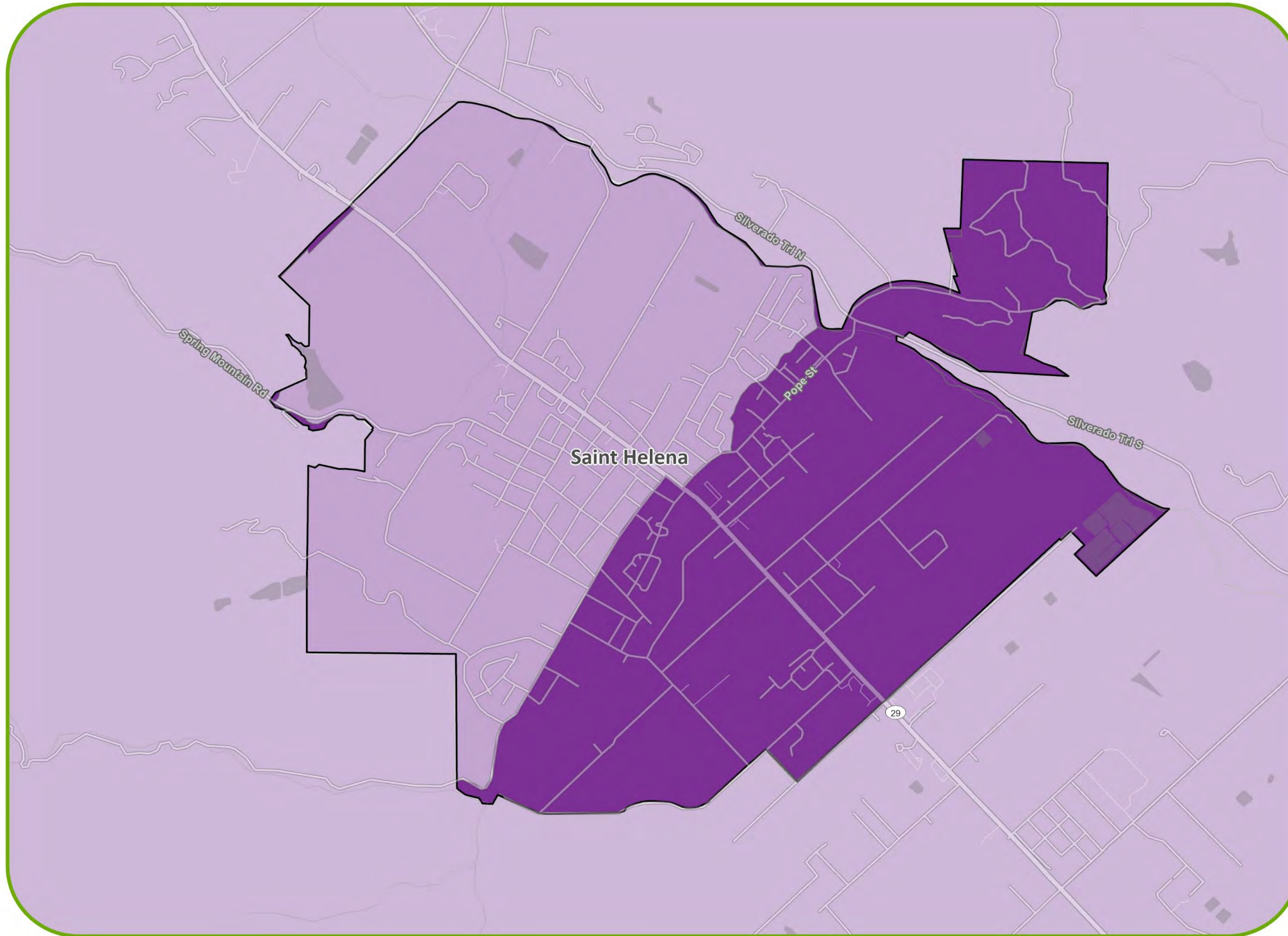


**Figure 12:
Female Headed
Households with
Children, No Spouse/
Partner Present
(St. Helena)**

City Boundary
(R) Percent of Children in
Female Householder, No
Spouse/Partner Present
Households (ACS, 2015-2019)
- Tract
Percent of Children in Female
Householder, No Spouse/
Partner Present Households
 ≤ 20%
 20% - 40%
 40% - 60%
 60% - 80%
 > 80%

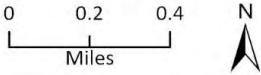


County of Napa, California State Parks, Esri,
HERE, Garmin, SafeGraph, GeoTechnologies, Inc.,
METI/NASA, USGS, Bureau of Land Management,
EPA, NPS, US Census Bureau, USDA, California
Department of Housing and Community
Development.



**Figure 13:
Population of Adults
Living with
Spouse/Partner
(St. Helena)**

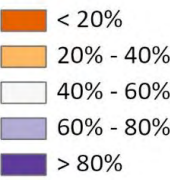
- City Boundary
(R) Percent of Population 18 Years and Over in Households Living with Spouse (ACS, 2015-2019) - Tract
Percent of Population 18 Years and Over in Households Living with Spouse
- < 20%
 - 20% - 40%
 - 40% - 60%
 - 60% - 80%
 - > 80%

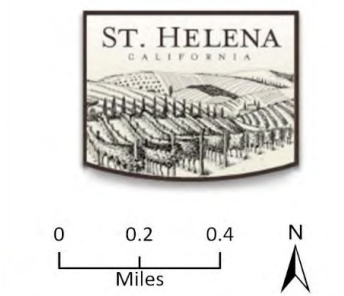


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



**Figure 14:
Population of Adults
Living Alone (St. Helena)**

 City Boundary
 (R) Percent of Population 18 Years and Over in Households Living Alone (ACS, 2015-2019) - Tract
 Percent of Population 18 Years and Over in Households Living Alone




County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

Overall, the northwest portion of the city has a higher proportion of children living in female single-parent households and a higher proportion of adults living alone compared to the southeast portion of the city. The percentages of children living in married couple households and adults living with a spouse/partner are high throughout the city.

3.4 Household Income

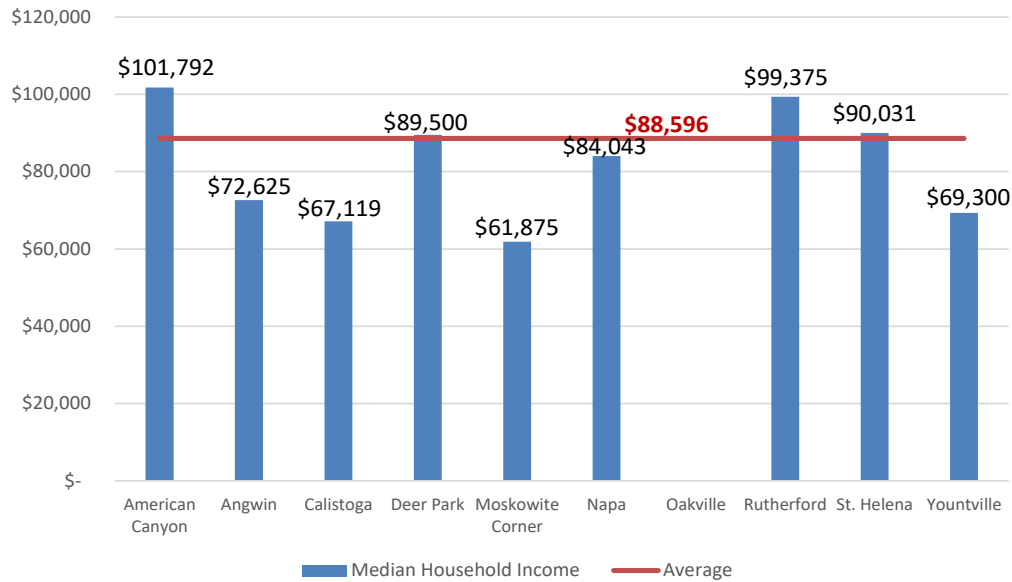
Household income is directly related to the ability to afford housing. Higher income households are more likely to own rather than rent housing. However, as household income decreases, households tend to pay a disproportionate amount of their income for housing and the number of persons occupying unsound and overcrowded housing increases. To achieve fair housing objectives, people in low-income households must have actual choice in housing opportunities – that is, they are able to locate units that are affordable and well maintained in all parts of a jurisdiction and region.

Identifying low or moderate income (LMI) geographies and individuals is important to overcome patterns of segregation. HUD defines a LMI area as a Census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the area median income).

3.4.1 Regional Trends

The median household income of Napa County is \$88,596. LMI areas are concentrated in the more urbanized areas of the county, including the City of Napa, St. Helena, and Calistoga. Rural areas of the county tend to have higher income households. Figure 15 shows the median household income for cities within Napa County.

Figure 15 Median Household Income (2015-2019)



Source: Bureau of the Census, American Community Survey American Community Survey, 2015-2019.

Figure 16 shows median household income by block group using 2015-2019 ACS estimates. Block groups with the lowest median income are the eastern area of St. Helena, the area south of Yountville, and areas within the City of Napa.

LMI populations by census tract for Napa County are displayed in Figure 17. Census tracts within Cities of Napa, St. Helena, and Calistoga have the highest percentages of populations with low to moderate income. These areas are the same areas with the highest percentages of non-White population.

3.4.2 Local Trends

Household incomes in St. Helena tend to be higher than the region as a whole, with a median income of \$90,031 compared to the median household income of Napa County (\$88,596). St. Helena has a higher median income than many of the surrounding cities, including the cities of Napa, Yountville, and Calistoga, as shown in Figure 15.

Figure 18 provides an overview of median household income by block group in the city. The census blocks with the lowest median income are located on the northeast and east side of St. Helena with median incomes of \$47,083 and \$51,544, which is less than the state median income of \$87,100. Community input identified that many of the property owners in this area are not lower income and are in fact very wealthy. The low-medium income trends in this area of the city may partially be attributed to the three affordable housing developments (Stonebridge Apartments, Woodbridge Village Apartments, and Hunt's Grove

Apartments), Vineyard Valley Mobile Home Park, and a senior living community (Silverado Orchards Retirement Community) all located within these two census blocks. The census block with the highest median income is located in the downtown area in the center of the city with a median income of \$158,500. The AFFH Data Viewer has no information on median income of the northwest area of St. Helena.

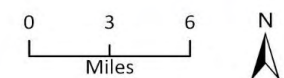
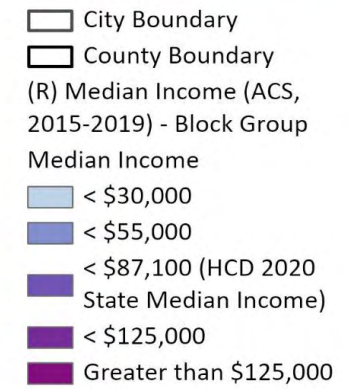
The LMI populations in St. Helena are concentrated on the east side of the city, as shown in Figure 19. According to HUD estimates, in the eastern area of the city 68 percent of the population are LMI populations. In contrast, on western side of city less than 20 percent of the population is LMI. This pattern closely corresponds with areas of the city that have a greater non-White population concentration, which is also greater on the eastern side of the city.

City of St. Helena 2023-2031 Housing Element Update

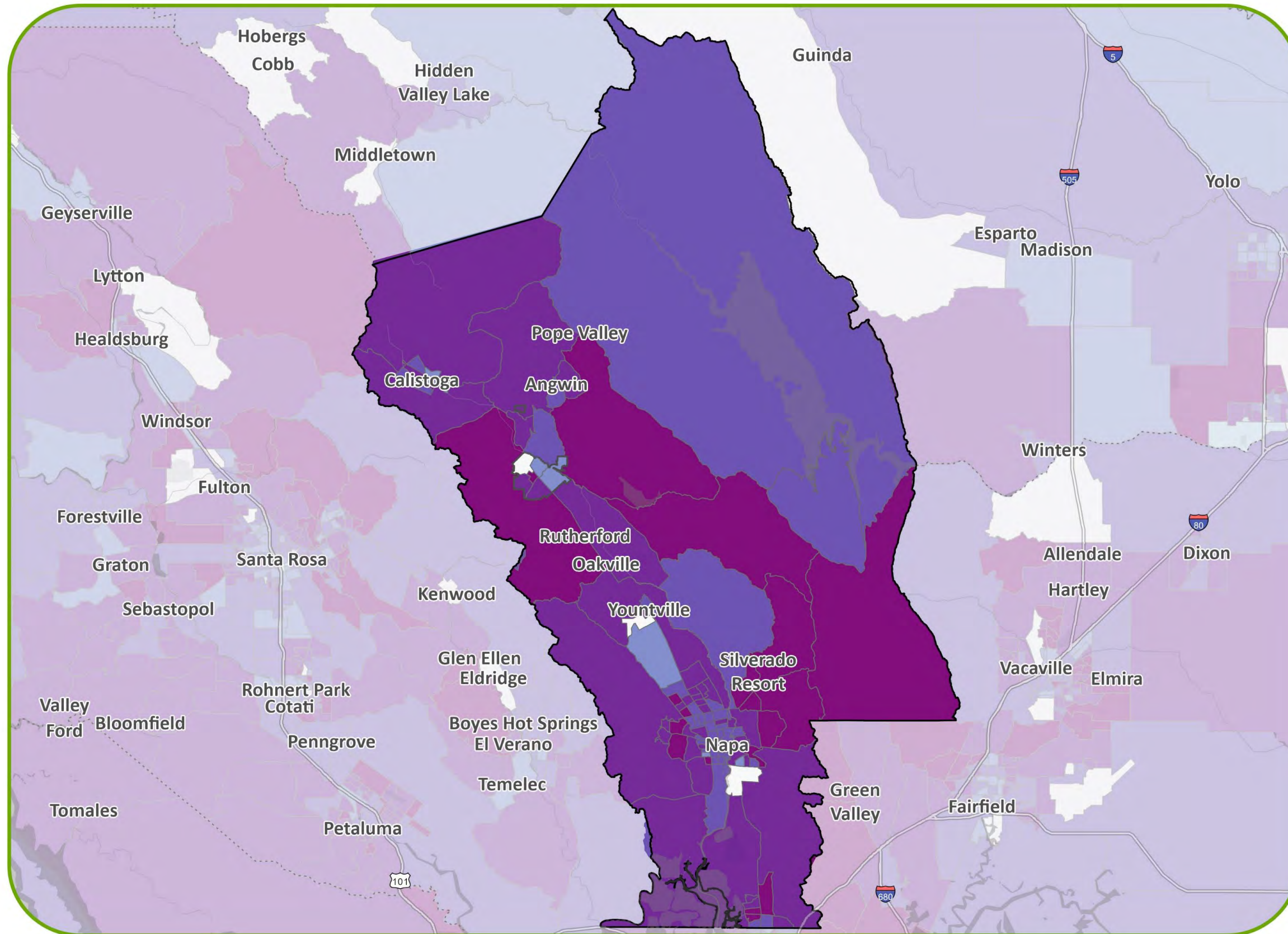
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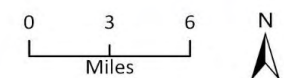
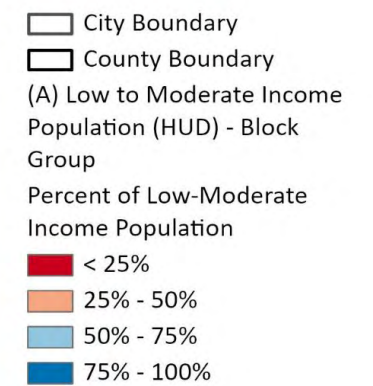
**Figure 16:
Median Household
Income (Napa County)**



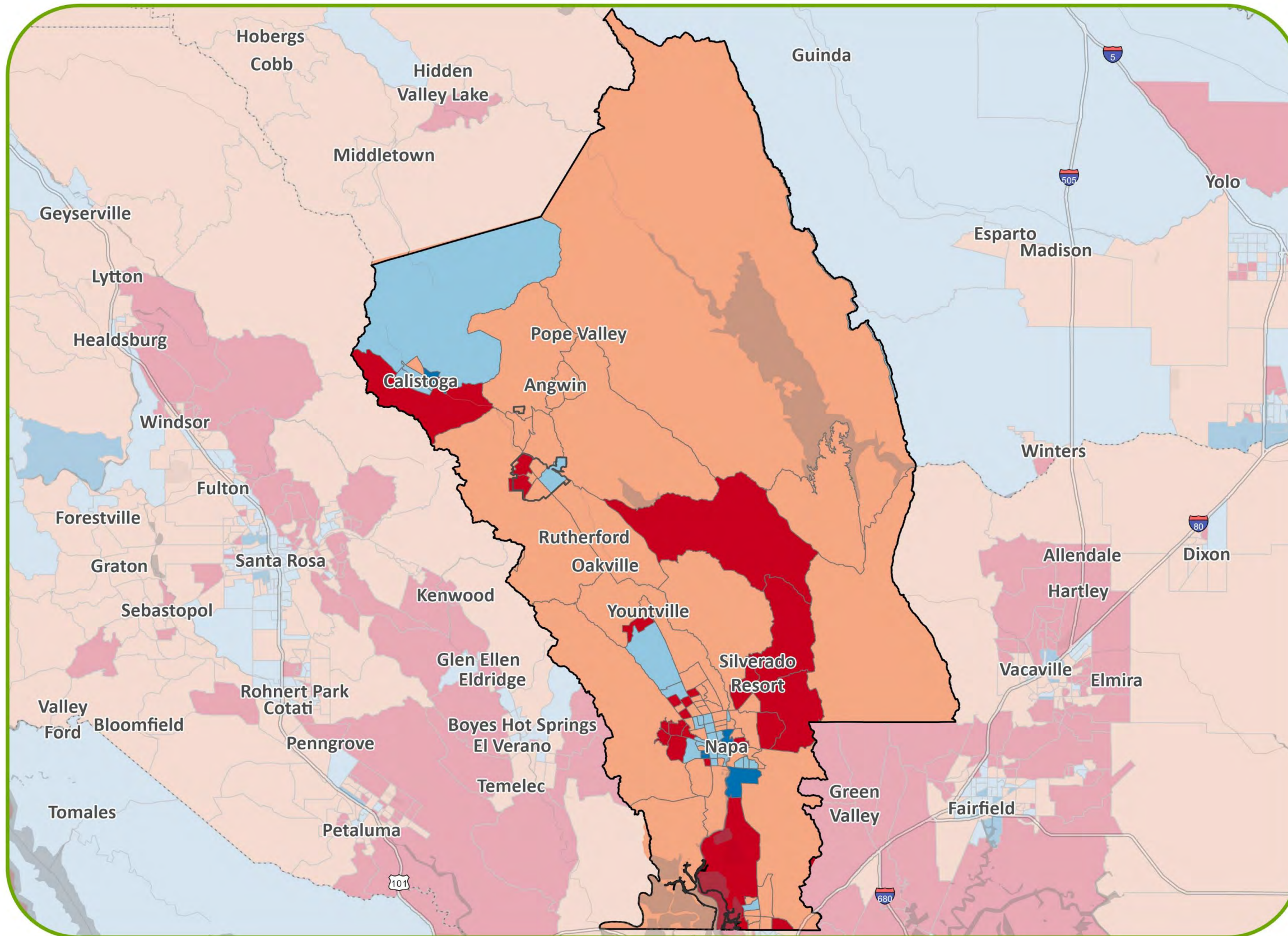
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



**Figure 17:
Low and Moderate
Income Population
(Napa County)**

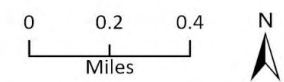


County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

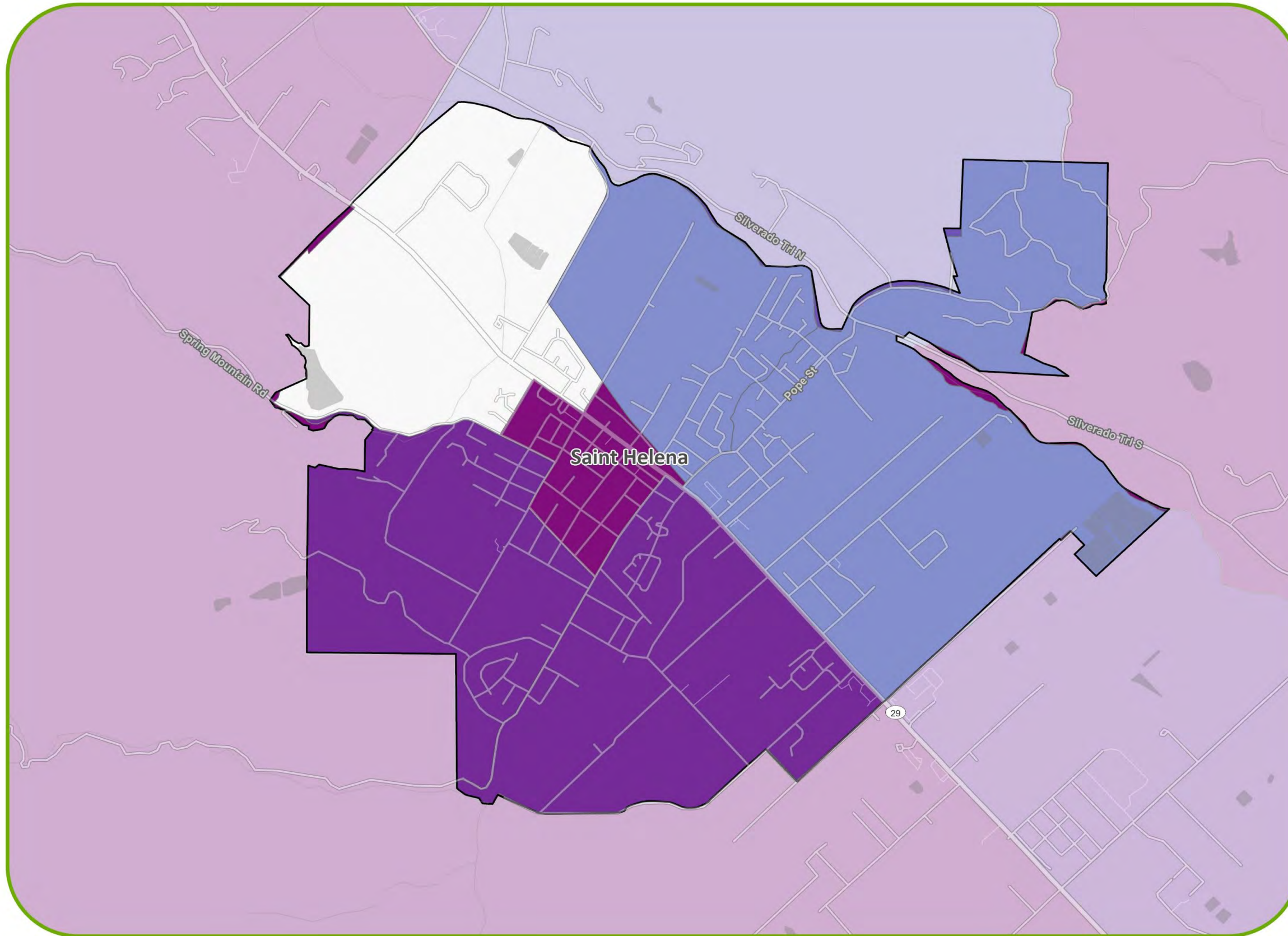


**Figure 18:
Median Household
Income (St. Helena)**

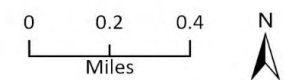
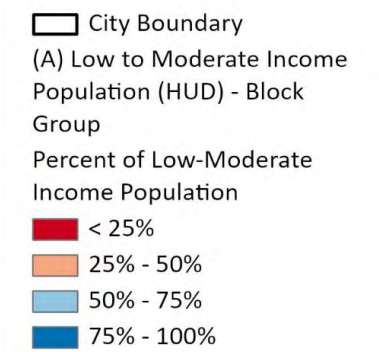
- City Boundary
- (R) Median Income (ACS, 2015-2019) - Block Group Median Income
- < \$30,000
- < \$55,000
- < \$87,100 (HCD 2020 State Median Income)
- < \$125,000
- Greater than \$125,000



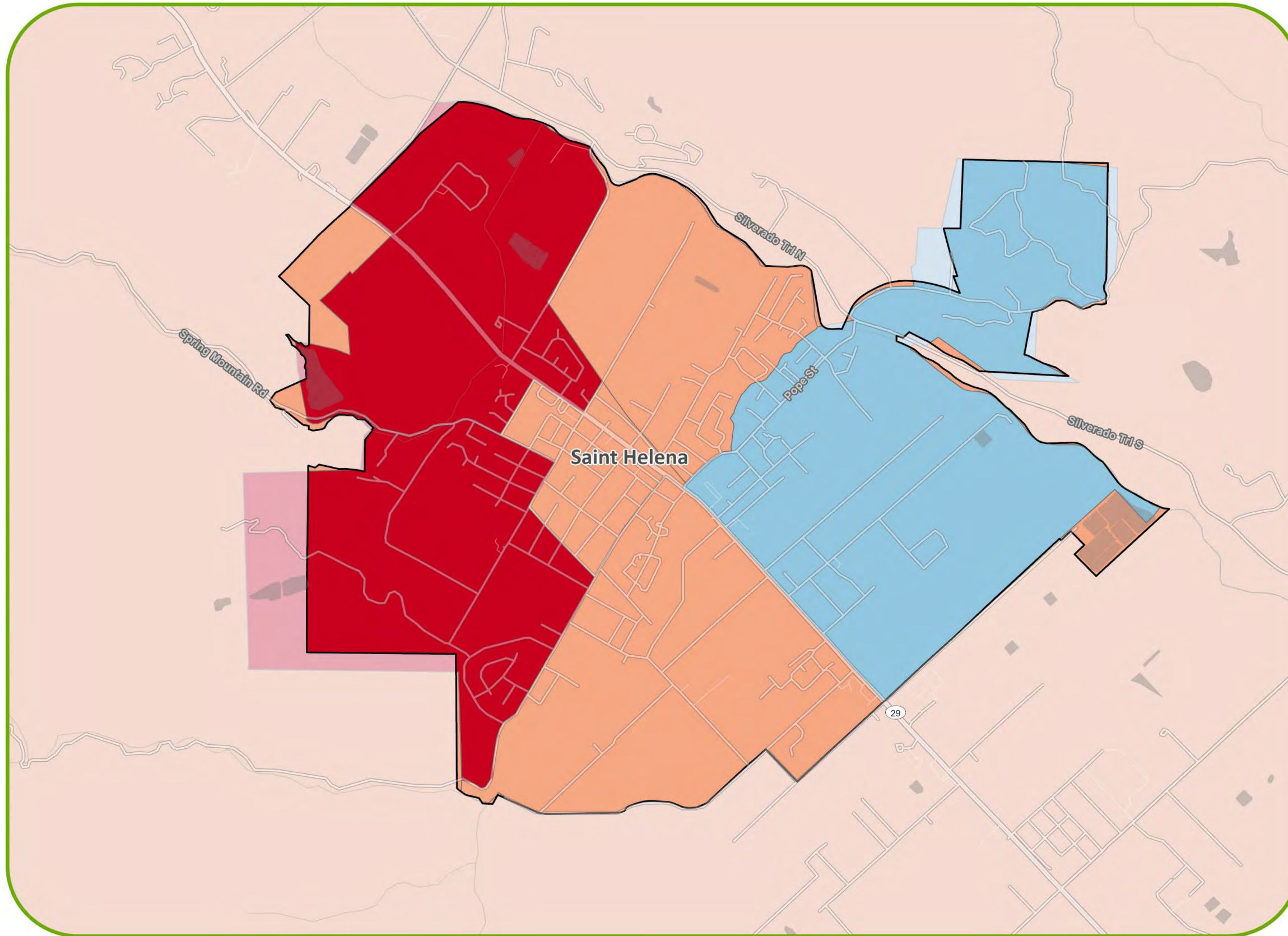
County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



**Figure 19:
Low to Moderate
Income Population
(St. Helena)**



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



3.5 Racially and Ethnically Concentrated Areas of Poverty

To identify racially and ethnically concentrated areas of poverty (known as R/ECAPs), HUD developed thresholds based on racial and ethnic concentration and income level. The threshold for racial and ethnic concentration is a non-White population of 50 percent or more within metropolitan or micropolitan areas (in rural areas it is 20 percent). Areas of “extreme poverty” are defined using the poverty test as those with more than 40 percent of the population at or below the poverty line or a poverty rate or three times the average of the metropolitan area, whichever is less. Areas that meet both the racial/ethnic concentration threshold and the “extreme poverty” threshold are considered R/ECAPs.

3.5.1 Poverty and Segregation

3.5.1.1 Regional Trends

There are no R/ECAPs within Napa County, however there is a small area of in the southern portion of the City of Napa that would be considered an area of extreme poverty with more than 40 percent of the population below the poverty line. According to 2015-2019 ACS estimates, approximately 8 percent of the population of Napa County is below the poverty level. Several areas within county have 10 and 20 percent of the population below the poverty line, including areas in the southern region of the county, in and around the Cities of Napa, American Canyon, and St. Helena. Figure 20 shows the poverty status within Napa County.

3.5.1.2 Local Trends

St. Helena does not have any R/ECAPs. According to 2015-2019 ACS estimates, approximately 8 percent of the population of St. Helena are living below the poverty level, consistent with poverty rates of Napa County. The western half of the city has a greater percentage of the population below the poverty line, between 10 and 20 percent. This area also had a higher percentage of children in a female single parent household.

Figure 21 displays the percentage of the population whose income is below the poverty line in St. Helena. The poverty rates in St. Helena have shifted over time. The 2010-2014 ACS estimated the eastern half of the city had a greater percentage of the population below the poverty line, opposite of the trend shown by the 2015-2019 ACS estimates.

Figure 22 shows neighborhood segregation in St. Helena using to data from UC Berkeley’s Urban Displacement Project (UDP). According to the UDP the predominant racial/ethnic composition in St. Helena is Latinx-White. ABAG’s Segregation Report also analyzed neighborhood segregation in St. Helena between 2010 and 2020 using the racial isolation index, racial dissimilarity index, and Thiel’s H-Index. The isolation index showed White residents are the most segregated racial group in the city, followed by Latinx residents. The dissimilarity index showed segregation is greatest between Asian/Pacific Islander and White residents, followed by Latinx and White residents. However, the dissimilarity index is an unreliable measure for Asian/Pacific Islander and Black/African populations in St. Helena because their populations are too

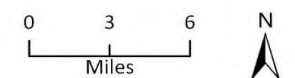
small for accurate calculation. Thiel's H-index for neighborhood level segregation indicated racial segregation between all racial groups within the city is less than in the average Bay Area jurisdiction. Compared to all Bay Area jurisdictions, St. Helena is less diverse, with a smaller percentage of the population consisting of people of color.

ABAG's Segregation Report also analyzed neighborhood level income segregation between 2010 and 2015 in St. Helena using the income group isolation index, income group dissimilarity index, and Thiel's H-index. The isolation index showed above moderate income residents are the most segregated income group in the city followed by very low income residents. Among all income groups, segregation of the moderate income population has changed the most between 2010 and 2015, becoming less segregated. The dissimilarity index showed income segregation is greater in St. Helena than in the average Bay Area jurisdiction between lower income residents and non-lower income residents and between very low income residents and above moderate income residents. Overall, segregation between lower income residents and residents who are not lower income increased between 2010 and 2015. According to Thiel's H-index for neighborhood level income segregation, income segregation in the city is less than the average Bay Area city and remained about the same between 2010 and 2015. Compared to all Bay Area jurisdictions, St. Helena has a similar share of very low income residents, lower share of low and moderate income residents, and a higher share of above moderate income residents.

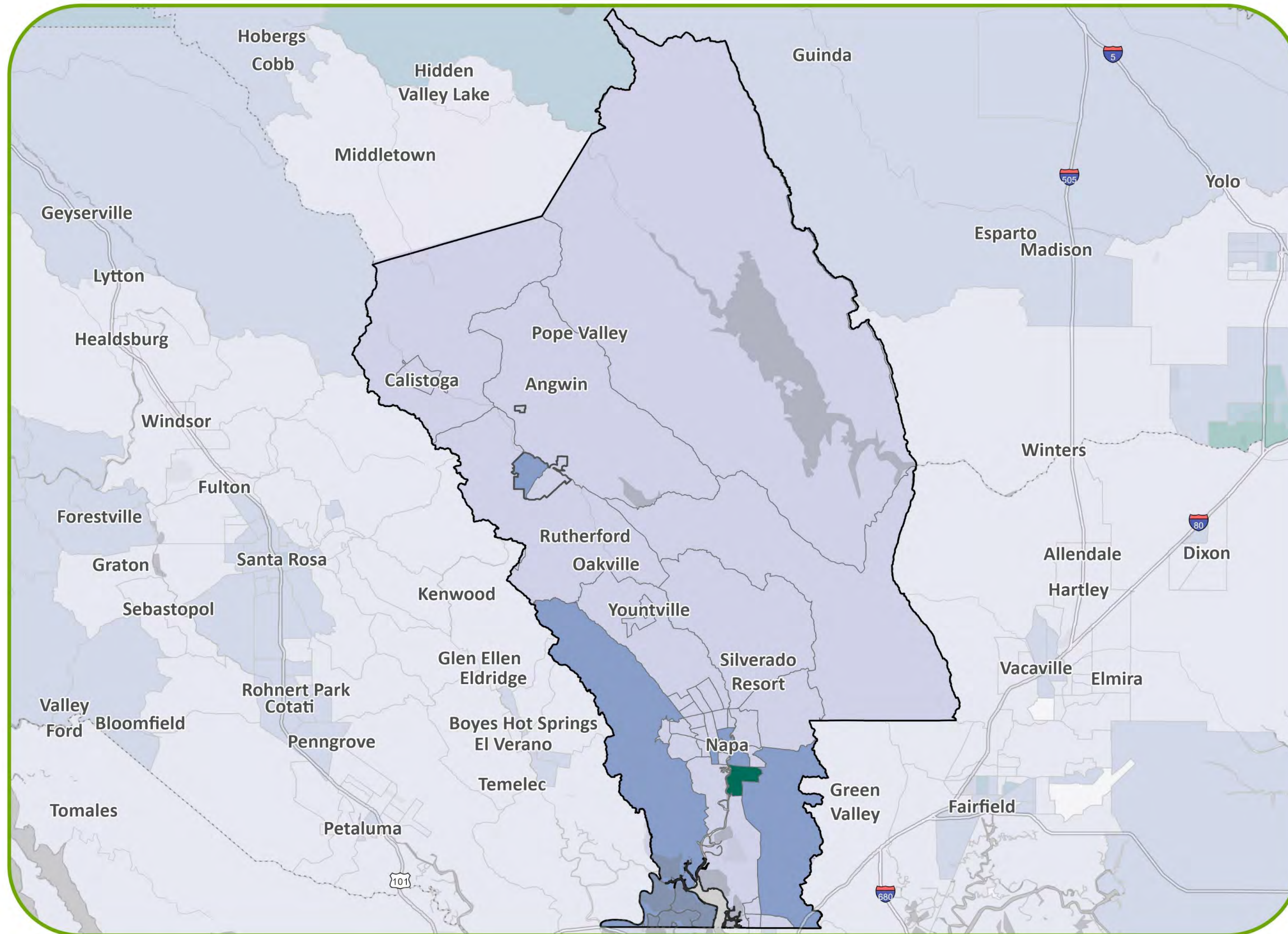
In summary, ABAG's segregation report found White residents and above moderate income residents are the largest and most segregated racial and income groups in St. Helena.

**Figure 20:
Areas of High Poverty
(Napa County)**

-  City Boundary
-  County Boundary
- (R) Poverty Status (ACS, 2015 - 2019) - Tract
- Percent of Population whose income in the past 12 months is below poverty level
-  < 10%
-  10% - 20%
-  20% - 30%
-  30% - 40%
-  > 40%



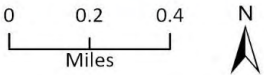
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



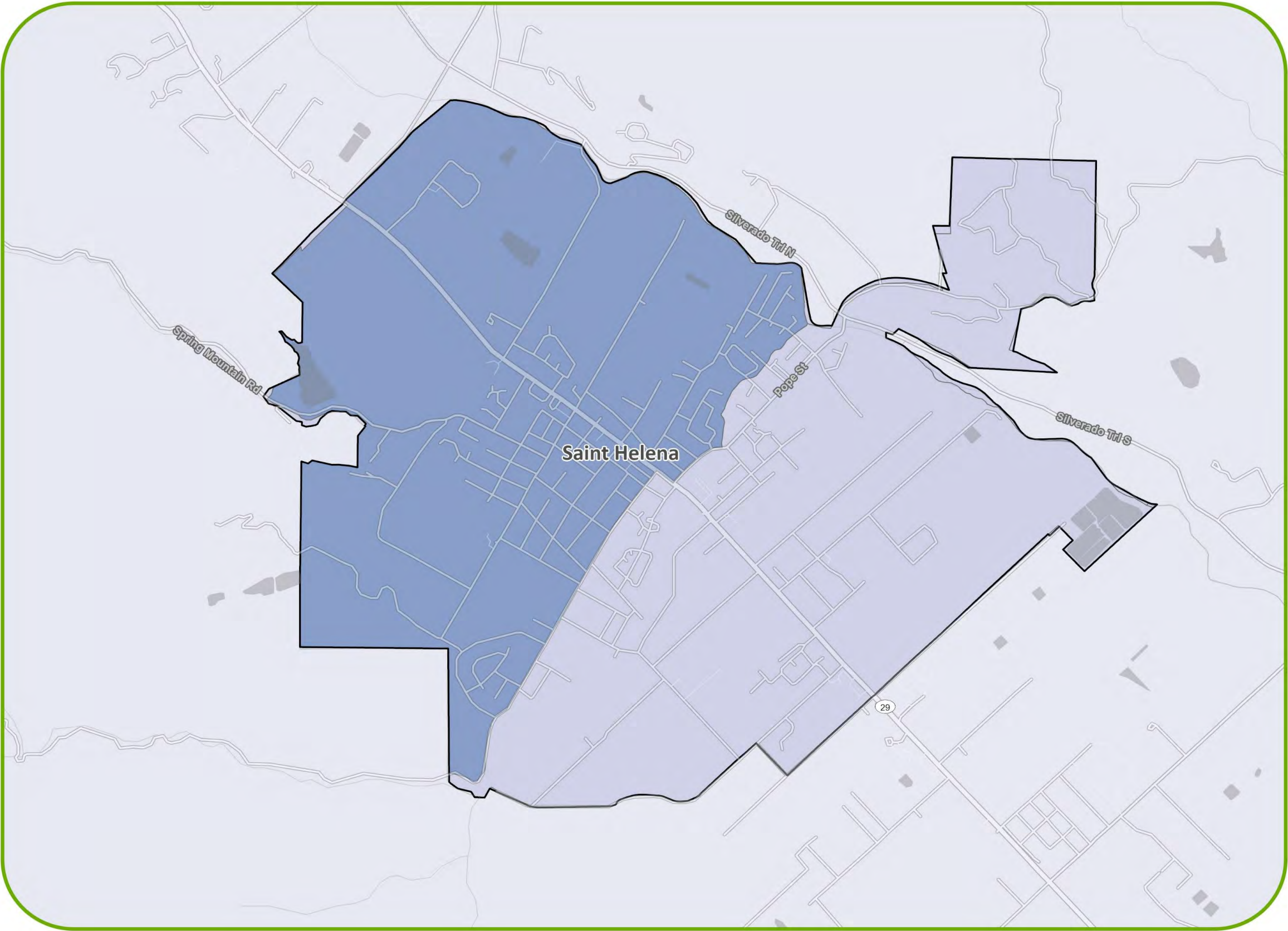
**Figure 21:
Poverty Status
(St. Helena)**

City Boundary
(R) Poverty Status (ACS, 2015 - 2019) - Tract
Percent of Population whose income in the past 12 months is below poverty level

< 10%
10% - 20%
20% - 30%
30% - 40%
> 40%

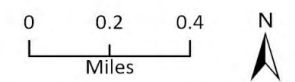


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

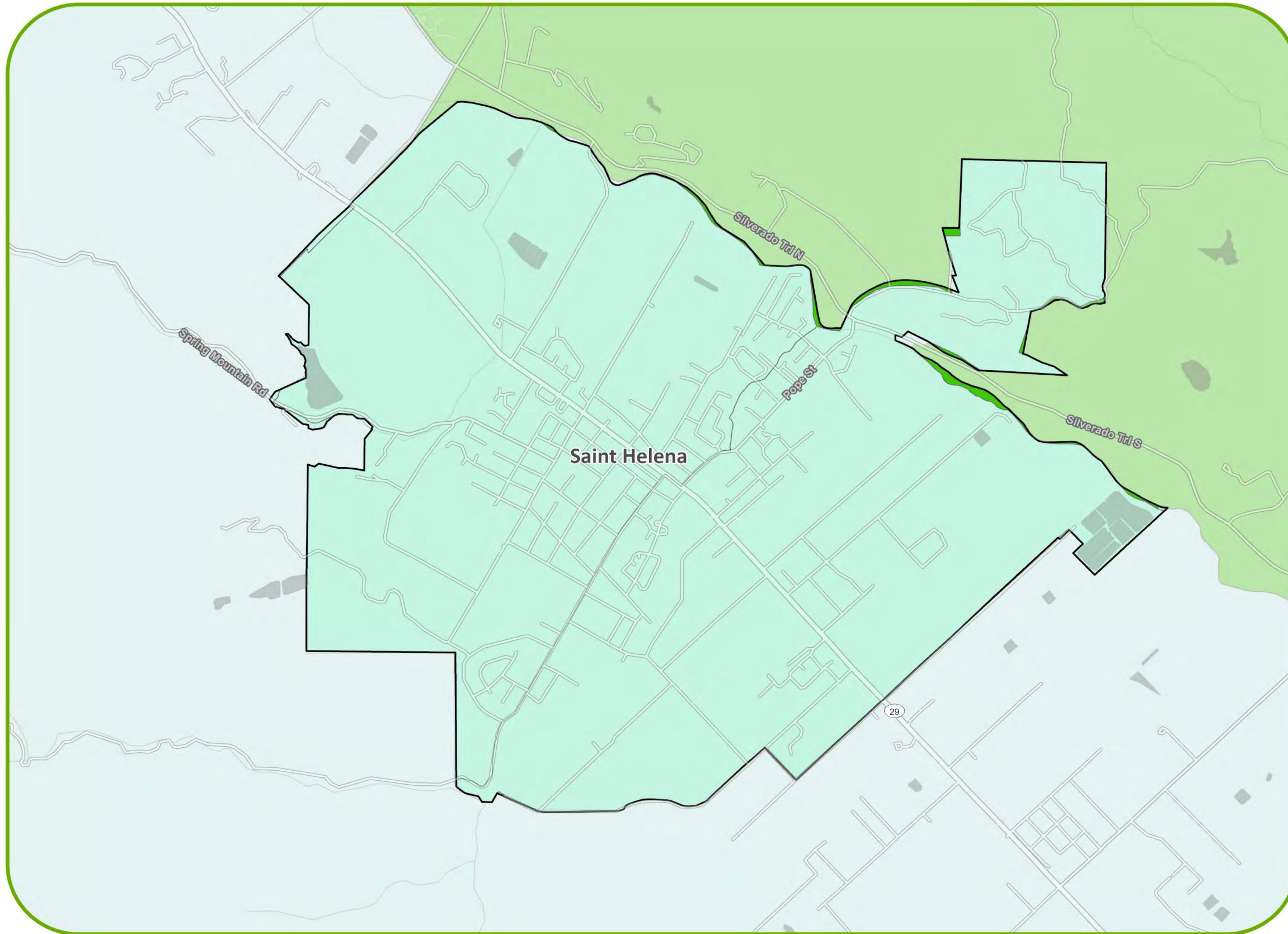


**Figure 22:
Neighborhood
Segregation (St. Helena)**

- City Boundary
- (A) Neighborhood Segregation
(UC Berkeley, 2019) - Tract
- Latinx-White
- 3 Group Mix



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



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3.5.2 Concentrated Areas of Affluence

While racially R/ECAPs have long been the focus of fair housing policies, racially concentrated areas of affluence (RCAAs) must also be analyzed. Racially concentrated areas of affluence (RCAAs) are affluent communities that are predominantly White.⁶² According to a policy paper published by HUD, White residents are the most racially segregated group in the United States and are typically more affluent than majority non-White communities. In addition to having a higher median income, areas of affluence experience less overcrowding, less housing cost burden on renters, and are generally less susceptible to displacement compared to LMI areas.

RCAAs have not been studied extensively, nor has a standard definition been published by HCD or HUD. HCD has created a metric to identify RCAAs by analyzing the total White population for each census tract and comparing it to the average percentage of total White populations for all census tracts within a given Council of Government (COG) region. This compared value is referred to as the Location Quotient (LQ). For example, a census tract with an LQ of 1.5 has a percentage of total White population that is 1.5 times higher than the average percentage of total White population within the COG region. HCD identifies RCAAs as census tracts with an LQ of more than 1.25 and a median income 1.5 times higher than the COG AMI (or 1.5x the State AMI, whichever is lower).

3.5.3 Regional Trends

There are several RCAAs in Napa County, which are primarily located in more rural areas of the county. Most of the RCAAs are concentrated along the western portion of the county with several RCAAs located within the northwest part of the City of Napa as well as in the rural areas northeast of the City of Napa. shows RCAAs in Napa County.

The population of Napa County is predominantly White, with the highest concentration of White residents residing in rural areas of the county. Figure 23 highlights the predominantly White census tracts in Napa County. Areas with a lower concentration of White residents are generally located within the valley where population density is higher. The more rural areas along the eastern border of Napa County have high concentrations of White populations, which corresponds with areas that have the highest median incomes in the county.

3.5.4 Local Trends

There are no RCAAs identified within St. Helena. However, similar to patterns of affluence throughout Napa County, areas of St. Helena with higher median incomes correspond to areas with higher proportions of White residents. The northwestern area of the city has a larger proportion of White residents and a higher median income, while the southeastern area has greater racial/ethnic diversity and a lower median income. The northwestern area of the city has a predominant White population (over 50 percent) and the

⁶² Goatz, Damanio and Williams, "Racially Concentrated Areas of Affluence: A Preliminary Investigation" <https://www.huduser.gov/portal/periodicals/cityscape/vol21num1/ch4.pdf>, (2019).

southeastern area of the city has a large White population and large Hispanic population (approximately 48 percent each). Figure 26 shows the overlap of high median income and predominant White population in St. Helena.

In addition to having a higher median income, areas of affluence in St. Helena experience lower percentages of overpayment by homeowners, more positive economic outcomes, and more positive environmental outcomes compared to LMI areas.

3.6 Disparities in Access to Opportunities

According to HCD guidance, land use policies and planning often translate into the ability of residents to access neighborhoods of opportunity, with high-performing schools, greater availability of jobs that afford entry to the middle class, and convenient access to transit and services. The limits on housing choice and access experienced by people within protected classes, such as race, sexual orientation, or disability, have far-reaching impacts on access to job opportunity, quality education, and mental and physical health.⁶³ Access to opportunity often means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to 'high resource' neighborhoods. This encompasses education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food, and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions).

The analysis of place-based characteristics linked to opportunity indicators, quality education, employment, transportation, and healthy environment, seeks to understand the disparity between communities in terms of access to real and potential economic benefits and quality of life.

3.6.1 Transit Access

Reliable access to public transit is crucial, especially for low-income residents and/or persons with disabilities, to provide connections to employment opportunities. Access to employment via public transit can reduce income burden and increase housing mobility, which enables residents to locate housing in more areas.⁶⁴ The lack of a relationship between public transit, employment opportunities, and affordable housing may impede fair housing choice. Persons who depend on public transit may have limited choices regarding places to live.

3.6.2 Regional Trends

As Napa County is largely rural, residents mainly depend on their personal vehicles for commuting and traveling. Public transit options do exist in Napa County, primarily Vine Transit, a fixed route bus service

⁶³ HCD. 2021. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf

⁶⁴ Ong, Paul and Evelyn Blumenberg, "Job Accessibility and Welfare Usage: Evidence from Los Angeles." UCLA Department of Policy Studies, (1998).

operated by the Napa Valley Transportation Authority. Vine Transit operates fixed bus route service throughout the county from American Canyon to Calistoga and provides connections to the Vallejo Ferry Terminal, and El Cerrito Del Norte BART station, SolTrans stations in Vallejo and Fairfield, and the Suisun/Fairfield Train Station. Lake Transit Authority connects southern areas of Lake County to northern Napa County, with bus stops in Calistoga, St. Helena, and Deer Park. Additionally, several low cost, on demand shuttle services are available to the public providing fixed route and door-to-door transit within the city limits of their operating city, including the Yountville Trolley, St. Helena Shuttle, Calistoga Shuttle, and American Canyon Transit. Residents and visitors with physical and/or cognitive disabilities may be eligible to participate in VineGo Paratransit Service, a shared ride service providing curb-to-curb transportation. VineGo offers rides within and between cities throughout the county as well as to Kaiser Vallejo Medical Center.

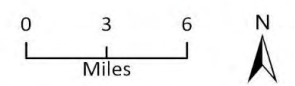
City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

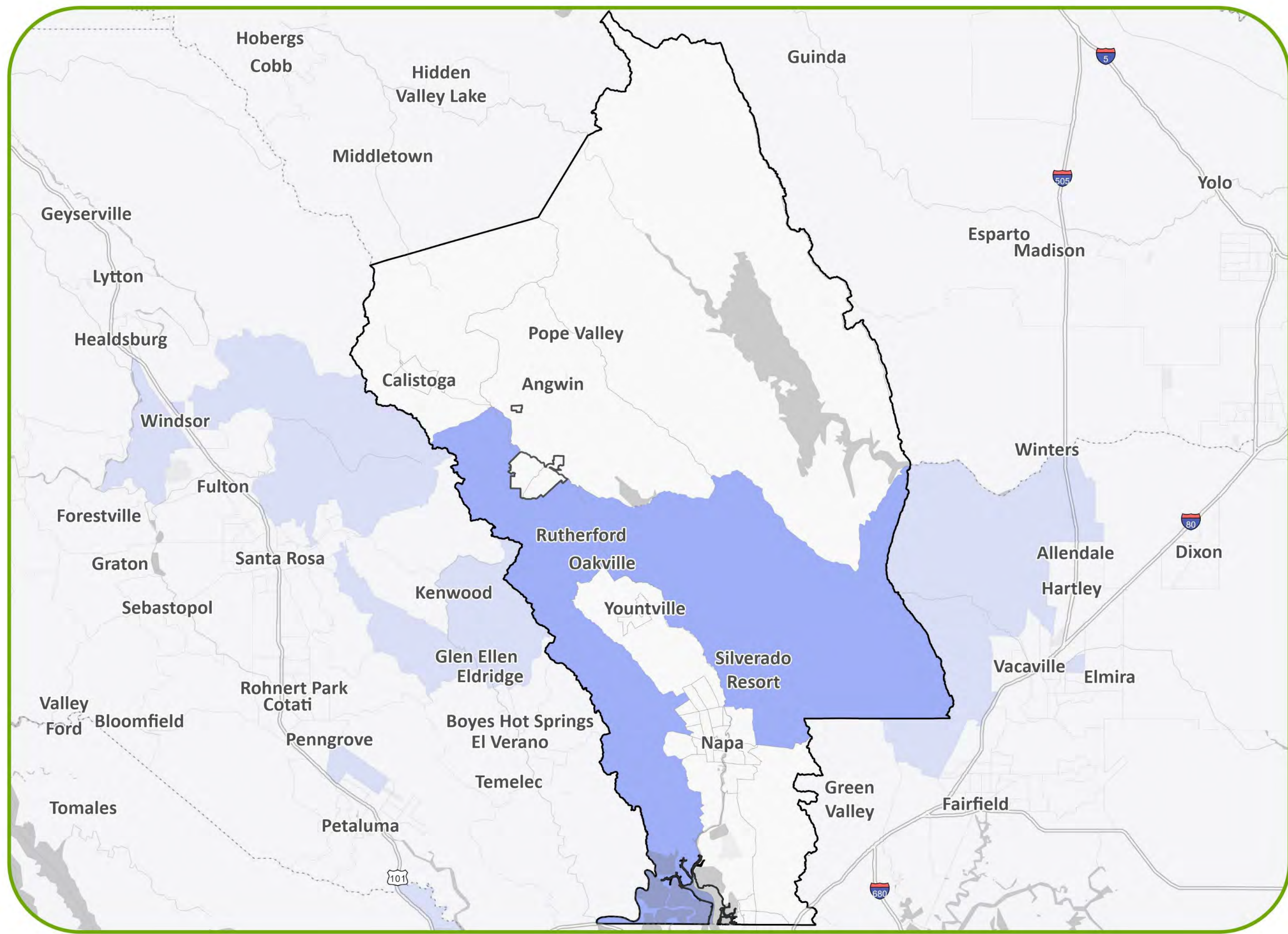
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**Figure 23:
Racially Concentrated
Areas of Affluence
(Napa County)**

-  City Boundary
-  County Boundary
- (R) Racially Concentrated Areas of Affluence RCAA (ACS, 2015 - 2019) - Tract
-  0 - Not a RCAA
-  1 - RCAA

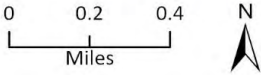


County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

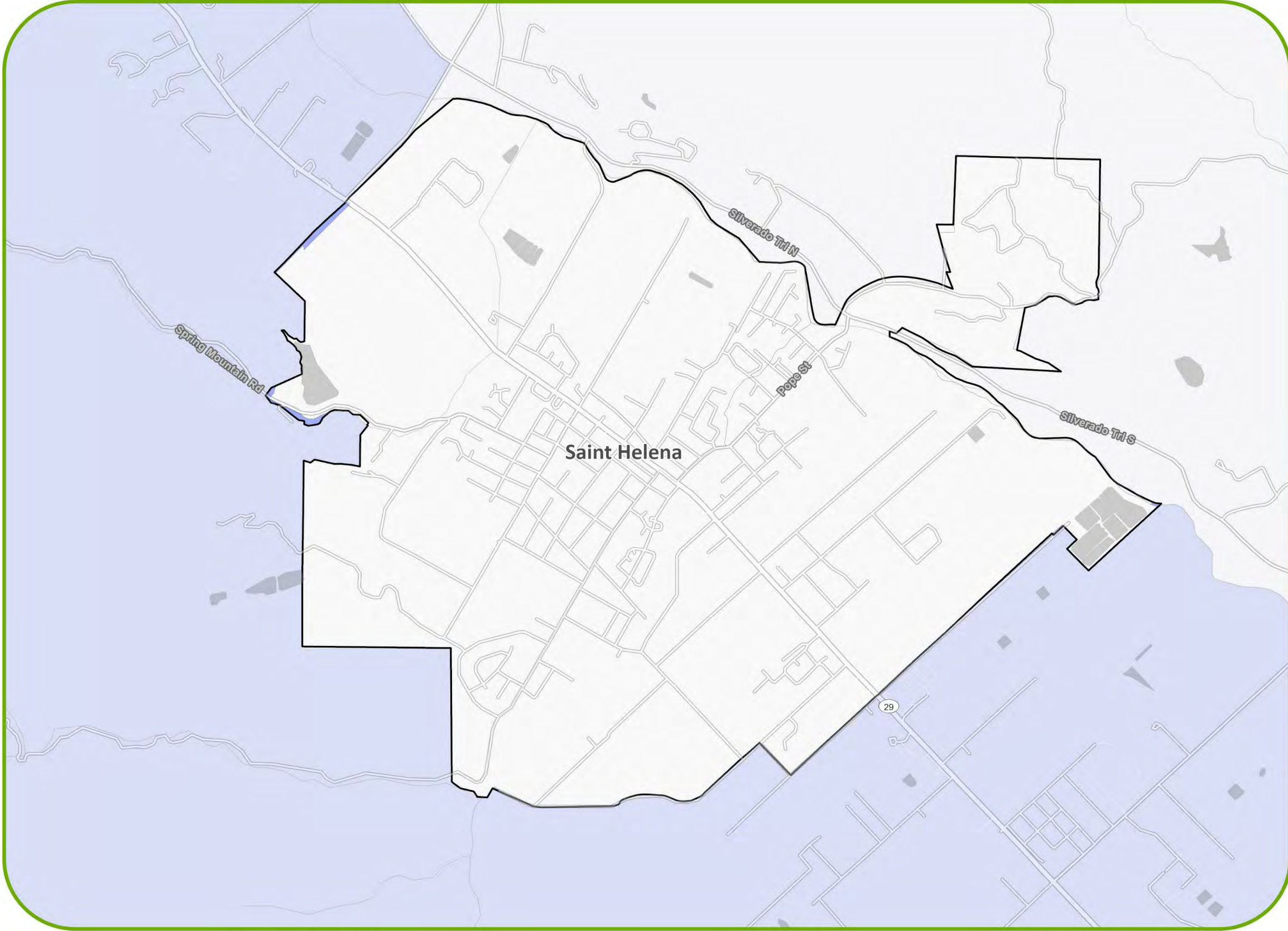


**Figure 24:
Racially Concentrated
Areas of Affluence
(St. Helena)**

- City Boundary
- (R) Racially Concentrated
Areas of Affluence RCAA (ACS,
2015 - 2019) - Tract
- 0 - Not a RCAA
- 1 - RCAA

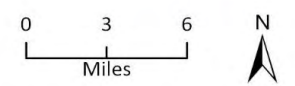


County of Napa, California State Parks, Esri,
HERE, Garmin, SafeGraph, GeoTechnologies, Inc.,
METI/NASA, USGS, Bureau of Land Management,
EPA, NPS, US Census Bureau, USDA, California
Department of Housing and Community
Development.

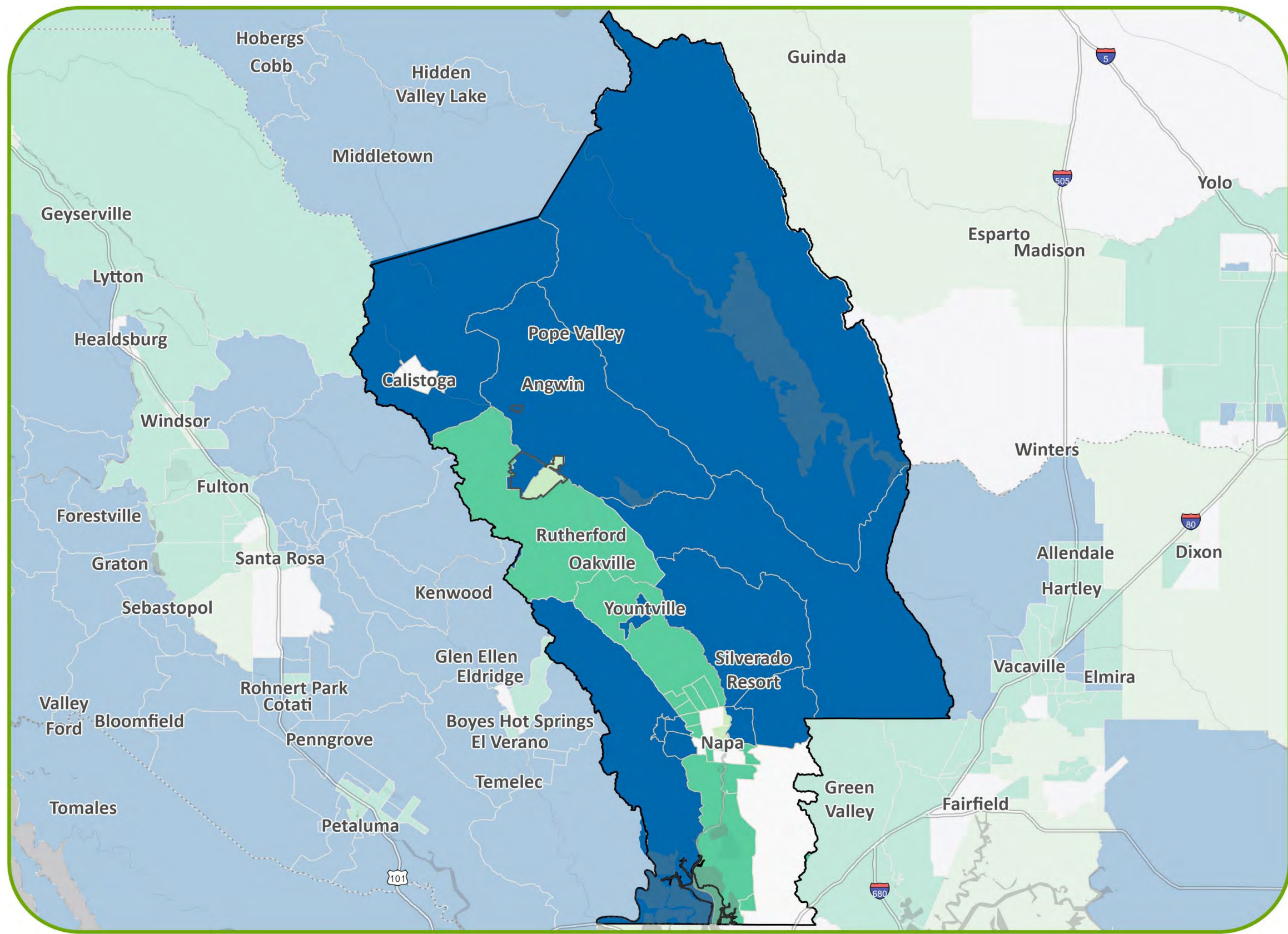


**Figure 25:
Predominant White
Population
(Napa County)**

- City Boundary
- County Boundary
- (R) Predominant Population -
White Majority Tracts
- Dominance Value
- Slim (gap < 10%)
- Sizeable (gap 10% – 50%)
- Predominant (gap > 50%)

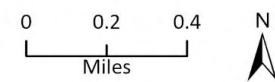


County of Napa, Yolo County, California State
Parks, Esri, HERE, Garmin, SafeGraph, FAO,
METI/NASA, USGS, Bureau of Land Management,
EPA, NPS, California Department of Housing and
Community Development.

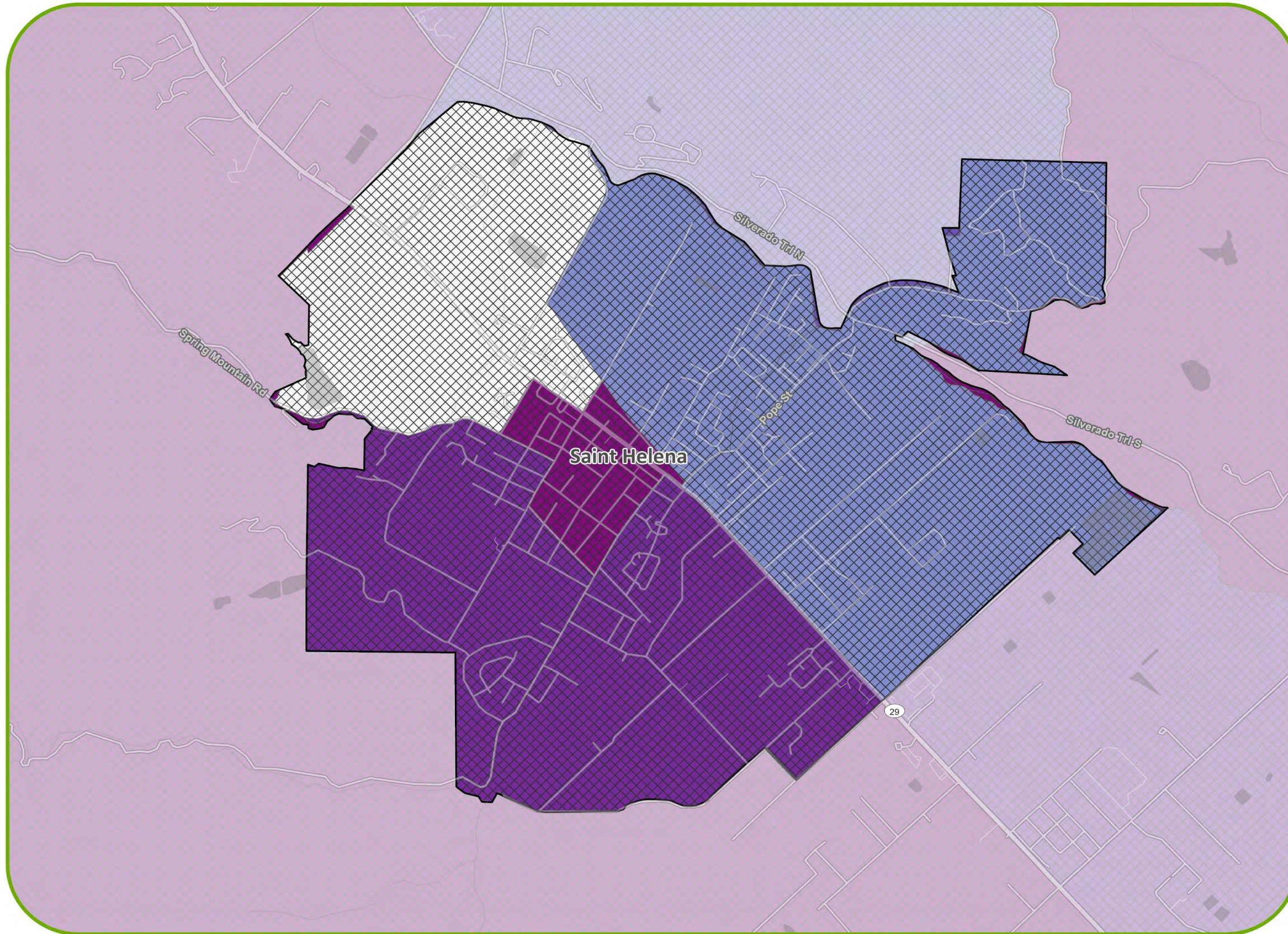


**Figure 26:
Predominant
Populations and Median
Household Income
(St. Helena)**

-  City Boundary
- (R) Predominant Population - White Majority Tracts
-  White Majority Tract
- (R) Predominant Population - Hispanic Majority Tracts
-  Hispanic Majority Tract
- (R) Predominant Population - Asian Majority Tracts
-  Asian Majority Tract
- (R) Median Income (ACS, 2015-2019) - Block Group Median Income
-  < \$30,000
-  < \$55,000
-  < \$87,100 (HCD 2020 State Median Income)
-  < \$125,000
-  Greater than \$125,000



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



The Commuter Bike Path (Vine Trail) runs parallel to the Napa Valley Railroad and provides an off-street route walking/biking path for recreation and commuting. Ultimately the Vine Trail will cover 47 miles from Vallejo to Calistoga. Currently 12.5 miles of the path has been completed from Kennedy Park in the City of Napa to Yountville. Sections of the Vine trail have also been completed in American Canyon and Calistoga.

AllTransit is an online database that provides details on transit opportunity throughout the United States, specifically looking at connectivity, access to jobs, and frequency of service. Napa County received an AllTransit performance score of 3.3 which equates to a low combination of trips per week and number of jobs accessible by transit.⁶⁵ Approximately 1.5 percent of commuters use public transit in Napa County. The cities of Napa (4.6), Yountville (4.6), and Calistoga (4.0) have the highest scores with a slighter greater combination of number of trips per week, accessible jobs, and available transit routes.

3.6.3 Local Trends

The City of St. Helena has an AllTransit performance score of 2.4 with approximately 1.0 percent of workers who commute using public transit. This score is lower than the County score of 3.3. One Vine Transit bus route passes through St. Helena, providing connections to the City of Calistoga to the north and City of Napa to the south. Additionally, the St. Helena Shuttle Service provides both a fixed route and an on-demand, door-to-door transit service option within the city limits.

Walk Score is a tool that produces a walkability index by assigning a numerical walkability score to cities and neighborhoods. Walkability is measured by analyzing population density, distance to amenities, and road metrics such as block length and intersection density. St. Helena has a walk score of 83, which is considered very walkable, and most errands can be accomplished by foot⁶⁶. St. Helena's walkability score is most negatively affected by the limited number of parks within walking distance from different areas of the city.

The Environmental Protection Agency (EPA) also has a walkability index, which ranks block groups according to their relative walkability. The EPA walkability map, shown in Figure 27, shows that walkability varies across the city. The highest walkability scores are in downtown and along Main Street where most of the commercial areas are concentrated. Further from downtown and in the western and eastern parts of the city, walkability scores are below average.

⁶⁵ <https://alltransit.cnt.org/>

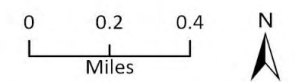
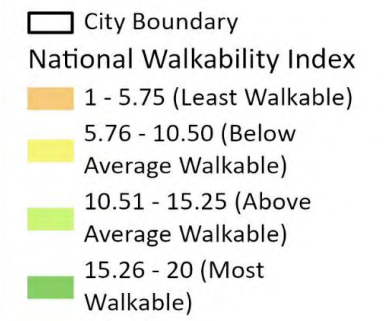
⁶⁶ <https://www.walkscore.com/>

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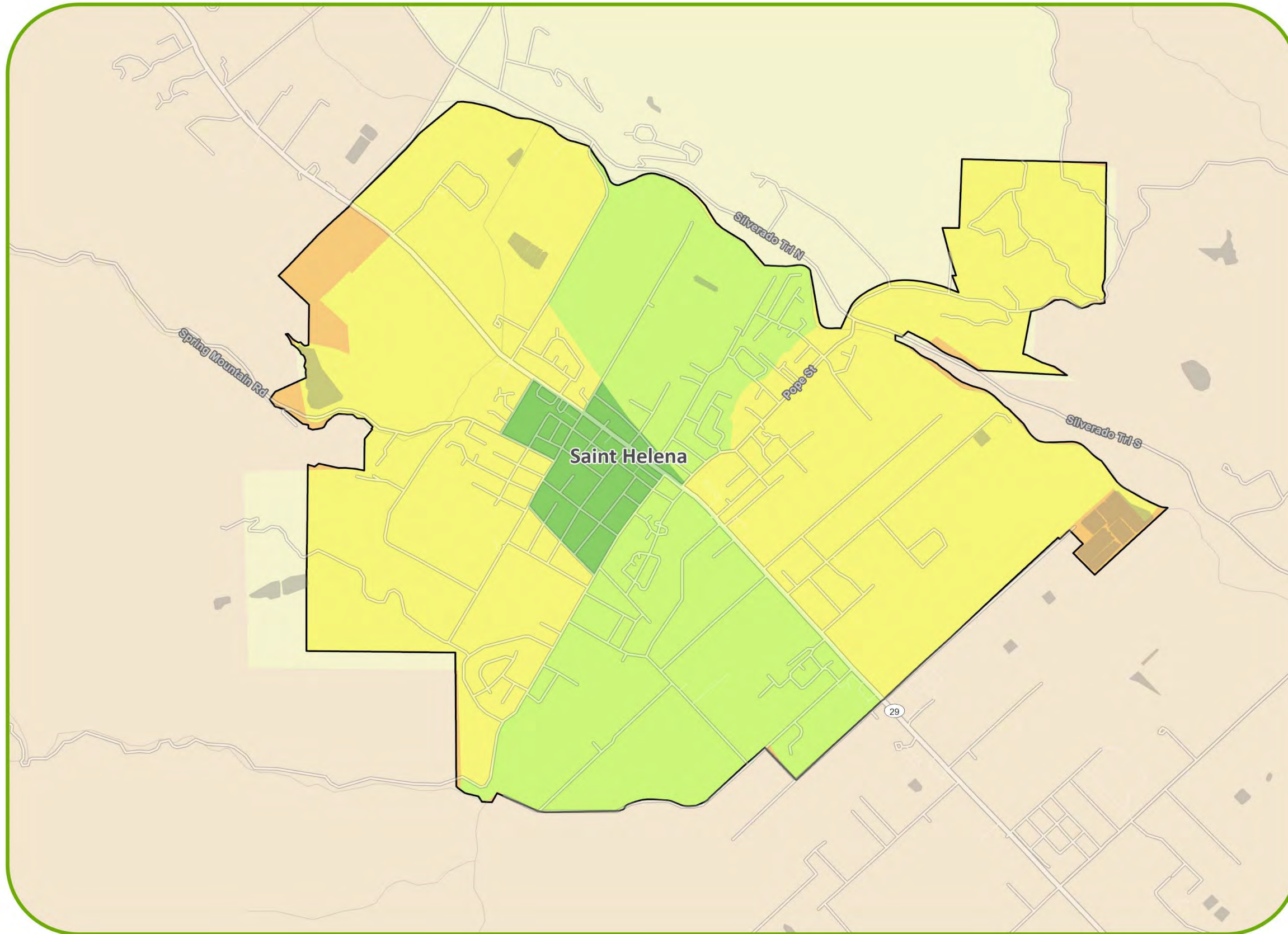
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**Figure 27:
Walkability Index
(St. Helena)**



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



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3.6.4 Access to Quality Education

Economics literature has consistently found about a 10 percent increase in wages/salary with each additional year of education.⁶⁷ Educational attainment is directly linked to housing opportunities. TCAC education domain scores, which are used to identify areas of higher or lower education opportunities, incorporate a variety of indicators including math and reading proficiency scores, high school graduation rates and student poverty rates to assess educational outcomes at the census tract level.

3.6.5 Regional Trends

Napa County is served by five school districts: Napa Valley Unified School District, St. Helena Unified School District, Calistoga Joint Unified School District, Howell Mountain School District, and Pope Valley School District. An overview of education outcomes across the Napa County is illustrated in Figure 28 which shows the TCAC Opportunity Areas map. Education outcomes vary throughout the county. Areas in the western portion of the county and portions of the more urban areas have more positive education outcomes compared to eastern portions of the county and southern parts of the City of Napa.

3.6.6 Local Trends

The City of St. Helena is served by the St. Helena Unified School District which is comprised of four schools: a primary school, elementary school, middle school, and high school. Altogether, approximately 1,243 students were enrolled in 2020 from the City St. Helena and the surrounding areas. Approximately 45 percent of students were White and 52 percent were Hispanic/Latino. St. Helena Unified School District reported a high school graduation rate of 92.9 percent in 2020, 90.1 percent in 2019, and 94.1 percent in 2018. The district reported all students who did not receive high school diplomas in 2019 were Long Term English Learners and socio-economically disadvantaged students.⁶⁸

Figure 29 Figure 28 shows TCAC scores for education outcomes for St. Helena at the census tract level. St. Helena has better education outcomes than other areas of Napa County. At the city level, the southern and eastern areas of the city have better education outcomes than the western areas.

3.6.7 Economic Outcomes

Housing opportunities are directly related to economic opportunities. Access to high quality employment close to desired and affordable housing results in more housing opportunities and shorter commute times. The analysis for economic opportunities uses TCAC economic indicators, employment participation data

⁶⁷ The Rehabilitation Research and Training Center on Disability Statistics and Demographics. 2020. <https://disabilitycompendium.org/annualreport>

⁶⁸ St. Helena Unified School District 2021-22 Local Control and Accountability Plan <https://www.sthelenaunified.org/cms/lib/CA50000465/Centricity/Domain/36/LCAP%20Control%20Accountability%20Plan%202021%202022.pdf>

from the ACS, Metropolitan Transportation Commission (MTC) Equity Priority Communities (EPC), and the HUD Jobs Proximity Index.

TCAC economic opportunities are measured by census tract. They consider poverty, adult education, employment, job proximity, and median home values. A higher economic index score reflects more positive economic outcomes. The MTC EPC identifies concentrations of underserved populations in order to direct funding for housing and transportation equity. The HUD Jobs Proximity Index assesses the accessibility to job opportunities at the census block group level.

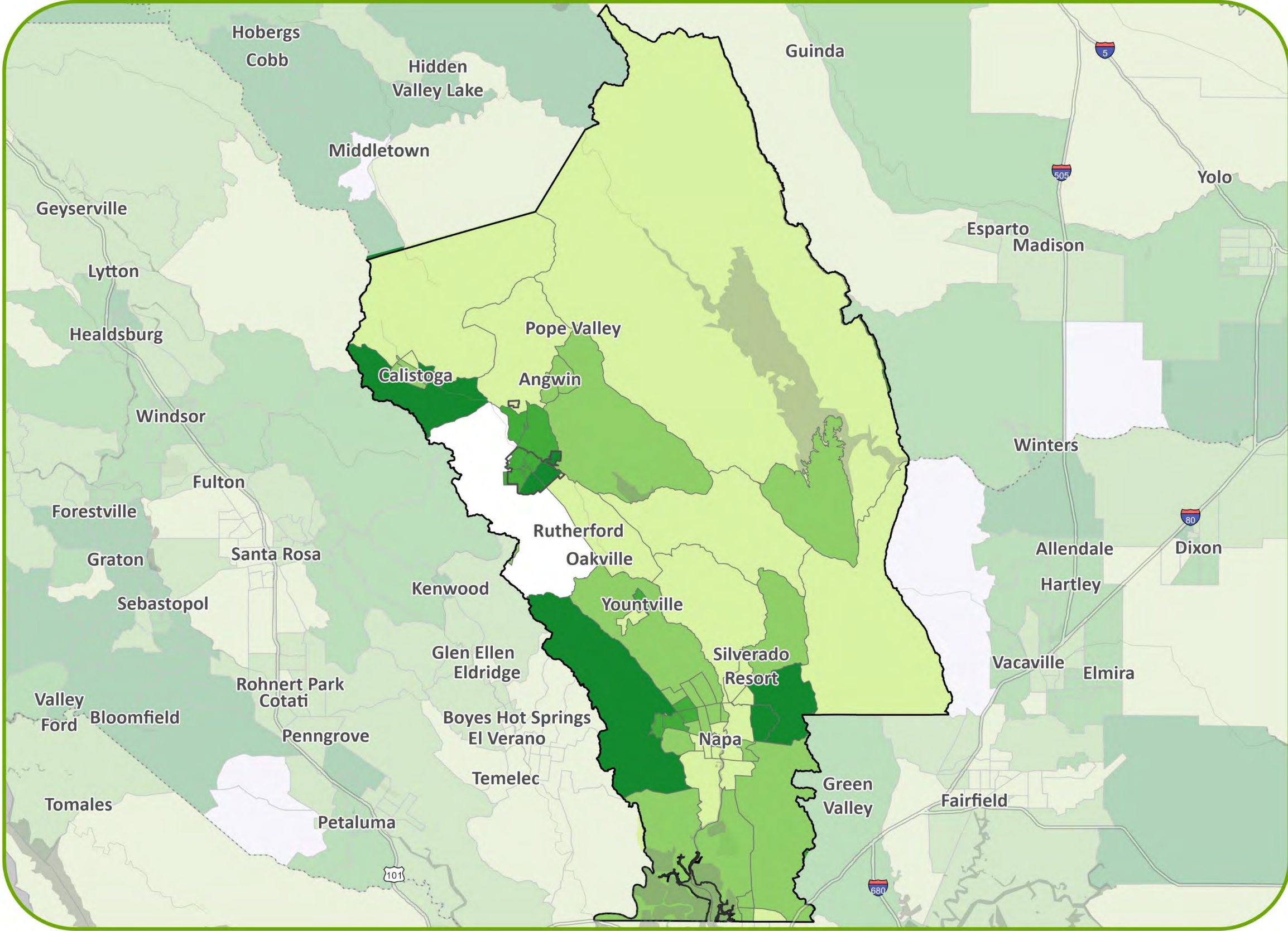
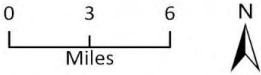


Figure 28:
TCAC Opportunity Areas
– Education Outcomes
(Napa County)

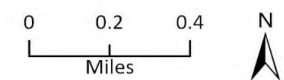
- City Boundary
- County Boundary
- (R) TCAC Opportunity Areas (2021) - Education Score -Tract
- Education Domain Score (by region)
- < 0.25 (Less Positive Education Outcomes)
- 0.25 - 0.50
- 0.50 - 0.75
- > 0.75 (More Positive Education Outcomes)
- No Data



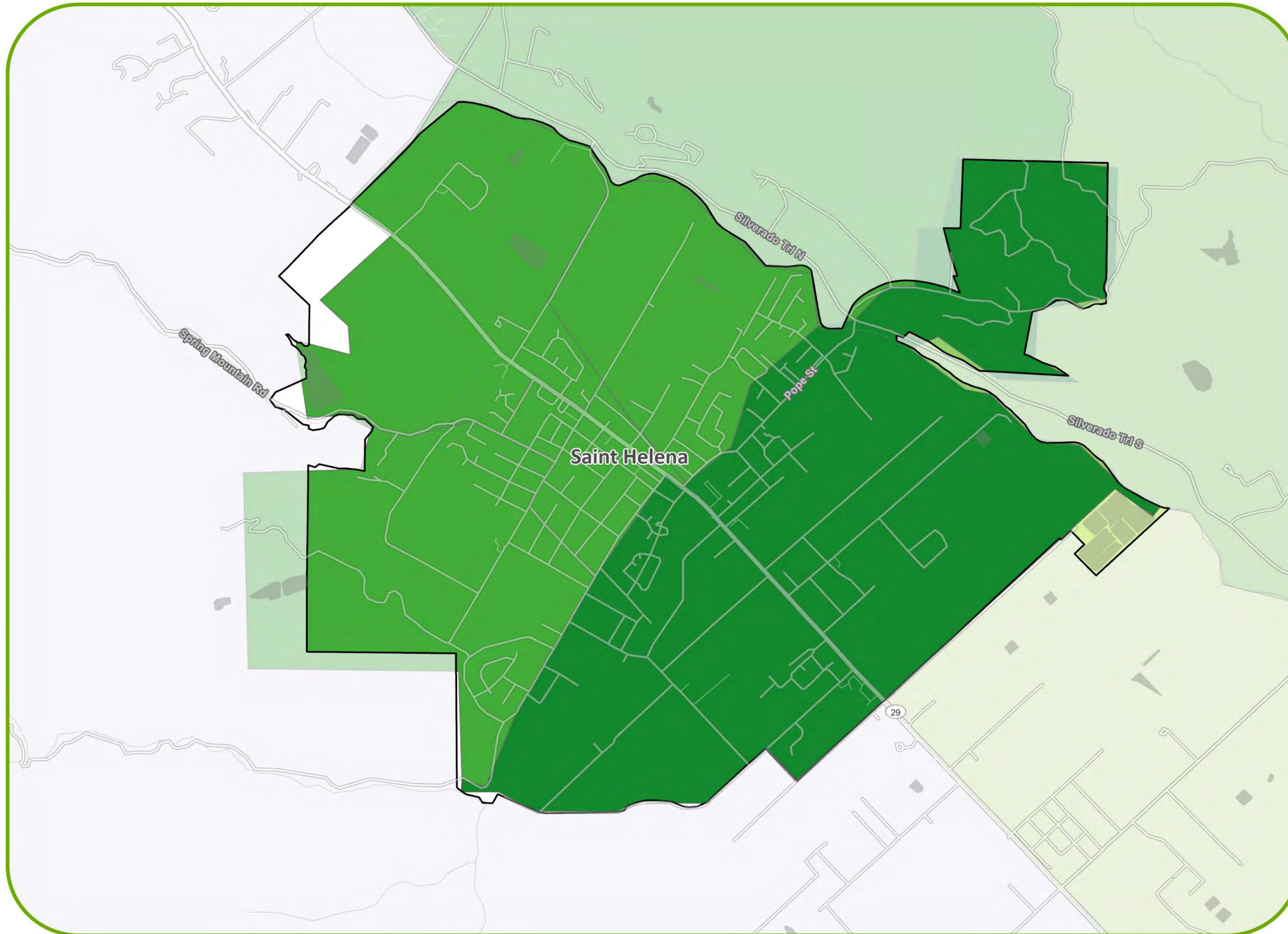
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

**Figure 29:
TCAC Opportunity Areas
– Education Outcomes
(St. Helena)**

-  City Boundary
- (R) TCAC Opportunity Areas
- (2021) - Education Score
- Tract
- Education Domain Score (by region)
-  < 0.25 (Less Positive Education Outcomes)
-  0.25 - 0.50
-  0.50 - 0.75
-  > 0.75 (More Positive Education Outcomes)
-  No Data



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



3.6.8 Regional Trends

According to the California Employment Development Department, the unemployment rate of Napa County was 3.9 percent in February 2022 (not seasonally adjusted). Top employers in the county include manufacturing (including large- and small-scale wine manufacturing), healthcare, and accommodation and food service. The 2015-2019 ACS estimates reported 74,549 workers in the County of Napa with a labor force participation rate of 65 percent of persons 16 years and older. Approximately 33.7 percent of workers commute 30 or more minutes to work with a countywide mean commute time of 25.6 minutes.

Figure 30 shows the TCAC Opportunity Areas map for economic outcomes across the county. Economic outcomes are varied with more positive outcomes generally located in the western areas of the county and less positive outcomes in the eastern areas of the county. This trend may be attributed to the high concentration of vineyards and wineries in the western and central areas of the county and low population density in eastern areas of the county.

3.6.9 Local Trends

According to the 2015-2019 American Community Survey (ACS), there are 3,159 persons in the labor force in St. Helena with a labor force participation rate of 61 percent. The California Employment Development Department reported the unemployment rate was 3.1 percent in December 2021 (not seasonally adjusted), slightly less than the county. Top industries in the city reflect county trends, with the highest number of workers in manufacturing, healthcare, and accommodation and food service.

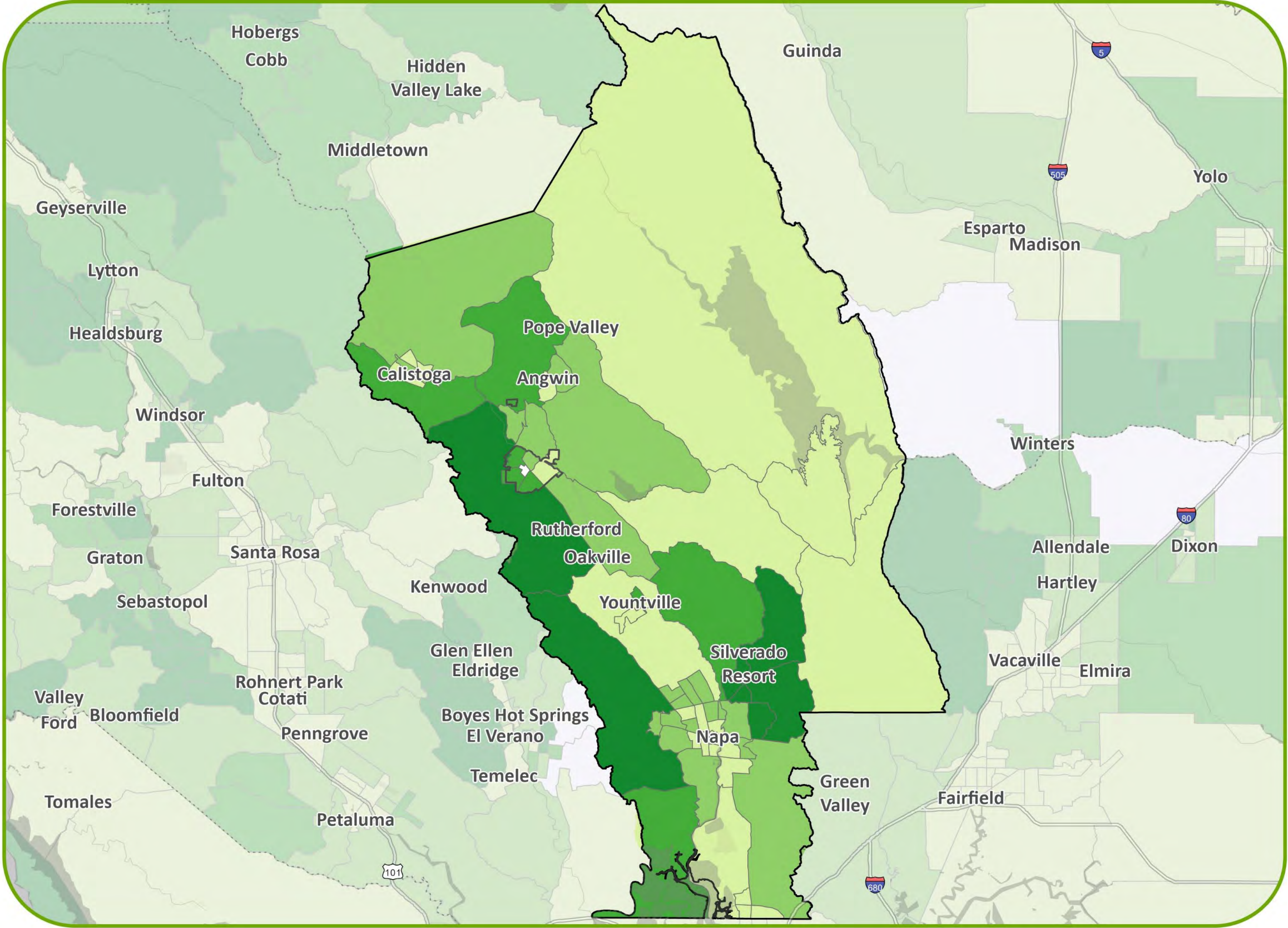
Figure 31 shows the TCAC Opportunity Areas map for economic outcomes in St. Helena. Much like the county, economic outcomes are varied across the city. Western areas of the city have more positive economic outcomes and eastern areas have less positive economic outcomes. This pattern of lower economic outcomes in the eastern areas of the city reflects the lower median incomes and greater ethnic diversity that is also experienced in these areas. The eastern areas of the city contain affordable housing developments, a mobile home park, and senior living community which may be contributing to lower median incomes and lower median home values.

ACS 2015-2019 estimates show approximately 22.4 percent of workers commute 30 or more minutes to work and the mean commute time is 19.6 minutes. Figure 32 shows the job proximity index in St. Helena which assesses the accessibility of employment opportunities based on distance, a higher index score corresponds to closer job proximity. Job proximity throughout St. Helena is consistently high (closest proximity), especially when compared to the southern and eastern areas of the county.

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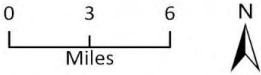
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**Figure 30:
TCAC Opportunity Areas
– Economic
(Napa County)**

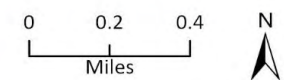
- City Boundary
- County Boundary
- (R) TCAC Opportunity Areas (2021) - Economic Score - Tract
- Economic Domain Score (by region)
 - < 0.25 (Less Positive Economic Outcome)
 - 0.25 - 0.50
 - 0.50 - 0.75
 - > 0.75 (More Positive Economic Outcome)
 - No Data



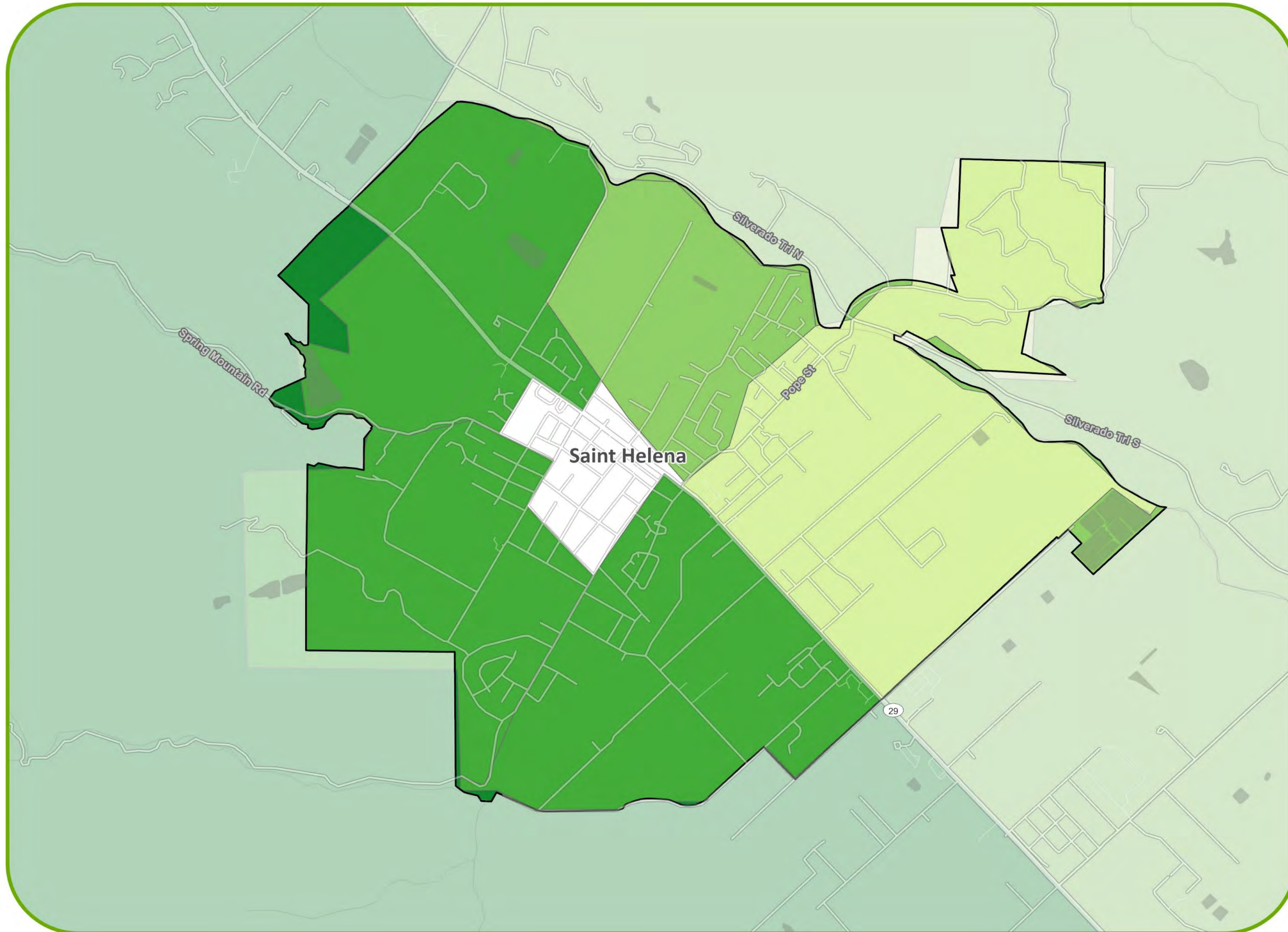
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

**Figure 31:
TCAC Opportunity Areas
– Economic (St. Helena)**

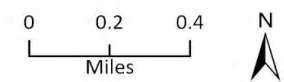
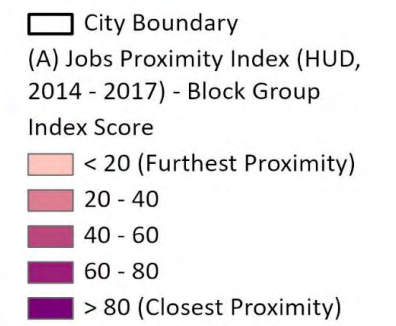
-  City Boundary
- (R) TCAC Opportunity Areas
(2021) - Economic Score -
Tract
- Economic Domain Score (by
region)
-  < 0.25 (Less Positive
Economic Outcome)
-  0.25 - 0.50
-  0.50 - 0.75
-  > 0.75 (More Positive
Economic Outcome)
-  No Data



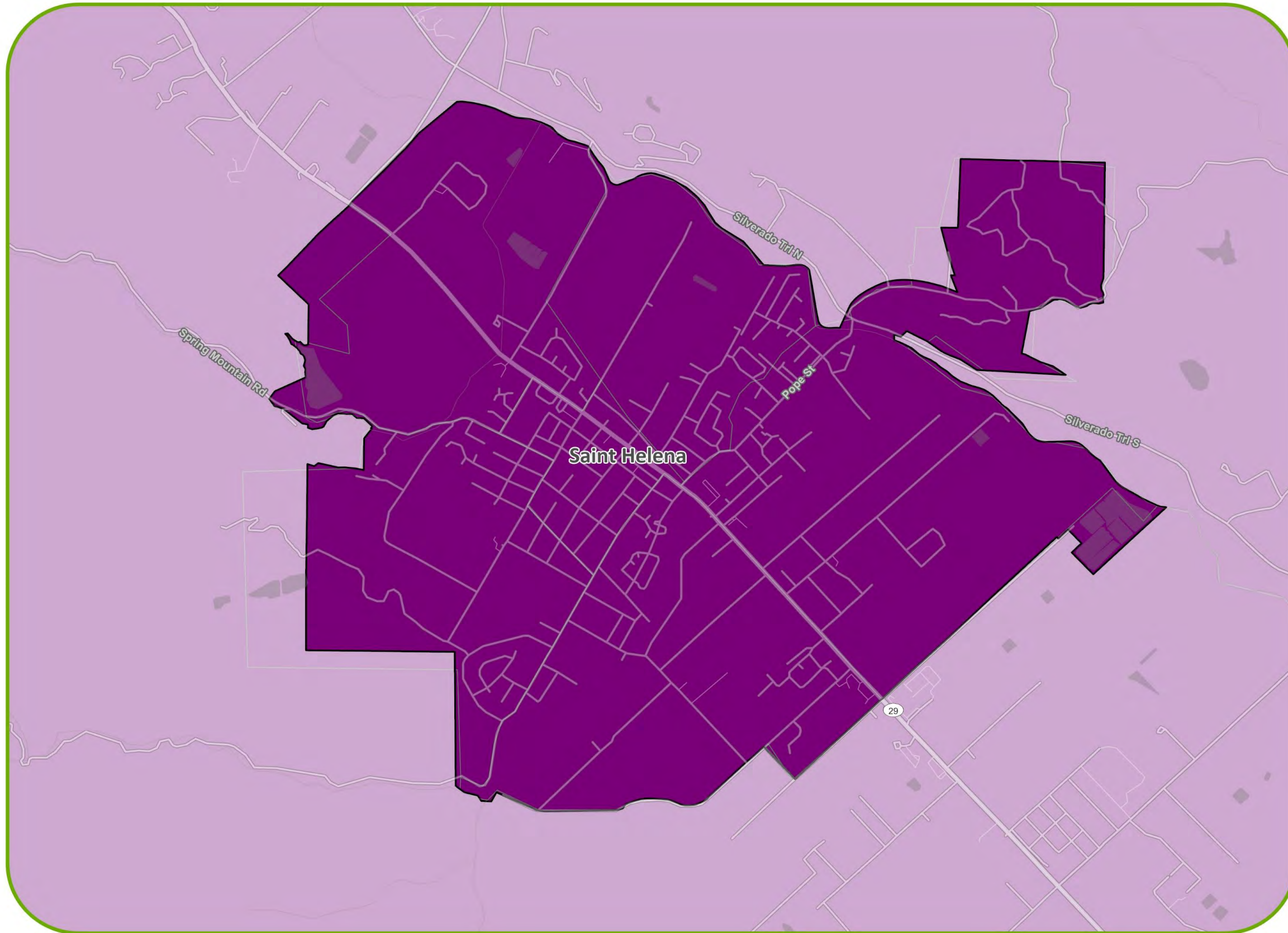
County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



**Figure 32:
Job Proximity Index
(St. Helena)**



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



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3.6.10 Healthy Environment

Access to a healthy environment is necessary for communities within a city to thrive. Healthy environment analysis considers patterns in the disparities found within individual neighborhoods and protected area groups. These disparities can vary in a number of categories, including air quality, water quality, safe neighborhood, environmental hazards, social services, and cultural institutions. Recent California laws, AB 1550, Senate Bill (SB) 535 and SB 1000 emphasize the importance of environmental justice as a fair housing issue. Environmental Justice, as defined by HUD, means ensuring the environment and human health are protected fairly for all people regardless of race, color, national origin, or income, and consideration the means by which federally assisted projects may have disproportionately adversely affect human health or the environment on minority and low income populations.⁶⁹ The California Office of Environmental Health Hazard Assessment developed the California Communities Environmental Health Screening Tool (CalEnviroScreen) a screening methodology to help identify California communities disproportionately burdened by multiple sources of pollution called. High scoring census tracts tend to be more burdened by pollution from multiple sources and are most vulnerable to its effects, taking into account their socioeconomic characteristics and underlying health status.

3.6.11 Regional Trends

The CalEnviroScreen map for Napa County identifies the degree to which communities are considered burdened by pollution. Figure 33 below shows the pollution burden for Napa County, representing the potential exposure to pollutants and resulting adverse environmental conditions. The more urban areas on the western side of the county have a higher pollution burden, especially within and to the south of the City of Napa. Figure 34 shows TCAC Opportunity Map for environmental outcomes in the county. Similar to the CalEnviroScreen map, the TCAC Opportunity Map shows that the western areas of the county have less positive environmental outcomes compared to the eastern areas of the county. This may be caused by the mountains flank the valley which block wind flow and trap pollution. Additionally, the western and central areas of the county have a higher concentration of people, traffic, and agriculture which produces greater levels of pollution and pesticides. Eastern areas of the county tend to be forested and are less populated

3.6.12 Local Trends

Pollution Burden in St. Helena is lower than many other areas in the county, as shown in Figure 35. However, the eastern areas of the city have a slightly higher pollution burden (overall score of 40) compared to the rest of the city, with high burdens of pesticides, cleanups, and groundwater threats. The western areas have a slightly lower burden (overall score of 33) with high burdens of pesticides, cleanups, groundwater threats, and solid waste. Pesticide use is considered high throughout the city, likely due to pesticide applications on nearby vineyards. There are two cleanup sites located within the city including one site with an active dry-cleaning business and one site with a manufactured gas plant that was dismantled in 1930. These two cleanup sites are also sources that pose groundwater threats to the city. A

⁶⁹ HUD, 2021. <https://www.hudexchange.info/programs/environmental-review/environmental-justice/>

third cleanup site is located outside the city limits, southeast of the city, with a food market that has detected high pesticides in the soil beneath the building. A solid waste facility is located in the eastern area of the city which may potentially expose neighboring communities to environmental burdens such as odor, pests, and truck traffic. The southern and eastern areas of the city have a higher pollution burden, which corresponds with areas with higher ethnic diversity, higher populations with a disability, and lower median incomes discussed in the previous sections.

Figure 36 shows the TCAC Opportunity map for environmental outcomes in the City of St. Helena. The southern and eastern areas of the city have less positive environmental outcomes compared to the western areas.

3.7 Disproportionate Housing Needs

Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For purposes of this definition, categories of housing need are based on such factors as cost burden and severe cost burden, overcrowding, homelessness, and substandard housing conditions

3.7.1 Housing Cost Burden

Housing cost burden is defined as the proportion of a household's total gross income spent on housing costs. Households that spend at least 30 percent of their total gross income on housing costs (rent, mortgage, utilities, and other housing-related costs) are considered cost burdened, and households spending over 50 percent on housing costs are considered severely cost burdened. The higher the housing cost burden, the more likely residents are to live in overcrowded and substandard conditions and are less likely to afford to relocate. Low-income households and persons in protected classes disproportionately experience severe housing problems. Housing problems are households that have one or more of the following problems: lacks a complete kitchen facility, lacks complete plumbing facility, a household that is overcrowded, or a household that is cost burdened.

3.7.2 Regional Trends

Figure 37 shows areas of Napa County where renter households overpay for housing (spend more than 30 percent of household income on housing costs). Overpayment by renters is a widespread issue across the county, especially in the more urban areas of the county as well as the northeast and southeast areas of the county. Similar to overpayment by renters, overpayment by homeowners is common throughout the county, highlighting that the costs of housing are too high for both renters and homeowners. Figure 38 shows areas of the county where homeowners overpay for housing, which is most prevalent in the urban areas of the county as well as the northwest and southeast areas of the county.

3.7.3 Local Trends

Housing cost burden among renters is widespread in St. Helena. Figure 39 shows that 40 to 60 percent of renters overpay for housing in all areas of the city. Additionally, data from HUD's Comprehensive Housing Affordability Strategy (CHAS) indicates lower income households are disproportionately overpaying for housing.

Lower-income households experience higher cost burden than moderate income and above households in St. Helena. Approximately 41 percent of extremely low-income households (those earning 30 percent or less of the local area median income (AMI)) are considered severely cost burdened (spend 50 percent or more of their income on housing). Both renters and owners experience cost burden in St. Helena, with higher proportions of lower income households spending greater than 30 percent or 50 percent on housing. Table 7 shows housing cost burden of lower income households in St. Helena. Generally, a higher percentage of renters than owners experience cost burden, however, more owners than renters experience severe cost burden.

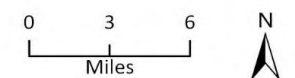
City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

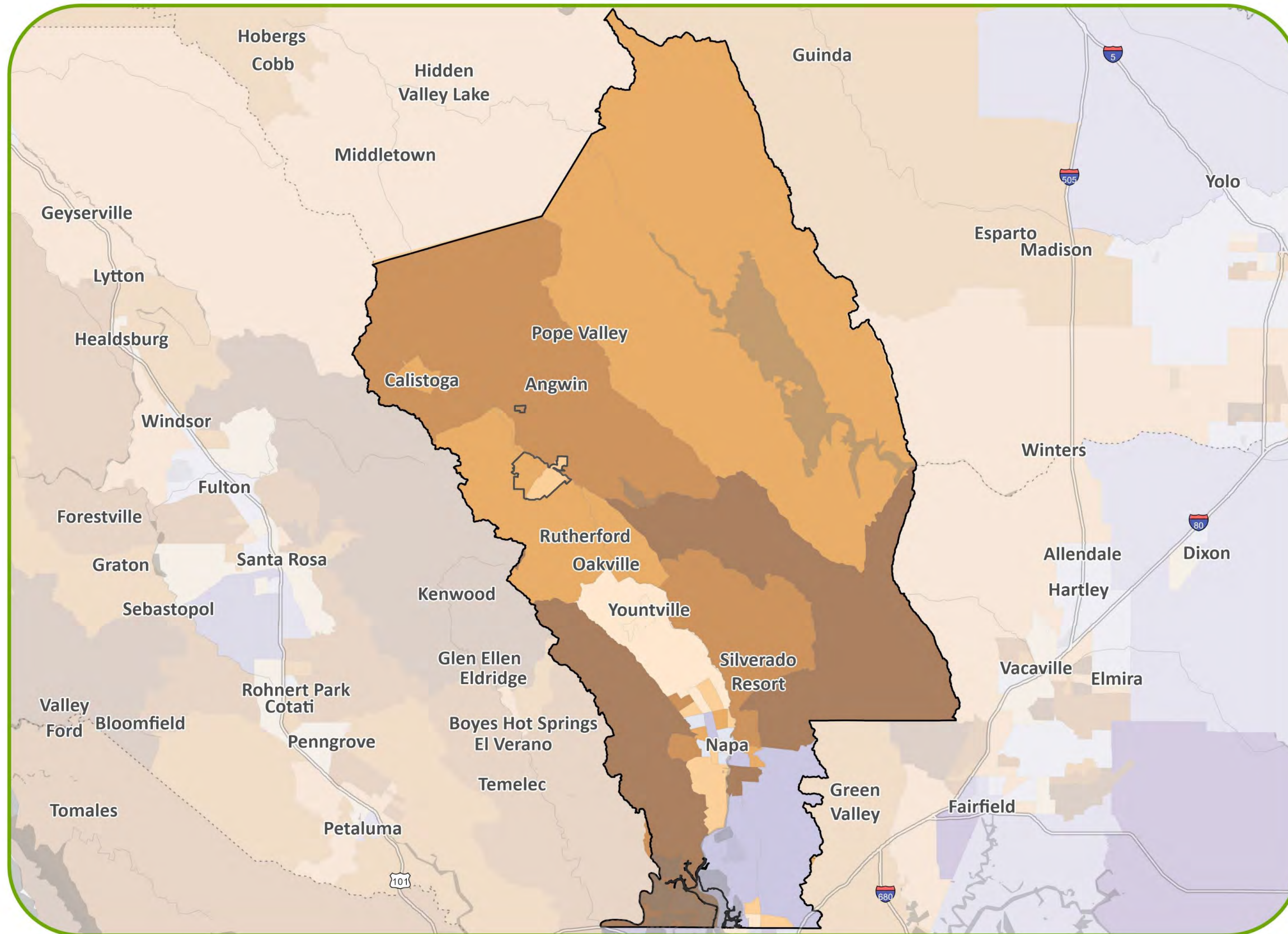
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Figure 33:
CalEnviroScreen 4.0
Percentile Scores
(Napa County)

-  City Boundary
-  County Boundary
- (A) CalEnviroScreen 4.0, 2021 - Tract
- CalEnviroScreen 4.0 Percentile
-  1 - 10% (Lowest Scores)
-  11 - 20%
-  21 - 30%
-  31 - 40%
-  41 - 50%
-  51 - 60%
-  61 - 70%
-  71 - 80%
-  81 - 90%
-  91 - 100% (Highest Scores)



County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



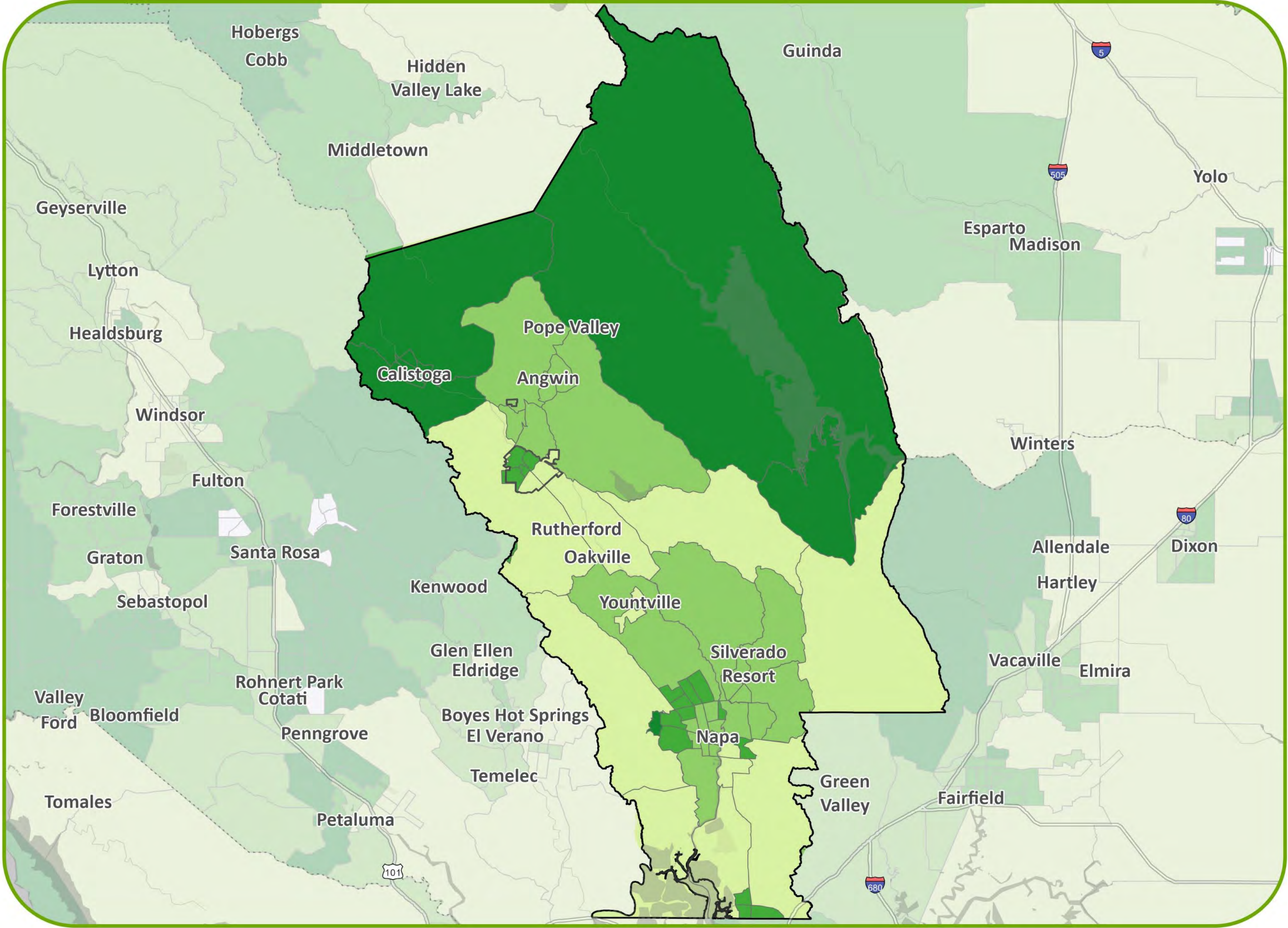
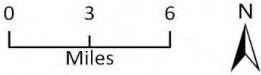


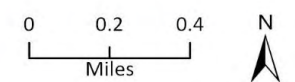
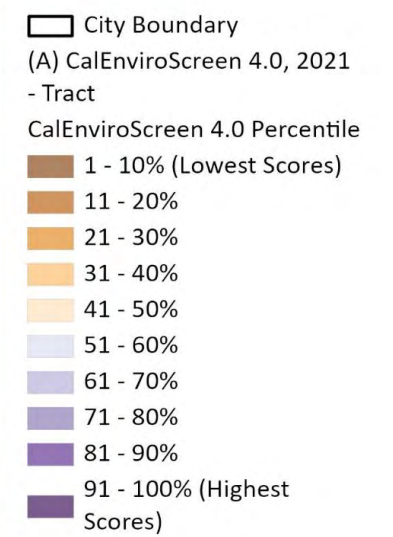
Figure 34:
TCAC Opportunity Areas
– Environment
(Napa County)

- City Boundary
- County Boundary
- (R) TCAC Opportunity Areas (2021) - Environmental Score -Tract
- Environmental Domain Score
 - < .25 (Less Positive Outcomes)
 - .25 - .50
 - .50 - .75
 - .75 - 1 (More Positive Outcomes)
- No Data

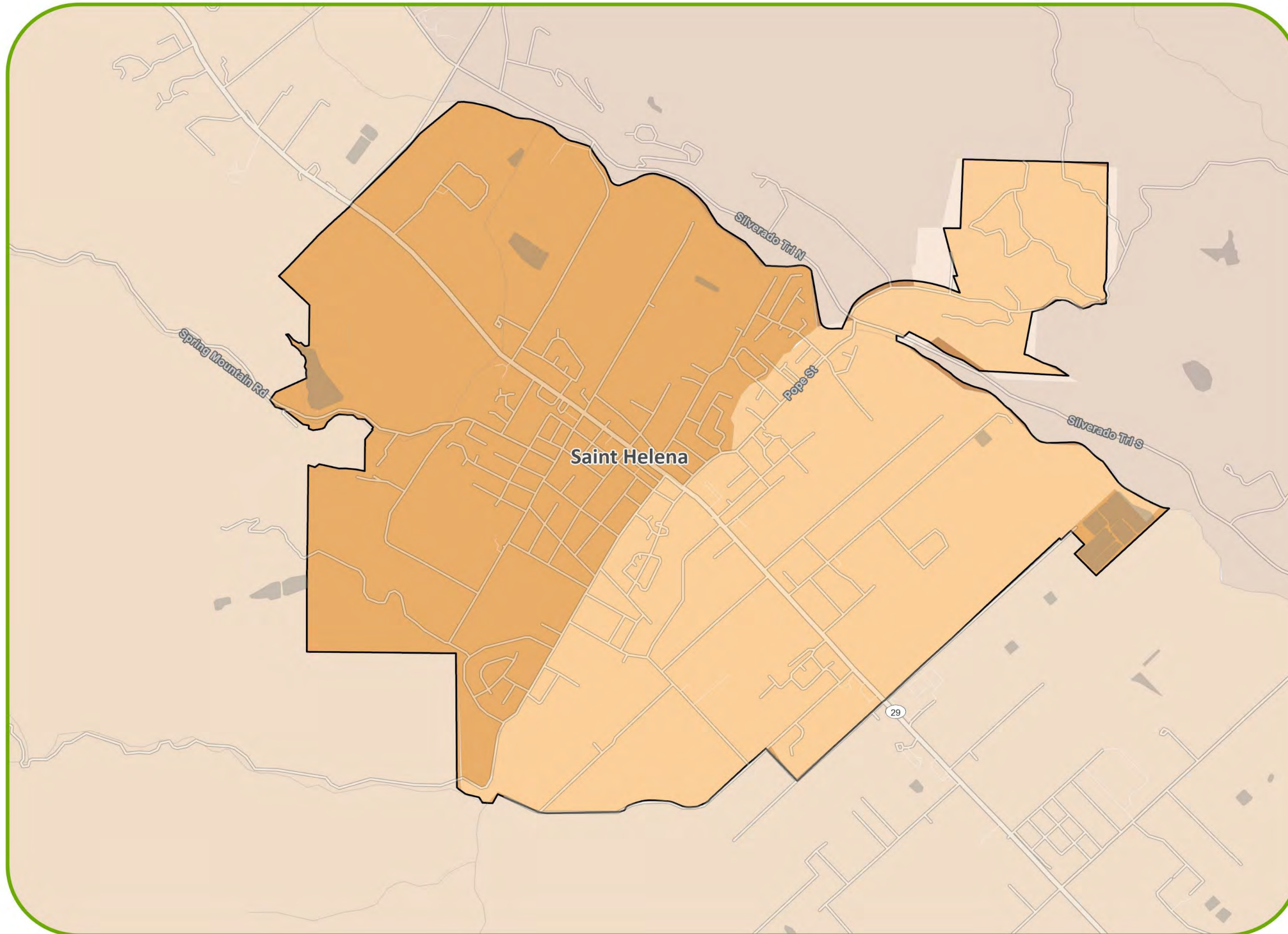


County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

**Figure 35:
CalEnviroScreen 4.0
Percentile Scores
(St. Helena)**

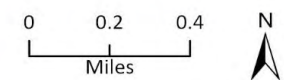


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

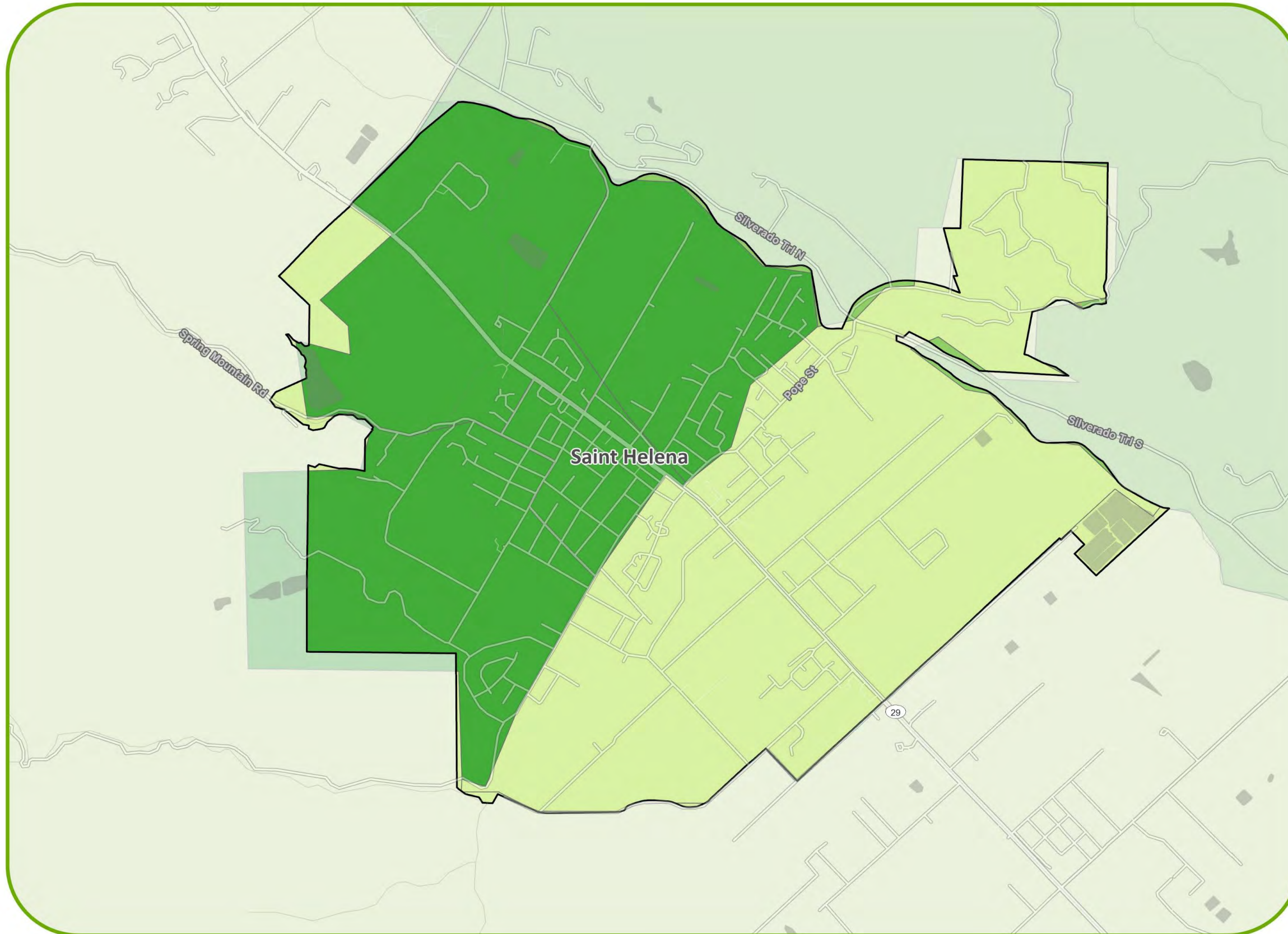


**Figure 36:
TCAC Opportunity Areas
– Environment
(St. Helena)**

-  City Boundary
- (R) TCAC Opportunity Areas
- (2021) - Environmental Score
- Tract
- Environmental Domain Score
-  < .25 (Less Positive
- Environmental Outcomes)
-  .25 - .50
-  .50 - .75
-  .75 - 1 (More Positive
- Environmental Outcomes)
-  No Data

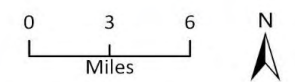


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

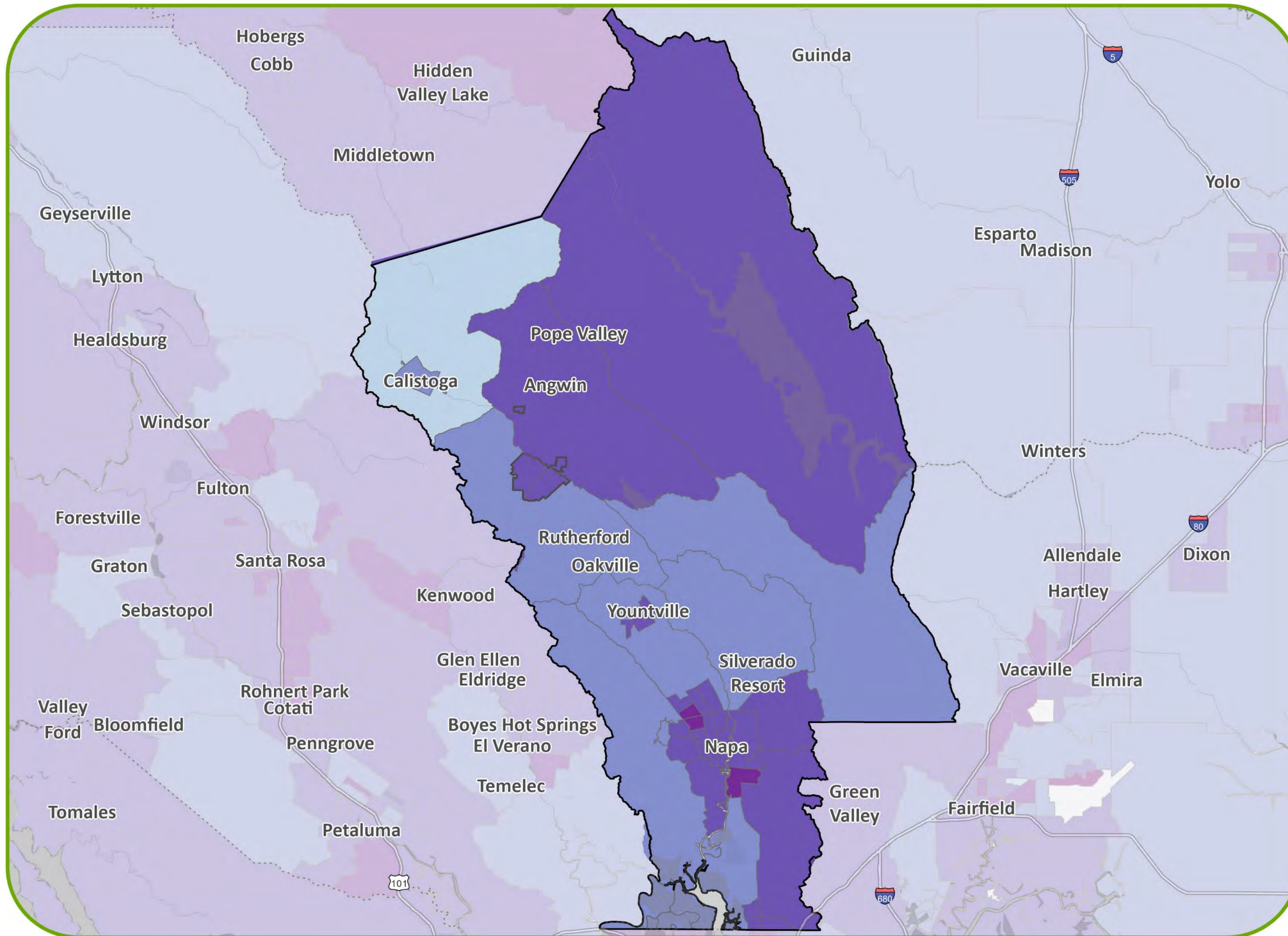


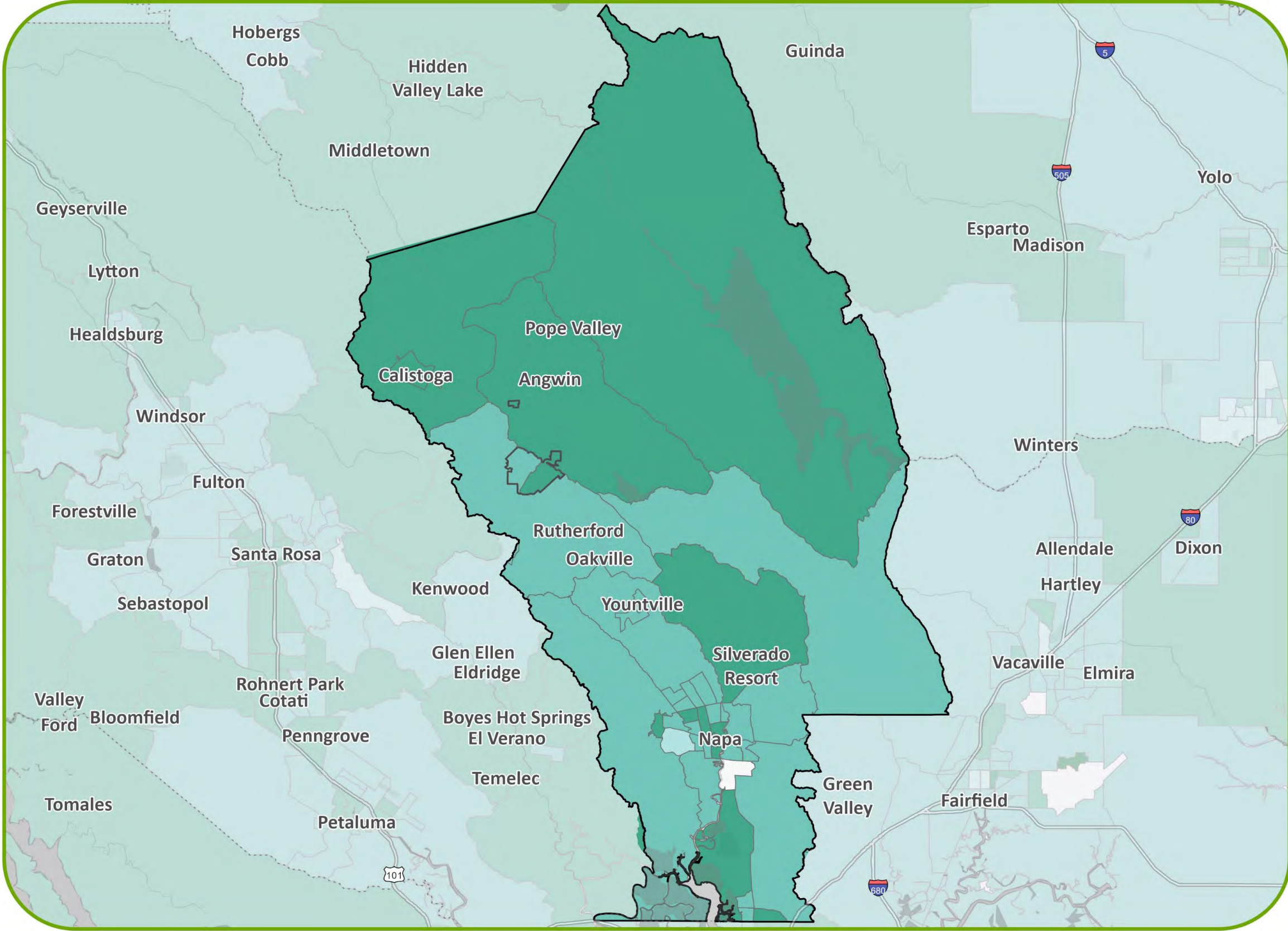
**Figure 37:
Overpayment By Renters
(Napa County)**

- City Boundary
- County Boundary
- (R) Overpayment by Renters
(ACS, 2015 - 2019) - Tract
Percent of Renter Households
for whom Gross Rent
(Contract Rent Plus Tenant-
Paid Utilities) is 30.0 Percent
or More of Household Income
- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- > 80%



County of Napa, Yolo County, California State
Parks, Esri, HERE, Garmin, SafeGraph, FAO,
METI/NASA, USGS, Bureau of Land Management,
EPA, NPS, California Department of Housing and
Community Development.

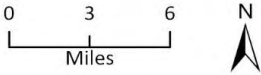




**Figure 38:
Overpayment By
Homeowners
(Napa County)**

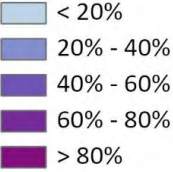
City Boundary
County Boundary
(R) Overpayment by Home Owners (ACS, 2015 - 2019) - Tract
Percent of Owner Households with Mortgages whose Monthly Owner Costs are 30.0 Percent or More of Household Income

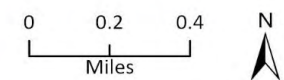
< 20%
20% - 40%
40% - 60%
60% - 80%
> 80%



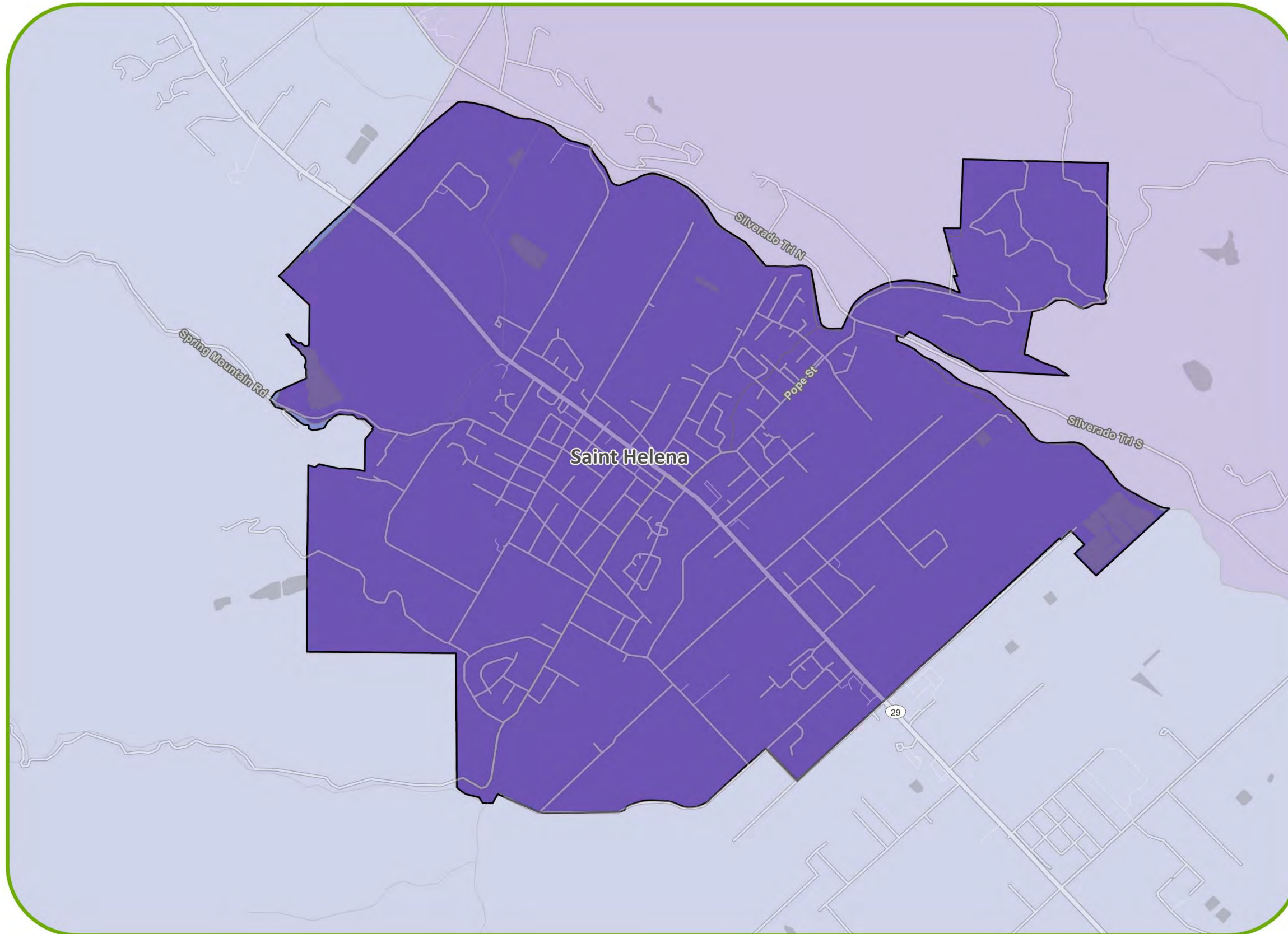
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.

**Figure 39:
Overpayment By Renters
(St. Helena)**

 City Boundary
 (R) Overpayment by Renters
 (ACS, 2015 - 2019) - Tract
 Percent of Renter Households
 for whom Gross Rent
 (Contract Rent Plus Tenant-
 Paid Utilities) is 30.0 Percent
 or More of Household Income




County of Napa, California State Parks, Esri,
 HERE, Garmin, SafeGraph, GeoTechnologies, Inc.,
 METI/NASA, USGS, Bureau of Land Management,
 EPA, NPS, US Census Bureau, USDA, California
 Department of Housing and Community
 Development.



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Table 7 Housing Cost Burden of Lower-Income Households (2014-2018)

Household by Type, Income, and Housing Problem	Renters	Percent	Owners	Percent	Total Households	
Extremely Low-Income (0-30 % AMI)	185		160		345	
With Cost Burden >30%	100	54.1%	105	65.6%	205	59.4%
With Cost Burden >50%	50	27.0%	90	56.3%	140	40.6%
Very Low-Income (0-30 % AMI)	240		105		345	%
With Cost Burden >30%	195	81.3%	70	66.7%	265	76.8%
With Cost Burden >50%	35	14.6%	40	38.1%	75	21.7%
Low-Income (51-80 % AMI)	145		160		305	%
With Cost Burden >30%	100	69.0%	85	53.1%	185	60.7%
With Cost Burden >50%	40	27.6%	60	37.5%	100	32.8%
Moderate & Above Income (>80% AMI)	500		1,105		1,605	%
With Cost Burden >30%	133	26.6%	205	18.6%	338	21.1%
With Cost Burden >50%	8	1.6%	60	5.4%	68	4.2%
Total	1,070	41.2%	1,530	58.8%	2,600	%

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2014-2018

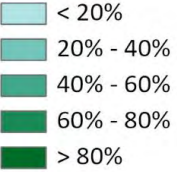
3.7.4 Substandard Housing

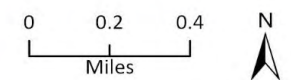
HUD considers housing units to be “standard units” if they are in compliance with local building codes. Substandard housing is housing that poses a risk to the health, safety, or wellbeing of its occupants or neighbors, includes housing that does not have operable indoor plumbing, electricity, or heat. Housing age can be an important indicator of housing condition in a community. Like any other tangible asset, housing is subject to gradual physical or technological deterioration over time. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood. Typically, housing over 30 years old is more likely to have rehabilitation needs that may include new plumbing, roof repairs, foundation work, and other repairs. Some older housing units may have health risks such as lead paint and asbestos. Housing issues such as mold may elevate health conditions such as asthma.

3.7.5 Regional Trends

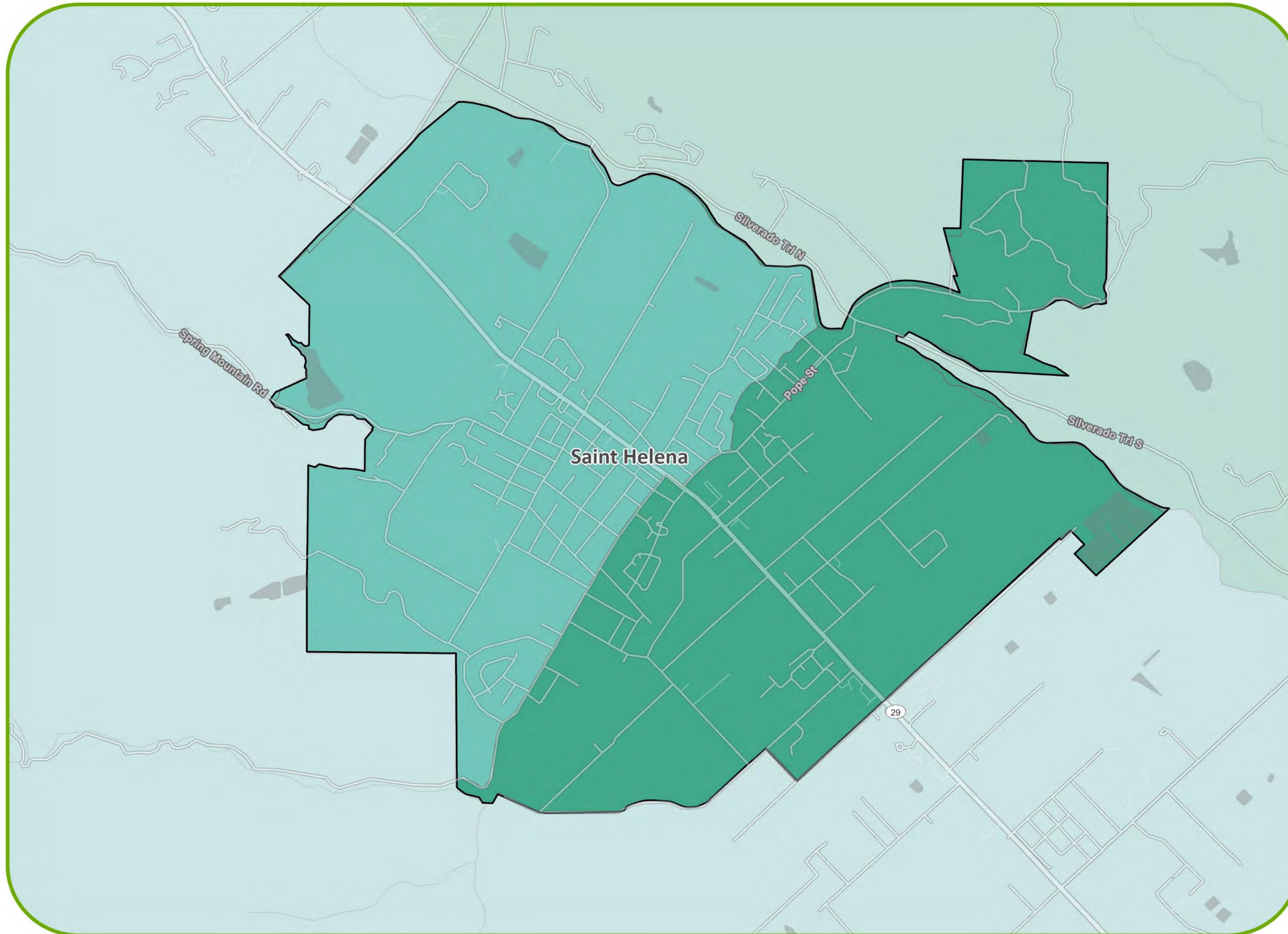
In Napa County approximately 73 percent of all housing units were built before 1990. These older units potentially require minor repairs and modernization improvements. Figure 41 shows the approximate break down by age of housing units.

**Figure 40:
Overpayment By
Homeowners
(St. Helena)**

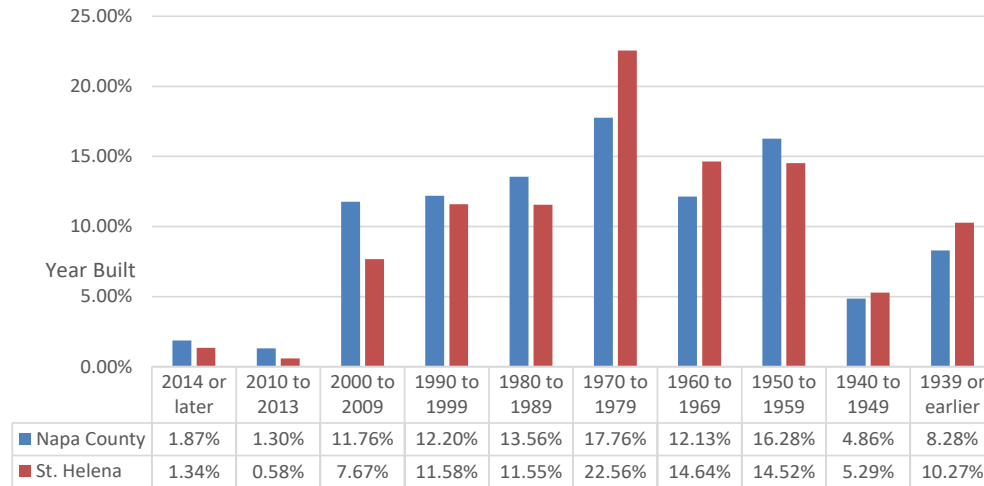
 City Boundary
 (R) Overpayment by Home Owners (ACS, 2015 - 2019) - Tract
 Percent of Owner Households with Mortgages whose Monthly Owner Costs are 30.0 Percent or More of Household Income




County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



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Figure 41 Housing Stock Age (2015-2019)

Source: Bureau of the Census, American Community Survey, 2015-2019

The County of Napa has a total of 881 substandard housing units, approximately 2 percent of the total occupied units in the county. A housing unit is considered substandard if it lacks complete plumbing or kitchen facilities. Of the 881 substandard units, approximately 15 percent lacked complete plumbing facilities and 85 percent lacked complete kitchen facilities. Table 8 shows a breakdown of the number of substandard housing units in Napa County and St. Helena. In the past, lack of telephone service was also an indicator of housing conditions. Today, with the widespread availability of cell and internet phone services, many households have chosen not to install land line telephone services, and availability of telephone service is no longer considered an indicator of substandard housing conditions.

Table 8 Substandard Housing Units (2019)

Condition	Napa County		St. Helena	
Lacking complete plumbing facilities	128	0.26%	0	0.00%
Lacking complete kitchen facilities	753	1.55%	83	3.07%
Total	48705		2702	

Source: Bureau of the Census, American Community Survey, 2015-2019.

3.7.6 Local Trends

As shown above in Figure 41, approximately 79 percent of the city's housing stock was built prior to 1990, potentially requiring minor repairs and modernization improvements.

Table 8 shows 83 units, about 3 percent of the St. Helena's housing stock, are considered substandard. All identified substandard units lacked complete kitchen facilities.

3.7.7 Homelessness

"Homelessness," as defined by HUD, describes an individual, who is not imprisoned or otherwise detained, who:

- Lacks a fixed, regular, and adequate nighttime residence; and
- Has a primary nighttime residence that is:
 - A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Throughout Napa County, homelessness has become an increasingly important issue. Factors that contribute to the rise in homelessness include a lack of housing affordable available for low- and moderate-income households, increases in the number of persons whose incomes fall below the poverty level, reductions in public subsidies, and lack of support for persons with extreme developmental, physical, and mental disabilities.

3.7.8 Regional Trends

Napa County's 2020 Point-In-Time Count indicated there were 464 persons experiencing homelessness in the county on any given night; mostly in the City of Napa. This is an increase from 322 persons in the 2018 Point-In-Time Count.

3.7.9 Local Trends

The number of homeless persons in St. Helena is unknown as the 2020 Point-In-Time Count does not include a breakdown of the homeless population by jurisdiction. Based on St. Helena's share of the countywide population, 3.9 percent, it is estimated the City's homeless population is approximately 18 persons.

3.7.10 Overcrowding

Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen) and severe overcrowding refers to more than 1.5 persons per room. Large families generally have special housing needs due to lower per capita income, the need for affordable housing, or the need for larger units with three or more bedrooms, resulting in overcrowding. Some households may not be able to accommodate high-cost burdens for housing and accept smaller housing or reside with other individuals or families in the same home. Potential fair housing issues emerge if non-traditional households are discouraged or denied housing due to a perception of overcrowding.

Household overcrowding is reflective of various living situations such as a housing unit that is inadequately sized to meet a household's needs, the necessity or desire to have extended family members reside in an existing household, or unrelated individuals or families share a single housing unit.

Not only is overcrowding a potential fair housing concern, but it can also potentially strain physical facilities and the delivery of public services, reduce the quality of the physical environment, contribute to a shortage of parking, and accelerate the deterioration of homes. As a result, some landlords or apartment managers may be more hesitant to rent to larger households, thus making access to adequate housing even more difficult. According to local fair housing service providers and property managers, addressing the issue of large households is complex as there are no set of guidelines for determining the maximum capacity for a unit. Fair housing issues may arise from policies aimed to limit overcrowding that have a disparate impact on specific racial or ethnic groups with higher proportion of overcrowding.

3.7.11 Regional Trends

In Napa County, approximately 6 percent of occupied housing units are overcrowded. As shown in Figure 42, overcrowded housing is most prevalent in the cities of Napa and Calistoga. The City of Napa has the highest percentage of overcrowded units. Certain areas within the city have between 14 and 36 percent of households that are overcrowded. Rural areas experience less overcrowding, and some rural areas have no overcrowded or severely overcrowded units.

Table 9 shows the percentage of housing units that are overcrowded. Renter-occupied households had a larger proportion of overcrowded households in the county.

Table 9 Overcrowding by Tenure

Jurisdiction	Overcrowded (1+ occupants per room)			Severely Overcrowded (1.5+ occupants per room)		
	Renter	Owner	Total	Renter	Owner	Total
St. Helena	9.26%	1.57%	4.74%	1.44%	1.01%	1.18%
Napa County	11.92%	2.99%	6.18%	3.50%	0.64%	1.66%

Source: Table B25014 Tenure by Occupants Per Room 2015-2019 ACS. Bureau of the Census, American Community Survey, 2015-2019.

3.7.12 Local Trends

Based on 2015-2019 ACS estimates, approximately five percent of households in St. Helena are overcrowded, compared to 6 percent for the county as a whole. As shown in Table 9, a higher proportion of renter households are overcrowded than owned households in St. Helena. Figure 43 shows the percent of overcrowded households throughout the city, no concentrated areas overcrowding of households are shown. ACS estimates indicate overcrowding is a more common housing issue for Hispanic/Latino households than White households where approximately 20 percent Hispanic/Latino households in St. Helena are overcrowded compared to three percent of White households.

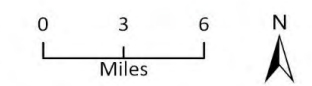
City of St. Helena 2023-2031 Housing Element Update

Certified, September 25, 2023

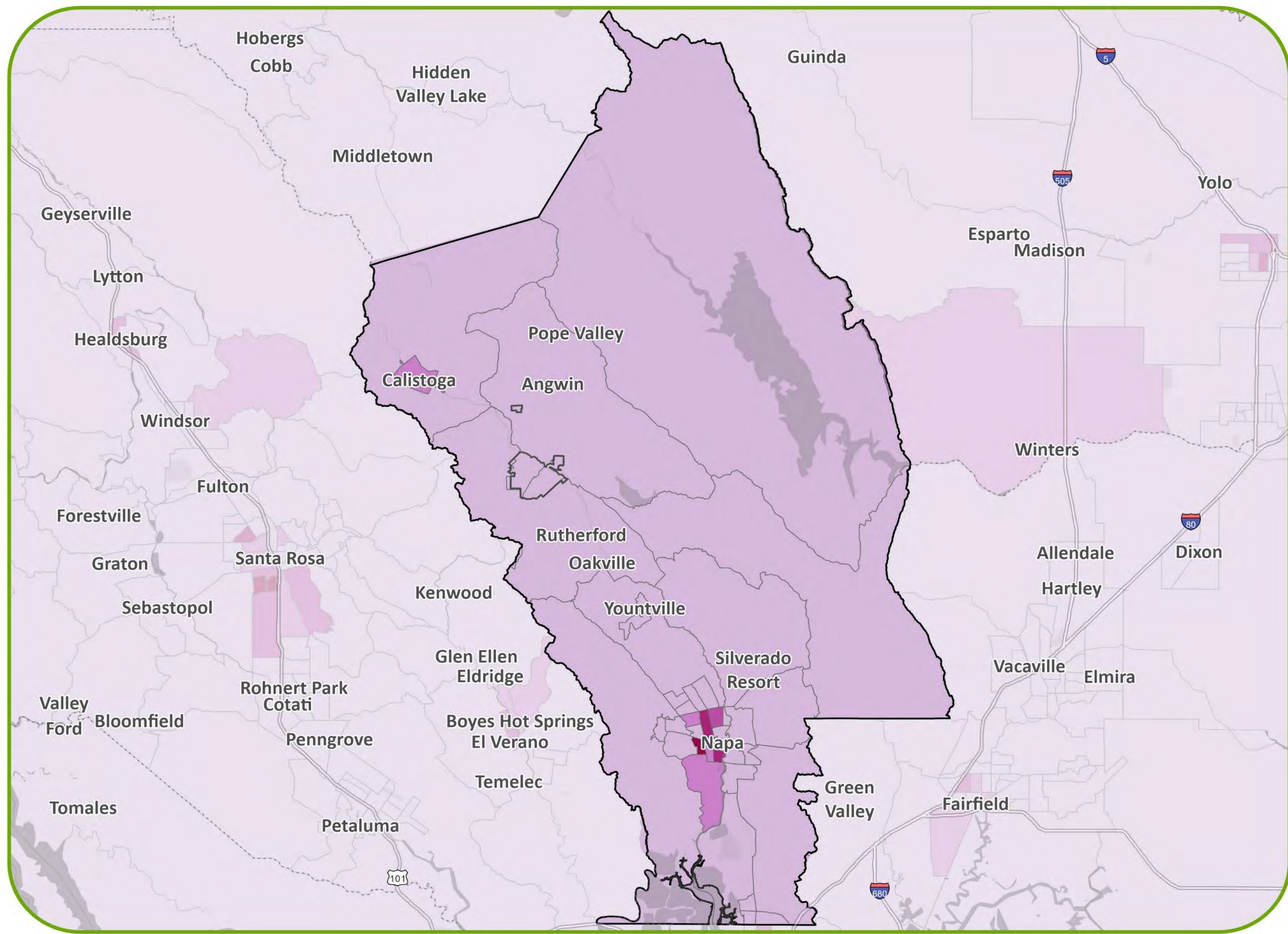
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**Figure 42:
Overcrowded
Households
(Napa County)**

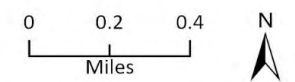
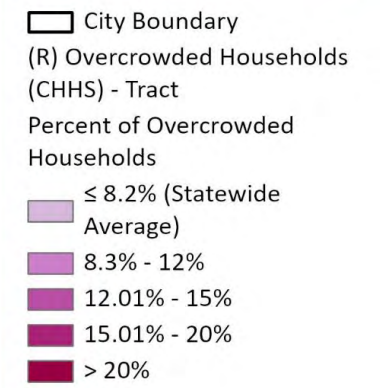
- City Boundary
- County Boundary
- (R) Overcrowded Households (CHHS) - Tract
- Percent of Overcrowded Households
- ≤ 8.2% (Statewide Average)
- 8.3% - 12%
- 12.01% - 15%
- 15.01% - 20%
- > 20%



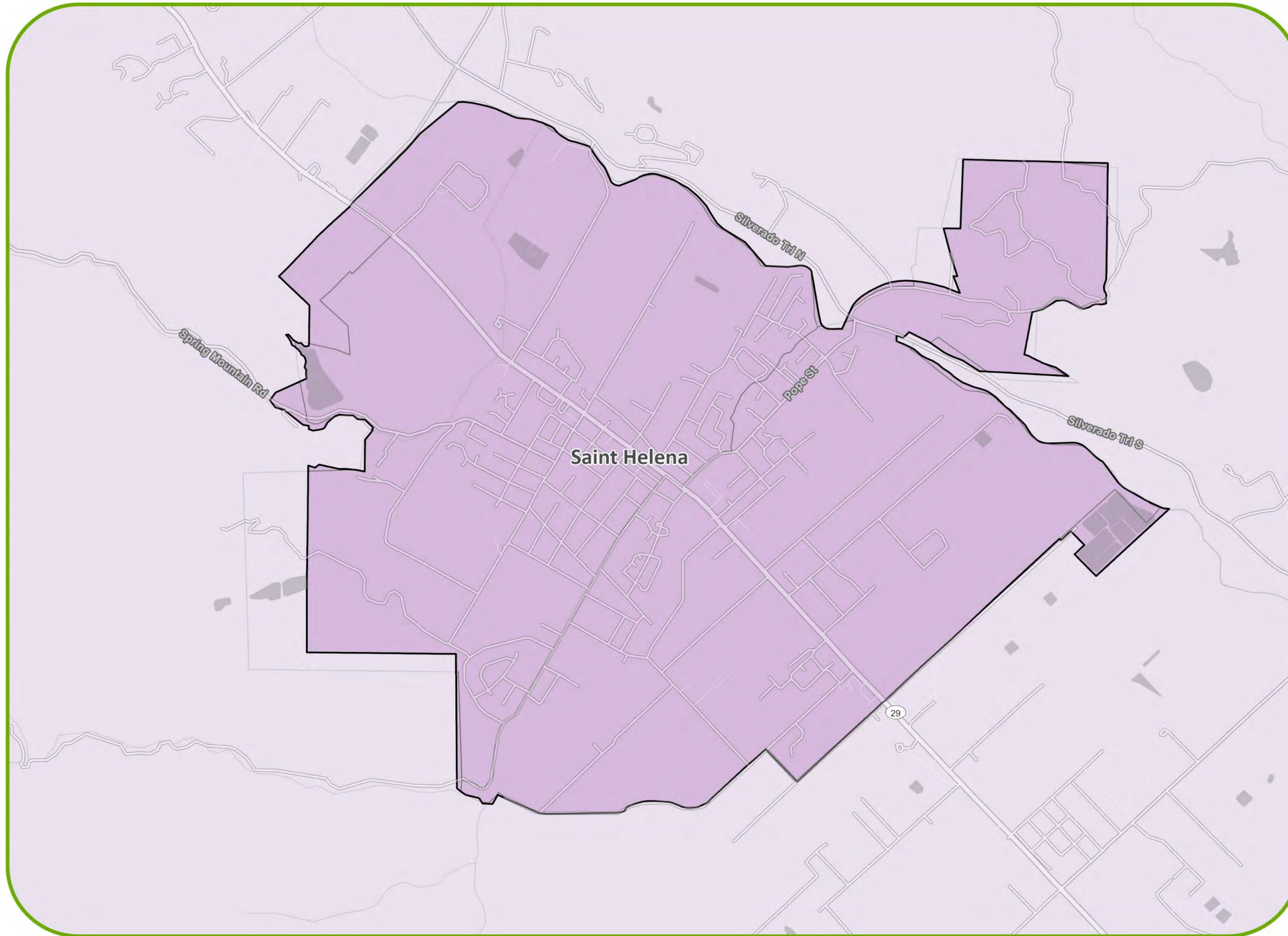
County of Napa, Yolo County, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California Department of Housing and Community Development.



**Figure 43:
Overcrowded
Households (St. Helena)**



County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.



3.7.13 Displacement

Displacement, as defined by HCD, is used to describe any involuntary household move caused by landlord action or market changes. Shifts in neighborhood composition are often framed and perpetuated by established patterns of racial inequity and segregation. Movement of people, public policies, and investments, such as capital improvements and planned transit stops, and flows of private capital can lead to displacement. Displacement is fueled by a combination of rising housing costs, rising income inequality, stagnant wages, and insufficient market-rate housing production. Decades of disinvestment in low-income communities, coupled with investor speculation, can result in a rent gap or a disparity between current rental income of the land, and potentially achievable rental income if the property is converted to its most profitable use. These processes can disproportionately impact people of color, as well as lower income households, persons with disabilities, large households, and persons at-risk or experiencing homelessness.⁷⁰

3.7.14 Regional Trends

The Urban Displacement Project (UDP) is an initiative out of the University of California, Berkeley that conducts data-driven research to better understand gentrification and displacement in order to generate more equitable and inclusive cities. UDP provides data to identify “sensitive communities,” communities that are vulnerable to displacement caused by housing costs or with market-based displacement pressures within or near the community. As shown in Figure 44 below, portions of the cities of Napa and Calistoga are identified as sensitive communities by UDP. These communities are also more racially/ethnically diverse and have lower household median income compared to other areas of the county.

3.7.15 Local Trends

UDP did not identify any areas within St. Helena that are considered vulnerable to displacement, as shown in Figure 45. However, research from the University of California Berkeley indicates that 42.0 percent of households in St. Helena live in neighborhoods susceptible to or experiencing displacement.

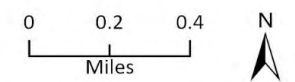
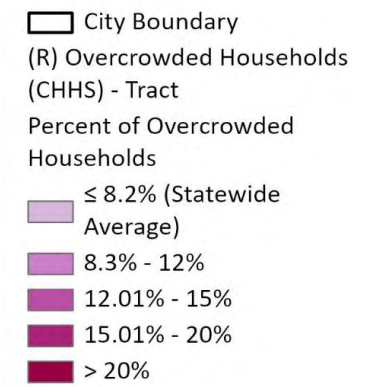
⁷⁰ HCD. 2021. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf

City of St. Helena 2023-2031 Housing Element Update

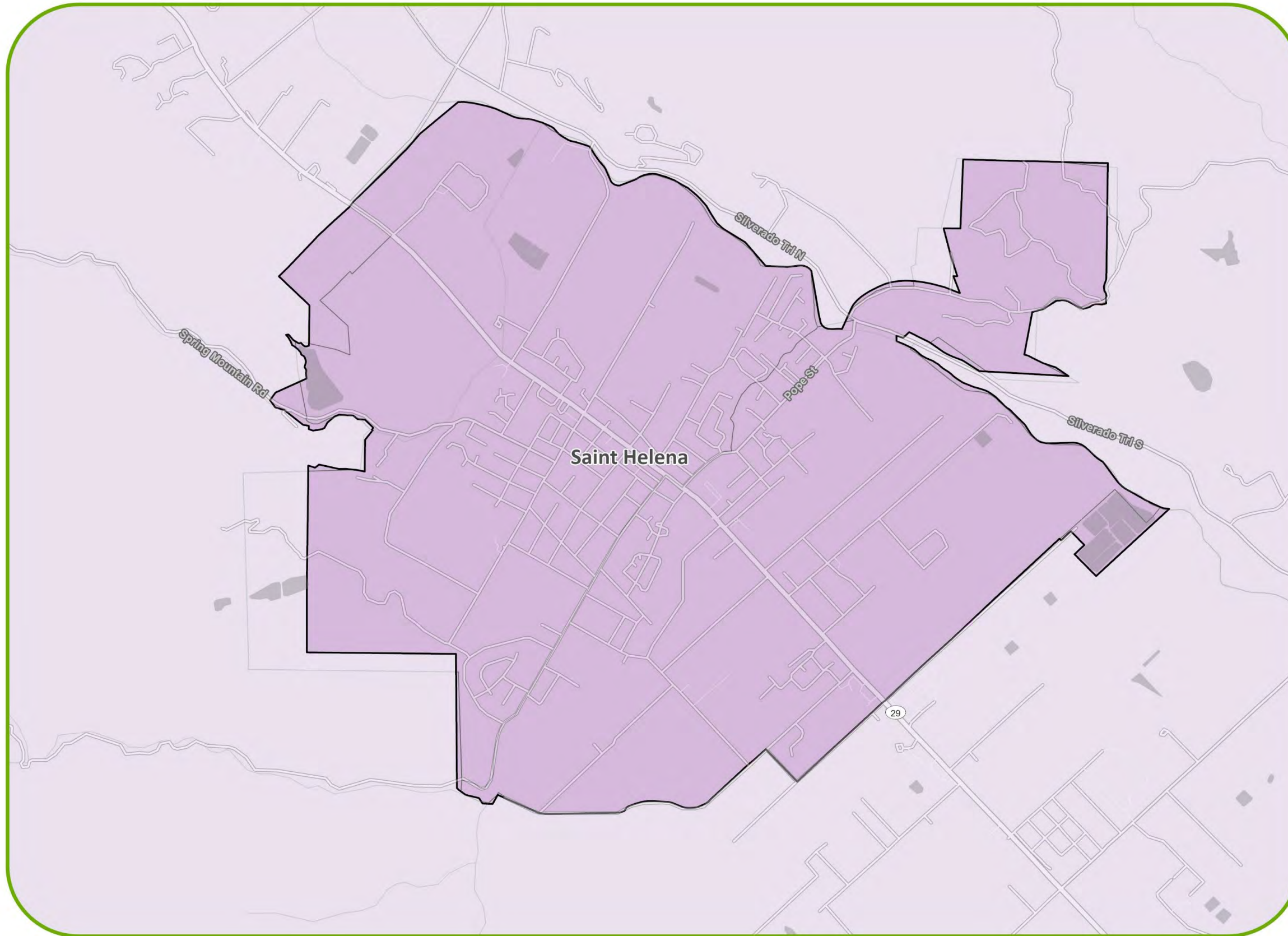
Certified, September 25, 2023

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**Figure 44:
Sensitive Communities
(Napa County)**

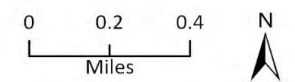


County of Napa, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, California Department of Housing and Community Development.

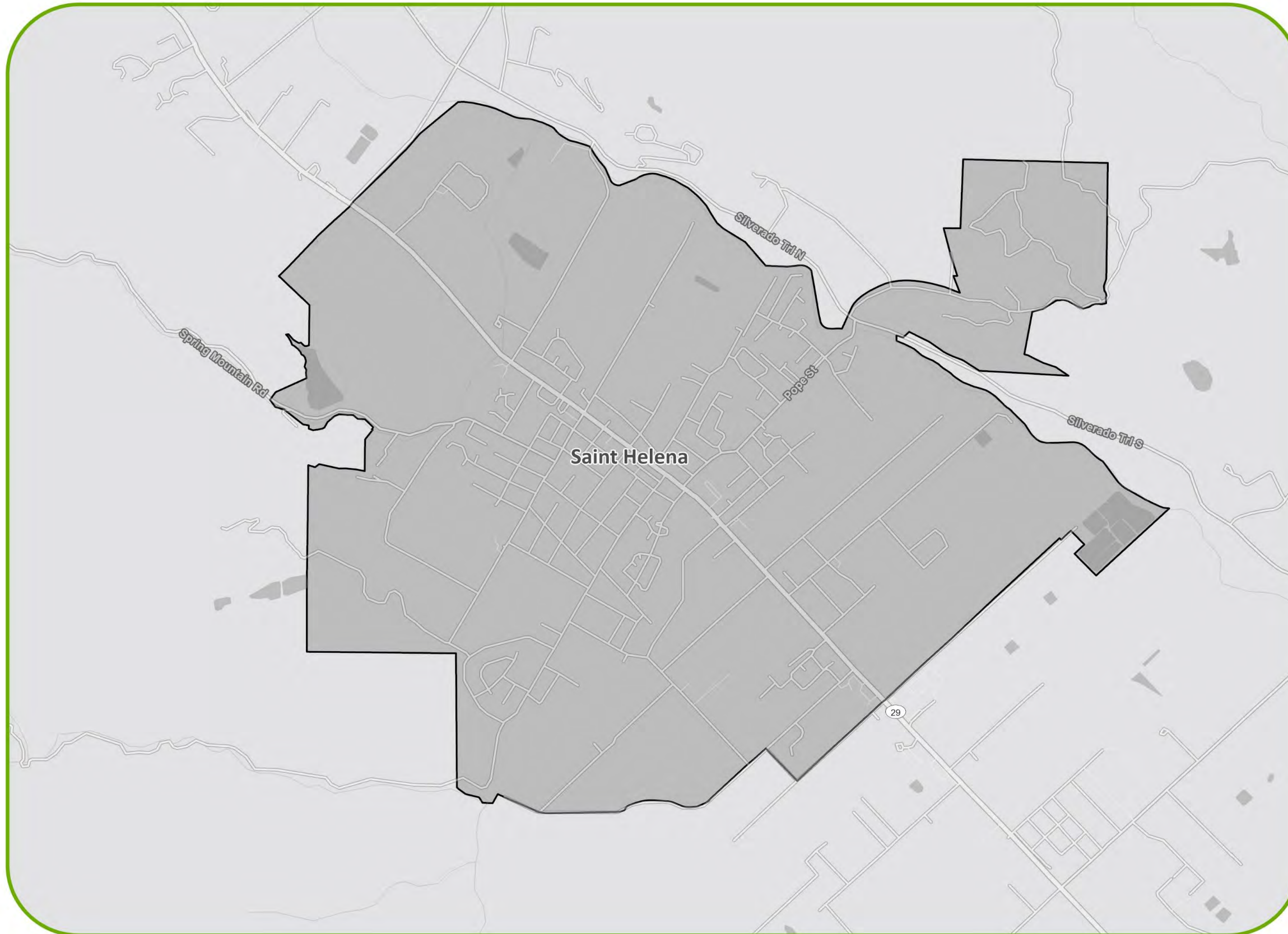


**Figure 45:
Sensitive Communities
(St. Helena)**

-  City Boundary
-  (A) Sensitive Communities
(UCB, Urban Displacement
Project)
-  Vulnerable
-  Other



County of Napa, California State Parks, Esri,
HERE, Garmin, SafeGraph, GeoTechnologies, Inc.,
METI/NASA, USGS, Bureau of Land Management,
EPA, NPS, US Census Bureau, USDA, California
Department of Housing and Community
Development.



4. Local Area of Knowledge

The AFFH analysis identified the eastern portion of St. Helena as generally experiencing more fair housing issues than other areas of the city. Fair housing issues in this area include higher levels of minority populations, low and moderate median income, overpayment of housing, higher median rent, and lower economic and environmental outcomes. The predominant population in this area of the city is White, however it has the highest non-White population of all areas within the city. Additionally, this area has a higher proportion of persons living with a disability compared to other areas. Overall, the eastern portion of the city is a moderate resource area, the same as the rest of the city. Some factors that could play into the trends seen in the data could be the location of existing retirement and older adult living facilities. The population living within these communities are, many time, fixed income and more often single-headed households. In addition, most of the city's high density land use and housing is located in this eastern portion of the city, which tends to be the housing type most affordable to lower income residents and single-parent households. As part of the Housing Element, the City is committing to improving the number of affordable units city-wide. In addition, with the recently adopted General Plan, the city envisions the redevelopment of Main Street within the eastern portion of the city with new, mixed-use development to increase economic opportunities and investments in this area.

4.1 Local Actions and Policy Efforts

In 2018, the City funded the 2018 St. Helena Housing Update Report, a housing analysis study that identified contributing factors to housing challenges in St. Helena. The report identified that residents believe new housing development primarily occurs east of Highway 29, however according to the report the majority of new construction was located west of Highway 29. In addition, the report also identified community opposition as a challenge to housing development in the city, leading to delays and increased project costs. Community members often desire to maintain the rural character of the city and are very concerned with how new development will impact surrounding neighborhoods.⁷¹

In October of 2020, the City Council adopted the Resolution 2020-105: Affirming that Discrimination and Systemic Racism Constitute A Public Health Crisis Causing Disparities in Mental Wellbeing, Language Access, Housing, Economic Development, Health, and Criminal Justice Experience, and Reaffirming Its Commitment to Advancing Justice, Equity, Diversity, and Inclusion in the City. This resolution commits the City to erasing barriers to opportunities to minority populations, including housing. The Staff Report to City Council for Resolution 2020-105 recommends actions to address racial equity and social justice in the community, including providing Spanish translation for City Council and Planning Commission meetings, provide all City communication in Spanish and reviewing adopted by other cities that promote inclusivity and access to affordable housing.

⁷¹ 2018. St. Helena Housing and Community Report.

https://www.cityofstheleena.org/sites/default/files/fileattachments/planning_resources/page/3395/staff_report-white_paper.pdf

The City also prepared a Diversity, Equity, and Inclusion Strategy to outline the City's efforts towards diversity, equity and inclusion, and social justice. The strategy includes actions such as creating a Diversity, Equity and Inclusion Committee to discuss topics, including housing and racial justice, and offering live Spanish interpretation for regular and special City Council and Planning Commission meetings. The City continues to provide Spanish interpretation for City Council and Planning Commission meetings.

4.2 Stakeholder Input

The City held three housing workshops to receive feedback from the community on housing issues and the Housing Element Update (on September 16, 2021, January 20, 2022, and March 16, 2022). During these workshops, participants frequently brought up concerns regarding the lack of affordable housing for lower income households and the "missing middle" as well as the need to support affordable home ownership. AFFH related concerns included the high cost of housing, transportation accessibility, ADU trends (specifically that ADUs tend to be utilized as vacation rentals and not housing).

4.2.1 Other Relevant Factors

Other factors to fair housing issues in St. Helena that have not been previously discussed in this analysis include lack of sufficient housing for farmworkers, availability of affordable units in a range of sizes, access to transportation, access to home ownership. These contributing factors limit the accumulation of wealth and access to housing resources in historically marginalized communities.

4.2.2 Farmworker Housing

An estimated between 6,000 and 9,000 farmworkers are employed Napa County. Sufficient affordable housing options are lacking for farmworkers who are often lower income and have special housing needs, such as seasonal housing. The number of farmworkers employed in St. Helena is unknown, however the city's central location with regard to vineyards and wineries throughout the county would imply a number of farmworkers are employed in proximity to the city.

4.2.3 Access to Transportation

St. Helena's public transportation system is operated by Vine Transit which operates one bus route (Route 10) in the city. Route 10 has four stops in the city, however all four stops are along the main road, State Route 29. Areas of the city located further north or south are more than 0.25 miles from a bus stop. This bus route connects the City of Napa and the City of Calistoga where connections to destinations further north or south can be made. Residents who live or work in St. Helena have limited options for traveling via public transit, potentially limiting their housing options.

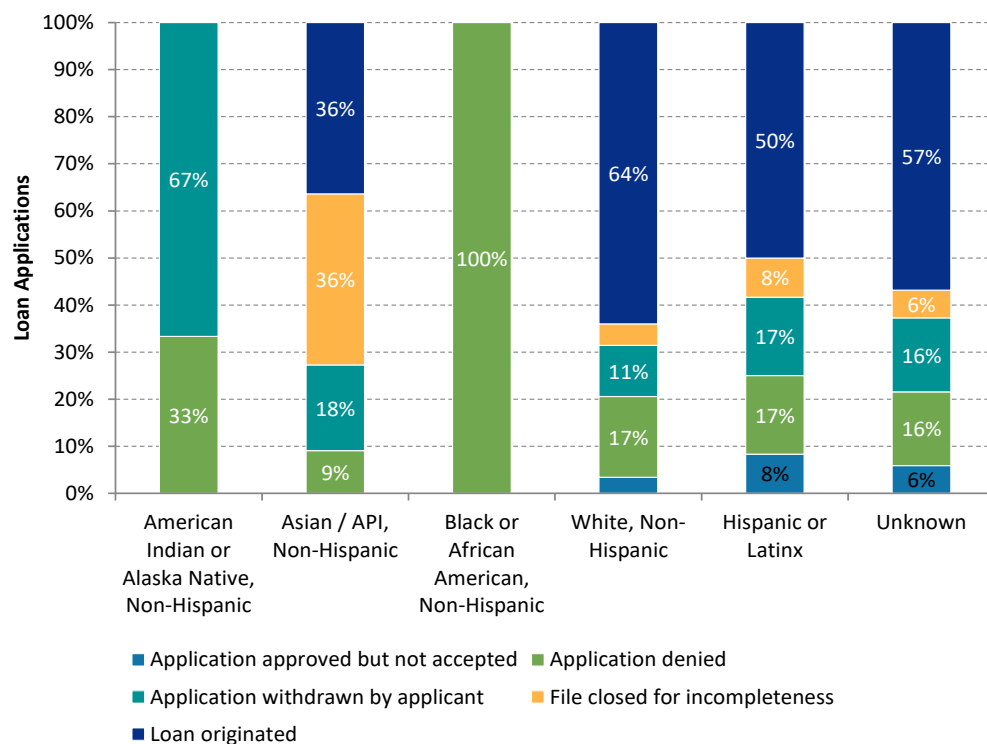
4.2.4 Access to Home Ownership

Increasing housing costs has produced a barrier to home ownership for St. Helena residents. As of December 2020, Zillow reported typical home values in St. Helena were estimated at \$1,665,790, much

higher than the typical home value in Napa County, which is estimated at \$768,410. Typical home values reflect the value of homes in the 35th to 65th percentile range. Home values have been consistently on the rise since 2000 (with the exception of the recession). This trend has made it more difficult for residents, especially lower income residents, to afford homes. Affordable housing projects in the city generally consist of rental units, which do not provide opportunities for lower income residents to own homes.

Mortgage application filing and acceptance data from 2018-2019 indicates there are racial/ethnic disparities among homeownership opportunities for residents in Napa County. As shown in Figure 46, 64 percent of White, Non-Hispanic applicants and 50 percent of Hispanic/Latinx had their loan originated, compared to 36 percent of Asian/ API applicants, 0 percent of Black/African American, and 0 percent of American Indian/Alaska Native applicants.

Figure 46 Mortgage Applications and Acceptance by Race



Source: Federal Financial Institutions Examination Council's (FFIEC) Home Mortgage Disclosure Act loan/application register (LAR) files

4.2.5 Opposition to New Development

According to the 2018 St. Helena Housing Update Report, city residents are "deeply concerned with maintaining the rural character of town" and therefore residents generally oppose housing projects that are perceived to changing neighborhood character. Many previous and ongoing multi-family housing projects

have been met with comments and concern from community members regarding environmental impacts, such as increases in water demand and increases in traffic as well as impacts to existing neighborhoods and community character.

4.2.6 Location of New Housing

Some residents of the city feel the city is segregated between east and west of Main Street, where the west side of the city consists of a greater percentage of White, affluent residents while the east side of the city has a greater percentage of non-White and low-income residents. In addition, residents have stated that the multi-family housing in the city is located in the eastern area. According to the 2018 St. Helena Housing Update Report, the majority of new construction over the last 10 years has been west of Highway 29.⁷² The Magnolia Oaks housing development consists of 44 multi-family housing units, 10 of which are affordable to low-income residents. While this project is located just west of Highway 29, other recently multi-family projects have been constructed on the east along McCorkle Avenue. The City is in the process of adopting a new Zoning Ordinance to be consistent with the 2040 General Plan, which would permit duplexes and triplexes within the MR District (see Program H-N). This would create additional housing choices and affordability levels in the MR Districts on the western side of the city. In addition, Programs H-BB, H-EE, and H-XX would implement placemaking strategies to outreach and work with the more diverse and older populations living in the east due to the historic development patterns.

5. Sites Inventory Analysis

5.1 Opportunity Areas

HCD and TCAC opportunity maps identify areas throughout the state whose characteristics support positive economic (low poverty, high employment, high median household income), educational (reading and math proficiency, high school graduation rates, low student poverty rates), and environmental outcomes (low exposure to pollution). A census tract with a designation of high resource would indicate there are strong educational and economic opportunities, meaning opportunity for current and future residents.

According to the 2022 TCAC Opportunity Map, the entire city is considered an area of moderate resource. However, the eastern portion of the city has a higher percentage of non-White residents, lower household median income., higher percentage of cost burden among renters and owners, and less positive economic and environmental outcomes compared to the rest of the city. These demographic And socio-economic patterns influenced the locations of potential lower income sites in the city.

⁷² Erica Skylar. 2018. St. Helena Housing Update Report.
https://www.cityofsthenana.org/sites/default/files/fileattachments/planning_resources/page/3395/staff_report-white_paper.pdf

5.2 Improved Conditions

According to the 2022 TCAC Opportunity Map, the entire city is considered an area of moderate resource. Demographic and socio-economic spatial patterns show that census blocks with low- and moderate-income households, greater Hispanic/Latino populations, and higher rates of housing problems are located throughout the eastern half of the city. Sites that accommodate housing unit densities appropriate for lower-income units are scattered around the city. Sites that can accommodate most of the lower income units are located in the western and southern part of the city, which has a higher household median income and more positive economic and environmental outcomes. Approximately 38 percent of the total proposed units and 36 percent of the proposed lower-income units planned for in the sites inventory (Appendix B) are located in the eastern part of the city, which has a higher percentage of low- and moderate-income populations and non-White residents. .

Figure 47 shows the site inventory in relation to the TCAC Opportunity Map. Sites proposed within the eastern area of the city are diverse with a mix of lower income and non-lower income sites. Lower income sites spread across the city. Site 7 (821 Pope Street) and Site 8 (882 and 886 College Avenue) have 50% lower income units and 50% moderate income units. The rest of the proposed lower income sites are 100% lower income units.

5.2.1 Exacerbated Conditions

The northern and eastern parts of the city contain block groups considered moderate resource with a higher concentration of Hispanic/Latino population, higher percent of renter occupied units, higher percentage of overpayment by residents, less positive economic outcomes, and higher pollution burden compared to the moderate and high resource areas of the city. According to California Housing Partnership data, all federal and State subsidized housing within St. Helena is in moderate resource areas in the northern and eastern portions of the city. The Sites Inventory does not exacerbate conditions in vulnerable areas of the city by identifying sites that can accommodate lower income units throughout the city. Additionally, one underutilized site was identified that could accommodate above moderate units in the eastern part of the city, which has a higher percentage of non-White residents and cost burden and lower economic and environmental outcomes.

5.2.2 Racially/Ethnically Concentrated Areas of Poverty and Affluence

There are no racially/ethnically concentrated areas of poverty or affluence identified in St. Helena. However, eastern areas of the city have a larger population of Hispanic/Latino residents as well as LMI populations compared to other areas of the city. In contrast, western areas of the city have higher concentrations of White residents, higher median incomes, and lower concentration of LMI populations. Sites feasible for lower income housing were identified in these affluent areas.

5.2.3 Access to Opportunity

The city is categorized into 2 census tracts, both of which are considered moderate resource. Housing units in the sites inventory are not disproportionately concentrated in different resource areas, and the sites identified in the eastern areas are scattered on vacant and underutilized parcels to facilitate the development of lower- and above moderate-income units.

5.2.4 Disproportionate Housing Needs

The fair housing assessment found a need for affordable housing for people with disabilities and adequate low-income households. The City incentivizes the development of extremely low-, very low-, low-, and moderate-income housing by reducing development fees and relaxing development standards to incentivize housing development. The City may also assist in acquiring and assembling property, subsidizing on-site and off-site improvements, and assisting in relocation activities as well as clearing and demolition.

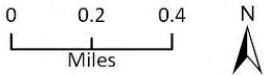
5.2.5 Subsidized Housing

In 2019, approximately 1,105 households received Housing Choice Vouchers in the County of Napa, with 10 households receiving rental assistance and 6 households on the wait list in St. Helena.⁷³ The AFFH Data Viewer does not have data on Housing Choice Vouchers for St. Helena.

⁷³ City of Napa Housing Authority's Annual Report Housing Services Agreement, 2019, https://www.cityofstheleena.org/sites/default/files/fileattachments/planning_resources/page/3395/2018-2019_housing_services_annual_report.pdf

Figure 47 Location of Sites Inventory in Relation to TCAC/HCD Opportunity Areas

- City Boundary
- Selected Sites
- TCAC Opportunity Areas (2022)
- Highest Resource
 - High Resource
 - Moderate Resource
 - Low Resource
 - High Segregation & Poverty
 - Missing/Insufficient Data
- 1 - 1480 Main Street
2 - 1572 Railroad Avenue
3 - Adams Street
4 - 905 Main Street
5 - Main Street (between Mills & Dowdell)
6 - 709 McCorkle Avenue
7 - 821 Pope Street
8 - 882 and 886 College Avenue
9 - 1447 and 1515 Spring Street
10 - Spring Street (between Hudson & Valley View)
11 - 1637 Spring Street
12 - 620 McCorkle Avenue



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Additional data provided by County of Napa, 2022;
CTCAC, 2022.

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6. Contributing Factors

This assessment of fair housing issues identifies factors that contribute to fair housing issues in the City of St. Helena, as shown in Table 10.

Table 10 Factors that Contribute to Fair Housing Issues

Identified Fair Housing Issue	Contributing Factor	Meaningful Action
Fair housing enforcement and outreach	· Lack of fair housing requirements and information provided to residents · Outreach and communication of services are limited to English · Limited fair housing testing and enforcement	· Participate in FHNV meetings, at least once annually, to coordinate regional responses to housing discrimination issues (Program H-XX)
Lack of affordable housing and displacement of residents	· Increasing rent and house/property costs · Dominance of single family housing · Land use and zoning laws · Availability of affordable units in a range of housing types	· Diversify and expand the housing stock to accommodate the varied housing needs of different groups (Programs H-E, H-H, H-I, H-J, H-W, H-LL) · Pursue down payment and mortgage assistance resources through the Housing Trust Fund or other resources (such as CalHome) for local funding to assist lower and moderate-income residents (Program H-GG) · Development of affordable housing on City-owned sites (Program H-V) · Provide by right approvals for multi-family housing projects that meet objective design and development standards (Program H-V) · At least once annually, provide an information on accessory dwelling units (ADUs) in the city, and target outreach to residents in the high resource

		southwest of Main Street and northeast of Pratt Street (Program H-Q)
Concentration of lower income and minority households in the southeastern areas of the city	- Land use and zoning laws - Location of existing affordable housing	- Prioritize affordable housing in high resource areas southwest of Main Street and northeast of Pratt Street (Program H-V) - Encourage construction and renting of ADUs in high resource areas to increase supply of variety of housing types in the city (Programs H-I, H-R) - Prioritize CIP in the eastern part of the city (Program H-WW) - Revise inclusionary housing ordinance for more lower income units, realistic in-lieu fees, workforce housing, and more on-site housing requirements (Program H-F) - Invest in public infrastructure projects in low and moderate resource areas that improve the quality of life for residents (Program H-WW)
Limited resources for persons with disabilities	- High cost of transportation for persons with disabilities - Lack of ADA compliant sidewalks	- Reduce ridership costs for VineGo paratransit system (Program H-WW) - Work with the County of Napa to carry out the ADA self-Evaluation and transition Plan to remove barriers for persons with disabilities to facilities and programs in Napa County (Program H-WW)

Appendix B: Comments on the Public Review Draft 2023-2031 Housing Element Update

The City received multiple comment letters on the Public Review Draft 2023-2031 Housing Element Update. Comments on the Public Review Draft were received between June 29, 2022, and July 30, 2022. Key changes in response to public input include revisions to various programs and the addition of a new site in the sites inventory.

Response to Comments

In response to these comments, the City has made a number of revisions to the Public Review Draft Housing Element, including:

- 1: Policy Document – Program H-Y: Corrected spelling error and added Voorhees Circle (now program H-Z).
- 1: Policy Document – Policy HE 2.5: Revised language for clarity.
- 1: Policy Document – Program H-C: Urban Limit Line: Deleted program.
- 1: Policy Document – Program H-J: Updated funding sources to include State and Federal programs and grants (now program H-I).
- 1: Policy Document – Program H-M: Zoning to Facilitate Higher Density Housing: Revised for clarity (now program H-N).
- 1: Policy Document – Program H-R: Affordability Requirements for ADU Incentives: Updated text to specify that a regulatory agreement is required (now program H-S).
- 5. Housing Conditions – Key Findings: Added source information for the data presented in the key finding related to Cost Burden
- 5. Housing Conditions – Physical Housing Conditions: Estimated the number of homes in need of rehabilitation.
- 6. Housing Market Conditions – Affordable Home Purchase Prices: Corrected broken references to Table 15.
- 6. Housing Market Conditions – For-Sale Housing: Revised note on Table 15 to clarify that 2021 data was used.

- 11. Housing Resources – Pending and Approved Projects: Revised Table 36 to identify the existing unit at 963 Pope Street as deed restricted.
- 11. Housing Resources – Remaining RHNA: Revised Table 37 to fix incorrect income categorization for 963 Pope Street.
- 11: Housing Resources – Residential Sites Inventory: Added 620 McCorkle (APN 009-502-003) to the available sites inventory.
- 11. Housing Resources – Pending and Approved Projects: Revised Table 36 to identify the existing unit at 963 Pope Street as deed restricted.
- 11. Housing Resources – Remaining RHNA: Revised Table 37 to fix incorrect income categorization for 963 Pope Street.
- 11: Housing Resources – Residential Sites Inventory: Added 620 McCorkle (APN 009-502-003) to the available sites inventory.



July 26, 2022

TO: Members of the City Council and Planning Commission, City of St. Helena

FROM: Jennifer La Liberte, Executive Director

SUBJECT: Housing Element Update, 2023-2031, Public Review Draft

The Board of Directors of Our Town St Helena and I appreciate the opportunity to comment on the draft Housing Element Update (HEU).

General Comments

- Pg 1-4 Potential Funding Sources – There does not appear to be consistency among the potential funding sources for the objectives. Some programs list specific potential sources (though the lists should be expanded) and some list only staff time. It appears this could be related to how current programs are funded. Federal, state, county, local, and private funding sources would seem appropriate for each objective that requires development and construction funding. Also, if detailed funding sources are to be included, then US Department of Agriculture Rural Development should be added.
- Pg. 1-6 Throughout the document (beginning on page 1-6), much of the cited data is outdated and does not accurately reflect today’s market conditions. For example, the HEU states “typical contract rent for an apartment in St. Helena was \$1,470 in 2019,” and to avoid being cost burdened, a renter would need to earn \$59,160. According to the Napa County 2021 Affordable Housing Needs Report (May 2021) produced by the California Housing Partnership, the average asking monthly rent in Napa County is \$1,948 and renters need to earn \$77,916 to avoid being cost burdened. Since St. Helena tends to be at the top of the market for Napa County, it’s safe to assume (and observe) that those figures are even higher. Marcus & Millchap publishes a quarterly Bay Area multi-family market report that identifies mean rents by county by unit type which would be more accurate even if not specific to St Helena. We know that a typical two-bedroom market rate unit in good condition is renting for \$2,100-\$2,650 plus utilities, and three-bedrooms in very good condition are at approximately \$3,000 per month.
- Pg.1-11 How were the specific quantified objectives derived under each of the programs and how do they relate to each other? There appears to be significant overlap in

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Page 1 of 6



these objectives. Example: farmworker housing and very low-income housing could be the same housing; senior housing could be incorporated into a low-income project. The Quantified Objectives Summary Table on 1-40 page provides the totals but not the logic in how the quantities were broken out.

- Pg. 1-17 “The City will explore possible incentives for building attached market rate housing units for rent and for sale” which is great, but it ought not take five years to explore incentives. And what action comes after exploration? Similarly, why will it take four years to study potential modifications to the Zoning Code to facilitate higher density housing, etc., when the City is already updating the Zoning Code and the HE and should be fairly versed in what changes are needed? Is it possible to make incremental changes? For example, an immediate step the City could take is to remove the conditional use permit requirement in multi-family zones to streamline the process for developers.
- Page 1-25 Change Murietta to Marietta. Note: Some Voorhees Circle homes that have not changed hands are also at-risk for conversion.
- Pp. 2-23 Beginning on page 2-23, Joe is Joe McGrath, Jordan is Jordan Bentley, Mary Stevenson is Mary Stephenson, John is John Sales, Jennifer Le Liberte is Jennifer La Liberte, and Steve is Steve Goldfarb.
- Page 2-57 Employment – what did the unemployment rate increase to? Table 3, under 2010 for Napa County, the comma is in the wrong place.
- Page 2-82 Vacant units -- It would be useful to state how many people could be housed in these units which comprise 17.4 percent of the housing stock. If the rental vacancy rate is 3.1 percent and ownership vacancy rate is 5.3 percent, what constitutes the delta (17.4 minus 3.1 minus 5.3)?
- Page 2-83 Cost burden – for the last paragraph, what is the time period this data represents?
- Page 2-84 How does the fact that an overwhelming portion of our existing housing stock is 40 to 80 years old correlate with the City’s preservation goals?
- Page 2-88 Table 14 – how many of the permitted units from 2015-2019 have been built?
- Page 2-96 Home values – how is “typical home value” defined? Zillow is the cited source, which is providing listing prices, not value. Based on current listings in St. Helena, \$1.6 million is at the lower end of the range. Local realtors could provide updated



MLS data which would be timelier and more accurate than Zillow. Also, within this section it is not clear whether existing deed-restricted units are included in totals of rent/homeownership units and monthly cost. It could be that these income-qualified units are affecting the total values. Could this be made more explicit?

Page 2-98 Affordable home purchases – some zeroes are at the beginning of the first sentence and middle of the second sentence that don’t make sense.

Page 2-99 Table 15 -- The Area Median Income figures are for 2021. HUD has published new figures for 2022, so the footnote to the table should be adjusted accordingly.

Page 2-103 Table 16 – Christine Apartments, 723 Hunt Ave., four units, should be included as a very low and low income; OTSH purchased in June 2021 and recorded 55-year deed restrictions. Also, Grayson Apartments were funded privately through the inclusionary requirements met by 632 McCorkle and references to tax credits, AHP, etc. should be removed. This is an important point because the housing crisis here will not be solved exclusively through non-profits.

Page 2-154 Table 36 – 963 Pope Street, under “Project Description”, the existing house is deed restricted and should be noted.

Page 2-155 Table 37 – if the 4 pending or approved units is referring to 963 Pope St, those should be moved to “lower” income.

Policies

HE 2.5 “Allow duplexes in all low-density residential zones” – please clarify whether this allowance is by right and not with a conditional use permit.

HE 4.8 “Give preference to projects providing workforce housing affordable to up to 140 percent of the AMI” – there doesn’t appear to be an implementation program associated with this policy. What preference would be given, and would it be at the expense of another affordability level?

Implementation Programs

H-A, H-NN “Concentration of sites for affordable housing” – OTSH supports the City’s efforts to ensure affordable housing sites are identified geographically throughout the city. But we caution that land is scarce, and large sites rarely become available that are suitable for multi-unit housing, and, most that do, tend to be located east of Main Street. We support incentivizing affordable housing wherever it can get



built, and don't support the City prioritizing Affordable Housing Trust Fund dollars for affordable projects in the western portion of the city at the expense of projects in the eastern portion.

- H-C OTSH believes we should be planning for a more sustainable and less car-dependent future. We should be exploring opportunities to increase infill density and expand height limits and reduce parking requirements. Up and in should be the focus. The block of land from south of White Sulphur Spring Creek to Grayson and west of Highway 29 and east of Crane vineyard is one of the most poorly utilized sections of the City, and we believe a housing task force could explore how to unlock the potential here. Expanding the Urban Limit Line should be the last option as it runs a great risk of negatively impacting what makes this such a great and desirable place to live with vibrant wine and tourism industries.
- H-D Water and sewer access should be prioritized for both affordable and missing middle housing. Also, please define "missing middle" in terms of Area Median Income. The water neutrality requirement should be eliminated for any attached affordable and missing middle housing. The City could consider requiring other trade-offs such as no-irrigation landscaping or rain capture systems.
- H-J "ADU Workforce Housing Incentive Program" -- broaden the potential funding sources to include grants, state and federal programs. Also, consider working with the County Assessor to allow a property tax reduction on the larger property in exchange for 30-year a deed restriction on an ADU, with proper monitoring to ensure compliance.
- H-M OTSH believe the City should immediately remove the Conditional Use Permit requirement on MDR Zoning. At a minimum, it should be removed for any parcel identified in the HE as a Housing Opportunity Site. Discretionary review is the toehold for opposition to these projects and makes developers wary of taking the significant financial risk that is required for this type of development. Also, consider allowing deed restrictions for missing middle projects (as defined by the City) and in exchange grant fee waivers and eliminate the housing impact fee requirement.
- H-P We should not incentivize ADUs beyond existing state mandates unless they have a deed restriction and rental occupancy requirements in exchange. While this may be implied it isn't clearly stated.



- H-R, H-DD “Affordability requirements for ADU incentives; reduced fees for affordable housing” – these should include a reference to the mechanism that will restrict affordability (i.e., affordable housing regulatory agreement).
- H-S “Illegal housing units” – these types of policies or programs can be double edged as they often end up displacing households that cannot afford to live in legal units. Consider a companion program that sees to support households displaced by this program.
- H-U Under Objectives – “Support the development of 3 multi-unit housing projects....support the development of five infill projects....” What does “support” mean? As written it implies a maximum the City will “support” during the planning period.
- H-?? Under Goal 3, Conservation of Existing Housing – consider adding an implementation program: “The City will work to obtain CDBG or other available funds to create an ‘Affordable Housing Conservation Fund’ so units can be acquired quickly when they hit the market and preserved at affordable levels.”
- H-Z “Vacation Rentals” – the City should consider prohibiting vacation rentals in certain zoning districts if it hasn’t already.
- H-FF “Affordable Homeownership” – the City should work with the County’s Proximity Housing Program to provide down payment assistance to St. Helena first-time home buyers. If the County is amenable to working with the City to create a funding set-aside for St. Helena, the City could then market the program or work with others to do so.
- H-II “Housing Coordinator” – this is an immediate need, and a specified time frame is encouraged rather than “ongoing”. It would be preferable to do this as a City of St Helena position, but a shared position is better than none. OTSH would prefer the City consider a Housing / Economic Development FTE rather than a lower level, part-time Housing Coordinator. Also, meeting with partner jurisdictions twice during the 13-year planning cycle does not appear to be sufficient.

Proposed Sites

Site maps It would be helpful to add a north arrow to the aerials.



Page 2-162 The last sentence should read, "However, the future property owner intends to develop 36 to 50 units."

Page 2-170 Table 50, Site 5 – change 50 to 36-50 (if possible).

Housing Opportunity Sites

Adams Street What is the rationale for the size and placement of the Opportunity Site on the Adams Street property?

709 McCorkle This site was recently purchased and is intended to function as an estate compound. It has a low to zero probability of being developed for affordable housing.

741 McCorkle This house was recently renovated with significant capital improvements and is unlikely to be further developed in the next HE cycle.

1637 Spring This site has recently been purchased for the intent of turning it into employee housing.

Proposed site We encourage the City to add 620 McCorkle Avenue (APN 009-502-003-000) as a "key housing site". This 0.76-acre site is zoned MDR and is currently on the market. Including it as a key housing site would eliminate the requirement for a conditional use permit and be consistent with the goal to remove barriers to development of multi-unit housing.

Conclusion

OTSH commends the City for its work on this document. Realizing that the HEU is a mandated document that needs to follow strict guidelines, we hope the City will also create an implementation plan that identifies measures, cost analysis, staff and funding resources, and time frames for meeting the goals contained herein.

Aaron Hecock

From: LAURA KEIR <lkeir@me.com>
Sent: Tuesday, July 19, 2022 11:09 AM
To: Aaron Hecock
Subject: [External] Land designation

Hi

It appears numerous parcels sent to the state to meet our quota fir homes are not currently available for sale? Are they going to be for sale? And we are not aware? Or, emanate domain enforcement would be necessary?

I firmly disagree with the high to med density development of Valley View Hudson vineyard property being developed as traffic on the road is already more than a residential area should have to handle between cut threw traffic to avoid Hwy 29 to the school traffic it's impossible to safely get out of your driveway or even ride a bike!

Spring Street is narrow and I notice in addition three sites are designated as possible development.

The government/ Bay Area need to either agree to continue our exempt status. Recognize us as a primary agricultural area or the Napa Vally will be destroyed!

Laura
Sent from my iPhone

City of St Helena, City Hall
Received

JUL 13 2022

1480 Main St.
St Helena, CA 94574

Housing Element for Public Comment
Aaron Hecock, Senior Planner, City of St. Helena
ahecock@cityofsthenela.org

July 10, 2022

Dear Mr. Hecock,

As concerned St. Helena residents, we have read the Housing Element Update and plan to attend the public forum.

We support the city's efforts to identify appropriate sites for potential development to provide additional housing that is badly needed. Yet after reading about proposed rezoning and adding more density, we remain vigilant in pointing out situations where multi-unit projects would negatively impact neighborhoods.

We have shared with several City officials the situation we face after the recent purchase of the parcels at 1521 and 1541 Elmhurst. The owner, Jennifer Mozzetti, and her friend John Bowman, a self-described developer from Napa, have disrupted this peaceful neighborhood with their alleged plans to develop the parcel at 1541 Elmhurst into a multi-unit site with the "cooperation of the City." They initially claimed, as a result of their purchase of the two parcels, they "owned" the Elmhurst Alley from the property at 1521 extending to the end of the alley.

The city, through correspondence from Eric Janzen on 5/17/22 and several other emails, assured us that the Elmhurst Alley was listed by the County Assessors as a public right of way and is not owned by Ms. Mozzetti.

Elmhurst Alley is a single lane, dead-end alley that extends off busy Spring Mountain Road. It provides access to the vehicles of 5 single family homes in addition to the mail truck, delivery trucks and home health care vehicles that service those homes. The tightness of this alley already poses safety questions for Emergency and Fire Department vehicles.

Any development of the property at 1541 Elmhurst from its current single-family residence to a multi-unit would be unwise and unsafe expanding the number of alley users. (Garbage day finds the street with as many as 15 garbage cans as it is!) Certainly, the goal of adding multi-unit housing in St Helena is a laudable one, but to drop a new multi-unit project in an already dense neighborhood with limited access from a single-lane, blind alley, would be ill-conceived.

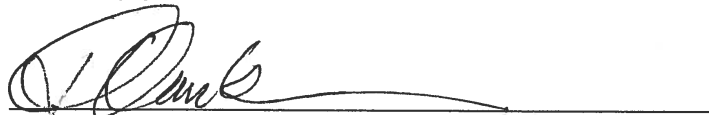
Our specific questions are these we hope you can answer:

1. The Housing Element mentions an inventory of possible sites, not yet public, that might be used to develop more housing.
Is the parcel at 1541 Elmhurst currently on this site list or being considered?

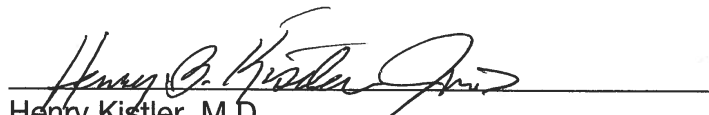
2. Can individuals, seeking to develop multi-unit housing on their own properties apply to be included on this site list?

If the answer is "yes" to either question, we kindly request a site visit, in person, by a member of the Planning Commission, so that the impact of adding more housing and residents on Elmhurst Alley will be obvious.

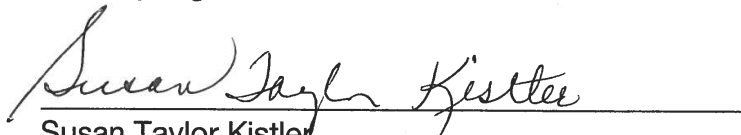
Sincerely yours,



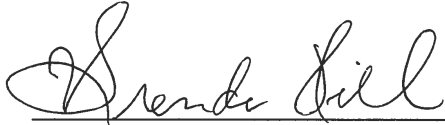
Dayna Van Kleeck
1800 Spring Mountain Court



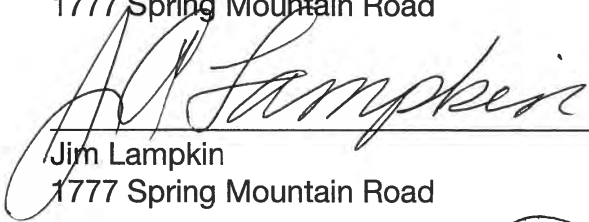
Henry Kistler, M.D.
1781 Spring Mountain Road



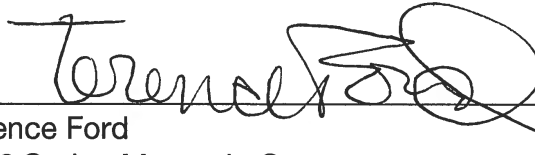
Susan Taylor Kistler
1781 Spring Mountain Road



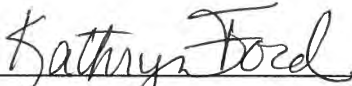
Brenda Hill
1777 Spring Mountain Road



Jim Lampkin
1777 Spring Mountain Road



Terence Ford
1806 Spring Mountain Court



Kathryn Ford
1806 Spring Mountain Court

Polina De-Levi
1809 Spring Mountain Court

Vladymer De-Levi
1809 Spring Mountain Court

Brenda Hill
1777 Spring Mountain Road

Jim Lampkin
1777 Spring Mountain Road

Terence Ford
1806 Spring Mountain Court

Kathryn Ford
1806 Spring Mountain Court


Polina De-Levi
1809 Spring Mountain Court


Vladymir De-Levi
1809 Spring Mountain Court

Aaron Hecock

From: Nancy Dervin <nancydervin@hotmail.com>
Sent: Friday, July 1, 2022 3:13 PM
To: housingelements@hcd.ca.gov
Cc: office@mintierharnish.com; CityCouncil; Aaron Hecock
Subject: Re: [External] Public Review Draft Housing Element Available Now!

Dear HCD,

I am concerned about the City of St. Helena putting forth a Housing Element Draft that contains at least one property that the City has repeatedly been told is absolutely not available which is 601 Pope Street. There are other properties on the Draft that are also potentially not available but this one site is positively not available.

We have a huge housing shortage problem, like most communities. Knowingly including unavailable sites is unethical as well as contrary to the purpose of identifying housing opportunity sites.

What should be or can be done about this?

Sincerely,
 Nancy Dervin
 St. Helena, CA

From: St. Helena Housing Element <jim@mintierharnish.ccsend.com> on behalf of St. Helena Housing Element <office@mintierharnish.com>
Sent: Thursday, June 30, 2022 10:31 AM
To: nancydervin@hotmail.com <nancydervin@hotmail.com>
Subject: Public Review Draft Housing Element Available Now!



CITY OF ST. HELENA

Aaron Hecock

From: Mary Wilson <boecoup@gmail.com>
Sent: Wednesday, July 13, 2022 12:54 PM
To: Aaron Hecock
Subject: [External] Housing sites

I wanted to comment on the list of potential sites for housing that was in the St Helena Star. I've taken the time to look at each of the addresses mentioned. With the exception of one, I found all of them viable locations. My one exception is the vineyard location on Spring St.

One of the things that makes St Helena unique are the vineyards still scattered within the city. They are a part of our heritage, displaying the agriculture that has made this valley the world class jewel that it is. Please allow this one to remain as it is.

Respectfully, Mary Wilson

Sent from my iPad

Mary Wilson
1426 Kearney St.
St. Helena, Ca. 94574

707-529-4406

Aaron Hecock

From: Joe McGrath <joe.mcgrath65@gmail.com>
Sent: Thursday, July 14, 2022 12:12 PM
To: Aaron Hecock
Cc: Mary Stephenson; Maya DeRosa; Eric Hall; Lester Hardy; Jennifer La Liberte; Jordan Bentley; Joe McGrath
Subject: [External] Re: [External] A Potential New Opportunity Site

Aaron:

Thanks.

Speaking as a private citizen and neighboring property owner (and concurring with Mary as an OTSH Board member), I would also advocate that this lot [620 McCorkle - APN 009-502-003-000] be added to this HE cycle as a "Housing Opportunity Site".

In light of the recent multi-family developments on that street I would recommend however that it remain MDR, otherwise it may cause too much opposition with residents on the south side of McCorkle. The goal would be to eliminate conditional use requirements which become, as you know, major entanglements in entitlement.

However, as MDR it should be explicitly listed under **17.40.020 Permitted Uses (N)**:

N. Multiple-family dwellings, apartments, and dwelling groups at a density up to the maximum allowed by the medium density residential district shall be allowed as a permitted use on the following MR zoned parcels, which are identified as "Key Housing Sites" in Table 42 of the city's 2015-2023 housing element, and are identified as follows by street address and assessor's parcel number (APN): 567 Pope St. APN 009-070-002; 591 McCorkle Ave. APN 009-070-003; 1817 Spring St. APN 009-322-009; Sulphur Springs Ave. APN 009-362-015; Spring St. APN 009-441-023 and 009-552-002; 576 Pope St. APN 009-552-003; 1105 Pope St. APN 009-090-003. (Ord. 17-2 § 6 (part); Ord. 16-8 § 1; Ord. 15-2 § 7 (part); Ord. 12-2 § 6; Ord. 07-5 § 2 (part); Ord. 05-4 § 1 (part); Ord. 03-4 § 11: prior code § 27.51)

Please confirm that the above constitutes "public comment".

Thx,

Joe

Aaron Hecock

From: Joe McGrath <joe.mcgrath65@gmail.com>
Sent: Monday, July 18, 2022 4:41 PM
To: Aaron Hecock; Maya DeRosa
Subject: [External] HE Draft Input

Aaron/Maya:

Here are some additional comments/inputs re: Housing Element. Please do not take them as criticism of your hard work. The Housing Element can be a valuable tool to accomplish our municipal housing objectives if we shape it correctly.

Thanks,

Joe

General Comments:

* Current planning meetings should be held in person with a zoom option. It should no longer be acceptable that public meetings are held entirely by Zoom. It also should not be acceptable that participants to Zoom meetings have no idea how many other participants are present, and, if participants "opt-in" to identify themselves, are identified.

* The document and the process are too long, too bureaucratic, and not specific enough with respect to immediate and effective actions and policy changes that will alter the climate in any meaningful way to have a real near-term impact on affordable or missing middle housing.

* The document itself is outdated with may reference to data as far back as 2019 representing "current" data. We lived in a far different world than in 2019.

* A major flaw in the Housing Element process for Above Moderate or Market Rate units. Our State Legislators did not comprehend second home or vacation communities.

So meeting the HE RHNA objective for Above Moderate by enabling, say, the Hunter Project is nonsensical if say 50% of the SFHs ultimately become vacation homes.

Having these types of development consume constrained water, sewer and other valuable resources can impinge on more critical housing needs.

Specific Section / Page Comments:

Page 1-11:

H-C We should be planning for a more sustainable and less car-dependent future. We should be exploring opportunities to increase infill density and explore expanding height limits, and reduce parking requirements. Up and In should be the focus. The block of land from south of White Sulphur Spring Creek to Grayson and West of Highway 29 and east of Crane vineyard is one of the most poorly utilized sections of the City. We should unleash a task force to see if we can unlock

potential here. Expanding the Urban Limit Line should be our last option, and runs great risk of negatively impacting what makes this such a great and desirable place to live with a vibrant wine industry and tourism economy.

Page 1-12:

H-D. Water and sewer access should be prioritized for both affordable and missing middle. Also please define "missing middle" in terms of AMI %. 200%? Water Neutrality Requirement should also be eliminated for any attached affordable and missing middle. Mandate no-irrigation landscaping instead. All new buildings in CA are highly water efficient by California Building Code. It is better that we have new stock than old stock re: environmental sustainability (similar to newer car fleet vs. older regarding emissions).

Page 1-17:

H-M. It should not take 4 more years following 3 years working on the Housing Element to understand what Zoning Ordinances need to be changed to enable housing.

- 1) Start with removing the Conditional Use Permit requirement in some manner on MDR Zoning. At minimum, it should be reduced for any parcel identified in Housing Element as Housing Opportunity Site (not just Key Housing Opportunity Site). It is imperative to reduce or eliminate "discretionary" review. Discretionary review is the toe-hold for opposition on these projects. It is also a toe-hold for CEQA opposition.
- 2) Define "Missing Middle" in terms of AMI. 200%?
- 3) Tradeoff off 2:1 (or some such ratio) of affordability requirements on private developers for below moderate units for moderate to missing middle (200%) cutoff units. I.e. a developer can meet "affordable" designation if he/she builds (2) deed-restricted moderate to missing middle (80-200%AMI?) units for every (1) required < moderate unit (<80% AMI unit).
- 4) Eliminate Water Neutrality requirements for above. This is just one more hurdle.
- 5) Eliminate Housing Impact Fees for above. By very nature these projects are having a POSITIVE housing impact.
- 6) Reduce overall permit fee structure for above. (on page 2-142 it calculates 12.3% of multi-family costs on Permits & Fees. This is right after it the HE states that governmental constraints are not a factor?)

Pg 1-15:

H-J. What can we do to entice existing ADUs into a deed-restricted affordable? How about a tradeoff on property tax relief on that unit for 30-yr deed-restriction and rental occupancy rate compliance??

Pg 1-19:

H-P. We should not further incent ADUs beyond existing state mandates unless they have deed-restriction and rental occupancy requirements in exchange.

Pg 1-29:

H-II. What are the accountabilities of the Housing Coordinator? Why would we not do this under existing Departments?

Pg 1-34:

H-UU. We should be considering "no-irrigation" landscaping (at least after plants take hold). We should eliminate the Water Neutrality Requirement on any deed-restricted affordable < 200% AMI. This is a cumbersome and complex and expensive requirement to comply with. New attached buildings under CBC are highly water efficient and perform well below 65 GPD per capita. Nix the irrigated landscaping as a tradeoff.

Pg 2-38:

HE1.B. This document indicates that because units have been built in last cycle that Growth management System was not an obstacle. This is untrue. 632 McCorkle was "lucky" in that we straddled two years and literally consumed (8) of the (9) available allocation. Had this been a 10 unit project, it is not clear what the City would have done. Had there

been another similar project, it is unclear what the city would have done. Uncertainty is the enemy of Investment and the friend of Risk.

Pg 2-103

Table 16 - Grayson Apartment 2 units funding source were not Tax Credits, nor AHP, nor RHCP, nor City funded. These two units were funded privately through inclusionary requirements on 632 McCorkle. This is an important point, because we will not solve the housing crisis here exclusively through non-profits.

Pg 2-125:

Saying that Building Codes and Zoning Ordinances are not a "governmental constraint" to development is an entirely untrue statement and somewhat offensive coming from a government agency. While I would not argue that enhancements in the California Building Code are in most cases warranted, they have most definitely affected housing costs and housing production and have contributed to the shortage of affordable housing stock. Enhancements to CBC in ADA, Seismic, Fire, and Environmental requirements have played a significant role in the increase in housing costs. This must be acknowledged. As for Fire Code, nearly all of the costs in the building code are for suppression systems to extinguish a fire that starts inside the building. Most homes in CA are destroyed by fire from outside the building.. The CBC however is very clear and the requirements do not have broad interpretation, so while costly to comply with, is not a great impediment.

Zoning Ordinances however and discretionary reviews are something entirely different. Developers do not like uncertainty. If a Zoning Ordinance can be interpreted differently by different people - that is problematic. And if the outcome of a Design Review Meeting may be different based on the makeup of a Commission that is problematic. Developers do not like uncertainty. This is why discretionary reviews are highly problematic. To bring a complete application to Design Review Submission - let's say 8-12 units - could easily require an investment of \$250K. Surveys, Civil Plans, Arch Plans, Elec Plans, Plumbing Plans, Mechanical Plans, etc. This all with the possibility of project Denial.

Lastly. CEQA is a major governmental constraint and should be acknowledged as such. CEQA should have no role in infill projects within ULL unless special circumstances warrant.

2-132:

We should articulate what Design Review is "not". For projects that are entitled, Design Review has no function in determining whether a project can be built or not to its entitlement. It would be much preferable to establish objective design guidelines that should be followed for multi-family rather than subject applications to a highly subjective process.

2-138:

Parking requirements for 2 Bedrooms within the ULL should be reduced to 1.5 spaces for <200% AMI.

Housing Opportunity Sites Input

For the sites listed, the probability that any given site gets developed in the next HE cycle range between 0% and 95% (Phelps Site). Most sites identified have a low probability (< 10%?) chance of being developed.

709 McCorkle: This site has recently been purchased and is intended to function as an estate compound.

741 McCorkle: This house has been recently renovated with significant capital improvements, and is unlikely to be further developed in this HE cycle.

1637 Spring Street: This site has recently been purchased for the intent of turning it into employee housing. My understanding is that the current plan is to convert 1 BRs into 2 BRs through garage conversion.

620 McCorkle: Per prior inputs, this site should be added to the Housing Opportunity Site and Key Housing Opportunity Site list.

Saint Helena Housing Coalition, Inc.

PO Box 988
Saint Helena, CA 94574

July 13, 2022

Mr. Aaron Hecock, AICP Senior Planner
City of Saint Helena
1572 Railroad Avenue
Saint Helena, Ca 94574

RE: 2023-2031 Housing Element Draft
VIA: Email

Dear Mr. Hecock:

First of all ,we would like to thank you for the this very through and professional work product. It is obvious that much research and attention to detail has been taken.

A question. Under the Water Section it is stated that “although the maximum amount of (Bell Canyon) water that is available to the City is 992 acre-feet”. Why?

In Section 11. Housing Resources -Future Housing Needs we note the following:

The City **must** ensure the availability of residential sites at adequate densities and appropriate development standards to accommodate these units by income category.(Emphasis added).

Based upon our work in attempting to find suitable land for new “affordable” Essential worker housing our experience, in part, differs from the report’s conclusions:

Regarding the City owned Adams Street parcel considerable thought should be given to identifying the Eastern most portion of the parcel, not the Western end for “affordable” housing. SHHC submitted as preliminary site plan so indicating. Thus, leaving the West end for a potential city hall location or other civic functions. To us, it does not make sense to place any type of affordable” housing at the West end.

Site 4: 905 Main Street. When SHHC made inquiries, we were informed that the owner expressed that this for-sale price of this parcel would exceed \$1,000,000. Given the suggested density of five units that would make the land cost per unit \$200,000. For most “affordable” housing the land cost should be nearer to \$50,000 per unit to qualify for the necessary grants and/or financing thus making this parcel financially unfeasible.

Site 7: 81 Pope Street. Zillow estimates that the current price for this property is approximately \$2,000,000. Again, that would work out to a land cost of \$100,000 per unit of the projected 20 “affordable Units (to say nothing of the cost of demolishing the existing structure). . For most “affordable” housing the land cost should be near to \$50,000 per unit to qualify for the necessary grants and/or financing thus making this parcel financially unfeasible.

Site 9: 1447 and 1515 Spring Street. The Zillow estimated sales price for each of the existing residences at \$1.6mm to \$1.75mm, totally \$3.35mm in value. For the estimated 24 units that works out to a land cost of \$139,583.00 per unit. For most “affordable” housing the land cost should be near to \$50,000 per unit to qualify for the necessary grants and/or financing thus making this parcel financially unfeasible.

Site 10: Spring Street between Hudson Avenue & Valley View. From my notes during the public comment portion, I believe it was Joe McGrath who said that this property had recently been sold and lease-back on a long-term basis. Based upon that it would appear this parcel is not currently available.

Site 11: 601 Pope Street. This property owner declined SHHC’s to acquire this parcel under a long-term lease. We offered \$200,000 per year for a sixty-five-year lease and their response was “oh, we just like the way it looks”.

Site 12: 1637 Spring Street. As recently as this spring this property owner expressed No interest, and the direct quote was “let them try and develop it.”

Therefore, Mr. Hecock, unless that City is prepared to use Eminent Domain as in Kelo v. New London, it appears that the identified sites does not fulfill the “must” requirement of available sites to satisfy Saint Helena’s 2023-2031 RHNA requirements.

Respectfully submitted:

Rick Crebs

Rick Crebs, CEO
rick@sthelenahc.org
707-580-0418

Saint Helena Housing Coalition, Inc.

PO Box 988
Saint Helena, CA 94574

July 25, 2022

Mr. Aaron Hecock, AICP Senior Planner
City of Saint Helena
1572 Railroad Avenue
Saint Helena, Ca 94574

RE: 2023-2031 Housing Element Draft
VIA: Email

Dear Mr. Hecock:

Again, we would like to thank you for leading this sixth Housing Element 2023-2031 document incredibly rich document full of quite important and relevant data.

However, we have some considerable concerns over facts stated and conclusions reach:

Issue #1:

In this report you state “The Housing Element ***must*** also identify ***adequate*** residential sites ***available*** for a variety of housing types for all income levels; provide assistance in developing ***adequate*** housing to meet the needs of low- and moderate-income households; address governmental constraints on the maintenance, improvement, and development of housing; conserve and improve the condition of the existing stock of affordable housing; and promote housing opportunities for all persons”. (Aaron Hecock-Report to the City Council & Planning Commission Meeting -21 July 2022, page 4) (Emphasis added).

Response #1A:

Not being lawyers we referred to recognized authorities on the words contained in the above Issue #1.

Merriam-Webster Dictionary:

Ensure – “We define **ensure** as “to make sure, certain, or safe” and one sense of insure, “to make ***certain*** especially by taking necessary measures and precautions,” is quite similar. But insure has the additional meaning “to provide or obtain insurance on or for,” which is not shared by **ensure**.”

Certain – Ascertained; precise; identified; definitive; clearly known; unambiguous; or in law, capable of being identified or made known, without liability or to mistake or ambiguity, from data already given.”

Realistic- means “based upon what is real rather than on what is wanted or hoped for”

Real – means “having objective independent existence; not artificial, fraudulent, or illusory; being precisely what the name means; occurring or existing in actuality”

Black’s Legal Dictionary:

Adequate means “Sufficient; proportionate; equally sufficient; equal to what is required; suitable to the case or occasion; satisfactory”

Availability Means “This phrase, among mercantile men, is a term well understood to be anything which can readily be converted into money; but it is not necessarily or primarily money.”

Ready means “Prepared for what one is about to do or experience; equipped or supplied with what is needed for some act or event; *prepared for immediate movement or action*”(Emphasis added)

Demonstrate means “to prove indubitably”

Indubitable Proof “Evidence of which is not only found creditable but is of such weight and directness as to make out the facts alleged beyond a doubt.”

Must “This word, like the word ‘shall’ is primarily of mandatory effect.”

Based upon the above definitions SHHC is perplexed as to how the Housing Element can, in good conscience, or on any legal basis include 601 Pope Street or 1837 Spring Street as both owners have stated that they are not interested.

I just spoke to the owner who has been a dear friend of our families for 37 years and she stated, “No one contacted me and further had no interest in allowing their back acreage to be developed into ‘affordable’ housing.”?

Response #1B:

During the public comment section of the July 21m, 2022 2023-31 Zoom Housing Element, Rick Crebs, from SHHC, raised the issue of financial feasibility of Sites #4, 905 Main Street is stating “When SHHC made inquiries, we were informed that the owner expressed that this for-sale price of this parcel would exceed \$1,000,000. Given the suggested density of five units that would make the land cost per unit \$200,000. For most “affordable” housing the land cost should be nearer to \$50,000 per unit to qualify for the necessary grants and/or financing thus making this parcel financially unfeasible”.

Similar financial analysis was also offered on Site #7 821 Pope Street, (land costs of \$100,000 per unit); Site #9 1447 & 1515 Spring Street, (land costs of \$139,583 per unit).

Based upon that information provided during the Housing element Zoom meeting of Thursday, July 21, 2022, a question was directed by a city council member to the city’s staff relative to the property valuations statements raised by Rick Crebs of SHHC on valuations attributed to Zillow. The response was questioned of the authenticity of the Zillow valuations. This seems odd in that the Housing Element report refers to Zillow eight (8) times as the authority on real estate valuations.

It was further stated that grants or low interest loans would off set the high land costs.

Please allow SHHC to provide a current financial analysis as present in SHHC’s Offer to Develop 88 Units (using 2.3 acres at the East end of the Adams Street city owned parcel).

Use of Grants: Adams Street as an example:

Total Construction Costs \$43,116,112 or average of \$489,956 per unit (Leased, not sold land)

Funding necessary to complete this project: (Projected)

City/County	\$2,000,000	(4.4%)
Other Grants	\$32,337,084	(75.0%)*
Mortgage or Bond	\$ 7,054,364	(16.40%)

Total **\$43,116,112 100% (rounded)**

*The largest grants that SHHC has been able to discover are from the California Department of Housing Affordable Housing Sustainable Communities (AHSC) grants which currently has a maximum grant amount of

\$35mm, so the Adams Street project comes close to it. This information is supplied to illustrate the extreme difficulty present in realistically financing the Saint Helena community to provide the “Must” in the RHNA requirement.

Issue #2:

In this report you state “The issue of owner consent to being included on the housing opportunity sites list has come up on several occasions. Being listed as a housing opportunity site in no way terminates or otherwise affects existing uses on-site. Furthermore, there are currently no legislative or other means to compel a private property owner in this process, meaning we cannot force or otherwise require that they build housing. That said, owner consent is not a requirement for inclusion in the housing opportunity sites inventory (Government Code 65583.2). The inventory is to show that there are suitable sites to meet the City’s RHNA and the programs are there to help housing developers to make that happen. Designating sites as suitable for housing falls within the City’s authority to regulate land uses. If the Housing Element were to designate an already developed site.”

Response to #2:

Mr. Hecock, it is true that California government Code does not include language requiring “owners Consent”. but, by the same logic, it does not exclude requiring the “owners’ consent.” This, it would seem that your comment is non-responsive. Further, Code 65583.2 refers to Government code 65583 which, in part, states “(3) An inventory of land suitable and available for residential development, including vacant sites and sites having *realistic* and *demonstrated* potential for development during the planning period to meet the locality’s housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction’s duty to affirmatively further fair housing. (Emphasis added).

Further, in referring to the word definitions provided above, that the proposed Saint Helena Housing 2023-2031 Document on a factually basis fails to meet with any degree of accuracy of the meanings of the authenticated meaning of the words; **Adequate, Available, Demonstratable, Ensure, and Must.**

In closing, such vagueness in the prior Housing Element Reports may have been tolerated in the past. However, our town is critically deficient in sufficient “affordable” housing for all AMI’s. The fact that so many are required to commute to work in the Upper Valley each day clearly contributes to unnecessary Green Housing Gas (GHG) emissions to say nothing of the cost to commute which further contributes multiple well vetted studies that conclude that the majority of those renting are cost burdened. Many in the 50-60% of household income!

Lastly, the lack of a strategy to affirmatively address Saint Helena’s housing crisis is to deny, or turn its back, on its pledge to work towards a policy of Diversity, Equity, and Inclusion.

Our town can no longer rely upon the old “Three Card Monty Trick” in addressing the statutory issues the Housing Element requires.

SHHC’s First Suggestion:

The city should consider removing Sites 4 (905 Mains Street, Ste 7 (821 Pope Street, Ste 9 1447 & b1515 Springs Street as being financially unrealistic due to associated land costs and instead revise the Adams Street parcel from 30 unit of Lower Income to the recommendations in the following graph:

Table 50 Summary of Housing Units (Extracted)

	Lower Income	Moderate Income	Above Moderate Income	Total
--	--------------	-----------------	-----------------------	-------

Pending Projects	0	4	88	92
ADU Trends	0	0	72	72
Recommended Changes	Site Inventory			
Site 3 (Adams Street)	-22	9	76	63
Site 4 (905 Mains Street)	0	0	-5	-5
Site 7 (821 Pope Street)	-10	-10	0	-20
Site 9 (1447 & 1515 Spring Street)	-24	0	-24	-48
Totals	-56	-1	47	-10
Remaining Sites (Consolidated)	Site Inventory			
Sites 1, 2, 5, 6, 8, 10, 11,12	152	87	244	483
Color Code -Purple-Doubtful				
Red - Subtractions				
Green -Additions				

The results reached is close to a net neutral on units for each category of AMI housing. And the inclusion of 88 units plus 50 for the OTSG/Phelps's project equates to a realistic 54% of Saint Helena's 2023-31 RHNA required allocation.

SHHC's Second Suggestion:

While draconian, the only true solution SHHC sees to the significant challenges in achieving the forthcoming coming 2023-31 RHNA Site locations allocations is for the city to firmly state that it will undertake, if necessary, Eminent Domain proceeding as in the Kelvo v. New London U.S. Supreme Court Decision.

In closing, it is time to discard the Housing Element word games from the past and boldly put forth only those Opportunity Sites that are *certain* and *available*.

Respectfully submitted:

Rick Crebs

Rick Crebs, CEO
rick@sthelenahc.org
 707-580-0418

Ccs: Anil Comelo, City Manager
 Maya DeRosa, Director of Planning
 Geoff Ellsworth, Mayor
 Paul Dohring, Esq. Vice Mayor
 Lester hardy, Esq., City Council Member
 Eric Hall, City Council Member
 Anna Chouteau, City Council Member



City of St. Helena 2023 General Plan Update

Addendum

prepared by

City of St. Helena

Maya DeRosa, Community Development Director
Department of Planning
1088 College Avenue
St. Helena, California 94574

prepared with the assistance of

Rincon Consultants, Inc.

449 15th Street, Suite 303
Oakland, California 94612

April 2023

City of St. Helena 2023 General Plan Update

Addendum

prepared by

City of St. Helena

Maya DeRosa, Community Development Director
Department of Planning
1088 College Avenue
St. Helena, California 94574

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449 15th Street, Suite 303
Oakland, California 94612

April 2023



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers
rinconconsultants.com

This report prepared on 50% recycled paper with 50% post-consumer content.

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Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADU	Accessory dwelling unit
BAAQMD	Bay Area Air Quality Management District
BMP	Best management practices
CARB	California Air Resources Board
CBC	California Building Code
CEQA	California Environmental Quality Act
DPM	Diesel Particulate Matter
EIR	Environmental impact report
GHG	Greenhouse Gas
HRA	Health risk assessment
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas & Electric
PM	Particulate matter
ROG	Reactive organic gas
SB	Senate Bill
SHMC	Saint Helena Municipal Code
VMT	Vehicle Miles Traveled
VOC	Volatile organic compounds

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Executive Summary

The proposed project consists of a comprehensive update to the Housing Element of the City of St. Helena General Plan. State law requires that housing elements be updated every eight years (California Government Code Sections 65580 to 65589.8). The project would update the City of St. Helena Housing Element as part of the 6th cycle of updates. For St. Helena, the planning period runs from January 31, 2023 through January 31, 2031. The Housing Element update identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under state law (California Government Code Section 65583). It analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons. The proposed project also includes revisions to the Public Health, Safety, and Noise Elements to be consistent with California law regulating evacuation routes and climate change vulnerability.

The Housing Element update establishes objectives, policies, and programs to assist the City of St. Helena in achieving state-mandated housing goals. The City's implementation of these policies and programs includes amendments to the Public Health, Safety, and Noise Element of the General Plan and the rezoning of several sites in the inventory of potential sites for meeting the city's Regional Housing Needs Allocation (RHNA) obligation. No formal land use changes or physical development is proposed at this time and future changes would require environmental evaluation as potential impacts are location-specific and cannot be assessed in a meaningful way until a project site and development proposal are identified.

Pursuant to Government Code section 65583(c)(1), these actions will be accomplished within three years of the City of St Helena's adoption of the Housing Element update. As required by Government Code Section 65583(c)(8), the Housing Element update provides a timeline for processing each of the amendments to the General Plan, Zoning Ordinance and other land use documents which implement the Housing Element update.

In considering the potential environmental impacts of the Housing Element update, the City determined that the Final Environmental Impact Report (EIR) certified for the 2040 General Plan update (2040 General Plan update Final EIR, State Clearinghouse Number 2010042001) is of continuing informational value. The City also determined that the potential environmental impacts (both direct and indirect impacts) of the Housing Element update are within the scope of the previously certified Final EIR and that none of the conditions requiring subsequent or supplemental environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15162 exist. Based on the information and analysis provided below, the City determined that only minor or technical changes to the previously certified Final EIR are necessary and that that preparation of an Addendum pursuant to CEQA Guidelines Section 15164 is appropriate.

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1 Introduction

This document is an Environmental Impact Report Addendum that analyzes the City of St. Helena's (City's) proposed Housing Element update and Public Health, Safety, and Noise Element update Project (hereafter also referred to as the "General Plan update," "proposed project," or "project").

1.1 Project Title

City of St. Helena General Plan Update

1.2 Lead Agency Name and Address

City of St. Helena
Department of Planning
1088 College Avenue
St. Helena, California 94574

1.3 Contact Person and Phone Number

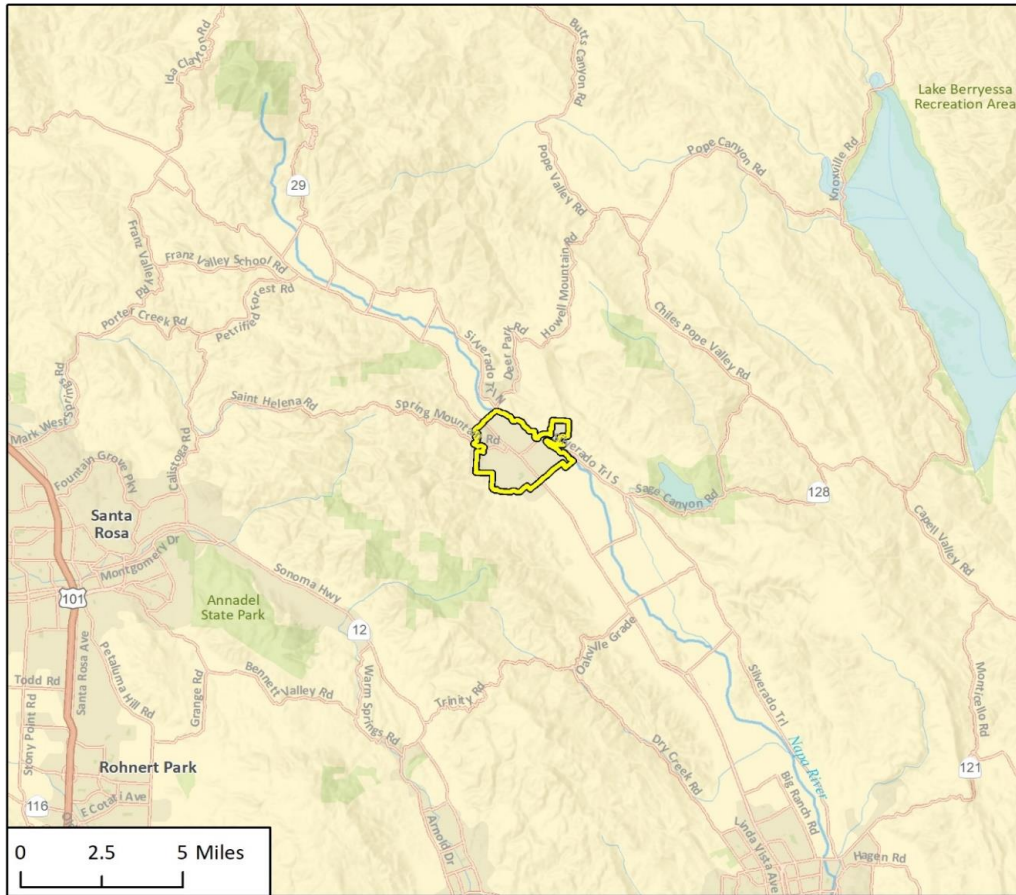
Maya DeRosa, Community Development Director
(707) 967-2783 x 530

1.4 Project Location

The Housing Element update planning boundaries (Plan Area) coincide with the St. Helena city limits. The area encompasses approximately 5 square miles of land in the western portion of Napa County. The city is located northwest of the City of Yountville and southeast of the City of Calistoga, surrounded by unincorporated areas of the County. State Route 29 and 121 provide regional access to the city from the north and south. Figure 1 shows the regional location of the Plan Area, and Figure 2 shows the Plan Area's boundaries in its immediate location. In addition, the project identifies 11 vacant and underutilized sites within the city that can accommodate new housing or rezone. The vacant and underutilized sites to be studied for housing opportunities are shown broadly in Figure 3 and correspond to the list provided in the Housing Resources chapter of the needs assessment of the Housing Element update. Not all parcels have street addresses at this time. With most of the City developed and preservation of open space a priority, all draft vacant and opportunity sites are on currently underdeveloped, underutilized, or vacant lots.

City of St. Helena
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Figure 1 Regional Location

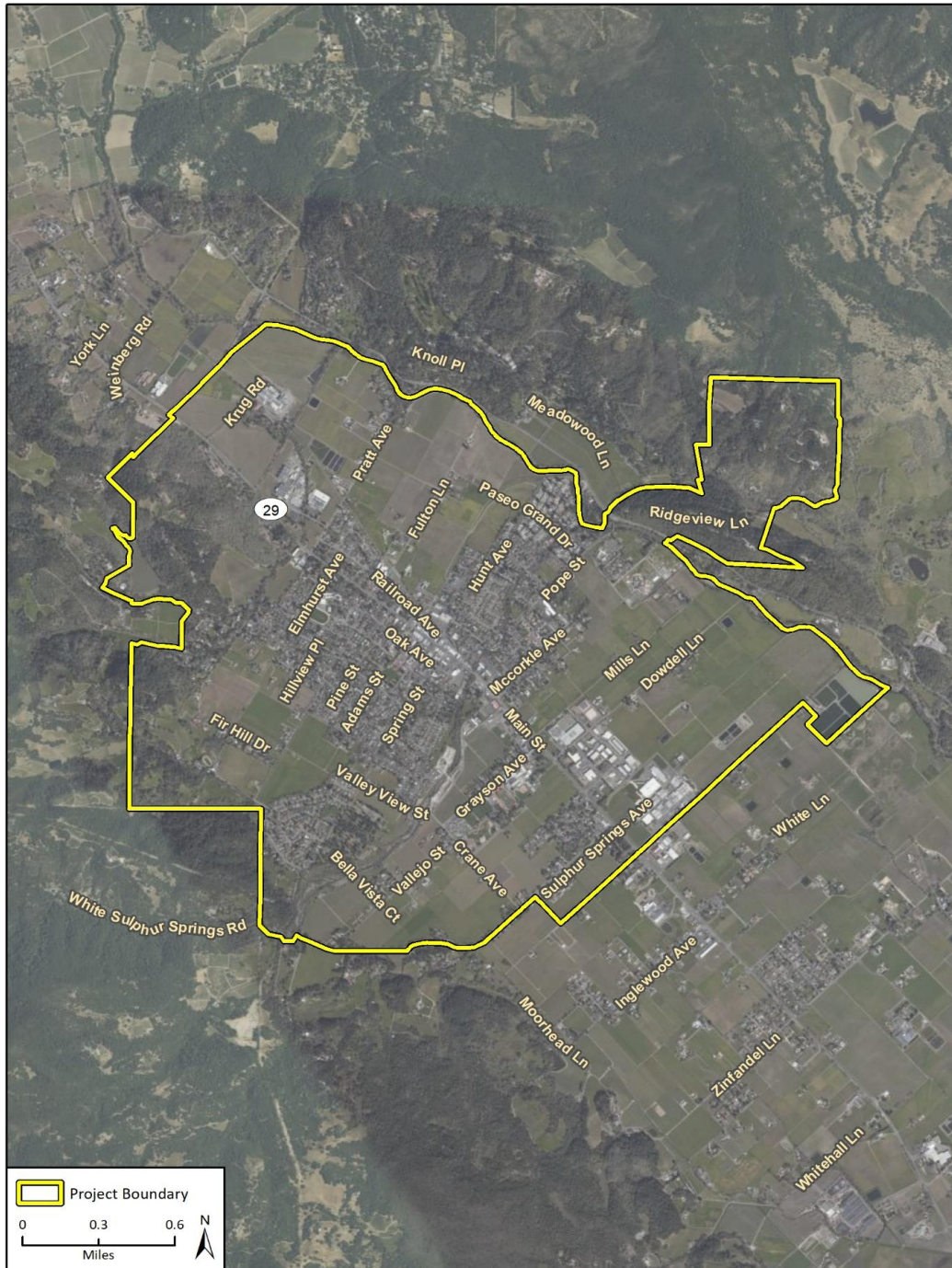


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Fig. 1 Regional Location

Figure 2 Project Area



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Fig. 2 Project Location

1.5 Project Description

The project consists of a comprehensive update to the Housing Element of the St. Helena General Plan and update to the existing Public Health, Safety, and Noise Element of the General Plan. These elements are a part of the St. Helena General Plan, which is a long-term document with text and diagrams that express the goals, objectives, and policies necessary to guide the community toward achieving its vision over approximately 20 years (i.e., 2040). The General Plan was subject to a comprehensive update as well; it underwent extensive environmental review in the form of an EIR, which was certified in 2019. The EIR for the St. Helena 2040 General Plan includes discussion of alternatives and growth inducing impacts (direct and indirect impacts) associated with urban development in the city.

State law requires that housing elements be updated every eight years (California Government Code Sections 65580 to 65589.8). The Housing Element update identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under state law (California Government Code Section 65583). It analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons. The project would update the City of St. Helena Housing Element as part of the 6th cycle of updates. For St. Helena, the planning period runs from January 31, 2023 through January 31, 2031.

Additionally, the Housing Element update would bring it into compliance with state legislation passed since the adoption of the 2040 General Plan and 2015-2023 Housing Element. There are multiple main components of the Housing Element update that mirror those of the previous Housing Elements, but that have been updated to reflect current conditions, including:

- An **introduction** to review the requirements of the Housing Element, public participation process, and data sources
- A profile and analysis of the city's demographics, housing characteristics, and existing and future **housing needs**
- An analysis of **constraints** on housing production and maintenance, including market, governmental, and environmental limitations to meeting the City's identified needs
- A review of **resources available** and results of a housing sites inventory analysis conducted to demonstrate the City of St. Helena's ability to satisfy its share of the region's future housing need
- A review of the City's **housing programs** and evaluation of accomplishments under the 2013-2021 Housing Element
- A **Housing Plan** to address the city's identified housing needs, which identifies the City's housing goals, policies, and implementing programs
- An identification of the **goals, policies, and programs** and the city's quantified objectives for the 2023-2031 planning period, by income group, based on growth estimates, past and anticipated development, and income data

The Housing Element update establishes objectives, policies, and programs to assist the City in achieving state-mandated housing goals. The city's implementation of these policies and programs includes future amendments to other elements of the General Plan and the rezoning of several sites in the inventory of potential sites for meeting the city's RHNA obligation. Pursuant to Government

Introduction

Code section 65583(c)(1), these actions will be accomplished within three years of the City of St. Helena's adoption of the Housing Element update. As required by Government Code Section 65583(c)(8), the Housing Element update provides a timeline for processing each of the amendments to the General Plan, Zoning Ordinance and other land use documents which implement the Housing Element update.

1.6 Environmental Review

In April 2019, the City of St. Helena certified the St. Helena 2040 General Plan update and Final EIR (City of St. Helena General Plan 2040, State Clearinghouse Number 2010042001) for an update to General Plan, including the Land Use Element. The certified Final EIR discussed the potential environmental impacts (both direct and indirect impacts) associated with future development allowed under the General Plan update and included a thorough analysis of the estimated build out of the City through the horizon year 2040. The EIR estimated new development for residential, commercial, office, industrial, hospital and hotel uses throughout the city and sphere of influence and evaluated the potential environmental impacts associated with an estimated total buildout of 400 new dwelling units. The EIR found that, with implementation of the policies and programs contained in the General Plan and recommended mitigation measures, all impacts (direct and indirect) associated with future development under the General Plan update would be less than significant, except impacts on agricultural resources, air quality, energy, greenhouse gas emissions, and climate change, and transportation and traffic which would be significant and unavoidable.

In considering the potential environmental impacts of the Housing Element update, the City determined that the EIR certified for the 2040 General Plan update is of continuing informational value. The City also determined that the potential environmental impacts (both direct and indirect impacts) of the Housing Element update are within the scope of the previously certified EIR and that none of the conditions requiring subsequent or supplemental environmental review under CEQA Guidelines Section 15162 exists. Based on the information and analysis provided below, the City determined that only minor or technical changes to the previously certified EIR are necessary and that that preparation of an Addendum pursuant to CEQA Guidelines Section 15164 is appropriate. Like the 2040 General Plan update, the Housing Element update does not include any development proposal or approval and future development of any specific housing site would be subject to additional environmental review pursuant to CEQA Guidelines Section 15168(c).

1.7 Discretionary Action

Implementation of the Housing Element would require the following discretionary actions by the City of St. Helena City Council:

- Approval of an Addendum to the General Plan EIR
- Adoption of the updated Housing Element and Public Health, Safety, and Noise Element

In addition to the above-mentioned actions, future amendments to the St. Helena Municipal Code (SHMC) consistent with the implementing programs of the updated Housing Element would also be adopted by the City Council.

The California Department of Housing and Community Development reviews the proposed Housing Element in accordance with California law. No other review by outside public agencies is required.

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1.8 Prior Environmental Document(s)

The City of St. Helena General Plan 2040 Final EIR, State Clearinghouse Number 2010042001.

1.9 Location of Prior Environmental Document(s)

The location and custodian of the City of St. Helena General Plan 2040 EIR is the City of St. Helena Planning Department, 1088 College Avenue St. Helena, CA 94574. A copy of the EIR also is available online at the City of St. Helena website: <https://www.cityofstheleena.org/planning/page/2040-general-plan-update>

2 Project Context

The project consists of a comprehensive update to the Housing Element of the St. Helena General Plan and update to the existing Public Health, Safety, and Noise Element of the General Plan (collectively referred to as “project”). These elements are a part of the St. Helena General Plan, which is a long-term document with text and diagrams that express the goals, objectives, and policies necessary to guide the community toward achieving its vision over approximately 20 years (i.e., 2040).

2.1 St. Helena General Plan

California law requires that each city and county in California adopt “a comprehensive, long-term general plan,” the purpose of which is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the General Plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services. A General Plan is only successful when it reflects the priorities and values of the community and is a key tool for influencing quality of life.

City of St. Helena decision-makers (e.g., City Council and Planning Commission), rely on the General Plan as the basis for making decisions on matters such as land use and the provision of public facilities (e.g., roads, parks, fire stations). It is also a policy document that guides decisions related to protecting, enhancing, and providing those things that the community values most, such as open space, habitat conservation, economic development, and protecting the character of the community.

California law requires that every general plan, at a minimum, address certain subject categories (called “elements”), which include land use, circulation, housing, conservation of natural resources, open space, noise, safety, and environmental justice. A general plan may also address other subjects that are of importance to the community’s future, such as sustainability, community design, and public art. St. Helena’s adopted General Plan includes the following elements which address all state-mandated elements with additional policies and actions to address Environmental Justice issues:

- Land Use and Growth Management
- Economic Sustainability
- Public Facilities and services
- Circulation
- Historic Resources
- Open Space and Conservation
- Public Health, Safety, and Noise
- Climate Change
- Housing
- Parks and Recreation
- Arts, Culture, and Entertainment

2.1.1 Housing Element

2.1.1.1 *Purpose of the Housing Element*

The Housing Element of the General Plan is designed to provide the City of St. Helena with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing within the community. A priority of both state and local governments, Government Code Section 65580 states that “the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.”

Pursuant to the state law, the Housing Element has two main purposes:

1. To provide an assessment of both current and future housing needs and constraints in meeting these needs
2. To provide a strategy that establishes housing goals, policies, and programs

The Housing Element is one of the eight General Plan elements the state mandates in Government Code Section 65302. The Housing Element serves as an integrated part of the General Plan but is updated more frequently to ensure its relevancy and accuracy. The City of St. Helena’s current Housing Element, adopted in 2015, identifies strategies and programs that focus on:

1. Conserving and improving existing affordable housing
2. Maximizing housing opportunities throughout the community
3. Assisting in the provision of affordable housing
4. Removing governmental and other constraints to housing investment
5. Promoting fair and equal housing opportunities

The residential character of St. Helena is largely determined by the variety, location, and maintenance of its housing. The Housing Element is an official response to the need to provide housing for all economic segments of the population, establishing goals, policies, and programs that will guide the City of St. Helena decision making and set forth an action plan to implement these housing programs through an established planning period.

2.1.1.2 *Updates to the Housing Element*

State law requires that housing elements be updated every eight years (California Government Code Section 65588). The Housing Element must identify residential sites adequate to accommodate a variety of housing types for all income levels and to meet the needs of special population groups as defined under state law (California Government Code Section 65583). The Housing Element analyzes market and governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons.

The previous Housing Element covered an eight-year planning period (January 31, 2015 through January 31, 2023), Government Code Section 65588(e).

The City of St. Helena Housing Element is now being revised as part of the 6th cycle of updates, the period of which runs from January 31, 2023 through January 31, 2031. Therefore, this update is referred to as the “Housing Element update.”

Project Context

The 2023-2031 Housing Element would bring the Element into compliance with California law enacted since the City's adoption of the 2015-2023 Housing Element and with the current Association of Bay Area Governments' (ABAG's) RHNA. The 2023-2031 Housing Element includes the following components, as required by California law:

- An assessment of the City's population, household, and housing stock characteristics, existing and future housing needs by household types, and special needs populations.
- An analysis of resources and constraints related to housing production and preservation, including governmental regulations, infrastructure requirements and market conditions such as land, construction, and labor costs as well as restricted financing availability.
- Identification of the City's quantified objectives for the 2023-2031 RHNA and inventory of sites determined to be suitable for housing.
- Opportunities for Conservation in Residential Development: California law requires cities to identify opportunities for energy conservation in residential development.
- Review of the 2015-2023 Housing Element to identify progress and evaluate the effectiveness of previous policies and programs.
- A Housing Plan to address the City's identified housing needs, including housing goals, policies, and programs to facilitate the 2023 Housing Element update (6th Cycle).

2.1.1.3 *Changes in California Law*

The following items represent substantive changes to California law since the City's last Housing Element was adopted and certified in 2015. The Housing Element update incorporated and addressed all pertinent housing law changes.

- Affordable Housing Streamlined Approval Process: Senate Bill (SB) 35 (2017)
- Additional Housing Element Sites Analysis Requirements: Assembly Bill (AB) 879 (2017) and AB 1397 (2017)
- Affirmatively Furthering Fair Housing: AB 686 (2017)
- No-Net-Loss Zoning: SB 166 (2017)
- Safety Element to Address Adaptation and Resiliency: SB 1035 (2018)
- By Right Transitional and Permanent Supportive Housing: AB 2162 (2018) and B 101 (2019)
- Accessory Dwelling Units: AB 2299 (2016), SB 1069 (2016), AB 494 (2017), SB 229 (2017), AB 68 (2019), AB 881 (2019), AB 587 (2019), SB 13 (2019), and AB 671 (2019)
- Density Bonus: AB 1763 (2019)
- Housing Crisis Act of 2019: SB 330
- Surplus Land Act Amendments: AB 1486 and AB 1255 (2019)
- Housing Impact Fee Data: AB 1483 (2019)
- Emergency and Transitional Housing Act of 2019: AB 139 (2019)
- Standardization of Sites Inventory Analysis and Reporting: SB 6 (2019)

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2.1.1.4 Regional Housing Needs Assessment and Required Buffer

The Housing Element must address the City's fair share of the regional housing need (as determined by ABAG) and specific California statutory requirements. It must also reflect the vision and priorities of the local community. As of December 2021, ABAG determined a final RHNA Allocation of 256 units for the City of which 162 must be affordable to lower-income households, as shown in Table 1.

Table 1 City of St. Helena Regional Housing Needs Allocation

	Income Category (Percent of Napa County Area Median Income)				Total Housing Units
	Very Low (<50%)	Low (50-80%)	Moderate (80-120%)	Above Moderate (>120%)	
RHNA Housing units	104	59	26	67	256
RHNA + 20% Buffer	121	71	31	79	302

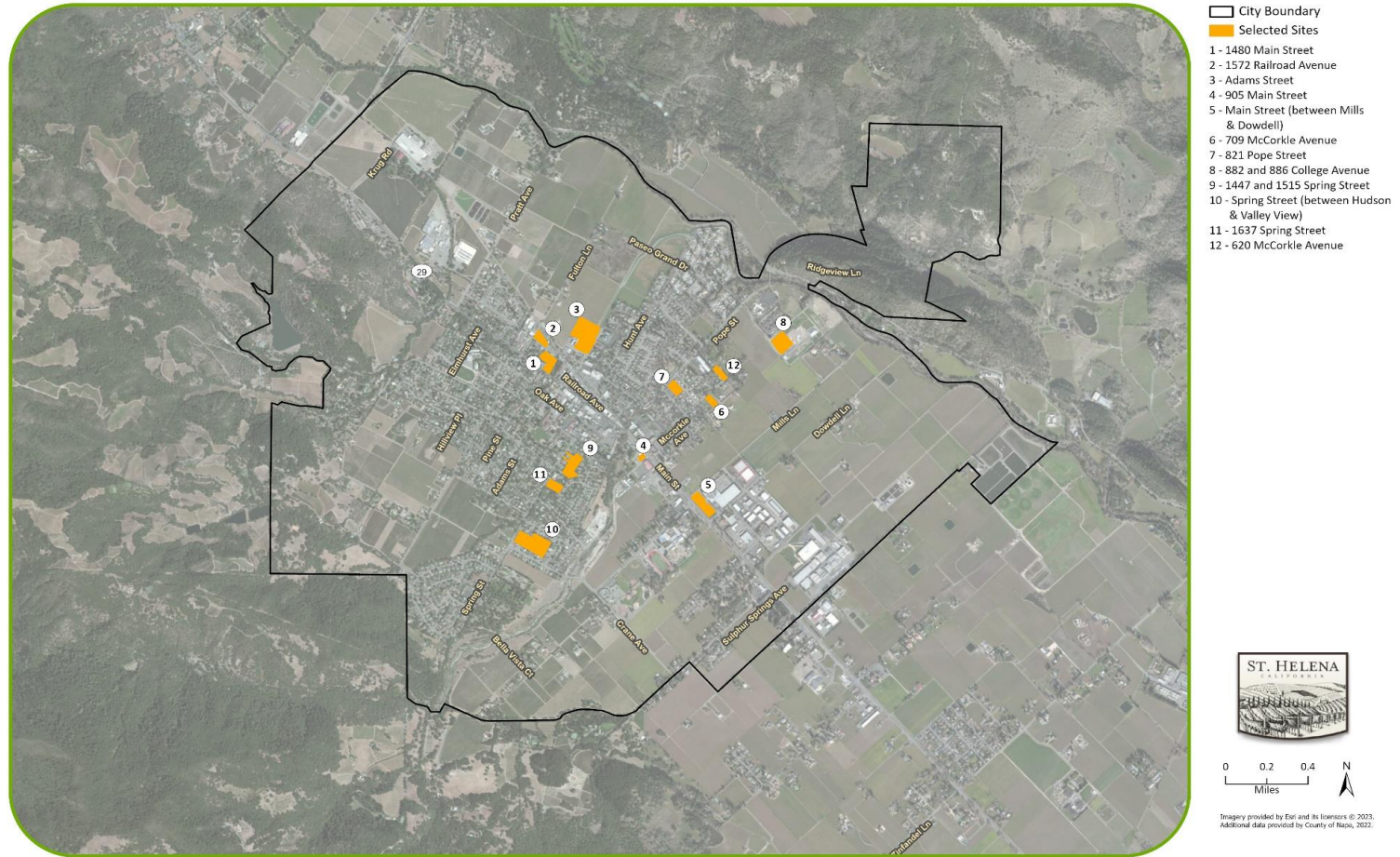
California law requires local jurisdictions to identify enough future housing sites inventory to not only cover the jurisdiction's 6th Cycle RHNA, but to also provide for an additional buffer capacity above the RHNA. The buffer capacity is required to accommodate realistic production rates of affordable housing units. Additionally, the buffer can allow for instances when a smaller residential project must be considered for a given property or when existing units are demolished. The "No Net Loss" Law (Government Code Section 65863) requires maintenance of sufficient sites to meet the RHNA for all income levels throughout the planning period. With this required buffer, the number of housing units identified in the Housing Element is 307.

To meet the objectives of the RHNA and provide sufficient capacity for housing development, the Housing Element identifies sites for residential development. The Housing Element update identifies some sites for land use changes either to be consistent with the existing Land Use Element or to permit or increase residential uses on the sites. However, neither the Housing Element nor the City itself develops housing. Moreover, as described in further detail in Section 5, *Addendum Methodology*, below, the Housing Element update, in and of itself, does not itself implement land use changes, but puts forth goals and policies that support housing efforts. As described in the Housing Element update, the City's RHNA can be accommodated in the following categories:

- Vacant or underutilized sites, where new residential units can be developed under current General Plan regulations;
- Sites to be rezoned to permit residential uses or permit them at a high density
- Planned or pending projects where no rezoning is required; and
- Current accessory dwelling units, also known as "granny flats"

Figure 3 shows the locations of the vacant and underutilized sites identified in sites inventory in the Housing Element update. All sites in the housing sites inventory are within the City's limits.

Figure 3 Housing Element Sites Inventory Locations – Vacant and Underutilized (Nonvacant) Sites



2.1.1.5 Zoning and General Plan Amendments

The project would involve an amendment to the City's Zoning Ordinance to rezone existing land use designations to Mixed-Use, Medium Density Residential, and High Density Residential. Some existing sites are designated as land uses other than a residential land use category and would be rezoned to mixed-use or residential land use categories. Select sites would be upzoned from existing residential land use categories to more dense residential land use categories. Most of these sites are located in the central areas of the City to reflect the intensity of existing nearby higher density parcels. Future development of those sites would require separate CEQA review and compliance with local development standards.

Due to the proposed zoning modifications on particular Draft Housing Element vacant and underutilized sites, a General Plan Amendment would be required to change the land use designations on those sites to be consistent with the zoning.

2.1.2 Public Health, Safety, and Noise Element

The Safety element is one of the eight General Plan elements the state mandates in Government Code Section 65302. The project includes revisions to the Public Health, Safety, and Noise Element which identifies forces of nature and events resulting from human action that have the potential to cause harm to life and property in the City. The goal of a Safety Element is to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, droughts, earthquakes, landslides, climate change, and other hazards. Identifying the source of such threats allows decision-makers to take preemptory action to minimize the damage, particularly as it relates to new development. The Public Health, Safety, and Noise Element also addresses noise, fire and police protection, hazardous materials, solid waste, and public utility systems. A climate change vulnerability assessment identifying potential impacts from climate change on vulnerable populations and natural and built assets in St. Helena was also conducted for the Public Health, Safety, and Noise Element update.

California law requires specific changes to a safety element when the municipality undergoes an update to the Housing Element. The Public Health, Safety, and Noise Element update includes revisions to be consistent with California law through the following actions:

- Identify and propose policies for residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes.
- Update information relating to flood and fire hazards and city assets at risk due to climate change vulnerability.
- Propose and strengthen policies related to risk reduction, emergency preparedness and evacuation, and community and facility resilience infrastructure and strategies.
- Propose additional policies to address climate change hazards, including extreme heat days, extended drought, increased precipitation, and worsening air quality such as investing in backup power sources, funding for weatherization of homes, and providing cooling centers.

2.1.2.1 Changes in State Law

The following represent bills passed by the California State Legislature and approved by the Governor that require substantive changes to a Safety Element when a municipality undergoes an update. The Safety and Community Services Element update has incorporated and addressed all pertinent safety element law changes.

Project Context

- Residential Emergency Evacuation Routes: SB 99 (2019)
- Evacuation Routes: AB 747 (2019)
- General Plans: SB 1035 (2018)
- Climate Change Adaptation: SB 379 (2015)
- Integration of Local Hazard mitigation Plan: AB 2140 (2006)
- Seismic and Geologic Hazards: SB 926 (2004)
- Flood Mapping: AB 162 (2007)

2.1.3 2040 General Plan EIR

The 2040 General Plan update EIR addressed the potential environmental effects (direct and indirect) of the planned buildout of St. Helena through the year 2040 and concluded that implementation of the General Plan would result in levels of environmental impacts as detailed in Table 2.

Table 2 Summary of Areas of Potential Impact under the 2040 General Plan Update EIR

Issue Area	Highest Level of Impact	Mitigation Proposed in the General Plan EIR
Aesthetics	Less than significant	None
Agricultural Resources	Significant and Unavoidable	None
Air Quality	Significant and Unavoidable	Mitigation Measures AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, and AQ-6
Biological Resources	Less than significant	None
Cultural, Historic, and Tribal Cultural Resources	Less than significant	None
Energy, Greenhouse Gases, and Climate Change	Significant and Unavoidable	Mitigation Measure GHG-1
Geology, Soils, and Seismicity	Less than significant	None
Hazards and Hazardous Materials	Less than significant	None
Hydrology and Water Quality	Less than significant	HYDRO-1
Land Use, Population, and Housing	Less than significant	None
Noise	Significant and Unavoidable	Mitigation Measure NO-1
Public Services and Recreation	Less than significant	None
Transportation and Traffic	Significant and Unavoidable	Mitigation Measures TR-1, TR-2, TR-3, TR-4, TR-5, and TR-6
Utilities and Service Systems	Less than significant	None

The General Plan has an approximate year 2040 horizon, but actual buildout of all planned land uses may occur earlier or later, as long-range demographic and economic trends are difficult to accurately predict. The designation within the proposed General Plan of a site for a certain use does not necessarily mean that the site will be developed or redeveloped with that use during the planning period, as most development will depend on property owner initiative and market conditions.

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3 Overview of CEQA Guidelines Section 15164

Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when changes are proposed to a project that has a previously certified EIR. When considering the need for additional environmental review, the fundamental determination a lead agency must make is whether the previously certified EIR retains some informational value or whether changes in the project or circumstances have rendered it wholly irrelevant. If the previously certified EIR has continuing informational value, the lead agency then must determine whether the proposed changes in the Project requires additional environmental review under Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

CEQA Guidelines Section 15164 provides that a lead agency will prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. CEQA Guidelines section 15162(a) states that no Subsequent or Supplemental EIR may be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis pursuant to Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the

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final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

The City of St. Helena prepared this Addendum, pursuant to CEQA Guidelines Sections 15162 and 15164, to evaluate whether the project's environmental impacts are covered by and within the scope of the General Plan Final EIR). The following Addendum details any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may cause one or more significant effects to environmental resources.

The responses herein substantiate and support the City of St. Helena's determination that the potential environmental impacts of the Housing Element update and Public Health, Safety, and Noise Element update policies and programs are within the scope of the General Plan EIR, do not require subsequent or supplemental environmental review under CEQA Guidelines Section 15162 and, in conjunction with the EIR, preparation of an Addendum pursuant to CEQA Guidelines Section 15164 is appropriate.

4 Environmental Effects & Determination

4.1 Environmental Areas Determined to Have New or Substantially More Severe Significant Effects Compared to Those Identified in the Previous EIR

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in Project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

■ None

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agricultural Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural, Historic, and Tribal Cultural Resources | ☐ Energy, Greenhouse Gases, and Climate Change |
| ☐ Geology, Soils, and Seismicity | ☐ Hazards & Hazardous Materials | ☐ Hydrology and Water Quality |
| ☐ Land Use, Population, and Housing | ☐ Noise | ☐ Public Services and Recreation |
| ☐ Transportation and Traffic | ☐ Utilities and Service Systems | |

4.2 Determination

Based on this analysis, the 2040 General Plan EIR has continuing informational value and:

- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

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- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the preparation of an Addendum to the previously certified EIR (City of St. Helena, 2040 General Plan Environmental Impact Report (2040 General Plan EIR State Clearinghouse Number 2010042001, dated October 2018) is adequate and appropriate.



Signature

April 24, 2023

Date



Printed Name

Community Development Director

Title

5 Addendum Methodology

5.1 2040 General Plan Consistency

To promote a uniform and compatible vision for the development of the community, California law requires the General Plan be internally consistent in its goals and policies. The Housing Element and the Public Health, Safety, and Noise Element are components of the General Plan, and thus, the Housing Element update and Public Health, Safety, and Noise Element update must be consistent with the vision of the General Plan and supported by goals and policies of the other General Plan elements. General Plan elements and policies that affect housing are summarized below:

The **Land Use and Growth Management Element** directs the location, amount, and type of residential development in St. Helena. It presents the desirable pattern for the ultimate development of the city and reflects the community's evolution and changing demographics over the General Plan horizon. The Land Use Plan details the location and the density of development allowed throughout the city.

The **Community Design Element** guides the form, character, and appearance of the community to preserve the city's history and character in future commercial, industrial, and residential development.

The **Circulation Element** defines a safe, efficient, and adequate circulation system in St. Helena that responds to all circulation needs. Circulation means the actual physical circulation system consisting of freeways, streets, bicycle routes, sidewalks, and trails, as well as modes of transportation, including cars, buses, trucks, trains, bicycles, ridesharing, and walking.

The **Open Space and Conservation Element** and **Parks and Recreation Element** establish goals and policies to protect sensitive resources from development impacts; maintain and improve appropriate access to open space; and ensure park and recreation opportunities are sufficient to meet the needs of future residents.

The **Economic Sustainability Element** establishes goals and policies to guide city efforts to maintain an economically viable community, including providing a range of housing and employment opportunities that meet the needs of residents and workers alike, that attract families and businesses to create demand for planned land uses, and that establish and fund public service levels to preserve St. Helena's quality of life.

The **Climate Change Element** directs the City's response to and plans for climate change by addressing energy and water conservation, renewable energy production, transportation, sustainable business development, and reduction of climate change impacts in the city.

5.2 Accommodation of the RHNA

The City's RHNA for the current planning period is 256 units, which includes 162 very low and low-income housing units, 26 moderate income housing units, and 68 above moderate housing units. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of such units. As shown in Table 3, the City anticipates the development of 72 accessory dwelling units (ADUs) during the eight-year planning period and 93 units would be accommodated from planned and approved (pipeline)

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projects, which can count towards the RHNA. A total of 307 units were identified on vacant and nonvacant sites under the existing General Plan land uses, as well as on sites requiring rezoning under Program H-A.

Although the housing sites inventory has been identified for future planning purposes as part of the Housing Element update, the adoption of the Housing Element itself does not change the current zoning or General Plan designations of the properties. California Government Code Section 65583 (c)(1)(A) states that cities have up to three years from the start of the Housing Element planning period to rezone sites, including adoption of minimum density and development standards. Therefore, the City's rezoning program, which is identified as Program H-A of the Housing Element update, would be a separate project and evaluated in accordance with CEQA at the time of its review. Prior to the approval of any changes in land use, the City would evaluate the potential environmental impacts from the rezoning or change in land use.

Table 3 Housing Unit Yield per Site Category

Site Category/Approach	Very Low/Low	Moderate	Above Moderate	Total
RHNA plus buffer	192	31	79	302
Vacant or underutilized parcels	203	69	35	307
Planned or Pending Projects, no rezone	4	1	88	93
Accessory Dwelling Units	0	0	72	72
Total	207	70	195	472
RHNA Surplus	(15)	(39)	(116)	(171)

As shown in Table 3, existing vacant or underutilized residentially zoned properties, planned, and pending projects that require no zone change, and accessory dwelling units would yield four very low and low income housing units under current conditions. Therefore, the City of St. Helena needs to account for the additional 188 very low and low income housing units through a combination of the remaining approaches. The 188 very low and low income housing units fall within the projected horizon year buildout and housing unit assumptions addressed in the General Plan and General Plan EIR.

5.3 Consistency with Horizon Year 2040 Projections

The General Plan EIR reports that in 2018 there were 2,735 existing housing units in St. Helena and predicts that by horizon year 2040, St. Helena will have 3,067 units (Chapter 2, Project Description), assuming an addition of 332 new housing units citywide between 2018 and horizon year 2040. As discussed above, the City of St. Helena's RHNA for the current planning period is 256 units. In addition, the Housing Element includes a required buffer which plans for a total of approximately 302 units during the planning period. Including the pending and approved projects, ADU trends, and vacant and nonvacant sites, the Site Inventory would accommodate approximately 472 units as shown in Table 3 which would exceed the 332 units by an additional 140 units. Therefore, additional environmental analysis would be required prior to the implementation of the rezoning program identified as Program H-A in the Housing Element.

5.4 Preliminary Environmental Considerations

The Housing Element update, in and of itself, does not propose specific development projects, but rather puts forth goals, policies, and programs that support housing efforts in St. Helena. Each future housing development project and housing program adopted in the Housing Element would be subject to separate review to determine potential impacts on the environment related to each project as potential impacts are location-specific and cannot be assessed in a meaningful way until a project site and development proposal are identified. When a specific development proposal is considered for approval, that project would be subject to adopted development guidelines and standards and be required to incorporate applicable mitigation measures and alternatives developed in the 2040 General Plan EIR certified in 2019 (in accordance with CEQA Guidelines Section 15168(c)(3)). If a subsequent activity (in this case a specific development proposal) would have effects not identified in the program EIR (the 2040 General Plan EIR and this Addendum), the lead agency must prepare additional CEQA documentation.

Similarly, the goals, policies and programs in the updated Public Health, Safety, and Noise Element, in and of themselves, do not propose specific projects that result in a physical change to the environment. Should a project associated with implementation of the Public Health, Safety, and Noise Element have the potential to result in a physical change in the environment, it would be subject to separate review under CEQA.

This Addendum Evaluation, therefore, includes the analysis of the changes and potential impacts related to the adoption of Housing Element and Public Health, Safety, and Noise Element updates. No physical development or changes in land use are addressed or evaluated. The City would analyze any future development or changes in land use separate from the adoption of the Housing Element. This Addendum Evaluation is intended to demonstrate the project's consistency with the existing St. Helena 2040 General Plan update Final EIR to satisfy the requirements of CEQA. In particular, and pursuant to Public Resources Code Section 21083.3, this Addendum Evaluation assesses whether the updated Housing Element and Public Health, Safety, and Noise Element, as a policy and programs document, includes impacts not addressed or analyzed as significant effects in the St. Helena 2040 General Plan update Final EIR.

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6 Addendum Evaluation

6.1 Aesthetics

EIR Evaluation Criteria			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?				Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?				
Would adoption of the General Plan update:									
a.	Have a substantial adverse effect on a scenic vista?	Less than Significant	None	No	No	No	Yes	Yes	
b.	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than Significant	None	No	No	No	Yes	Yes	
c.	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant	None	No	No	No	Yes	Yes	

				CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (\$15164(a))		Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
EIR Evaluation Criteria		EIR Significance Conclusion	EIR Mitigation Measures						
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	Less Than Significant	None	No	No	No	No	Yes	Yes

2040 General Plan EIR Aesthetics Findings

The 2040 General Plan EIR determined that impacts to aesthetic resources would be less than significant for scenic vistas, scenic highways, visual quality, and light and glare (Section 3.1, *Aesthetics*). It further stated that individual development projects would be subject to project-specific development and planning review, including adherence to goals and policies in the Land Use and Growth Management Element and Community Design Element related to urban design and visual quality. As such, all projects proposed under General Plan implementation would be required to conform to zoning, design standards, and other regulations concerning aesthetic resources such as those that address architectural design, lighting, landscaping, building setbacks, and visual compatibility.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Government Code Section 65583 (c)(1)(A) states that cities have up to three years from the time a Housing Element is adopted to rezone sites, including adoption of minimum density and development standards. The City would evaluate any proposed land use changes for potential environmental impacts prior to approval of the proposed land use change. Furthermore, future development proposals could be subject to further environmental analysis, pursuant to CEQA Guidelines Section 15168(c) and as required by state law, to evaluate potential impacts specific to that proposal.

Because it is a policy document, the Housing Element update would not, in and of itself, result in impacts to scenic vistas, scenic resources, or visual character, and would not create new sources of substantial light or glare which adversely affects views. The sites are located on vacant as well as non-vacant properties such as those with existing buildings or vineyards. However similar to the analysis within the 2040 General Plan EIR, any individual development projects consistent with the Housing Element would be subject to project-specific development and planning review, including adherence to goals and policies in the Land Use and Growth Management Element and Community Design Element related to urban design and visual quality. As such, all projects proposed under the Housing Element implementation would be required to conform to zoning, design standards, and other regulations concerning aesthetic resources such as those that address architectural design, lighting, landscaping, building setbacks, and visual compatibility.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. None of the implementation items would cause impacts to scenic vistas or resources or directly develop new structures which would impact views and create substantial glare. Any potential updates to structures to mitigate potential risks to wildfire or other climate safety hazards would be subject to project-specific development and planning review, including adherence to goals and policies in the Land Use and Growth Management Element and Community Design Element related to urban

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design and visual quality. Therefore the Public Health, Safety, and Noise Element update would not result in significant adverse impacts related to aesthetics.

Conclusion

Based on the analysis above, the project would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR and no additional environmental assessment of aesthetics is required.

6.2 Agricultural Resources

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the General Plan update:							
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Significant and Unavoidable	None	No	No	No	Yes	Yes
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	Less than Significant	None	No	No	No	Yes	Yes
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Less than Significant	None	No	No	No	Yes	Yes

2040 General Plan EIR Agricultural Resources Findings

The 2040 General Plan EIR determined that there would be significant and unavoidable impacts to agricultural resources (Section 3.2, Agricultural Resources). The EIR found that implementation of the 2040 General Plan could result in the loss of up to 118 acres of land identified as Important Farmland, including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. The 2040 General Plan EIR found the loss of farmland is not directly mitigable, without preventing development altogether. No feasible mitigation measures were identified for agricultural land conversion that would fulfill the objectives of and implement the 2040 General Plan update. Therefore, and implementation of the plan would result in significant and unavoidable impacts to Important Farmlands.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Government Code Section 65583 (c)(1)(A) states that cities have up to three years from the time a Housing Element is adopted to rezone sites, including adoption of minimum density and development standards. .

The General Plan goals and policies support continued farming and restrict uses that would interfere with farming and open space uses in certain areas. Most of the sites identified within the Housing Element update are located on sites with existing development and on sites zoned for residential or commercial uses. The Housing Element update includes one site identified for housing which is located on prime farmland. However, the site has a land use designation of Public and Quasi-Public and housing development would not result in any more severe impacts to agricultural resources than were a public facility developed on the site as currently shown in the General Plan. In addition, the 2040 General Plan EIR determined that there would be significant and unavoidable impacts to farmland (Section 3.2, Agricultural Resources). Therefore, the Housing Element update would not result in new or more severe impacts than those identified in the General Plan EIR. .

There would also be no new impacts to Williamson Act contracts, as none of the identified sites in the sites inventory are under Williamson Act contract.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. These updates would not convert existing farmland or forested land and would not impact any land under Williamson Act contract. Therefore, the Public Health, Safety, and Noise Element update would have no impact related to agricultural resources.

Conclusion

The Housing Element Update does not propose the development on housing on any areas of the City not already analyzed for development in the 2040 General Plan EIR. The Public Health, Safety, and Noise Element update would update information and goals, policies, and objectives to be consistent with the State legislation and would not change growth assumptions or buildout assessed

Addendum Evaluation
Agricultural Resources

in the 2040 General Plan EIR. Therefore, the project would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR and no additional environmental assessment of agricultural resources is required.

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6.3 Air Quality

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
Would adoption of the General Plan update:								
a. Conflict with or obstruct implementation of the applicable air quality plan?	Less than significant	None	No	No	No	Yes	Yes	
b. Violate air quality standards or contribute substantially to an existing or projected air quality violation?	Significant and Unavoidable	AQ-1, AQ-2, and AQ-3	No	No	No	Yes	Yes	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Significant and Unavoidable	AQ-1, AQ-2, and AQ-3	No	No	No	Yes	Yes	
d. Expose sensitive receptors to substantial pollutant concentrations?	Less than significant with Mitigation	AQ-4, AQ-5, and AQ-6	No	No	No	Yes	Yes	
e. Create objectionable odors affecting a substantial number of people?	Less than Significant	None	No	No	No	Yes	Yes	

2040 General Plan EIR Air Quality Findings

As discussed under in Section 3.3, *Air Quality*, of the 2040 General Plan EIR, impacts related to consistency with applicable air quality plans would be less than significant. The 2040 General Plan would support the goals of Bay Area Air Quality Management District's (BAAQMD's) 2017 Clean Air Plan, include all applicable control measures, and would not conflict with its implementation.

The 2040 General Plan EIR concluded that impacts related to criteria pollutants would be significant and unavoidable. Construction emissions associated with a potential level of annual development that is consistent the General Plan's 2040 growth projections could result in reactive organic gas (ROG), NO_x, CO, and particulate matter (PM) emissions construction activity that exceeds BAAQMD-recommended CEQA significance thresholds. All other potential construction emissions would be below BAAQMD-recommended CEQA significance thresholds. In addition, maximum daily operational emissions associated with potential 2040 growth under the General Plan would result in ROG and PM₁₀ emissions that could exceed BAAQMD-recommended CEQA significance thresholds. All other potential operational emissions would be below BAAQMD-recommended CEQA significance thresholds. To reduce impacts related to air quality emissions of criteria air pollutants, the 2040 General Plan EIR required implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 which would reduce ROG from architectural coating, and PM from construction, as well require all development with the potential to create point-source air quality impacts to receive BAAQMD review prior to approval. In addition, any development under the 2040 General Plan would be required to comply with all applicable air quality plans, California Air Resources Board (CARB) and BAAQMD regulations, Title 24 energy efficiency standards, and policies within the 2040 General Plan aimed at reducing air pollution emissions. However, because the detail of future projects under the General Plan cannot be known, the 2040 General Plan EIR concluded impacts would be significant and unavoidable.

Mitigation Measure AQ-1: Require construction projects in the City of St. Helena to implement best management practices (BMPs) to reduce fugitive dust emissions. BMPs may include:

- Watering all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) three times per day using recycled water.
- Covering all haul trucks transporting soil, sand, or other loose material.
- Removing all visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Limiting all vehicle speeds on unpaved roads to 15 mph.
- Completing all roadways, driveways, and sidewalks to be paved as soon as possible. Laying building pads soon as possible after grading unless seeding or soil binders are used.
- Minimizing idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- Maintaining and properly tuning all construction equipment in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation. • Staging construction equipment as far as possible from existing sensitive receptors (away from the southeast property line and surrounding residences).

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- Posting a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- Where warranted, the project sponsors shall incorporate the following language into construction specifications if significant risk is anticipated based on design level construction schedule, duration and concurrent construction activities:
- Powering portable equipment by electricity if available or if electricity is not available, using propane or natural gas if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.
- Ensuring that all mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously or 20 hours cumulative meets, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent and be equipped with diesel particulate matter filters that meet CARB-certified Level 2 or 3 Diesel Particulate Filters. Alternatively-fueled equipment (i.e., non-diesel) would meet this requirement.

Mitigation Measure AQ-2: Require that applicants proposing development of projects within the City of St. Helena require contractors, as a condition of contract, to reduce construction-related fugitive ROG emissions by ensuring that low-volatile organic compounds (VOC) coatings that have a VOC content of 10 grams/liter (g/L) or less be used during construction. All project applicants shall submit evidence of the use of low-VOC coatings to BAAQMD prior to the start of construction.

Mitigation Measure AQ-3: Require all development applications with the potential to create point-source air quality impacts be referred to the Bay Area Air Quality Management District (BAAQMD) for review and comment to ensure compliance with BAAQMD requirements prior to approval of the project.

Mitigation Measure AQ-4: Require development projects to meet CARB setback recommendations from air contaminant sources for sensitive uses, or conduct specific air quality and health risk impact analyses and identify project specific mitigation measures.

Mitigation Measure AQ-5: To protect sensitive receptors require discretionary projects in proximity to Highway 29, Silverado Trail and the Rail Corridor to include an analysis of mobile source toxic air contaminant health risks. The analysis, if necessary, shall identify feasible mitigation measures to reduce health risks to acceptable levels.

Mitigation Measure AQ-6: All applicants proposing development of projects within 1,000 feet of existing sensitive receptors, as defined by BAAQMD, shall prepare a site-specific construction health risk assessment (HRA) taking into account both project-level and cumulative health risks (including existing toxic air contaminant sources). If the HRA demonstrates, to the satisfaction of the City, that the health risk exposures for adjacent receptors will be less than BAAQMD project level and cumulative thresholds (as appropriate), then additional mitigation would be unnecessary. However, if the HRA demonstrates that health risks would exceed BAAQMD project-level and/or cumulative thresholds (as appropriate), additional feasible on- and offsite mitigation shall be analyzed by the applicant to help reduce risks to the greatest extent practicable.

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The 2040 General Plan EIR determined that impacts to sensitive receptors regarding pollutant concentrations by the General Plan would be less than significant. Although implementation of the General Plan could result in new sensitive residential receptors and new non-residential land uses that would potentially be emissions sources, permitted stationary sources in St. Helena are primarily located in commercial or semi-rural areas while most of the sensitive receptors, such as schools, residences, and retirement homes, are located in the downtown area of the city. In addition, individual development projects would be evaluated through the BAAQMD permit process and the CEQA process to identify and mitigate any significant exposures. Implementation of Mitigation Measures AQ-1 through AQ-6 would reduce potential impacts to sensitive receptors to less than significant.

Buildout under the General Plan would not cause or significantly contribute to CO concentrations that exceed State or federal ambient air quality standards for CO. Regulatory mechanisms, including asbestos National Emission Standards for Hazardous Air Pollutants regulations for demolition and renovation outlined in BAAQMD Regulation XI, Rule 11-2, would ensure impacts from asbestos containing materials present during demolition of existing structures would be less than significant. Health risks associated with receptor exposure to Diesel Particulate Matter (DPM) would be less than significant because the use of off-road heavy-duty diesel equipment would be temporary and would combine with the highly dispersive properties of DPM, additional reductions in exhaust emissions would occur in the future, and construction-related activities would be short-term, incremental through time, and would occur at scattered locations throughout the city such that an individual receptor location would not be exposed to DPM exposure for a prolonged period of time. However, without specific details on the locations of building footprints or their construction schedules, a quantitative evaluation of potential health risk impacts is not possible. Mitigation Measures AQ-1, AQ-4, AQ-5, and AQ-6 would mitigate air quality impacts from construction to reduce health related impacts.

The 2040 General Plan EIR determined impacts related to objectionable odors affecting a substantial number of people would be less than significant.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Government Code Section 65583 (c)(1)(A) states that cities have up to three years from the time a Housing Element is adopted to rezone sites, including adoption of minimum density and development standards.

While potential air quality-related impacts of future projects cannot be assessed in a meaningful way until the project site and development design is known, including the number of units, potential number of residents, and potential vehicle miles traveled, operational impacts would be addressed by provisions in the General Plan, the Green Building Code, and other regulations and standards that govern air quality in St. Helena. Short-term air quality impacts resulting from construction of the sites, such as dust generated by clearing and grading activities, exhaust emissions from gas- and diesel-powered construction equipment, and vehicular emissions associated with the commuting of construction workers would be subject to BAAQMD rules and protocols. Further General Plan goals

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and policies support reduction of air quality impacts. Mitigation measures identified in the General Plan EIR will be implemented to help reduce impacts to the greatest extent possible. These measures would remain in practice with implementation of the Housing Element update.

Consistent with buildout under the 2040 General Plan, implementation of the proposed Housing Element update could contribute to impacts related to criteria pollutants. Annual development under the Housing Element update could increase construction emissions from indirect land use changes. Potential impacts caused by more development would be reduced through implementation of Mitigation Measures AQ-1 through AQ-6 identified in the General Plan EIR. However, impacts would remain significant and unavoidable even with implementation of mitigation, the same as impacts identified in the General Plan EIR. Implementation of the proposed Housing Element update could impact sensitive receptors. However, the Housing Element update does not proposed new land use changes which would place new sensitive receptors in areas with emission sources.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update would not directly result in development or activities that would generate air pollutants, cause an increase in VMT, or generate objectionable odors. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would not allow for more housing units or increase projected growth forecasts in the city. In addition, the updates would be subject to all applicable air quality plans, CARB and BAAQMD regulations, Title 24 energy efficiency standards, and policies within the 2040 General Plan aimed at reducing air pollution emissions. Therefore, the Public Health, Safety, and Noise Element update would have less than significant impacts related to air quality.

Conclusion

Based on the above, the Housing Element update as well as the Public Health, Safety and Noise Element Updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

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6.4 Biological Resources

			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
EIR Evaluation Criteria			EIR Significance Conclusion	EIR Mitigation Measures				
Would adoption of the Housing Element update:								
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than significant	None	No	No	No	Yes	Yes
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than significant	None	No	No	No	Yes	Yes

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?							
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
c. Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant	None	No	No	No	Yes	Yes
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant	None	No	No	No	Yes	Yes
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant	None	No	No	No	Yes	Yes
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	No Impact	None	No	No	No	Yes	Yes

2040 General Plan EIR Biological Resources Findings

The 2040 General Plan EIR determined that impacts to biological resources would be less than significant for effects to listed species or their habitats, loss of significant populations of sensitive species, protected wetlands, wildlife migration or movement corridors, local policies or ordinances protecting biological resources, or conflicts with conservation plans and habitat management plans and habitat groups identified therein (Chapter 3.4 Biological Resources). Individual development projects would be subject to project-specific development and planning review. As such, all projects proposed under General Plan implementation would be required to conform to zoning, design standards, and other regulations concerning the protection of biological resources, including listed species, habitats, and all planning resources designed to protect and conserve these resources. Furthermore, future development would be required to comply with State and federal law and policies within the Open Space Element of the General Plan that protect biological resources. The General Plan is consistent with the SHMC and Open Space and Conservation Element policies and standards for tree preservations. The General Plan does not include any policies that would interfere with the Pacific Gas & Electric (PG&E) Habitat Conservation Plan for PG&E facilities, rights-of way, buffer lands, owned lands and easements, access routes and mitigation areas.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan that identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031).

Most sites identified in the sites inventory are located in previously developed areas with limited potential for disruption to undeveloped habitat areas, including sites that have previously been developed or infill sites in well developed areas. The sites inventory also includes vacant sites, although these sites have been previously disturbed and are in proximity to developed areas. Consistent with the 2040 General Plan EIR, the project would not adversely affect biological resources, including special-status species, riparian habitats or wetlands, or migratory species and wildlife corridors, to a greater extent than buildout under the General Plan, and impacts would remain less than significant. Build out under the Housing Element update would be subject to all applicable requirements of the SHMC and Open Space and Conservation Element policies as well as the PG&E Habitat Conservation Plan for PG&E facilities, rights-of way, buffer lands, owned lands and easements, access routes and mitigation areas.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. Policies contained within the update include vegetation management and maintenance and debris removal in stream channels that are designed to mitigate wildfire, erosion, and flood risk. These policies also stipulate that such activities must use best practices to protect wildlife and habitat. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review, including zoning, design standards, and other regulations concerning the protection of biological

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resources, including listed species, habitats, and all planning resources designed to protect and conserve these resources. Therefore, the Public Health, Safety, and Noise Element update would not result in significant adverse impacts related to biological resources.

Conclusion

The Housing Element update as well as the Public Health, Safety and Noise Element Updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.5 Cultural, Historic, and Tribal Cultural Resources

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?							
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
Would adoption of the Housing Element update:							
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA § 15064.5?	Less than significant	None	No	No	No	Yes	Yes
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA § 15064.5?	Less than significant	None	No	No	No	Yes	Yes
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant	None	No	No	No	Yes	Yes
d. Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
e. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native Tribe and that is: - Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less than significant	None	No	No	No	Yes	Yes

Addendum Evaluation
Cultural, Historic, and Tribal Cultural Resources

2040 General Plan EIR Cultural Resources Findings

As discussed under Impact CUL-1 in Section 3.4, *Cultural, Historic, and Tribal Cultural Resources*, of the 2040 General Plan EIR, impacts related to historic, cultural, and tribal cultural resources would be less than significant. Future development under the General Plan could result in demolition, deconstruction, relocation, or alteration of historic resources. The SHMC establishes procedures for archaeological surveys and mitigation measures for archaeological and paleontological resources and protections for significant architectural or historical buildings. Policies within the Historic Resources Element would further mitigate potential impacts on historic districts and buildings. Implementation of the 2040 General Plan would be less than significant with implementation of existing regulations and the proposed policies and implementation actions within the Historic Resources Element.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program 1.1 to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031).

Consistent with buildout under the 2040 General Plan, implementation of the proposed Housing Element update, including associated construction activities would result in less than significant impacts to historic, cultural, and tribal cultural resources within the Plan Area. Buildout under the Housing Element update would adhere to State and local development guidelines that govern historical, cultural, and tribal cultural resources, including AB 52 and SB 18 and policies in the City's Historic Resources Element. Native American tribes requesting consultation will be notified of projects when project-specific environmental review begins, according to AB 52 and SB 18 (if applicable), and tribal representative requests will be included into project approval, including notification, monitoring, and consultations in accord with federal and state requirements. Any evidence of cultural resources that might be unearthed in the process of construction would be required to comply with SHMC which establishes mitigation measures for archaeological resources. Compliance with existing regulations would ensure impacts related to archaeological resources and human remains would remain less than significant, the same as impacts identified in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and comply with relevant policies and standards within the General Plan Historic Resources Element and the SHMC previously adopted to protect archaeological and paleontological resources and significant architectural or historical buildings. Therefore, the Public Health, Safety, and Noise Element update would not result in significant adverse impacts related to cultural resources.

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Conclusion

The 2040 Housing Element update as well as the Public Health, Safety and Noise Element Updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.6 Energy, Greenhouse Gases, and Climate Change

EIR Evaluation Criteria			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?				Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?				
Would adoption of the General Plan update:									
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and Unavoidable	GHG-1	No	No	No	Yes	Yes	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant and Unavoidable	GHG-1	No	No	No	Yes	Yes	
c.	Cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and and/or maintenance?	Less than Significant	None	No	No	No	Yes	Yes	
d.	Conflict with the CBC Energy Efficiency Standards, the CARB passenger vehicle GHG emission reduction targets for 2020 and 2035, or any other applicable energy conservation regulations?	Less than Significant	None	No	No	No	Yes	Yes	

2040 General Plan EIR Energy, Greenhouse Gas Emissions, and Climate Change Findings

The 2040 General Plan EIR determined impacts related to greenhouse gas (GHG) emissions would be significant and unavoidable, Section 3.6, *Energy, Greenhouse Gas Emissions, and Climate Change*. Buildout under the 2040 General Plan would result in a substantial increase in GHG emissions from baseline conditions by 2040 and would not make substantial progress towards meeting the State's 2050 goal of 80 percent reduction from 1990 levels pursuant to Executive Order S-03-05. The primary source of GHG emissions under the General Plan would be from the transportation sector and the second largest source of emissions would be from the commercial/industrial sector. To reduce impacts related to greenhouse gas emissions, the 2040 General Plan EIR required Mitigation Measure GHG-1. However, even with implementation of the mitigation measure and policies within the 2040 General Plan aimed at reducing GHG emissions, the 2040 General Plan EIR concluded that impacts would remain significant and unavoidable.

Mitigation Measure GHG-1: The City of St. Helena shall adopt and begin to implement a Climate Action Plan within a goal of 18 months, but no later than 36 months, of adopting the Proposed Plan update to address the GHG reduction goals of Executive Order B-30-15 and Executive Order S-03-05 for GHG sectors that the City has direct or indirect jurisdictional control over. The Climate Action Plan shall include a community inventory of GHG emission sources, and quantifiable GHG emissions reduction targets for 2030 and 2050, and an interim target for the General Plan buildout year 2040, that are consistent with the statewide GHG reduction targets. The City shall monitor progress toward its GHG emissions reduction goals and prepare reports every five years detailing that progress.

In addition, the 2040 General Plan EIR concluded that impacts related to consistency with applicable plans, policies, and regulation regarding GHG reductions would be significant and unavoidable. Under buildout of the 2040 General Plan, per capita emissions would exceed the significance threshold of 2.3 metric tons of carbon dioxide equivalent per service population in 2040, which would conflict with CARB's 2017 Scoping Plan, AB32, and Executive Order S-03-05, and BAAQMD's CEQA Guidelines. Mitigation Measure GHG-1 would help reduce GHG emissions, however further action at the State and federal level would be necessary to achieve State reduction targets. At the time, there were no post-2030 State or federal measures that would assist the city in achieving the efficiency target in 2040, even with implementation of Mitigation Measure GHG-1. Therefore, the General Plan could potentially conflict with applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs, meaning impacts would remain significant and unavoidable.

The 2040 General Plan EIR concluded that impacts related to energy resources would be less than significant for energy consumption and consistency with state or local plans for renewable energy or energy efficiency. The General Plan EIR determined that implementation of the General Plan would decrease net energy consumption and per service population energy consumption due to delivery of energy through Marin Clean Energy which has higher goals for renewable energy than PG&E and through an increase in fuel efficiency for vehicles. Furthermore, policies within the General Plan aim to reduce energy consumption of natural gas, electricity, and gasoline and diesel fuels by fostering an increase in energy efficiency and renewable energy, encouraging bicycle and pedestrian transit, and decreasing use of cars. All future development under the Proposed Plan would be required to comply with the latest California Building Code (CBC) requirements, including CBC Energy Efficiency

Addendum Evaluation
Energy, Greenhouse Gases, and Climate Change

Standards, as well as all federal, State, and local rules and regulations pertaining to energy consumption and conservation.

By decreasing demand for energy- and fuel-related energy resources both overall and on a per service population basis and complying with applicable federal, State, and local regulations, impacts to energy consumption and consistency with state or local plans for renewable energy or energy efficiency would be less than significant.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031).

Implementation of the Housing Element update could increase the demand for electricity and natural gas. However, new development would be required to comply with statewide mandatory energy requirements outlined in CALGreen, which could decrease energy consumption in new and retrofitted structures. In addition, consistent with the General Plan, the Housing Element supports higher density that would reduce vehicle miles traveled (VMT) and fuel consumption compared to existing lower-density development. Therefore, energy consumption would not be wasteful, inefficient, or unnecessary, and the Housing Element update would not conflict with nor obstruct a State or local plan for increasing renewable energy or energy efficiency. Impacts would be less than significant, the same as those identified in the 2040 General Plan EIR.

Consistent with buildout under the 2040 General Plan, implementation of the proposed Housing Element update could increase the frequency and/or severity of GHG emissions or otherwise conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gases. Annual development under the Housing Element update could exceed the GHG significance threshold applied in the 2040 General Plan EIR and conflict with the 2017 Climate Change Scoping Plan. Potential impacts caused by development allowed under the Housing Element would be reduced through implementation of Mitigation Measure GHG-1, identified in the General Plan EIR. However, impacts would remain significant and unavoidable even with implementation of mitigation, the same as impacts identified in the General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update would not increase built out or population increases in the city and would not directly result in development or activities that would increase demand for energy or increase VMT. Policies within the update encourage use of renewable back-up power sources and storage that would support the City's a more reliable and less wasteful source of energy for use during emergencies. In addition, any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk from climate safety hazards would be subject to project-specific development and planning review and comply with the CBC Energy Efficiency Standards, policies within the General Plan aimed at reducing energy consumption of natural gas, electricity, and gasoline and

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diesel fuels, and all federal, State, and local rules and regulations pertaining to energy consumption and conservation. Therefore, the Public Health, Safety, and Noise Element update would have less than significant impacts related to GHG emissions, energy or climate change.

Conclusion

Based on the above, the Housing Element update as well as the Public Health, Safety and Noise Element Updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.7 Geology, Soils, and Seismicity

		CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?					Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
		EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
EIR Evaluation Criteria								
Would adoption of the Housing Element update:								
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			No	No	No	Yes	Yes
1.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault?	Less than significant	None	No	No	No	Yes	Yes
2.	Strong seismic ground shaking?	Less than significant	None	No	No	No	Yes	Yes
3.	Seismic-related ground failure, including liquefaction?	Less than significant	None	No	No	No	Yes	Yes
4.	Landslides?	Less than significant	None	No	No	No	Yes	Yes

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?								
EIR Evaluation Criteria		EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
b.	Result in substantial soil erosion or topsoil loss?	Less than significant	None	No	No	No	Yes	Yes
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant	None	No	No	No	Yes	Yes
d.	Be located on expansive soil, as defined in Section 1803.5.3, Expansive Soil, of the California Building Standards Code (2013), creating substantial risks to life or property?	Less than significant	None	No	No	No	Yes	Yes
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	Less than significant	None	No	No	No	Yes	Yes

Addendum Evaluation
Geology, Soils, and Seismicity

2040 General Plan EIR Geology, Soils, and Seismicity Findings

The 2040 General Plan EIR determined that impacts to geology, soils, and seismicity would be less than significant for adverse effects related to rupture of a known fault, strong ground shaking, seismic-related ground failure, or landslides; soil erosion; landslide, lateral spreading, subsidence, liquefaction, or collapse; locating development on expansive soils; and installing septic tanks and alternative waste water disposal systems in expansive soils, Section 3.7, *Soils, Geology, and Seismicity*. It further stated that individual development projects would be subject to project-specific development and planning review, including adherence to standards for geology, soils, and seismicity impacts. Implementation of the 2040 General Plan would be less than significant in regard to impacts to geology, soils, and seismicity.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Consistent with buildout under the 2040 General Plan, buildout under the Housing Element update could result in impacts related to geologic hazards, including seismic activity, faults, liquefaction, landslides, erosion, and unstable soils. However, new development would be required to comply with local and state codes and requirements related to geologic hazards, including the CBC, the National Pollutant Discharge Elimination System (NPDES) program, and applicable General Plan policies. Compliance with these requirements would ensure impacts would remain less than significant. In addition, consistent with buildout allowed under the General Plan, new development under the Housing Element update would connect to the existing sewer system and not include septic tanks or other alternative wastewater disposal systems. Therefore, impacts related to geology and soils would be less than significant, the same as those identified in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update contains policies and implementation actions that would mitigate potential impacts related to geology and soils by requiring soils and geology reports for new development, prohibiting development on instable slopes, and limiting development in hillside areas with potential for slope failure. None of the implementation items would directly result new structures that would be exposed to seismic activity, faults, liquefaction, landslides, erosion, or unstable soils or involve septic tanks. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and any impacts would be mitigated through compliance with all applicable General Plan policies, the CBC, the NPDES program, and all other applicable local and state codes and requirements. Therefore, the Public Health, Safety, and Noise Element update would not result in significant adverse impacts.

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Conclusion

The Housing Element update as well as the Public Health, Safety and Noise Element Updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.8 Hazards and Hazardous Materials

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the General Plan update:							
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant	None	No	No	No	Yes	Yes
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant	None	No	No	No	Yes	Yes
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant	None	No	No	No	Yes	Yes
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
e. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant	None	No	No	No	Yes	Yes
f. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant	None	No	No	No	Yes	Yes
g. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project result in a safety hazard for people residing or working in the Planning Area?	Less than significant	None	No	No	No	Yes	Yes

Addendum Evaluation
Hazards and Hazardous Materials

2040 General Plan EIR Hazards and Hazardous

The 2040 General Plan EIR determined that impacts for hazards and hazardous materials would be less than significant for transport, use, and disposal of hazardous materials; upset and accident conditions involving the release of hazardous materials into the environment; emissions or handling of hazardous materials within one-quarter mile of a school; location of development projects on hazardous materials sites such that the new use would create a hazard to the public or the environment; interference with an adopted emergency response or evacuation plan; and risk from wildland fire in lands adjacent to urbanized or residential areas, Section 3.8, *Hazards and Hazardous Materials*. It further stated that the Plan Area. The 2040 General Plan EIR described that individual development projects would be subject to project-specific development and planning review, including adherence to state, regional, and local regulations and standards related to hazards. There are no airport land use compatibility plans within the planning area or public airports, public use airports, or private airstrips within two miles of affecting any portion of the General Plan planning area.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Consistent with buildout under the 2040 General Plan, construction and operation of the development allowed under the Housing Element update would be subject to existing regulations related to use, storage, handling, and disposal of hazardous materials. Applicable regulations would include those set forth by the California Department of Toxic Substances Control, State Water Resources Control Board, Regional Water Quality Control Board, California Highway Patrol and California Department of Transportation, and BAAQMD. Compliance with these existing regulations would ensure impacts related hazardous materials would remain less than significant, consistent with the 2040 General Plan EIR. The proposed Housing Element update would not include circulation changes and is not located within the planning boundaries of any airports. Therefore, impacts would be less than significant, the same as those identified in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update contains policies and implementation actions to enhance emergency response and evacuation procedures through testing of response exercises and maintaining the City's emergency response plan. In addition, policies and implementation actions address risk associated with the use, transport, and disposal of hazardous materials and wildfire prevention and response. The update is would not directly result in development that would have the potential to impact hazards or hazardous materials. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and would be required to comply with relevant

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policies within the General Plan California, as well as applicable standards from the Department of Toxic Substances Control, State Water Resources Control Board, Regional Water Quality Control Board, California Highway Patrol and California Department of Transportation, and BAAQMD. Therefore, the Public Health, Safety, and Noise Element update would not result in significant adverse impacts.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.9 Hydrology and Water Quality

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?							
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
Would adoption of the General Plan update:							
a. Violate any water quality standards or waste discharge requirements?	Less than significant	None	No	No	No	Yes	Yes
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant	None	No	No	No	Yes	Yes
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Less than Significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
d. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant	None	No	No	No	Yes	Yes
e. Otherwise substantially degrade water quality?	Less than significant	None	No	No	No	Yes	Yes
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Less than significant with Mitigation	HYDRO-1	No	No	No	Yes	Yes
g. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Less than significant	None	No	No	No	Yes	Yes
h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
i. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant	None	No	No	No	Yes	Yes

2040 General Plan EIR Hydrology and Water Quality Findings

The 2040 General Plan EIR determined that impacts to hydrology and water quality would be less than significant for water quality standards and waste discharge requirements, depletion of ground water, drainage, runoff, erosion, and siltation. It further stated that new development under the General Plan would primarily result in redevelopment of previously developed sites with residential, commercial, and public uses, which would have a limited effect on local drainage or runoff characteristics. The 2040 General Plan EIR also concluded that on-going compliance with the NPDES requirements, including required implementation of BMPs to treat storm water runoff and protect water quality, the Bay Area Stormwater Management Agencies Association's Manual design guidance for stormwater treatment, Title 16 of the SHMC, and General Plan policies would reduce potential impacts related to water quality, runoff, and flooding. Buildout of the General Plan would generate a small increase in impervious surfaces, although the planning area is already largely developed. However, it would not be anticipated that new development would contribute to a significant impact on water quality, groundwater recharge, or runoff.

The 2040 General Plan EIR determined that impacts related to placement of housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map would be less than significant with mitigation. Implementation of the General Plan could result in development on sites partially or fully within the 100-year flood zone or construction of new housing within flood hazard zones. Policies within the General Plan and compliance with the SHMC regulate development in flood hazard areas, consistent with standards from the Federal Emergency Management Agency. To further reduce impacts related to development within flood zones, the 2040 General Plan EIR required Mitigation Measure HYDRO-1, which would reduce impacts to a less than significant level.

Mitigation Measure HYDRO-1: Any proposed development or redevelopment on land designated as regulatory floodway on current Federal Emergency Management Agency maps shall, prior to issuance of a construction permit, obtain and submit to the City a Letter of Map Revision from the Federal Emergency Management Agency, demonstrating that a hydrologic and hydraulic analysis showed that grading modifications were performed such that the proposed development would no longer be within the floodway. These modifications shall be completed without raising the base flood level or impacting other properties.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Development allowed under the Housing Element update would be subject to existing regulations, including NPDES requirements, required BMPs, San Francisco Bay Area Stormwater Management Agencies Association's Manual design guidance for stormwater treatment, Title 16 of the SHMC, and General Plan policies related to water quality, runoff, and erosion, siltation, and flooding control. Compliance with these existing regulations would ensure

Addendum Evaluation
Hydrology and Water Quality

impacts related to water quality, drainage, erosion, siltation, runoff, and flooding would remain less than significant, the same as impacts identified in the 2040 General Plan EIR.

Consistent with buildout under the General Plan, implementation of the proposed Housing Element update, including associated construction activities could result in impacts to groundwater supply. Individual projects allowed under the Housing Element update would be subject to Mitigation Measure HYDRO-1 identified in the General Plan EIR and project-level environmental review, which would identify potential impacts and reduce impacts to a less than significant level, the same as under the General Plan.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update contains policies and implementation actions that reduce risk of floods and impacts related to flood hazards. None of the policies or implementation actions would impact hydrology or water quality or directly result in development that would alter existing drainage patterns, contribute to runoff, degrade water quality, impact groundwater supply and recharge, or expose people or structures to flood hazards. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and would be required to comply with NPDES requirements, including required implementation of BMPs to treat storm water runoff and protect water quality, the Bay Area Stormwater Management Agencies Association's Manual design guidance for stormwater treatment, Title 16 of the SHMC, and applicable General Plan policies. Therefore, the Public Health, Safety, and Noise Element update would not have an adverse impact and hydrology and water quality.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

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6.10 Land Use, Population, and Housing

EIR Evaluation Criteria			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
Would adoption of the General Plan update:								
a.	Physically divide an established community?	No Impact	None	No	No	No	Yes	Yes
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact	None	No	No	No	Yes	Yes
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	No Impact	None	No	No	No	Yes	Yes
d.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
e. Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	Less than significant	None	No	No	No	Yes		Yes

Addendum Evaluation
Land Use, Population, and Housing

2040 General Plan EIR Land Use Planning, Housing, and Population Findings

The 2040 General Plan EIR determined that impacts to land use and planning would be less than significant as they pertain to dividing established communities, conflicts with applicable land use plans, habitat conservation plan or natural community conservation plan, and displacing substantial numbers of existing housing or people, Section 3.10 *Land Use, Population, and Housing*. The 2040 General Plan EIR further found that General Plan implementation would not physically divide an established community and would beneficially increase connectivity throughout the city. The 2040 General Plan EIR further stated that individual development projects under the General Plan would be subject to project-specific development and planning review, which would ensure adherence to standards for land use planning, housing, and population.

Addendum Analysis

The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies a range of sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites may differ from those identified in the General Plan EIR. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Consistent with development under the General Plan, the Housing Element update would not involve circulation changes to the Plan Area, and individual development projects would occur within private and City-owned property in already developed areas. In addition, projects under the Housing Element update would be subject to General Plan policies related to increased connectivity for pedestrians, bicycles, and drivers in the City. Therefore, development under the Housing Element update would not physically divide a community, and impacts would remain less than significant. Moreover, consistent with the General Plan, development under the Housing Element update would be subject to existing zoning and development regulations in the SHMC and policies in the General Plan. Compliance with these regulations and policies and required development and planning review would ensure individual projects would not conflict with applicable land use policies, plans, and regulations. Therefore, impacts would be less than significant, the same as those identified in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. None of the policies or implementation actions would result in new structures that would physically divide a community or change existing land uses. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would not displace people or housing or result in population growth. would not result in significant adverse impacts related to land use, population, and housing.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

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6.11 Noise

EIR Evaluation Criteria			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?				Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a)) Project is within the Scope of General Plan EIR?	
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
Would adoption of the General Plan update:								
a.	Expose persons to or generate noise levels in excess of standards established in the proposed General Plan Noise Element, or applicable standards of other agencies?	Less than significant	None	No	No	No	Yes	Yes
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	Less than significant with mitigation	NO-1	No	No	No	Yes	Yes
c.	Result in a substantial permanent increase in ambient noise levels in the vicinity of the Planning Area above levels existing without the project?	Significant and unavoidable	None	No	No	No	Yes	Yes
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project	Less than significant	None	No	No	No	Yes	Yes

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?							
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the Planning Area to excessive noise levels?	No Impact	None	No	No	No	Yes	Yes
f. For a project within the vicinity of a private airstrip, expose people residing or working in the Planning Area to excessive noise levels?	No Impact	None	No	No	No	Yes	Yes

2040 General Plan EIR Noise Findings

As discussed under in Section 3.11, *Noise*, of the 2040 General Plan EIR, impacts related to construction, traffic, railway, and stationary noise sources would be less than significant. Policies within the Public Health, Safety, and Noise Element address construction operation noise, noise compatibility along the rail line, traffic noise impacts, and stationary noise sources. Impacts from to traffic-related vibration and rail vibration was determined to be less than significant with mitigation.

The 2040 General Plan EIR concluded that impacts related to vibration during construction would be less than significant with mitigation. Impacts related to traffic vibration and rail vibration were less than significant. Construction of new development under the 2040 General Plan could result in use of heavy duty equipment that could produce vibration that may be felt by adjacent uses. Construction equipment operating within 25 feet of sensitive land uses could generate distinctly perceptible vibration, non-pile driving construction activities occurring within 25 feet of sensitive uses could result in significant vibration impacts. In addition, pile driving occurring within approximately 175 feet or 300 feet of sensitive uses for vibratory/sonic pile drivers and impact pile drivers, respectively, could also result in significant vibration impacts. As the specific future projects to be developed under the General Plan are not known at this time, and as the level of construction activity that would occur at various locations for future projects is also not known, it is possible the future construction activities could result in significant vibration impacts in portions of the Planning Area near historic structures and sensitive receptors such as schools and residences. To reduce construction related vibration impacts, the General Plan EIR required Mitigation Measure NO-1 which would reduce impacts to less than significant.

Mitigation Measure NO-1: Where vibration impacts have the potential to cause structural damage or distinctly perceptible human response (reference Tables 3.11-12 to 3.11-14, or more recent sources), require a vibration study, prepared by a qualified vibration consultant. The study should include a site-specific engineering assessment of potential vibration impacts to structures and sensitive receptors from construction activities and specify a mitigation plan to minimize the impacts using all reasonable and feasible means available. The mitigation plan should include a procedure for establishing threshold and limiting vibration values for potentially affected structures, based on an assessment of each structure's ability to withstand the loads and displacements due to construction vibrations and a commitment to develop a vibration monitoring plan during the engineering phase and to implement a compliance monitoring program during construction.

The 2040 General Plan EIR reported there would be no noise impacts related to exposure of people residing or working in the Planning Area to excessive noise levels related to use of a public airport or private airstrip since the Planning Area is not in proximity to either a public airport or private airstrip. The nearest public airport to St. Helena is Angwin-Parrett Field located 4 miles northeast of the Planning Area and the nearest private airstrip is the Pope Valley Airport located 7 miles northeast of the Planning Area.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element,

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change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Consistent with buildout under the General Plan, construction of individual projects under the proposed Housing Element update could increase the frequency and/or severity of noise levels within the city. Individual projects allowed under the Housing Element update would be subject to Mitigation Measure NO-1, which would reduce construction vibration impacts to a less than significant level. Operation of individual projects under the proposed Housing Element update could increase the frequency and/or severity of traffic-related noise levels within the city but they would be less than significant. Individual projects allowed under the Housing Element update would be subject to policies identified in the Public Health, Safety, and Noise Element and standards within the SHMC related to noise. Compliance with these requirements would ensure impacts related to increases in noise levels from construction, traffic, rail, and stationary sources would remain less than significant. Consistent with development allowed under the General Plan, the proposed project would not be located within the vicinity of a private air strip or an airport land use plan and would not expose people residing or working in the area to excessive airport-related noise levels. Therefore, impacts would be less than significant, the same as those identified in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update contains policies and implementation actions aimed at minimizing noise, including noise generated by construction and traffic. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and would be required to comply with noise standards within the SHMC and General Plan. Therefore, the Public Health, Safety, and Noise Element update would have no impact related to noise.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.12 Public Services and Recreation

CEQA Guidelines Section 15162									
				Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (\$15164(a))		Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
EIR Evaluation Criteria				EIR Significance Conclusion	EIR Mitigation Measures				
Would adoption of the General Plan update:									
a.	Implementation of the Proposed Plan would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities?	Less than significant	None	No	No	No	Yes	Yes	
b.	Implementation of the Proposed Plan would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant	None	No	No	No	Yes	Yes	

				CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
EIR Evaluation Criteria				EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	
c.	Implementation of the Proposed Plan would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant	None	No	No	No	No	Yes	Yes

Addendum Evaluation
Public Services and Recreation

2040 General Plan EIR Public Services and Recreation Findings

As discussed in Section 3.12, *Public Services*, of the 2040 General Plan EIR, buildout under the 2040 General Plan would not result in significant impacts to local fire and police agencies or other public facilities within the City of St. Helena. Projected new development under the 2040 General Plan could result in population and employment increase but would not result in substantial increase demand for fire services, police services, schools, parks, recreation, and library facilities. The increase in service population would not require construction of new or expansion of existing facilities for fire service, police service, schools, parks or other public facilities. Policies within the General Plan monitor the need for additional public facilities, pursue sites for future facilities, require Fire Department and Police department review of individual development projects, and implement public safety impact fees. In addition, potential new or expanded public service facilities would be subject to additional CEQA review. Therefore, impacts were found to be less than significant.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). Consistent with buildout under the General Plan and analyzed in the 2040 General Plan EIR, buildout under the Housing Element update could increase the demand for fire, police, schools, parks, and library services within the city but is not anticipated to generate a need for the construction of new facilities or expansion of existing ones. Most sites are urban infill sites where development already exists and public services are already being provided. New development would be required to pay safety impact fees and subject to review by the Fire Department and Police Department. Additionally, General Plan policies governing public services would remain in effect for the Housing Element update and future development projects. Compliance with General Plan goals and policies regarding public services and recreation would ensure that new housing would not result in a substantial demand to public services. These goals and policies would continue to apply to projects implemented under the Housing Element update. Therefore, potential impacts to public services associated with implementation of the updated Housing Element are within the scope of impacts analyzed in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update would not result in development that would increase demand for public services or governmental or recreational facilities. The update includes policies and implementation actions that would ensure adequate provisions of public services, including fire and police protection, and protect of City facilities from potential natural and made-made hazards which would improve response times and safety. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would increase service ratios, response times, and other performance objectives for public services and facilities. Potential development

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would be subject to project-specific development and planning review and comply with General Plan goals and policies regarding public services and recreation. Therefore, the Public Health, Safety, and Noise Element update would have no impact related to public services or recreation.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.13 Transportation and Traffic

CEQA Guidelines Section 15162									
				Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
EIR Evaluation Criteria				EIR Significance Conclusion	EIR Mitigation Measures				
Would adoption of the General Plan update:									
a.	Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	Significant and unavoidable	None	No	No	No	Yes	Yes	
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Not discussed	None	No	No	No	Yes	Yes	

EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant	None	No	No	No	Yes	Yes
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant	None	No	No	No	Yes	Yes
e. Result in inadequate emergency access?							
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?							

2040 General Plan EIR Transportation Findings

The 2040 General Plan EIR concluded that impacts related to transportation would be significant and unavoidable regarding consistency with policies and regulations related to roadway, transit, pedestrian, and bicycle facilities, Section 3.13, *Transportation*. The 2040 General Plan EIR determined 7 out of 27 analyzed intersections would have significant impacts. Policies and actions within the General Plan aim to reduce single occupancy vehicle trips, improve circulation throughout the city, and promote options for alternate forms of transportation. To reduce impacts to intersections, the 2040 General Plan EIR required Mitigation Measures TR-1, TR-2, TR-3, TR-4, TR-5, and TR-6. However, even with implementation of the mitigation measures, the 2040 General Plan EIR concluded that impacts would remain significant and unavoidable. Main Street is a State highway (State Route 29), therefore mitigation measures along Main Street are subject to Caltrans approval and cannot be guaranteed by the City. In addition, improvements to accommodate future traffic volumes may not be implemented due to lack of funds. Therefore, because the City cannot guarantee that needed improvements would be implemented, impacts to intersection traffic operations are significant and unavoidable.

The 2040 General Plan EIR determined that other transportation impacts would be less than significant, including potential to conflict with applicable congestion management programs, change in air traffic patterns, increase in hazards due to a design feature or incompatible uses, emergency access, and potential to conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites evaluated previously for potential environmental impacts in the General Plan EIR. The Housing Element update identifies sites, shown in Figure 3, that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031), including urban infill sites and sites with existing development.

Pursuant to CEQA Guidelines Section 5064.3, subdivision(b), a project's transportation impact is now based on VMT instead of an level of service analysis as conducted under the 2040 General Plan EIR. Under the updated State requirements, VMT are derived based on location and the amount and distance of vehicle travel attributable to a project, including induced automobile travel. Significance criteria used to determine VMT impact include questions as to whether the project would cause substantial additional VMT, or substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (e.g., by adding new mixed flow travel lanes) or by adding new roadways to the network.

The Housing Element update would facilitate development of 307 units to meet the City of St. Helena's RHNA for the current planning period. The proposed housing sites in the Housing Element update would concentrate housing development in the City, which would reduce overall VMT. Furthermore, the policies within the General Plan encourage the use of transit, bicycling and pedestrian routes and work to reduce VMT. Buildout under the Housing Element update would be subject to comply with these policies. Therefore, potential transportation impacts associated with

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implementation of the updated Housing Element are within the scope of impacts analyzed in the 2040 General Plan EIR.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update includes policies and implementation actions to alleviate evacuation constraints for residential developments with less than two emergency evacuation routes and would strengthen emergency preparedness and evacuation procedures. None of the policies or implementation actions would impact congestion management programs, change air traffic patterns, increase hazards due to a design feature or incompatible use, impair emergency access, or conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would be subject to project-specific development and planning review and comply with applicable policies in the General Plan aimed at reducing VMT and transportation impacts. Therefore, the Public Health, Safety, and Noise Element update would have no adverse impacts related to transportation.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

6.14 Utilities and Service Systems

			CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))		Project is within the Scope of General Plan EIR?
			Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?			
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures						
Would adoption of the General Plan update:								
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less Than Significant	None	No	No	No	Yes	Yes	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than Significant with Mitigation	UTS-1	No	No	No	Yes	Yes	
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant	None	No	No	No	Yes	Yes	
d. Have insufficient water supplies available to serve the project from existing entitlements and resources such that new or expanded entitlements needed?	Less than Significant	None	No	No	No	Yes	Yes	

CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?							
EIR Evaluation Criteria	EIR Significance Conclusion	EIR Mitigation Measures	Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?	Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	Less than Significant	None	No	No	No	Yes	Yes
f. Be served by a landfill with insufficient permitted capacity to accommodate the project’s solid waste disposal needs?	Less than Significant	None	No	No	No	Yes	Yes
g. Not comply with federal, State, and local statutes and regulations related to solid waste?	Less than Significant	None	No	No	No	Yes	Yes

2040 General Plan EIR Utilities and Service Systems Findings

The 2040 General Plan EIR concluded that impacts related to wastewater, water supply, and solid waste would be less than significant provided that proposed projects would comply with federal, State, and local statutes and regulations and the policies and actions within the General Plan addressing wastewater capacity, stormwater runoff, water conservation, waste management, recycling, and composting. The City plans to increase the wastewater treatment plant permitted capacity from 0.5 million gallons per day to 0.65 million gallons per day by 2030, which would have sufficient capacity to accommodate buildout under the General Plan. Any new stormwater facilities would comply with all applicable environmental regulations, including project-level environmental review and NPDES permits regulations. The City's Water Neutral Policy for Development would ensure future water demand does not exceed current demand by requiring any new water demand be offset by water conservation retrofits or in-lieu payments for the City to conduct retrofits. Buildout under the General Plan would not require exceed the capacity of the Clover Flat Landfill which has significant remaining capacity. Therefore, the General Plan EIR determined there would be no significant impacts to the city's utilities or service systems.

Addendum Analysis

The Housing Element update is a policy document consistent with the General Plan. The Housing Element update identifies sites, shown in Figure 3, evaluated previously for potential environmental impacts in the General Plan EIR that could be developed to meet the City's 6th cycle RHNA throughout St. Helena. Some of these sites could require land use changes that would bring the zoning into consistency with the Land Use Element, change the existing land use, or allow for increased density. Many of these sites have existing connections to utility and service systems as they are infill sites or already developed. As discussed in Section 5, *Addendum Methodology*, the City of St. Helena has several options for sites that could undergo land use changes through Program H-A to facilitate development of housing units to meet the RHNA during the 6th cycle (2023-2031). . All future development accommodated under the Housing Element update would be required to adhere to the General Plan, adopted master plans, and other regulatory requirements concerning water, wastewater, storm drains, solid waste, and other infrastructure; water supply; and wastewater treatment systems.

Consistent with buildout under the General Plan, implementation of the proposed Housing Element update could increase population such that new or expanded wastewater facilities would be required to provide utilities and service systems to new development. In addition, future development for new or expanded facilities would be subject to further environmental analysis, pursuant to CEQA Guidelines section 15168(c) and as required by state law, to evaluate potential impacts.

The Public Health, Safety, and Noise Element update revised information on public and critical facilities, discussed safety impacts from climate change, and added implementation measures to create evacuation plans and educate residents and address climate vulnerability. The update includes policies and implementation actions that aim to enhance and protect the City's utilities and service system, such as improving efficiency of stormwater drainage systems and ensuring adequate water supply. Any potential updates to structures or development of climate resilient infrastructure designed to mitigate potential risk of climate safety hazards would work to address these goals and would be subject to project-specific development and planning review and comply with applicable policies in the General Plan, NPDES permits regulations, and the City's Water Neutral Policy for

City of St. Helena
2023 General Plan Update

Development. Therefore, the Public Health, Safety, and Noise Element update would have no adverse impacts related to utilities and service systems.

Conclusion

The Housing Element update, as well as the Public Health, Safety, and Noise Element updates would not result in new or more severe impacts (direct or indirect) than were analyzed in the 2040 General Plan EIR.

7 Summary of Findings

The Housing Element update is part of the City's General Plan, and like other elements within the General Plan, includes goals and policies that the City should meet when it comes to the planning of housing. The Housing Element is unique from the other elements within the General Plan in that it is required to be periodically updated to align with the State's allocation of the RHNA. Also, the Housing Element includes Housing Programs that are required to be implemented within the planning period established for the Housing Element. These programs are usually implemented over time as a separate project after the Housing Element is adopted. The Housing Element update does not involve site-specific projects but does include identified sites that could undergo land use changes through Program H-A to facilitate development of RHNA housing units during the 6th cycle. The sites inventory (provided in the Housing Resources chapter of the Housing Element update) yields housing units that exceed the number needed to meet the RHNA requirements, as demonstrated in Table 3.

The General Plan Program EIR is accompanied the City's 2040 General Plan update. Future development and zoning changes associated with the Housing Element's Housing Programs will be subject to applicable development standards and reviews established by City ordinances.

The Public Health, Safety, and Noise Element update does not involve site-specific projects but proposes policies and implementation actions that are aimed at enhancing emergency response and evacuation procedures and minimizing impacts to people and structures from natural and man-made disasters. Any potential updates to structures or development of climate resilient infrastructure would be designed to mitigate potential impacts associated with climate safety hazards. Potential updates and development would not generate population growth or additional VMT or result in an increase in demand for services or facilities.

This analysis demonstrates that adoption of the Housing Element and Public Health, Safety, and Noise Element update would not result in impacts beyond those addressed or analyzed in the General Plan EIR, nor does the General Plan update present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the General Plan update and no additional environmental assessment is required.

This analysis was performed pursuant to CEQA Guidelines Sections 15162 and 15164 and is intended to determine if additional environmental review is required or if the changes proposed by the project are within the scope of the previously certified 2040 General Plan EIR. This analysis determined that the 2040 General Plan EIR is of continuing informational value, the proposed changes in the General Plan update are within the scope of that previously certified EIR, and none of the conditions requiring the preparation of subsequent or supplemental environmental review under CEQA Guidelines section 15162 exists. Therefore, the City of St. Helena, as lead agency, has determined that this Addendum to the EIR is sufficient to meet the requirements of CEQA and no additional environmental review is required. Pursuant to CEQA Guidelines section 15164, this Addendum does not need to be circulated for public review and can be included in or attached to the final EIR. The decision-making body shall consider the Addendum with the Final EIR prior to deciding upon the Project.

City of St. Helena
2023 General Plan Update

8 References

Bibliography

St. Helena, City of. 2018. *St. Helena General Plan Update 2040 Draft Environmental Impact Report SCH#2010042001*. St. Helena, CA. October, 2018.

St. Helena, City of. 2019. *General Plan Update 2040*. St. Helena, CA. April, 2019.

List of Preparers

Rincon, Consultants, Inc. prepared this Addendum under contract to the City of St. Helena. Persons involved in data gathering analysis, project management, and quality control are listed below.

RINCON CONSULTANTS, INC.

Darcy Kremin, AICP, Director
Ryan Russell, Project Manager
Leeza Segal, Associate Planner



CITY OF ST. HELENA CITY COUNCIL

GENERAL PLAN AMENDMENT & ZONING MAP AMENDMENT for Housing Element Consistency

Staff: Aaron Hecock, AICP
Community Development Department
Tuesday, April 23, 2024



PRESENTATION OUTLINE

- 1. BACKGROUND**
- 2. PUBLIC OUTREACH**
- 3. SITE SELECTION**
- 4. DEADLINES**
- 5. MAP AMENDMENTS**
- 6. DENSITY**
- 7. ENVIRONMENTAL**
- 8. CONSEQUENCES**
- 9. RECOMMENDATION**



BACKGROUND

2023 – 2031 HOUSING ELEMENT

ADOPTED: May 9, 2023

CERTIFIED: September 25, 2023

PURPOSE

Identify & analyze housing needs



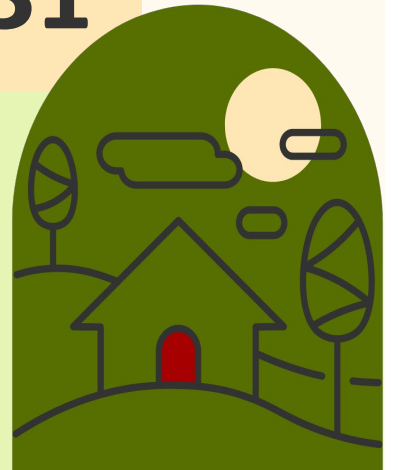
BACKGROUND

REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

PERIOD TO COMPLETE: 2023 – 2031

PURPOSE

*Show how the City will accommodate
assigned RHNA allocation (256)*





RHNA

2023 - 2031

California Department of
Housing and Community Development (HCD)



Association of Bay Area Governments (ABAG)

441,176 NEW HOUSING UNITS



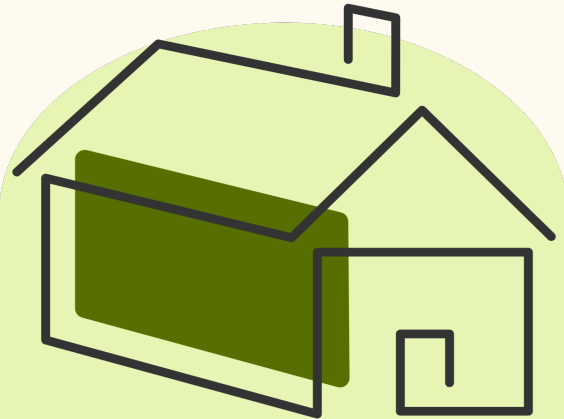
Napa County

3,844 NEW HOUSING UNITS



City of St. Helena

256 NEW HOUSING UNITS





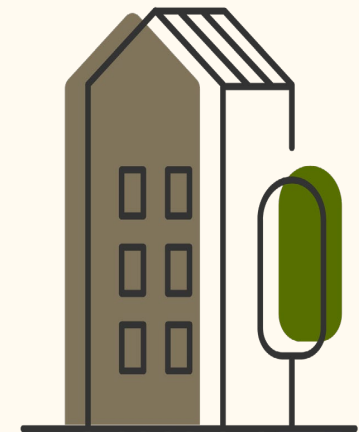
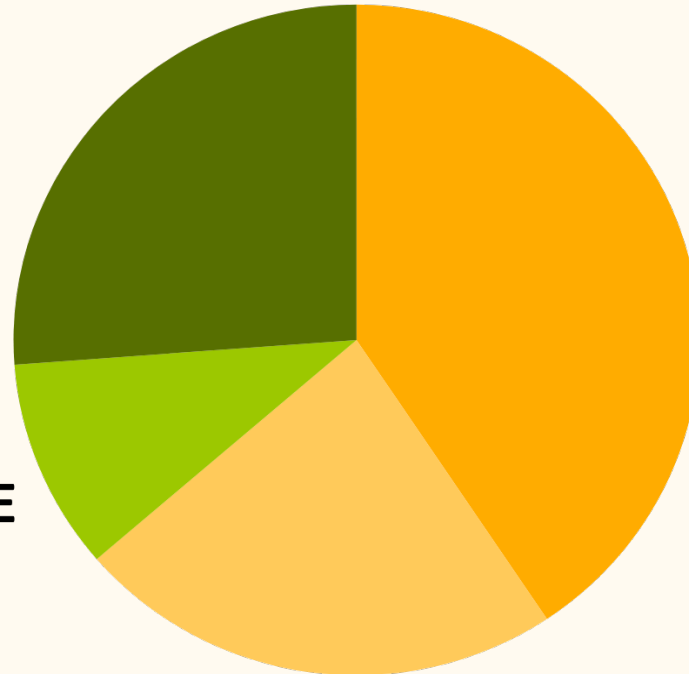
RHNA BY INCOME

ABOVE MODERATE
67

MODERATE
26

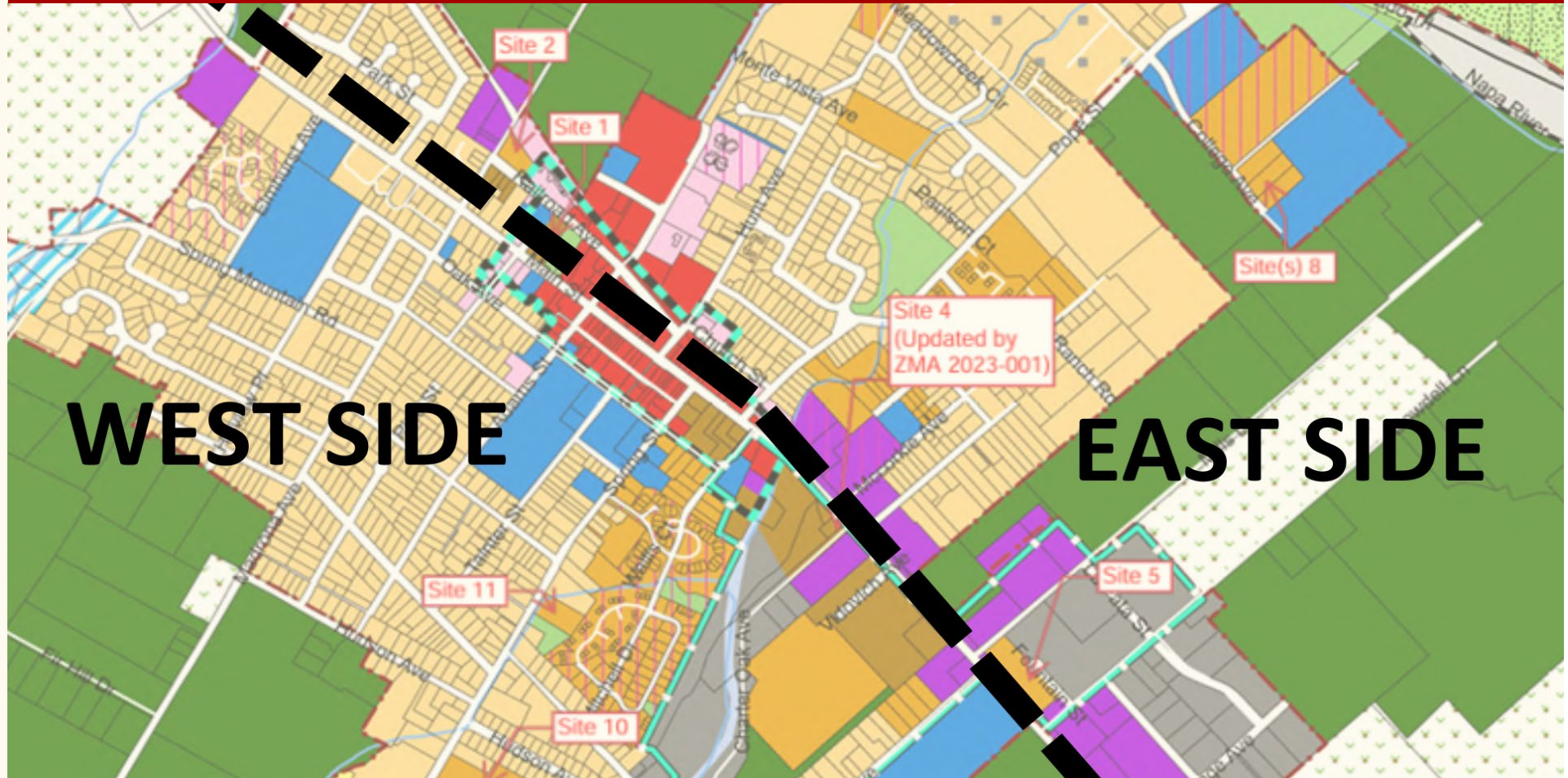
LOW
59

VERY LOW
104





CITY UPZONE SITES





HOUSING ELEMENT

PUBLIC OUTREACH 2020-2023



PROJECT WEBSITE



**NEWSLETTERS &
E-BLASTS**



SOCIAL MEDIA



WORKSHOPS



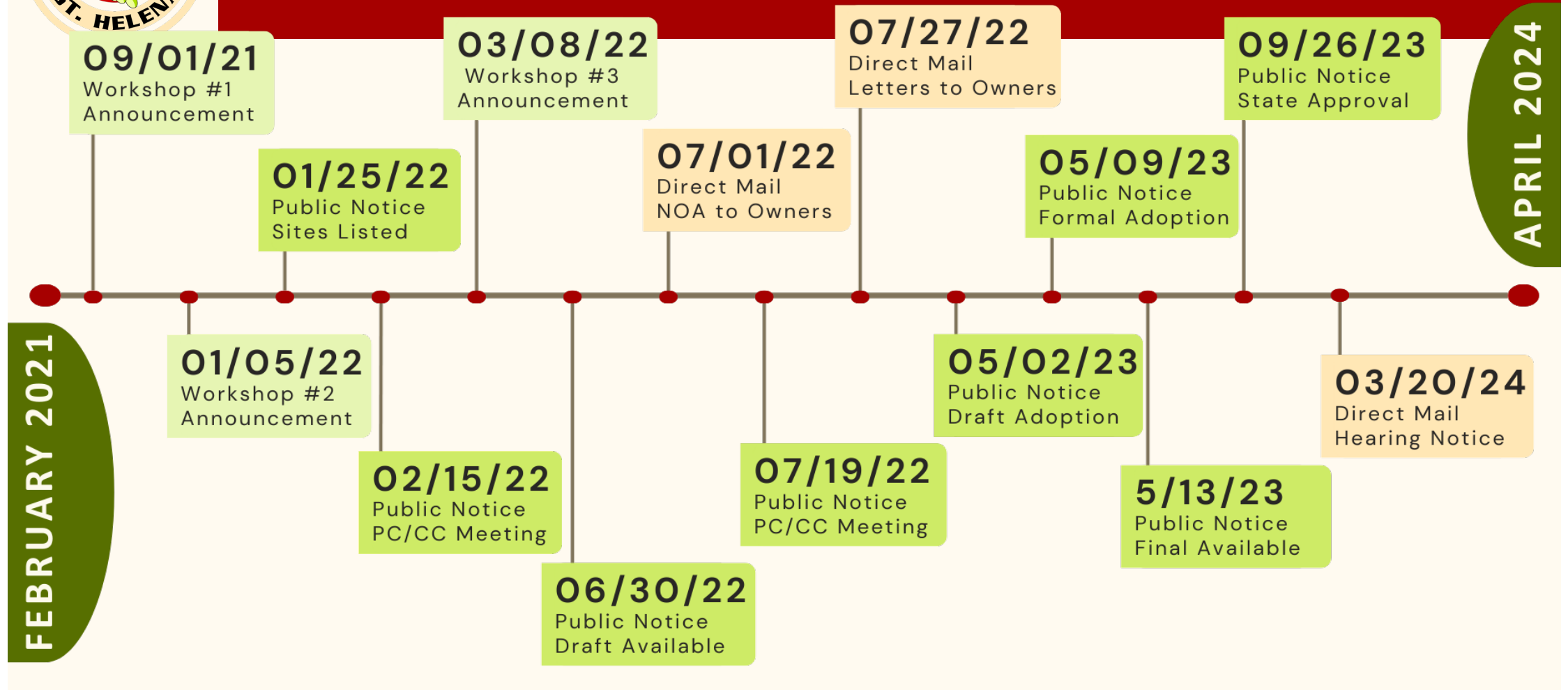
**MEETINGS &
HEARINGS**



**FOCUS & STUDY
GROUPS**

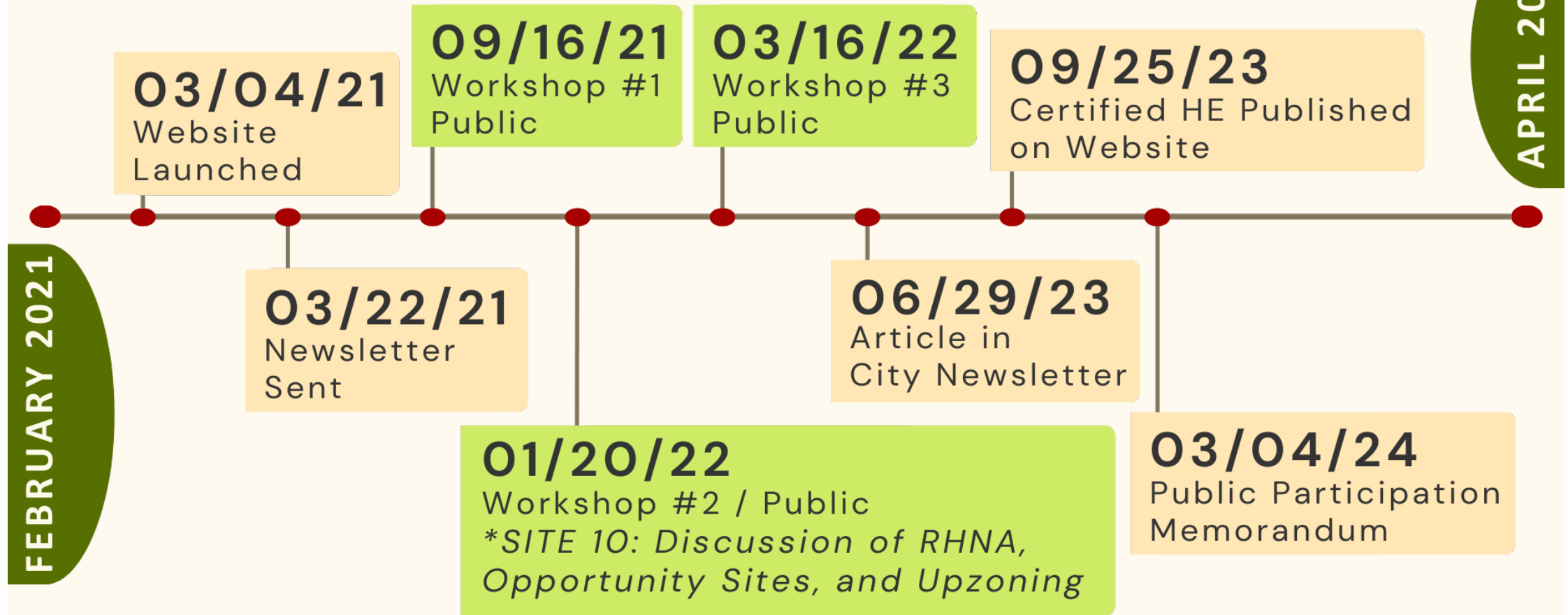


PUBLIC NOTICING





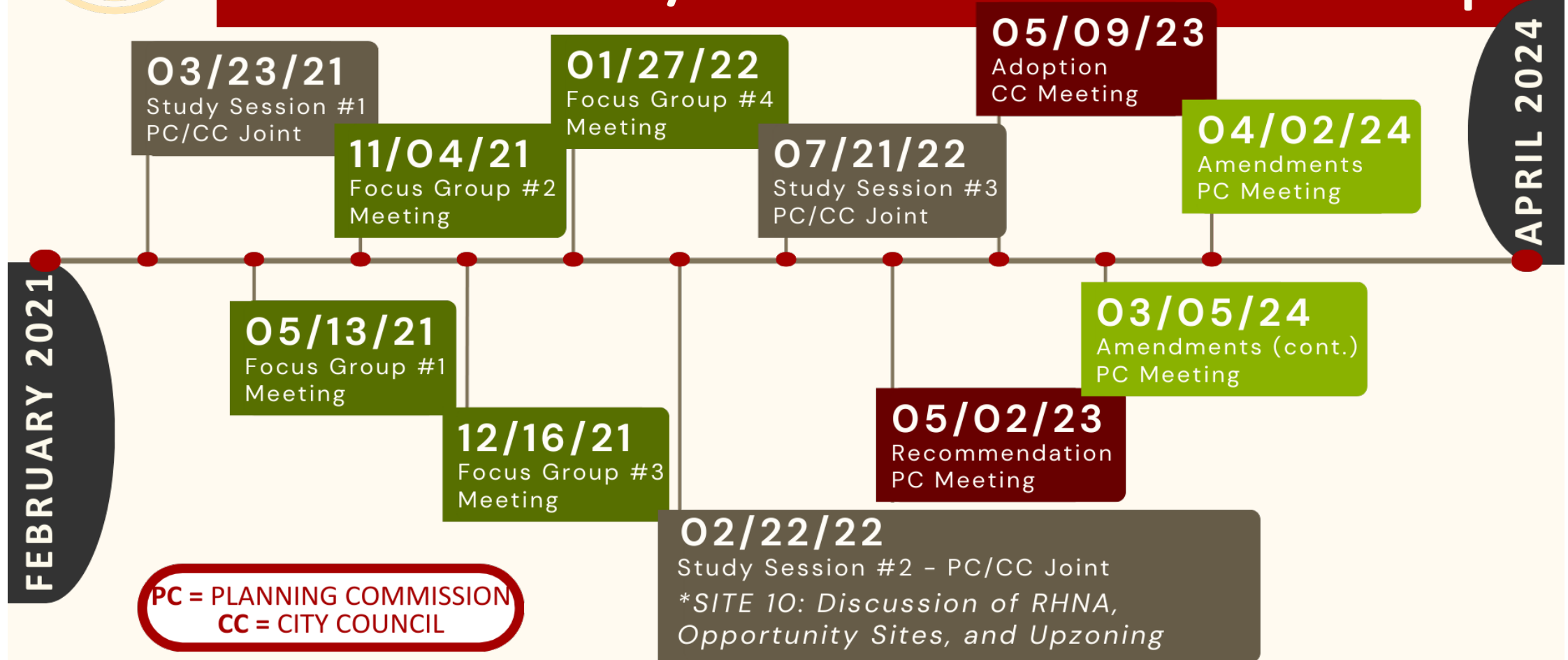
PUBLIC WORKSHOPS





JOINT MEETINGS

Commission / Council & Focus Groups





SITE SELECTION

MANDATED BY STATE

MANDATES

- Site Inventory Guidebook
- Affirmatively Furthering Fair Housing (AFFH)

CONSTRAINTS

- environmental
- utility access
- redevelopment
- capacity

REQUIREMENTS

- vacancy
- size
- location
- schools
- jobs
- amenities

April 2, 2024 | Planning Commission Meeting



SITE SELECTION

PUBLIC PRESENTATIONS

FOCUS GROUPS

December 16, 2021

January 27, 2022

COMMUNITY WORKSHOP

January 20, 2022

JOINT MEETING

Planning

Commission /
City Council

February 22, 2022





SITE SELECTION

WEST SIDE Elimination Criteria



1. Ag uses outside Urban Limit Line
2. Location of overhead power lines OR utility easements
3. Already developed with no indication to sell
4. Split by a waterway OR located within a flood zone
5. Too large OR under open space or agricultural easement



DEADLINES

State-Required Rezoning Deadlines

- **If Housing Element is certified within 120 days of the deadline (January 31, 2023)**
 - *City has up to 3 years to complete the rezoning process*
- **If the Housing Element certification above is not met**
 - *City has until January 31, 2024, to complete all required rezonings*



DEADLINES

Why did the City miss the January 31, 2024 deadline?

- **Multiple rounds of review and new comments from HCD**
 - delayed ability to have housing element certified within the 120-day period
- **City does not have in-house mapping ability software**
 - dependent on assistance from Napa County for all map changes
 - mapping coordination with County had delays & rounds of revision into 2024
- **Map amendment process requires both the Planning Commission and City Council to review**
 - could not be completed prior to January 31, 2024



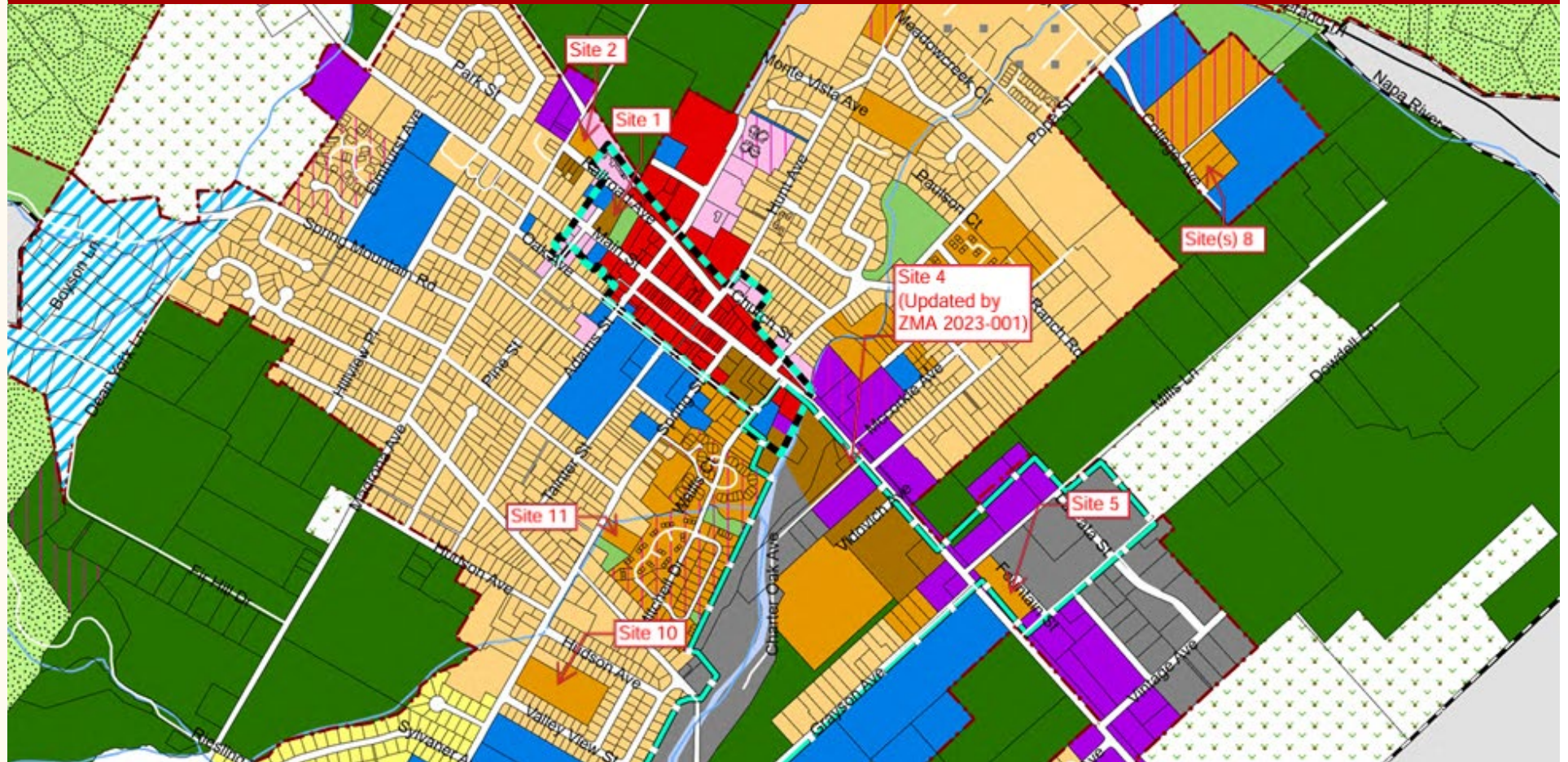
PROPOSED GENERAL PLAN



[Figure 2.1]



PROPOSED ZONING MAP





City Boundary

Selected Sites

- 1 - 1480 Main Street
- 2 - 1572 Railroad Avenue
- 3 - Adams Street
- 4 - 905 Main Street
- 5 - Main Street (between Mills & Dowdell)
- 6 - 709 McCorkle Avenue
- 7 - 821 Pope Street
- 8 - 882 and 886 College Avenue
- 9 - 1447 and 1515 Spring Street
- 10 - Spring Street (between Hudson & Valley View)
- 11 - 1637 Spring Street
- 12 - 620 McCorkle Avenue





MAP AMENDMENTS

Site 10

(009-441-023)

Spring Street

Medium
Density
Residential
(MR)



High
Density
Residential
(HR)





SITE #10

WHY WAS SITE 10 SELECTED TO BE UPZONED TO HR?

- Opportunity Site in 4th & 5th cycle HEs
 - “Default density standard” requires rezone (20 units per acre)
 - Minimum requirement - 14 acres rezoned to HR
 - Requirement of 82 Lower Income units on West Side
- Zoned residential
 - Underutilized
 - Meets AFFH requirements





SITE #10

TIMELINE

- **1975** - Designated for Residential Uses (General Plan)
- **1993** - Zoned as Residential Area
- **1994** - Zoned as Medium Density Residential
 - **2009** - Named as Opportunity Site for Housing
 - **2015** - Named as Opportunity Site for Housing
 - **2024** - No Pending Development Applications

** Property owners previously communicated to the City an interest in residential development*





SITE #10

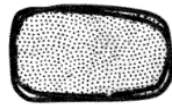
General Plan

Land Use Map

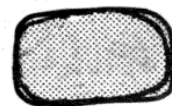
February 18, 1975



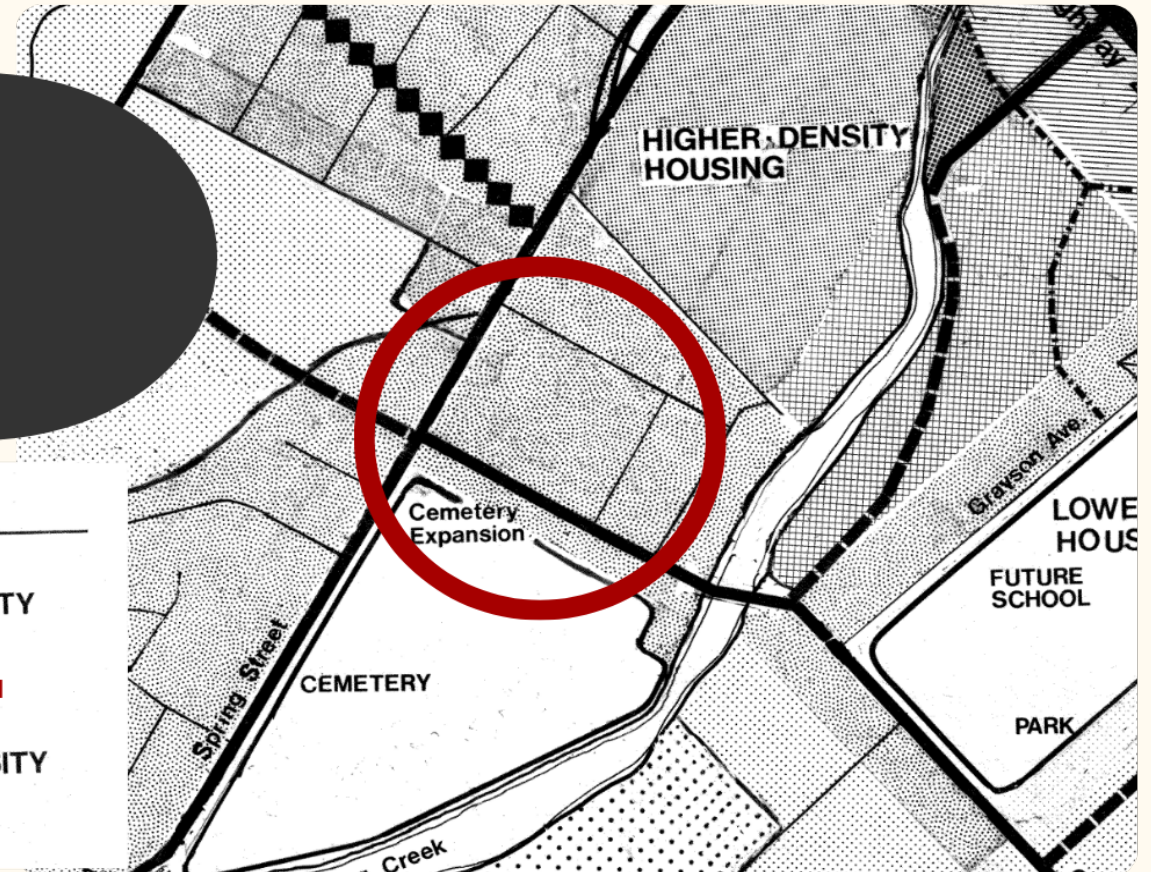
LEGEND



LOWER · DENSITY
HOUSING



HIGHER · DENSITY
HOUSING





SITE #10

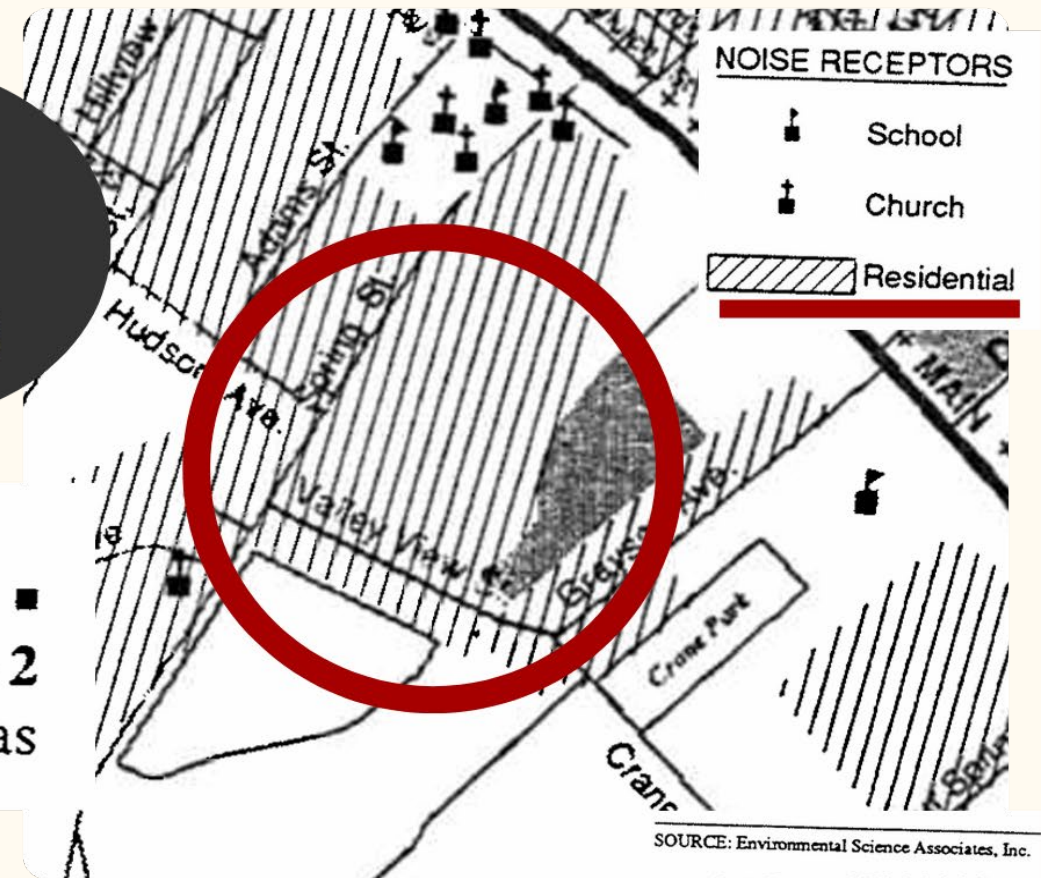
General Plan

1993 Policy Document

Adopted September 28, 1993

St. Helena General Plan Update Noise Element / 91593 ■

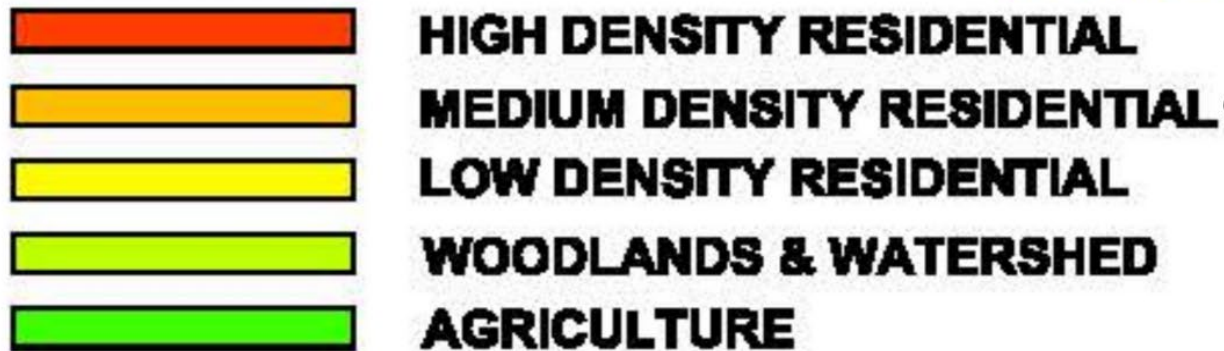
Figure 2
Major Noise Sources and Noise Sensitive Areas





August 2009

LAND USE DESIGNATIONS





SITE #10

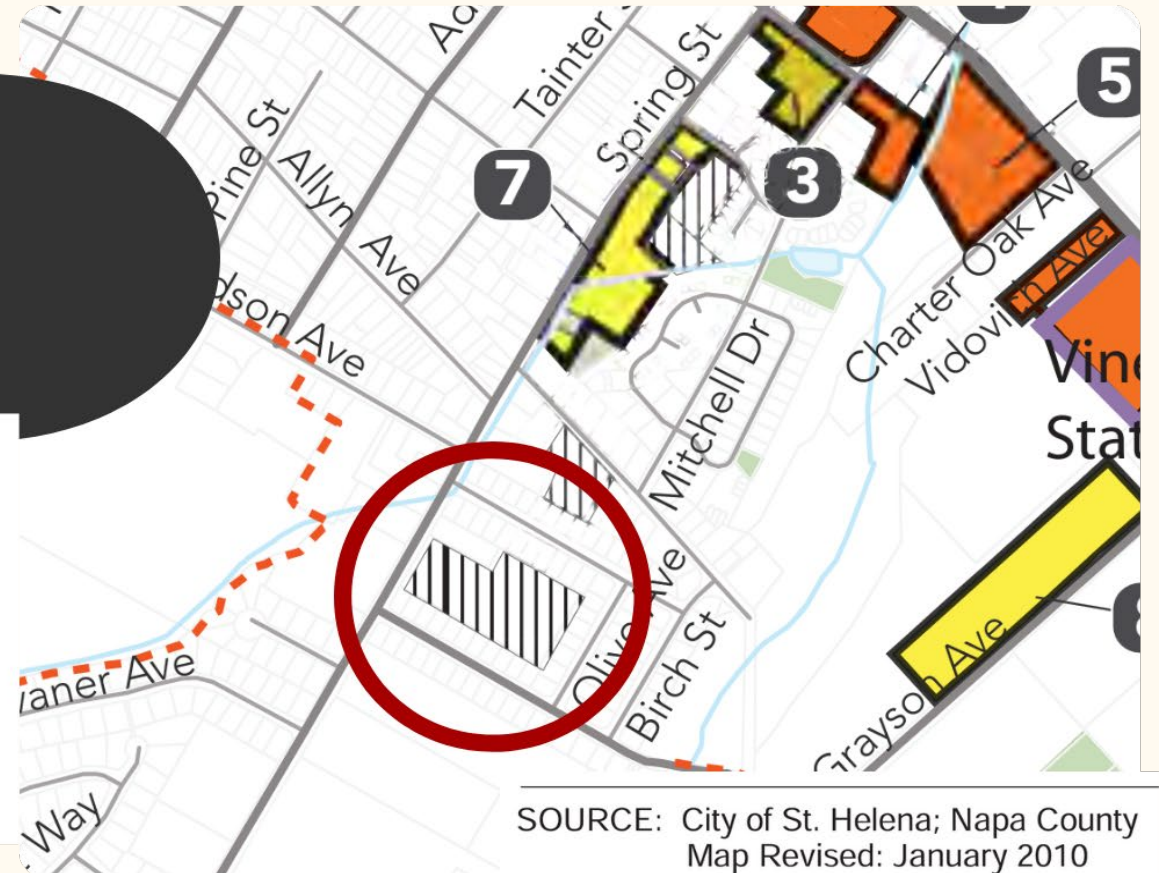
General Plan Update

Land Use Map

January 2010

Legend

-  City Limits
-  Urban Limit Line
-  Potential Land Use Change Areas
-  Housing Opportunity Sites



SOURCE: City of St. Helena; Napa County
Map Revised: January 2010



SITE #10

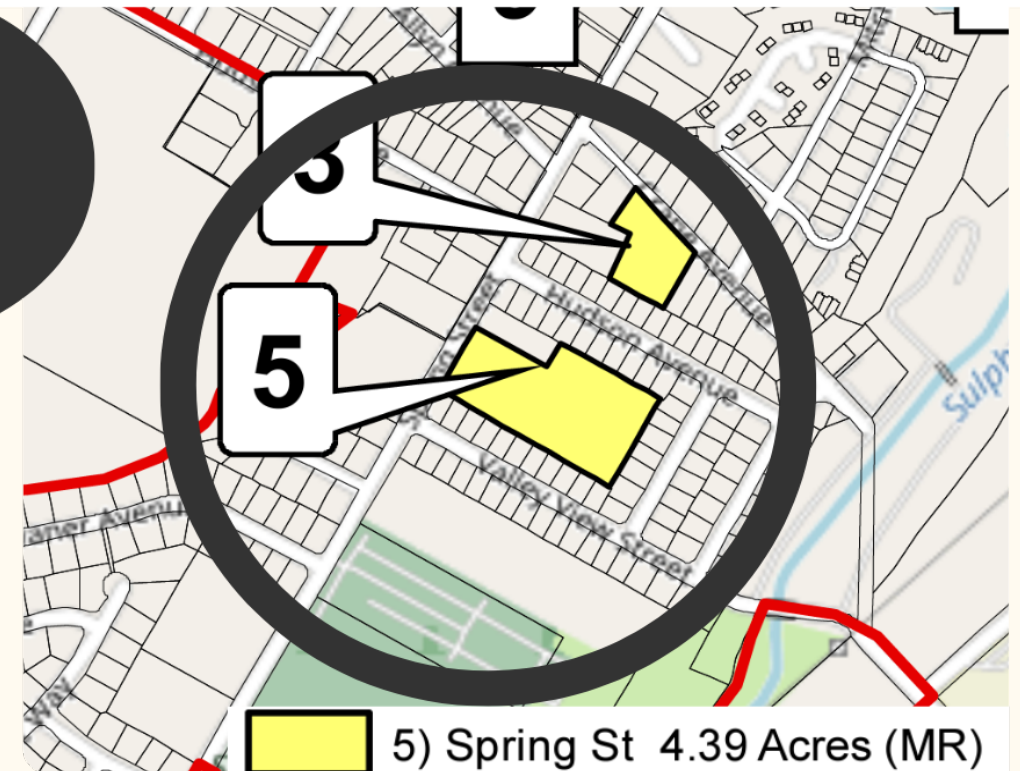
Housing Element Update

2015-2023

Adopted May 26, 2015

- Planted to vineyards
- Water, sewer, and storm drain available
- Will not need either a General Plan Amendment or a rezoning to facilitate residential development

Key Opportunity Sites
Medium (MR) & High (HR) Density Residential





SITE #10

NOTES

- City cannot mandate privately owned sites to be developed
- City must ensure adequate public facilities to serve sites

HCD REQUIREMENTS ON THE WEST SIDE:

- Upzone of 14 acres to High Density Residential (HDR)
- 82 lower income units





SITE #10

CATHOLIC SCHOOL SITE

WHY THE CATHOLIC SCHOOL SITE CANNOT REPLACE SITE 10

- **SUPPORT:** *Diocese would not support*
 - Complicates their Chapter 11 proceedings
- **SIZE:** *Site is 2 acres & Site 10 is 4.4 acres*
 - Leaves 2-acre deficit that needs HR upzoning
- **REQUIREMENTS:** *New site selection process*
 - Re-open the Housing Element



DENSITY VISUALIZATIONS

Medium Density Residential (MDR): Single-family detached and attached homes, and secondary residential units.

5.1 to 16.0
dwelling
units
per acre



Higher Density Residential (HDR): Single-family and multi-family housing, including apartments, town-houses and group homes.

16.1 to 28.0
dwelling
units
per acre



FIGURE 2.2: General Plan Land Use Menu



EXAMPLES

TOWNHOUSE

Lot: 2.54 Acres

Number of Units: 56

Density: 22 du/ac



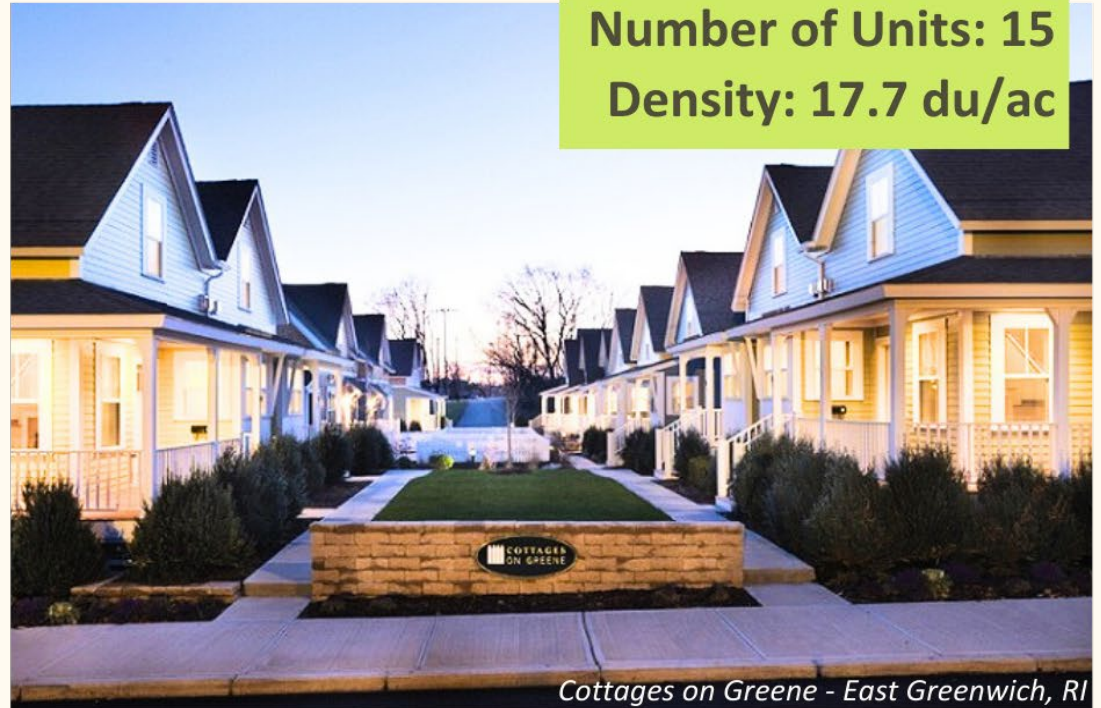
505 E. Bayshore - Redwood City, CA

COTTAGE COURT

Lot: 0.85 Acres

Number of Units: 15

Density: 17.7 du/ac



Cottages on Greene - East Greenwich, RI



EXAMPLES

MULTIPLEX | 27 DU/AC

Lot: 2.89 Acres

Number of Units: 78



MULTIPLEX | 28 DU/AC

Lot: 4.5 Acres

Number of Units: 140





HOUSING ELEMENT ENVIRONMENTAL IMPACTS

- Potential environmental **impacts** of Housing Element Update **within scope** of certified Final Environmental Impact Report (EIR)
 - Only **minor or technical changes** to the previously certified Final EIR needed
 - Preparation EIR Addendum pursuant to **CEQA Guidelines** Section 15164 was appropriate





HOUSING ELEMENT ENVIRONMENTAL IMPACTS

- Estimated & evaluated potential environmental **impacts for 400 new units**
- Found all impacts associated with future development would be **less than significant** OR would be **significant and unavoidable**
- Individual project's environmental impacts addressed on a **case by case basis**

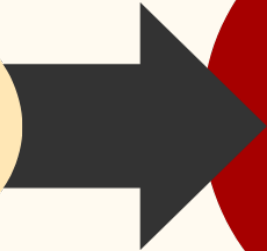




CONSEQUENCES

WHAT IF THESE MAP AMENDMENTS NOT ADOPTED?

**NOT ADOPTING
MAP AMENDMENTS**



**CORRECTIVE ACTIONS BY
CALIFORNIA DEPARTMENT
OF HOUSING & COMMUNITY
DEVELOPMENT**

- HCD monitoring City's progress
- Map amendments not adopted by 1/31/24, corrective action letter
- On 3/26/24 HCD withdrew their certification of the Housing Element



CONSEQUENCES

LOSS OF ACCESS TO STATE FUNDING

- **TRANSPORTATION**

- Fixing roads, adding bike lanes, improving transit
- Caltrans Sustainable Communities Grant Program

- **INFRASTRUCTURE**

- Infill Infrastructure Grant Program
- Community Development Block Grant Program

- **HOUSING**

- Local Housing Trust Fund Program
- Affordable Housing and Sustainable Communities Program
- Permanent Local Housing Allocation Program





BUILDER'S REMEDY

PROVISION OF CALIFORNIA'S HOUSING ACCOUNTABILITY ACT



Builders Remedy Project near Wilshire Blvd and 6th St in Santa Monica, May 24, 2023
(credit Cal Matters article June 6, 2023)

- Prevents jurisdictions from denying certain housing projects
- Projects do not have to comply with the jurisdiction's zoning ordinance or general plan
- The City may not limit heights or require setbacks
- Allows for by-right development of multi-family projects on these sites



BUILDER'S REMEDY

AVAILABILITY OF THE "BUILDER'S REMEDY"

San Francisco Chronicle

17-story housing tower
proposed in Palo Alto, invoking
'builder's remedy'

Sam Whiting Nov. 27, 2023 | Updated: Nov. 28, 2023 10:24 a.m.



Santa Barbara Independent

How an Obscure Housing Law
Broke the Door Wide Open
for Developers Looking to Build
Bigger, Denser, and Quicker than Ever

By Ryan P. Cruz | January 17, 2024

Nearly 5,000
Units of
Housing
on the Fast
Track
in Santa
Barbara

The Mercury News

San Jose to fight developers using 'builder's
remedy' to downsize housing projects

Developers used housing loophole to try to scale back housing
proposals

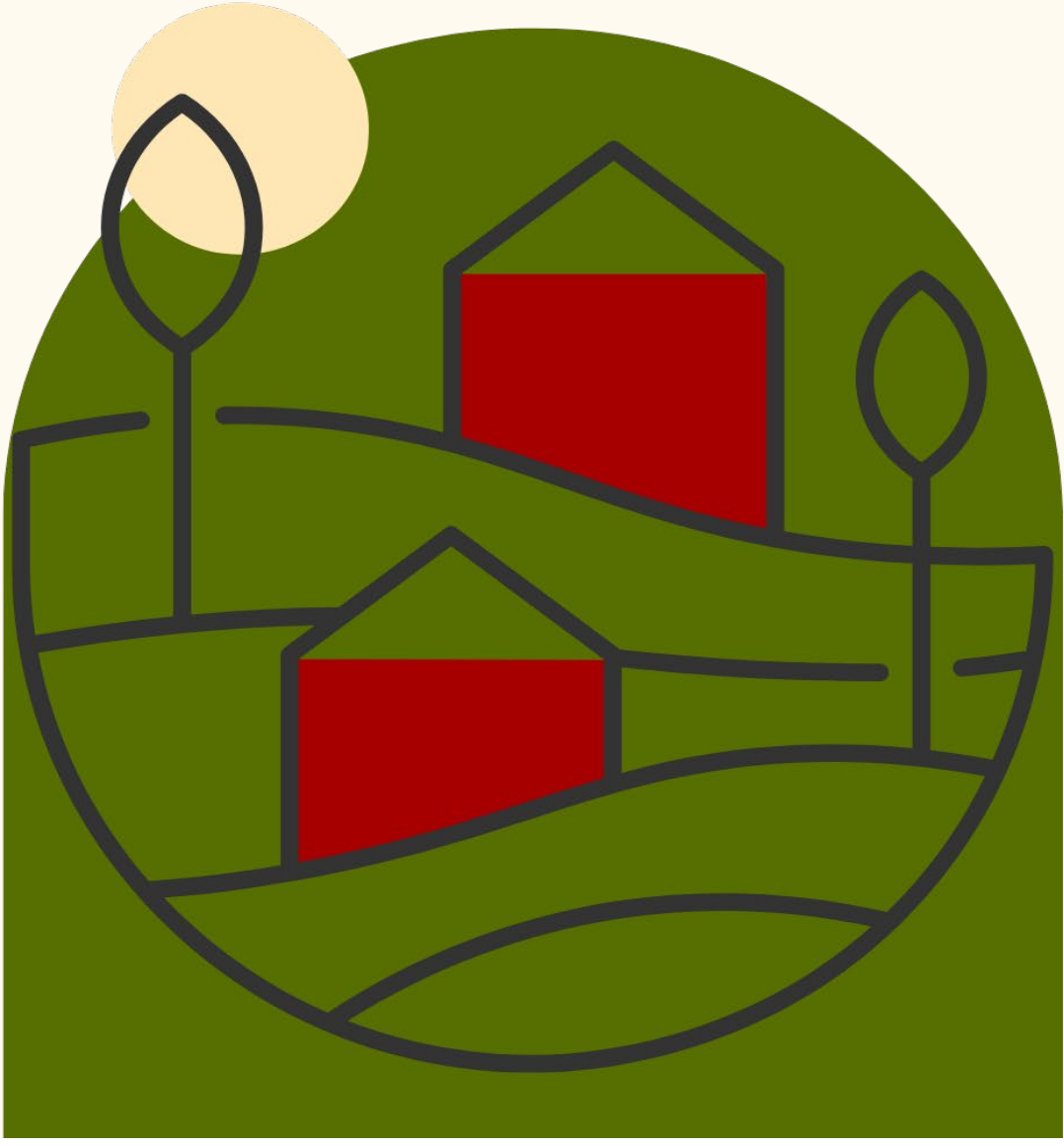
By KATE TALERICO | ktalerico@bayareanewsgroup.com | Bay Area News Group
PUBLISHED: February 2, 2024 at 4:56 p.m. | UPDATED: February 5, 2024 at 4:49 a.m.



RECOMMENDATION

Approval of introduction and first reading by title only and waive further reading of the proposed Ordinance to:

1. Find that the proposed changes to General Plan Figure 2.1 and the City's Zoning Map are consistent with adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element and in compliance with the California Environmental Quality Act; and
2. Adopt an Ordinance approving General Plan Amendments (GPAs 2024-001, 002, 003, 004, 005, 006) Updating General Plan Figure 2.1 and Adopt Zoning Map Amendments (ZMAs 2024-001, 002, 003, 004, 005, 006) to identify zone changes for the designated Housing Opportunity Sites to be consistent with the 2023-2031 Housing Element, and incorporating these changes into the General Plan and Zoning Maps; and
3. Consider directing staff to analyze other units to replace Site 10 after adoption of the Ordinance and recertification of the Housing Element by HCD.



Opportunity Site #10 **Summary of Facts**

- Has been designated for residential uses since the 1975 General Plan.
- Has been zoned Medium Density Residential since the early 1990s.
- Was a designated Housing Opportunity Site in both the 4th and 5th Cycle Housing Elements (2009 and 2015).
- **State law requires** that because the site has not been developed after being included as an Opportunity Site in the last two Housing Elements, it has been identified for future up zoning to High Density Residential (HR) in the current 6th Cycle Housing Element (studied in 2020 and adopted in 2023).
- The property owners of Site 10 have expressed interest in residential development on the site.
- No development application has been received for Site 10.
- Housing Element Focus Group meetings in 2021 and 2022 showed high interest in upzoning to HR in the form of townhomes. No formal vote was taken.
- Removing Site 10 from the Housing Element will result in the Housing Element no longer complying with policy HA with requires minimum of 82 lower income units on the west side as well as a min of 14 acres of HR property be upzoned.
- The Catholic School site:
 - Is only 2 acres in size and therefore short 2.4 acres in size to fully replace the size of Site 10.
 - Is currently developed which would require some indication from the property owner that they have interest in developing housing.
 - The Diocese has indicated they do not support the Catholic School site on Oak Avenue being added to the Housing Element as it complicates their Chapter 11 proceedings.
- There is no replacement parcel for Site 10 on the west side that would allow the City to “swap sites” without re-starting the Housing Element process.
- Noticing for the Housing Element adoption in May 2023:
 - The City Attorney confirmed in the April 2, 2024 public hearing that the adoption of the Housing Element was adequately noticed as there was no formal rezoning action taken by that General Plan Amendment for the Housing Element.
 - When the City sought to bring the zoning map changes for Housing Element consistency, the March 5, 2024 public hearing was continued in order to address the requirement for the 300 foot property owner notification letters as well as zoning change notification letters to each of the opportunity site property owners. (The opportunity site property owners previously received a letter from the City in 2020 that their property was being considered as an opportunity site).

From: [Ariana Peju](#)
To: [Public Comment](#); [cityclerk](#); [Maya DeRosa](#); [Planning Commission](#)
Subject: [External] Comments for City Council Meeting (April 23, 2024)
Date: Wednesday, April 17, 2024 2:25:45 PM

Dear Planning Department & Commissioners,

Below are my comments for the upcoming City Council meeting on April 23, 2024.

I am writing in response to the High Density development on Site 10 on Spring St. Development to HDH would negatively impact the neighborhood in terms of traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood.

In addition, the community was not fairly noticed about the Housing Element process and mailed notice this late, after the City already promised to rezone, is not reasonable.

While it appears likely that the City will approve the rezoning to remove Builder's Remedy, the City must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of the community. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers.

There are better options for achieving Housing Element numbers that would not impose high-density on Site 10. The City should have explored these options from the start and must be willing to explore these options going forward when redoing the Housing Element.

Ariana Peju
Sylvaner Ave- St Helena

From: [Caroline Sjostedt](#)
To: [Public Comment](#)
Cc: mderosa@cityofsthelena.com
Subject: [External] Housing Element Site 2 - 1572 Railroad Avenue (public comment)
Date: Thursday, April 18, 2024 1:36:33 PM

Good Afternoon,

My husband and I own the home and cottage (1563 and 1567 Railroad Avenue) directly across the street from site that the City of St. Helena is considering amending the General Plan and Zoning Map from BPO to High Density Residential.

Considering the surrounding lower density residential to the west and north of the site, we would only be supportive of a maximum of three stories and provided that the unit garages are backloaded. Below is just an example of a townhome density that could incorporate an attractive front elevation but with garage and other parking provided through the back. Not sure how many units to the acre this type of development would incorporate, but it may be a way to transition well in the neighborhood and provide smaller and hopefully more affordable housing in the City of St. Helena.

We will be on the East Coast next week, and therefore unable to attend the meeting in person, but I wanted to contribute our comments as our property will be one of the most impacted by any proposed change and future development.

Thank you for your consideration.

Regards,

Caroline Sjostedt



From: [Jessica Stielau](#)
To: [Public Comment](#)
Subject: [External] Feedback and concerns on Housing Element Site 10
Date: Tuesday, April 16, 2024 2:03:01 PM

Jessica Stielau
1077 Valley View St
St Helena CA 94574

City Council of St. Helena City Hall 1480 Main Street St. Helena, CA 94574

Dear Members of the City Council,

I am writing to express my strong opposition to the proposed zoning map amendment that would change the designation from Medium Density Residential (MR) to High Density Residential (HR) in the area of Spring Street between Hudson Avenue and Valley View Street.

As a resident of this neighborhood, I am deeply concerned about the potential consequences of this zoning change, particularly regarding increased traffic and changes to the character of our community. The lots in this area are already very small and close together, and the addition of high-density residential units would only exacerbate these issues. Furthermore, Spring Street and Valley View Street serve as busy arteries, especially with their proximity to the high school, and any increase in traffic would pose significant safety risks for pedestrians and cyclists.

I urge the City Council to consider the long-term implications of this zoning amendment on our neighborhood and to prioritize the preservation of its unique character and quality of life. I believe that such a significant change to the zoning designation is not in the best interest of the community and would adversely impact the well-being of its residents.

Please know that I am prepared to challenge the city's decision in court if necessary to protect the interests of our neighborhood and uphold the integrity of our community.

Thank you for your attention to this matter.

Sincerely,

Jessica Stielau

--

Jessica Stielau (she/hers)
c: 206-661-0116

From: [Lizette Fiallo](#)
To: [Public Comment](#)
Subject: [External] Spring Street Rezoning - City Council Meeting (April 23, 2024)
Date: Wednesday, April 17, 2024 9:51:27 AM

Hello

I would like to submit my comments prior to the meeting.

1. The community does not support High Density development on Site 10. A high density development on Site 10 would negatively impact the neighborhood in terms of traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood.
2. The community was not fairly notified about the Housing Element process and mailed notice this late, after the City already promised to rezone, is not reasonable.
3. While it appears likely that the City will approve the rezoning to remove Builder's Remedy, the City must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of the community. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers.
4. There are better options for achieving Housing Element numbers that would not impose high-density on Site 10. The City should have explored these options from the start and must be willing to explore these options going forward when redoing the Housing Element.

Thank you
Lizette Fiallo
1217 Allyn Ave

From: [Pat Friday](#)
To: [Public Comment](#)
Subject: [External] Rezoning for affordable housing
Date: Monday, April 15, 2024 4:15:57 PM

Dear City Council,
As I live off Spring Street, I have a couple of thoughts regarding two sites, #10 and #11.

Site 10 is a good location for affordable housing, but would request that units be limited to 2-story buildings, to be keeping with the nature of the neighborhood.

Site 11 is already affordable housing; why move folks out when other locations can more easily developed? They have lived there a long time and are a part of our neighborhood. Don't dislocate them.

Thank you for considering my thoughts,
Pat Friday

Pat Friday
1430 Wallis Court
St. Helena CA 94574

From: [Brian Driscoll](#)
To: [Public Comment](#)
Subject: [External] Proposed Site 10 High Density Development
Date: Monday, April 22, 2024 8:29:39 AM

To Whom it May Concern:

We are residents of 1242 Allyn Avenue in St. Helena.

I'm writing to advise that our family does not support the proposed High Density development on Site 10. We strongly believe this proposed development would negatively impact the neighborhood in terms of traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood.

We implore the City Council to explore alternative solutions in partnership with its citizens.

Thank you,
Brian Driscoll

Patrice Ferguson and John E Camp
1250 Spring Brook Court
St. Helena, CA 94574

April 23, 2024

To: City of St. Helena Planning Commission

Email: publiccomment@cityofstheleena.org

We previously wrote to you regarding our concerns for the recommendation of City Council regarding the rezoning of the property at 1933 Spring Street from medium density to high density. We continue to be adamantly opposed to such a rezoning.

I understand that the notice process has been subverted with attempts to cure past problems when the entire intention of the process is to provide meaningful information to stakeholders and interested residents. The swiftness of the City's actions denies all of us for the opportunity to be heard and participate in decisions that affect all of us.

The decision to "rezone" from medium to high density is well documented in terms of the lack of the proper notice period to residents and the community of St. Helena. The City has an opportunity now to consider options for achieving the Housing Element goals without the dramatic and negative impact to the Spring Street and surrounding neighborhoods by maintaining the medium density zoning. Certainly, the community doesn't support the change to high density especially if it is adjusted in such a way to increase the impact in even greater terms. There can be no doubt of the tremendous impact to schools, traffic, safety, water and sewer that would result from the change. We are shocked by the possibility of adding hundreds of units in low rise structures on Spring Street with the enormous problems this would create. We understand that there are other sites that would lend themselves to better transition to the type of housing density the City seeks to approve.

From: [Gemma Hanna](#)
To: [Public Comment](#)
Subject: [External] Rezoning
Date: Monday, April 22, 2024 7:59:29 AM

I am a resident of Saint Helena and am opposed to the rezoning of 1933 Spring Street to high density. As a high school student in St. Helena, it would negatively impact traffic getting to school and increase the chance of accidents.

From: [Linda Reiff](#)
To: [Public Comment](#); [cityclerk](#); [Contact City Council](#)
Cc: [Paul Dohring](#); [Eric Hall](#); [Anna Chouteau](#); [Patrick Kenealy](#); [Billy Summers](#)
Subject: [External] Public Comment on City Council Meeting 4.23.24 Agenda Item 11.1
Date: Sunday, April 21, 2024 8:44:48 PM

Dear City Council,

Thank you for the notice last week of the meeting where you will consider the potential rezoning of 1933 Spring Street. I offer my comments to you with the hope you will sincerely consider and respond to them. I am also forwarding my original comments to the Planning Commission at the bottom of this message for more context.

Process & Responsibilities:

My neighbors and I appreciate finally being recognized as having a very significant stake – and right -- in what happens with 1933 Spring Street and yet, it feels that it is coming at not just the 11th, but the 12th hour.

We never received the proper notice that is required by law to contact the neighbors within 300 feet that the property was being proposed for rezoning to high-density housing. When we finally received notice **just last month**, we were also told that the change had actually already been made, it had already been approved, and that the decision could not be changed or there might be consequences with the State.

Rather than considering the consequences with the State, I propose that the City's first responsibility is to consider the lives and potential consequences for its citizens who live here and pay taxes to fund the City operations.

Sadly, rather than spending time to meaningfully engage with the neighbors now (let alone a year or more ago), instead, the City is spending its time trying to defend what it did by writing an article for the newspaper, sending out a newsletter, and creating FAQs and other documents to try to explain what it did.

I sincerely hope that you, the people who the citizens elect to oversee the City's operations, will pause and think about how **the City's process has gone terribly wrong and work with your constituents to find a solution.**

The Spirit of St. Helena:

I understand some of you attended or watched the April 2 Planning Commission meeting and I appreciate that you did. What you saw and heard is that people deeply care. More than 90 of your fellow community members wrote letters in opposition to the City's action on 1933 Spring Street, and a number of them spoke that night in opposition. Including the property owner.

I was stunned that the City rezoned someone's property, requiring that high-density housing be built on it, without notifying the property owner (even when they specifically asked about it), let alone notifying more than 100 families within the required 300-feet of the property. Can you imagine how you would feel if that happened to your family's home? Or if that is legal?

To have such a vast and a direct negative response demonstrates that clearly, this situation has not been managed well, and it needs to be resolved.

Which leads to you, the City Council Members.

I spoke at the Planning Commission meeting about why I love St. Helena. It's a small town with deep agricultural roots, where we work together and figure things out. I asked the City to please work with the neighbors to find a solution. In fact, a solution has been proposed: that the additional housing numbers required by the State be recognized in the other parcels in the plan.

Rather than write more documents and spend any more time trying to explain why this would be hard, let's spend our time figuring out how to do this.

Thank you very much for your consideration and your service to our town. We look forward to working with you to reach a positive solution for the property owner, the neighbors, and the entire community.

Sincerely,
 -Linda Reiff

From: LINDA REIFF <lreiff@comcast.net>

Sent: Friday, March 29, 2024 1:40 PM

To: publiccomment@cityofsthelena.org; cityclerk@cityofsthelena.org; mderosa@cityofsthelena.org; planningcommission@cityofsthelena.org

Subject: Public Comment on Planning Commission April 2 2024 Agenda Item 5.1

Dear Planning Department and Commissioners,

I received your letter and background materials regarding the potential rezoning of 1933 Spring Street on March 23, which is 10 days before the Commission is scheduled to vote on the matter.

As a property owner directly across the street, this proposal would have a massive negative impact on my property, and those of 100 other homeowners in the immediate neighborhood.

This is a small town where such a major decision with irrevocable impacts needs thorough review and meaningful conversations, which has not occurred. Further, proper notice to allow time for study and comment is required by law. If the City moves forward with this proposal my neighbors and I will have been denied that right.

I understand that the City has put itself in a precarious situation with the State. I also understand there are enough housing numbers within the other sites to meet the State requirements.

Therefore, in order for the City to meet the State requirements without denying its citizens their rights, the only choice the City has at this time is to remove the rezoning proposal for 1933 Spring Street and resubmit the plan to the State with the remaining sites.

Thank you in advance for resolving this matter.

Sincerely,
Linda Reiff

On 03/04/2024 1:07 PM PST Linda Reiff <lreiff@comcast.net> wrote:

Dear Planning Department and Commissioners,

I am the owner of the property directly across the street from 1933 Spring and its vineyard, which apparently you are considering re-zoning to high-density housing.

I did not receive any notice from the city on this matter and I have not found any other neighbors of the property who were given notice either. Isn't this required?

The property you are considering is in agriculture which is considered a core community value. The city apparently recently rezoned it to medium density housing and now wants to make it high density housing which would severely impact the agrarian nature of the neighborhood. Why did you not engage with the neighbors on this matter before even considering such a thing?

While I understand the city is under pressure from the state to approve more housing, this is not the location where it should be done. The traffic impacts alone would be substantial and given this is the route to two of our public schools, it would be dangerous for children.

I respectfully ask that you not re-zone the property and instead engage with all neighbors about the future of the site. Thank you for your consideration.

Sincerely,
Linda Reiff

From: [Nancy King](#)
To: [Public Comment](#)
Subject: [External]
Date: Sunday, April 21, 2024 8:24:29 PM

Dear City Council,

I am sick of the lack of consideration the city has had for the community.
Please understand that this is how all of us living in the surrounding area of Site 10 feel.
David Prueter says it best-

1. The community does not support High Density development on Site 10. A high density development on Site 10 would negatively impact the neighborhood in terms of traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood.
2. The community was not fairly noticed about the Housing Element process and mailed notice this late, after the City already promised to rezone, is not reasonable.
3. While it appears likely that the City will approve the rezoning to remove Builder's Remedy, the City must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of the community. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers.
4. There are better options for achieving Housing Element numbers that would not impose high-density on Site 10. The City should have explored these options from the start and must be willing to explore these options going forward when redoing the Housing Element.

Nancy King
1143 Hudson Ave.
(living here for 30 years and in SH for 43yrs)

From: [Tina DeGeorgio](#)
To: [Planning Commission](#); [Maya DeRosa](#); [cityclerk](#); [Paul Dohring](#); [Eric Hall](#); [achoutaeu@cityofsthelena.org](#); [Billy Summers](#); [Patrick Kenealy](#)
Cc: [Thomas DeGeorgio](#)
Subject: [External] Rejection of Spring Street site 10 Rezoning
Date: Monday, April 22, 2024 1:57:19 PM
Importance: High

Dear City Council,

I humbly would like to renew my request to reject High Density development on site 10. I submit this request, in addition to all my prior requests (dated March 5th and March 24th). I have been a resident owner, in St. Helena, for nearly 4 years. I feel like my voice is not being heard. The reasons why we purchased our home are many. While too many to individually list here, many can be found on the City's web page. A small friendly family oriented community, with rich history. Most importantly the City has protected the beauty and tranquility of our 5+ square acre city by imposing building height restrictions, not allowed big box stores and promoting the wine industry. Our leaders have always acted with a long term view of the future.

We do not support the High Density development on site 10. This effort is a short a sighted plan to solve much bigger issue. I believe that if proper due diligence and proper notice is made to interested parties better options would come to the fore. Attempts to solve the Housing Element issue with a hastily developed and contorted plan is destined for failure. A high density development on site 10 would negatively impact our community in terms of traffic and street over crowding. Already limited parking would get much worse. An already taxed water and sewer system would most certainly fail or need replacement. We are currently experiencing brown water issues and power outages. They are still not resolved. Health and safety issues such as fire evacuation and public safety would certainly be at risk.

Our city was founded in the 1800's, it has prospered since then, lets not take steps backwards. There are alternative solutions that fit with the vision of our forefathers and provide a long term solution, we just need to embrace them. It is worth taking the time to explore these options going forward when redoing the Housing Element.

Finally, I would like to thank you for your service to our beautiful community. I understand the heavy burden that comes with your role. I stand ready to support a plan that supports all of our 5,000 plus residents now and into the future.

Tina & Tom DeGeorgio
 1180 Valley View Street
 St. Helena, CA

From: [William Wagner](#)
To: [Public Comment](#)
Subject: [External] 1933 Spring Street
Date: Monday, April 22, 2024 3:27:35 PM

Hello,

My name is William Wagner and I reside at 1160 Hudson Avenue in Saint Helena.

I understand that the city is in a bind and you feel like you HAVE to re-zone 1933 Spring Street for high Density housing, but I am also aware of the fact that this conundrum was self-inflicted. I know you're going to vote to adopt the housing element as-is to avoid Builder's Remedy, but I strongly encourage you to immediately start looking for other options, regardless of how you vote.

Thank You,

William Wagner
1160 Hudson Ave.

From: [Ian Devereux White](#)
To: [Public Comment](#)
Subject: [External] Comments 4-23-24 City Council Meeting
Date: Monday, April 22, 2024 6:42:23 AM

Dear Planning Department & Commissioners,

I would like to voice some very serious concerns (and speak for every single person I've had this conversation with in our small town) regarding the unsafe High Density development on Site 10 on Spring St. that is planned for the upcoming City Council meeting on April 23, 2024.

Development to HDH would negatively impact the neighborhood in terms of traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood. That is the MOST trafficked and dangerous area of town as it is given where the schools are and it's where families walk and ride bikes on their way to Crane Park.

In addition, the community was not fairly noticed about the Housing Element process and mailed notice this late, after the City already promised to rezone, is not reasonable. While it appears likely that the City will approve the rezoning to remove Builder's Remedy, the City must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of the community. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers.

There are better, safer, more reasonable options for achieving Housing Element numbers that would not impose high-density in this extremely sensitive area. The City should have explored these options from the start and must be willing to explore these options going forward.

Ian White
Sylvaner Ave- St Helena
Father of two.

From: [LAURA KEIR](#)
To: [Public Comment](#)
Subject: [External] Rezoning Site 10
Date: Saturday, April 20, 2024 11:59:03 AM

Members of the city council;

We hope all members have considered item 3 of the planning commission recommendations and have diligently pursued information and answers to the questions and suggestions of possible placement of a small amount of units to another site that would still allow certification of the housing element and avoid rezoning of Site 10 to HR.

We hope it wasn't just written off as impossible.

The citizens brought to the Planning Commission a good proposal and option in order to get certification without changing the density on Site 10.

Had the City Council DIRECTLY notified those LIVING NEXT to the property (300 feet notice) prior to submitting the plan, we would have been able to have input and we would not have 100's of disenfranchised citizens and a neighborhood that will, in the end, be decimated

We do need housing! Housing in all income levels. Many Teachers, police, firefighters Etc will not qualify for these homes (actually it appears apartments) due to their low-low /low/moderate income level standards. I've spoken to many restaurant servers and they also say that's the same issue they have. Their income is too high for low cost but no middle class programs nor homes in town! Especially married two income households. We need more reasonably priced HOMES so people can put down roots. Not all Apartment type "Units" for a transient population. As It appears, Based on the planned Housing Element zoning, the limited land we have will provide only apartment type rental housing for one sector of the population.

We in California are losing our rights and our voices due to the states mandating control over the city and county governments. The local government is where we the people can directly voice our concerns. (Try meeting with the State Legislature!) taking away the power to decide what is best for our City is akin to a dictatorship. You do what the State says or else you will be punished. California is taking away our freedom and our voice.

It's disappointing that more cities have not filed suit against these new laws. Possibly the people harmed will band together. Until then, we need all City Councils to make the best decision for the people they represent and to fight to accomplish the goal of keeping our communities a safe and healthy place to live.

Thank you,
 Laura Keir

From: [X X](#)
To: [Public Comment; davidprueter@yahoo.com](#)
Subject: [External] High Density development in SH
Date: Monday, April 22, 2024 7:06:10 PM

Dear Mayor and City Council members,

Thank you for your commitment of excellence in service to our Saint Helena townspeople. As you are certainly aware, your decisions now affect the many facets of life, livelihood and community for many years to come. This requires that you consider not what is easy or what is arbitrarily prescribed but instead what is highest and best for the people you serve.

I will not reiterate the many points of negative impact on our Saint Helena resulting from unrestrained High Density re-zoning of agriculture vineyard land in the heart of our single family zoned neighborhoods. This has been adequately voiced by others and I believe we all know this is not highest and best.

I would ask that you instead consider the underlying trend that effectively disenfranchises the will and reason of the people of Saint Helena, their elected officials and governing bodies such as yourselves by outside legislative fiat both state and federal. What is easy is to simply go along with whatever new edicts filter down. What is right is to insist on the integrity and authority of your respective office because Saint Helena, like any other township in California, is unique and should be governed as such.

This is certainly a new day and our collective response now will set the stage and standard for life and community in Saint Helena, Napa Valley and beyond.

I recommend that citizens and townships unite now in a single voice back to Sacramento. We always want to consider a better way but we never want to lose our ability for input.

Thank you for your consideration,

Anthony Philipps

From: [Karen Williams](#)
To: [Public Comment](#)
Subject: [External] Site 10 | High-Density Development Issues
Date: Monday, April 22, 2024 7:35:25 PM

To whom it concerns ~

These comments and thoughts are shared not only by those who stand to be most affected if the Housing Element is not revisited but also by those who are still in the dark about it and will also be affected if left the way it was improperly proposed.

It comes down to integrity: *doing the right thing even when no one is looking*. After the understandably uproarious meeting a few Tuesdays ago when residents rightfully felt left without proper support, people are *definitely* looking now and it is time to correct this issue with earnest integrity. To further disregard what is the right thing to do for the City of St. Helena and its locally proud, caring, and economically supportive constituents would be a big mistake. It doesn't take a lot of imagination to very clearly understand what the addition of a high-density building's traffic would add to the already congested school gridlock and the rerouted HWY 29 traffic on Sulphur Springs to Valley View and then to Spring Street. It is fully preposterous to even consider. An issue I have personally is that if the decision was left to unbiased individuals, I truly feel each would see that Site 10 is the most inappropriate and disruptive site proposed. There are choices. Remove the pressure and bias and you'll see more clearly, please.

So, since the rezoning is set to be approved to remove the Builder's Remedy, now the City has the chance to rectify their mistake. Owning up to it is difficult, however, there is a second chance in front of you and we will continue to stand watching and speak out.

There are other areas of St. Helena, where it is not inappropriately allowed to be characterized as an East-versus-West-side dispute, but as one city, where high density is better suited and everyone knows it. We are one town and the West side has always been more agricultural with the East being more commercial. Those are facts. To take a site that is and has been for 150+ years a pastoral neighborhood and put a building that not only negatively impacts its essential character, but also will absolutely pose harmful and lasting issues that include parking, traffic, school safety routes, noise, water, sewer and more makes no sense.

Concerned citizen, Karen Williams

From: [Christy Palmisano](#)
To: [Public Comment](#)
Cc: [Peter Palmisano](#)
Subject: [External] Citizen's letter regarding rezoning concerns for Site 10: City Council Meeting 4/23/24
Date: Monday, April 22, 2024 8:21:34 PM

04/20/2024

This letter is regarding the upcoming city council meeting on April 23, 2024, dealing with the rezoning for Site 10; The Spring Street Vineyard Property.

Our community does not support a High Density development on site 10 which is surrounded by modest one story homes. The added density would create a very real concern for traffic, parking, water and sewer and would seem to violate our city's height restrictions which have been tightly controlled by building codes.

We were not properly notified of the city's Housing Element giving us no idea of the planned rezoning from medium to high density. We are now forced to accept High Density on parcel 10 to get our city out of Builders Remedy. Efforts should be made to find alternatives for this scale of housing which seems to be plentiful in areas that support such large developments.



It would be nice to hear that our city has an entire plan in mind for affordable housing, senior care, reviving downtown, starting with the crumbling sidewalks to fire and safety concerns as a whole. We are confident that with such a plan in place, we could work together as a community and solve this affordable housing crisis in a real and meaningful way.

Thank you for your consideration,

Christy Palmisano
Peter Palmisano
1161 Hudson Avenue
St. Helena, CA 94574

From: [Garth Neil](#)
To: [Public Comment](#)
Subject: [External] Opposition to rezoning site 10
Date: Monday, April 22, 2024 10:33:45 PM

To the esteemed members of the St Helena City Council:

As a currently resident of this town - I was born and raised here - I request you correct the poor process that has created such bitterness and resentment within our town regarding the subject lot. Designating it appropriate for high density development is a travesty on many levels.

* It will create even greater safety issues on streets that are used as a speedy alternative to Main Street. Spring and Valley View are heavily used by students and their families, yet the average speeds are well above the limit. Developing this plot for high density with its resulting congestion is a recipe for disaster. A traffic study must be produced before any increase in zoning and related permits are created.

* 18 months ago we were in a severe drought. All projections forecast more drought, and yet the City appears to have no funded plans to increase the supply. No permits should be issued - especially not for a high density project like this! - until adequate water is being produced and prices are returned to an affordable and sustainable level.

* There are many other more appropriate sites that could be developed for high density without causing safety issues and local rancor, such as the empty lot across from the high school, the old city administration buildings, Lyman park, or the land behind the library.

I strongly urge you to protect the city, revisit the zoning issue and revise the master plan housing element down to a much lower number of units more in keeping with the style and quality of the neighborhood.

Sincerely,

Garth Neil

From: [LisaMarie Andersen](#)
To: [Public Comment](#)
Subject: [External] Stand by us and protect Site 10
Date: Monday, April 22, 2024 11:34:17 PM

Dear council members,

In this small rural town, a high density development on Site 10 would negatively impact our neighborhood. This reluctance for compromising a zoning change stems from various concerns regarding the potential negative impacts such development could have on our neighborhood.

Infrastructure, Noise Pollution, Health of the Neighbors who live here:

Firstly, high-density development brings an influx of traffic, which could strain the town's limited infrastructure and roads, leading to congestion and safety hazards beyond what we already experience when police are not present the speeds here are like an alternative highway to hwy 29. Valley View is congested in mornings and afternoons on the way to school since this community has very little walking or cycling childhood school traffic. It is the craziest to think in a small town of this size that everyone drives their children to school. I witness often in getting in and out of my street parked vehicle, cars that drive beyond the speed limit and in droves to get to school on time who actually live in town. Many, I recognize and once they see me, slow down for that rare moment I happen to be outside. I have had parents honk a met getting into and out of my car in the mornings entitled because they are late to school. The roads are in poor condition. If you have never ridden bikes on them, you wouldn't want to. During Covid, it was clear that the City has not committed to projects destined to produce greater TOT tax in the business district to accommodate the necessary infrastructure improvements. Adding more people is not the answer until we improve the quality of life for the people who already live here. Additionally, the increased demand for parking spaces may encroach upon residential areas, causing inconvenience and reducing privacy for residents.

Moreover, high-density developments tend to be taller structures, which will disrupt the visual harmony and character of this pastoral neighborhood, especially if there are not height restrictions in place of single and some second story construction. The denser population concentration also raises concerns about noise pollution, as more people and activities could contribute to a louder environment, disturbing the tranquility of the area. I consider noise pollution to be one of the most primary reasons to carefully develop any zoning in this area and should be dedicated to senior housing with a soft footprint. This is a very quiet community. Many of us live here on the West side because of our own past traumas and the introduction of noise pollution would seriously reduce the health of this quiet and tranquil neighborhood. It is peaceful here. It would change our internal personal health, just the thought of this is causing health issues just in consideration of the terms on the table. Anxiety has risen in the last month, a testimonial that this type of development has already increased anxiety and fear causing severe internal concerns and changing how we feel about our homes, this sanctuary where we have committed years to this small rural community. It has become intensely stressful. Recently a family moved onto the street, renting and playing loud music day and night not in character with the natural sounds and beauty of this small community and a written letter was signed by many neighbors and delivered to this particular renter to help them understand to be more aware of their surroundings and since then they have subdued their activities and gained a greater appreciation for the quiet that we call home. Our doors and windows are open. It is quiet. It should remain this way. We pay a very high mortgage and rents for this quality of life. This is why we are here. A high density development will destroy the health and the feeling of safety of this neighborhood. Are you willing to compromise this? Would you still, if you lived here? Do you understand the pressure this is causing and the uncertainty and the mental health concerns, anxiety and frustration? The world already delivers too much of this, please do not add to this demise.

Issues related to water and sewer systems are also significant here, where resources are already limited in this City because of long avoidance of prioritizing ownership of water and developing the downtown tax base to provide more resources for this important infrastructure, we are in a predicament. Our water rates are already outrageous. We can't afford to have more mouths on the system. All of our water has risen in percentages beyond normal to compensate for years of lack of complex planning. How could the City possibly consider introducing more residents to this broken system when we do not have the resources to care for the people who already live here. It is irresponsible. More housing for aging lifetime residents is in order and for younger returning college age residents but anything else seems absurd. A high-density development will be a strain on these essential utilities, leading to greater shortages than we have all had to adjust to already because of our inadequate infrastructure.

If you want to sell our soul to development, then let it be parking and downtown business that will create a more firm tax base and compete with our neighbor cities that are excelling in providing for the tourist industry and city infrastructure.

Consider restructuring the old City building and Lyman park and make it usable TOT space and housing. Consider the Catholic school for alternative apartment housing in the business district. Offer refurbishment credits to add apartments over single story homes. I hear there is a five acre parcel behind the library that would make a good space for mixed use of apartments and services. Why isn't that on the table as priority in an area already accustomed to high density housing? Regardless, I don't think new residential development should be allowed until we can grasp the deep seated issues of lack TOT performing properties and parking to support it. People are just driving through. There is no where to park. There is no reason to stay.

Overall, our community's opposition to high-density development on Site 10 reflects their desire to preserve the rural charm, safety, and quality of life in our neighborhood, prioritizing factors such as traffic management, privacy, noise control, and the conservation of essential resources. Help us preserve these inherent goods from years of committed, community life.

If you must change the zoning for a moment in time to resolve the misappropriations of previous zoning and get out from under the dreadful commitment of builder's remedy then you must do so. But as quickly as you are willing to pass this, in the same breath you should be setting a goal date to renew the zoning and return it to medium density. Consider committing it to an older, successful community, much like Vineyard Valley that continues to contribute to the health and vibrancy of St. Helena. They are active contributors, engaged and we need more of this.

The City has no guarantee of the type of applicants who will be accepted through high density promotion. We should not be subject to development company structures designed to meet quotas that we will not benefit from as a community. I have been interviewing downtown businesses and the hospital and there does not appear to be a shortage of workers needed who are interested in living here. People seem to have what they want and in apartments we already have committed there appears to be a decent amount of occupants commuting out of the area. This is not adding to our community. We need places that secure a space for our aging residents who can turn their single family homes over to a new generation and stay in this community without decade long waitlists and to our returning 20 somethings needing a place to move back to when they come home from college. We don't need unknowns. We need to take care of the people who have dedicated their lives to this community. This site would be ideal for a community like Vineyard Valley. These people contribute to this community.

There are alternative strategies available for meeting the requirements of the Housing Element without resorting to high-density development on Site 10. Imposing high-density housing on Site 10 is not the most suitable or beneficial approach for our community.

Alternative methods exist that could fulfill our town's housing needs while mitigating the potential negative impacts associated with high-density development. These alternatives might include utilizing existing infrastructure more efficiently, repurposing underutilized or vacant properties, or implementing low-density housing solutions that better align with our town's rural character. Draw the line and find alternative financial resources to cover the fines and not be subject to accepting the tax stipend that comes along with meeting the requirements.

The city should have explored alternatives from the outset of the planning process for the Housing Element. This implies a degree of oversight or missed opportunity in the initial planning stages, where other viable options may not have been thoroughly considered or evaluated. I tell you - my life has changed, the people around me, their lives have changed in this last month, it is chaos - this is causing stress, tension, helplessness, frustration and we are being unnecessarily subjected to issues that effect our health and potential safety as a community. Who locks their doors and closes their windows and worries about their cars and privacy. It is quiet here at night. We like it that way, we pay for it. Mortgages count on it. It has never been considered until now. You are jeopardizing our mental and emotional health. Stand up for us. If it must rezone, then zone it back to medium and do us justice with single and occasional dual story spaces but focus on the community already here, give our people a place to safely continue on with this peaceful rural life.

Moving forward, advocate for us, for a more comprehensive exploration of alternative options during the revision of

the Housing Element. Change course of history and do the right thing. Create a desire for a more inclusive and transparent decision-making process that considers a broader range of possibilities to meet housing needs while preserving the rural identity and quality of life in this town, especially on this side of town. We are vested here. If it's not illegal to put us through this mental health crisis, you should atleast consider your conscience and what it would be like for you if you lived here for 32 years, like us. How can you sleep at night, making decisions that will change the final footprint of our lives. Unjust.

We need an emergency call for a thoughtful strategic urban plan that prioritizes the long-term well-being and sustainability of this community, aiming to promote downtown business and increasing the tax base and business attraction we once were, now left behind by our neighbors. Focus energy downtown. You can not let us be pawns in the system. It is your duty to serve and make this wrong a right. Outside of Valley View and White Sulphur Springs becoming highways as alternative routes to hwy 29 traffic, that NO ONE is doing anything about, avoid more destruction to our pastoral, rural neighborhood and protect us, stand by us, and fight for us.

LisaMarie Andersen
1023 Valley View St.

From: [Danielle Davis](#)
To: [Public Comment](#)
Subject: [External] Public Comment for City Council Meeting Item 11.1
Date: Tuesday, April 23, 2024 9:12:18 AM

Dear City Council,

I am writing to express my opposition against Site 10 being rezoned as a high density development. As a resident of this neighborhood I am concerned for my families wellbeing and safety, should Site 10 be developed. This would severely impact the character of the neighborhood and most importantly, infrastructure and utilities. Walking around our neighborhood is already dangerous with speeding cars and adding high density housing would only exacerbate that.

Neighbors within 300 feet of this parcel were not fairly notified about the Housing Element process and we still continue to get mixed information on what truly happened with the failed notification. Supposedly this plan to rezone the property between Valley View and Hudson has been ongoing for well over a year however we have emailed Maya asking if the property was slated to be rezoned during and after last years rezoning and were advised there was no change. Just because we didn't use proper terminology, she wasn't honest and transparent with us. Then after the failed notification this March, the city advised residents that there was a "glitch" in notifying surrounding properties, then at the City Planning Commission meeting on April 2 the city claimed they **did** give the community proper notice and now in Maya DeRosa's commentary in the St. Helena Star on 4/19 she finally admits that the city failed to send out notifications. So what is the true story?? This poor management and lack of transparency is very concerning for the city of St. Helena. I encourage the City Council to

If you haven't already, I would encourage you to read the 90+ public comments from the April 2 Planning Commission meeting that majority are in opposition to the rezoning of site 10 ([see here](#) and [here](#)).

While it appears likely that the City will approve the rezoning to remove Builder's Remedy, the City must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of the community. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers. There are better options for achieving Housing Element numbers that would not impose high-density on Site 10. The City should have explored these options from the start and must be willing to explore these options going forward when redoing the Housing Element.

The City of St Helena's website states the following ([see here](#)):

The City from its inception has served as a rural agricultural center. Over the years, with the growth and development of the wine industry, the City has become an important business and banking center for the wine industry. The City also receives many visitors as a result of the wine industry and the area's scenic qualities. The main goal of the City is to maintain a small-town atmosphere and to provide quality services to its citizens.

I encourage you to remember this statement when voting on the General Plan Amendment, especially the underlined portion, as rezoning site 10 and potentially developing the existing vineyard land would not maintain this.

Thank you,
 Danielle

From: [susan.kenward](#)
To: [Cindy Tzafopoulos](#)
Subject: [External] for tonights City Council meeting
Date: Tuesday, April 23, 2024 7:29:38 AM

Good Morning Cindy,

I hope you can include this in the letters for tonight's meeting.
all the best,
Susan

April 22,2024

St. Helena City Council,
c/o Cindy Tzafopoulos

The staff continually claims they sufficiently engaged the citizens in the rezoning process for the Housing Element required by the state. Did they? Clearly, they forgot to send out the required mailer.

But also, let's look at the timeline. This just doesn't add up.

The city identified site 10 as a site for development and the city committed to rezoning the vineyard parcel to High Density as part of the Housing Element.

The Planning Commission approved the Housing Element on May 2, 2023.

The State Certified it on September 26, 2023

Here's where it makes no sense.

The city passed the new zoning ordinance one month later, October 24, 2023, without ever mentioning the rezoning of Spring Street although they did agree to not change the Dean York area after much input from Citizens. There was a courtroom filled with citizens and tons of letters written on the change in the Dean York area. Citizens do pay attention.

The citizens who might be concerned with the Spring Street rezoning were never brought into the new zoning ordinance because it was never included.

The staff knew that site 10 was part of the approved Housing Element, why was it not included in the new zoning ordinance? At the very least, we should have waited on passing the new Zoning Ordinance until the new Housing Element had been added. I have not heard or seen them comment on this omission from the new code.

This is not engaging the citizens in the process. This is not a small, just "clean-up" of the zoning code.

A few other points: Who owns the development rights to these proposed rezoned properties? What happens if the owners decide not to sell? What would that do to the city's calculations? Does it mean the state can force you to sell?

It would go a long way for the City Council tonight to instruct the staff to fix this! There are clear

pathways suggested which make sense and would work.

Thank you for your consideration,

Sincerely,

Susan Kenward

St. Helena City Council,

My name is Mike Quaglia, I am partial owner of site #10 in the housing element and the residence located at 1933 Spring St. I am submitting this letter on behalf of myself and my three siblings who make up the remaining portion of the ownership.

We have owned this property for over ninety years, we have seen it upzoned twice and have already sold a portion of the property specifically for residential development. Since the Planning Commission meeting in which site #10 was introduced to the public I have seen our city staff write rebuttals to the public attempting to justify their notification process and their public outreach. Money was spent on consultants, the process has supposedly been in the works three years and not once had anyone contacted the property owners? However, in the FAQ's submitted as an attachment to this meeting it was stated that we (the property owners) are in favor of residential development on the site. We are in favor of a Medium Density Project on the site and we **ARE NOT** in favor of a rezoning to High Density Residential. This is just one of many instances during this process that "facts" presented by city staff are manipulated to look like something else.

On 1-17-24, myself, my sister and our listing agents had a meeting with the Planning Director, Ms. De Rosa and Senior Planner Mr. Hecock to receive potential development information about the site. At that time, we were told that the housing element "trumped" current zoning codes and the city would not accept a MDR application for the site even though the zoning had not yet changed. This is when we discovered the upzoning was in the process. I asked about the legality of utilizing a zoning that has not yet been approved and she responded that they were confident they could "defend it". I also asked about public notifications and once again was told they could "defend it." Even after I voiced concerns over lack of notification staff still refused to make notification for the planning commission meeting originally scheduled for March 5, 2024, which was summed up as a glitch. I believe this false information was provided intentionally to dissuade us from submitting an MDR application which would have possibly disrupted the proposed housing element. The information we were provided by Ms. De Rosa regarding submitting a MDR application was confirmed on the record to be untrue by both the St. Helena Staff City Attorney and Planning Commission Chairperson at the April 2, 2024, Planning Commission Hearing. Has our community become such a large metropolis that we do things via a loophole or by finite legal dances and not by what's right and fair for all stakeholders involved? We have three physical addresses in the city limits and I still work the vineyard at site #10 regularly and yet still no involvement in this process until now when we've been told it's too late. A decision made solely by city staff which will de value millions of dollars of property and the property owners get a total of eight minutes of public comment??? Maybe if more than 12.5% of our city staff lived here and were directly affected by their decisions this might have played out very differently.

We were told by the Planning Commission at the 4-2-24, meeting after they did not answer the majority of the questions asked that they “had a gun to their head.” The Senate Bills regarding this issue were not a surprise and if a gun got put to anybody’s head it was by our city staff with their failure to meet deadlines. Now you are given the choice of a Builders Remedy (which many cities are now fighting via local ordinances) or the Housing Element. So basically, our city staff has you in position of making a decision based out fear which means your vote has been extorted. Well, you have a choice because the people that have elected you to represent their interests have been deceived and removed from what should have been a very public process. There is no doubt in my mind now, that the public was left out of the process intentionally as to not disrupt the Housing Element so they could get us to this point where you, our City Council “Has a gun to your head.”

I would request that city staff provide all e mail threads between HCD and city staff regarding the direction given by the Planning Commission to further research Site #10 before the 4-23-24, City Council Meeting. Also please include any follow up e mails during this period if HCD failed to respond.

I urge a **NO** vote from you tonight, however I don’t envy your position and sympathize with the position our city staff has put you in.

I would respectfully request Council pass a resolution that the home at 1933 Spring St. be removed from the historic overlay (as were not considered in this process as well). The house was placed in the overlay to preserve the character of the neighborhood. Apparently that is no longer the case if the same city staff personnel deemed the character of neighborhood to be multi family housing and not historic by re zoning site #10. Why should one family burden so much financial property loss in a process in which they had no input?

Respectfully Submitted,

Mike Quaglia

Debra Mills

Janet Keene

Cynthia Quaglia

Cindy Tzafopoulos

From: Maxine Angell <maxlangell@yahoo.com>
Sent: Tuesday, April 23, 2024 10:31 AM
To: Public Comment; Paul Dohring; Eric Hall; achoutaeu@cityofsthelena.org; Billy Summers; Patrick Kenealy
Subject: [External] Site 10- Opposition to High Density

Dear Mayor Dohring and City Council Members Eric Hall, Anna Chouteau, Billy Summers and Patrick Kenealy,

I am a 32 years resident of St. Helena, I live one house away from Site 10. I am writing with opposition to the rezoning of site 10 to high density. This letter follows two letters submitted to the Planning Commission and public comment before the Planning Commission on April 6.

I am also requesting the City Council demand transparency and accountability of all city employees. Finally, I request oversight by the City Council to insure that all appointed to the Planning Commission treat residents with civility, respect, and that the democratic process is not thwarted and/ or undermined.

As previously stated, I was not provided notice of the rezoning of 1933 Spring Street and I live within 300 yards. (St. Helena Municipal Code sections 17.07.060 and 17.07.060 and State law)

In the past month, the City has presented a several potential negative outcomes if the high density is not approved, however, these actions, such as fines, decertification by the State and Builders Remedy are directly related to the City's non-compliance with the state deadlines on two occasions.

The most basic question is why are City employees not complying with the laws? Why are city employees spending time and money since April 6, justifying the errors instead of attempting to remedy them.?

This is not the first time, the City has not provided legal notice. In fact, this is the second time the failure to provide notice has occurred on Spring Street. Staff spent time with consultants and out of town "coalitions" and failed to get any input from residents or provide legal notice.

Over the past ten years, the lack of accountability and transparency at City Hall has been raised repeatedly by residents, as well as the need to hire city hall staff who live in St. Helena. It appears that most of the management team do not live in St. Helena, including the Senior Planner, Director of Development, city attorney and city manager. New positions are added and we now have three Assistants to the City Manager, despite the population being relatively stable around 5,000 for the last thirty years. Despite additional staff and considerable expense, communication, transparency and accountability at City Hall is the worst I have seen ever in the three decades I've lived here.

Several months ago, I went to the police department and was told I could not speak to an officer directly that I had to speak to ancillary staff. Covid is long over, yet how many employees are physically located at City Hall?

There were over 80 letters of opposition to the rezoning of 1933 to high density for the Planning Commission. Planning commission member Chad Krsek stated that he would look into alternatives. I don't have any information about the alternatives, as of today, yet there have been repeated communications about how the city provided adequate notice.

I respectfully request

- 1) the City Council keep 1933 Spring Street medium density and if not, that a vote is postponed until residents have the opportunity to obtain additional information from the State regarding alternatives.
- 2) The city council insure a traffic study is done to address residents traffic and safety concerns regarding the proposed project. On the agenda tonight is approval for \$40,000 for fireworks, surely the city can afford a traffic study. Water and safety concerns need to be addressed as well.

3) I am seeking that the City Council review the tape of the Planning Commission meeting of April 6 as the the following conduct i observed was concerning.

a) There was excessive gavel pounding from the Chair. I was also told there was inappropriate language and that a resident was told "put a sock in it." to stop speaking.

b) Residents were told unless they commissioned a traffic study, it was not "evidence" regarding their traffic and safety concerns with the project.

c) The website states the city attorney is Ethan Walsh,however, a woman spoke at the April 6 meeting who was identified as the city attorney and said proper notice was provided, which was disputed. Why isnt Ethan Walsh at meetings?

d) Please provide copies of the zoning code for the past five years. I believe notice is required for housing element rezoning.

Thank you for your consideration,

Maxine L. Angell

Cindy Tzaopoulos

From: Amy Particelli <amyparticelli@gmail.com>
Sent: Tuesday, April 23, 2024 10:45 AM
To: Public Comment
Subject: [External] Site 10: public comment

Dear Saint Helena City Council,

Our neighborhood has come together to strongly oppose the re-zoning of site 10 from medium density to high density. It is a shame that we did not have an opportunity to be part of the planning of this rezoning. The notification system about the housing element was a failure. We are left with the consequences for the planning commissions negligence as the following is stated:

"There is no replacement parcel for Site 10 on the west side that would allow the City to "swap sites" without re-starting the Housing Element process."

How is it possible a three-story complex would even be considered for site 10 when the 45 houses surrounding this are single story- this is not in line with the aesthetic of the neighborhood. What about our privacy? Would you want this in your backyard? The safety of my children is a huge concern- how could they safely bike or walk to school?

I urge you to reconsider this rezoning and please do what is fair for our neighborhood. We will continue to fight this rezoning.

Thank you,

Amy Particelli

Cindy Tzafopoulos

From: Ana Canales <anacanales@me.com>
Sent: Tuesday, April 23, 2024 10:52 AM
To: Public Comment
Subject: [External] Site 10 Development & Housing Element

To Our City Council Members,

We have a few comments regarding the situation with the Housing Element and Site 10 development.

First, there have always been better options for achieving Housing Element numbers that would not impose high-density on Site 10. The City should have explored these options from the start and must be willing to explore these options going forward when updating the Housing Element.

Secondly, we do not support the High Density development on Site 10. A high density development on Site 10 would negatively impact hundreds of full time local residents of St. Helena by impacting traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues. The character of a neighborhood that is made up almost exclusively of folks that actually live here will be changed forever. The current zoning of medium density makes much more sense in terms of all these issues, but most importantly, how the property fits into the neighborhood.

Thirdly, The community was not fairly noticed about the Housing Element process. A mailed notice this late, after the City already promised to rezone, is neither reasonable nor responsible.

Although your staff claims that Site 10 had to be included to meet "AFFH mandates aimed at overcoming patterns of segregation and fostering inclusive communities free from barriers that restrict access to opportunity." The Staff must not have informed the State that our largest low income complex, Stonebridge, is contiguous to the Howard Backen designed Montessori School and the Napa Valley College Campus, currently under lease by the City - this is hardly an undesirable location. Hunts Grove is contiguous to the Meadowcreek neighborhood. We sold a family home there in 2019 for over \$1.6M - property values were not affected by being on the "east side". Yet, both Stonebridge and Hunts Grove were built at the edges of St. Helena, as was Vineyard Valley - where open space was available and traffic, privacy, sewer and water was not an issue.

Lastly, while it seems that the City Council will approve the rezoning to remove Builder's Remedy, the City Council must commit to revisiting the Housing Element, once recertified, to redo it with proper inclusion of all stakeholders. In particular, this effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers. This CANNOT be a - oops! sorry too late! action.

In the future, we ask that the St. Helena Staff be mandated to seek the counsel of the people who actually live here in town - not with a last minute notice, but with real communication. We have been active community members for over forty years and would love to participate in some meaningful dialogue to solve the problem of affordable housing in town.

Thank you for your considerations and for all the good works you do on our behalf.

Ana Canales & Bruce Streblow
 1219 Stockton Street

From: [Jessica Hague](#)
To: [Public Comment](#)
Subject: [External] Public Comment: City Council Meeting April 23: Agenda Item 11.1
Date: Tuesday, April 23, 2024 12:24:47 PM

Dear City Councilmembers Dohring, Hall, Chouteau, Kenealy, and Summers,

I have previously written to the City and Planning Commission regarding the rezoning of site 10: 1933 Spring Street to High density. As a long-time resident of Hudson Avenue, I continue to be adamantly opposed. Allowing multi-story structures in the midst of single-story homes will have permanent, significant, and negative impacts on traffic, safety, water, sewer, school routes, evacuation route access, privacy, and the character of the neighborhood.

The lack of proper notice to citizens on the Housing Element process is well documented. Actions taken by the City Staff resulted in limited responses to the significant rezoning updates, which should have been an indicator to the City Staff and City Council that their methods to engage the community on this high-stakes decision had failed. Further, it is inexcusable that direct notice to the impacted residents was received after the City promised to rezone, and the content of the late-arriving letter indicated that the decision had already been made with no recourse for concerned citizens. **I urge the City Council to require City Staff to redouble their efforts to engage citizens in a meaningful and inclusive manner when approaching future decisions with such significant impacts.**

I expect more from City Staff and believe they have put the City Council in a difficult position to act.

The City has an opportunity now to consider options for achieving the Housing Element goals without the dramatic and negative impact on Spring Street and surrounding neighborhoods. **It's clear that St Helena citizens oppose the Spring Street rezoning to high density, as voiced by the 90++ public comments received at the Planning Commission meeting on April 2, and the comments received in advance of today's meeting.** Understanding that the City's consistently missed deadlines have resulted in decertification of the Housing Element and triggered Builder's Remedy, the City Council must act accordingly.

Councilmembers, there are better options for achieving Housing Element numbers that would not impose high-density development on the Spring Street property. It requires your commitment to reopening the Housing Element after recertification and the willingness to explore options. I urge you to work to maintain the medium-density zoning of the Spring Street property via evaluation of the other opportunity sites and the calculations to satisfy the Regional Housing Needs Allocation.

Thank you for your consideration, and service to this effort. My neighbors and I are engaged, receptive, and responsive – and willing to work together to find a solution.

Respectfully,
 Jessica Hague
 1154 Hudson Avenue

Jessica Hague

Vice President, Consumer Sales & Marketing

FROG'S LEAP

707-968-2503 Direct

City of Saint Helena City Council

Regular Meeting Tuesday, April 23, 2024 @ 6PM
Vintage Hall Board Room – Second Floor
465 Main Street, Saint Helena

David Prueter

1181 Valley View Street, Saint Helena
davidprueter@yahoo.com
330-206-0094

April 23, 2024

Dear Saint Helena City Council:

I write regarding Public Hearing Agenda Item 11.1 of the City of Saint Helena City Council Regular Meeting scheduled for Tuesday, April 23, 2024.

As evidenced by the more than 100 letters recently submitted to the City, it's fair to say that something in the process didn't go well. To compound the situation, we find ourselves now, as a City, under Builder's Remedy. Some of the details explaining how we got here and what went wrong along the way have come to light over the last weeks and months. It's a complex issue with no easy solutions.

For many of us, the prospect of a multi-story, high-density housing complex constructed in the center of a low-mid density residential neighborhood threatens our home values and our livelihoods. This is not an unreasonable belief, and I presume it is true for any property owner in Saint Helena. Residents are upset, frustrated, and anxious. Individual plans for retirement, financial stability, and overall lifestyle are threatened and appear to be at risk of dramatically changing. Considering what is at stake, the community's apprehension is understandable.

Despite such reasonable apprehension, **I am dismayed to see an unfortunate trend emerging from all of this: an us (the City) versus them (the community) divide.** This division was shockingly apparent to anyone who attended or later watched the Planning Commission Meeting on April 2, 2024. The Chair showed a level of arrogance, disdain, and condescension directed at community members that was unprofessional and inappropriate. Community members should not be vilified for voicing sincere concern about a perceived extreme transformation to their neighborhood that risks their overall way of life. How does one not conclude the presence of an us versus them divide when the Chair repeatedly slams his gavel, yells "put a sock in it, dude," and then encourages the community to "pursue it in Court" if they are dissatisfied. That type of behavior is embarrassing and unproductive and creates a liability for the City. When the Vice Chair contends that he cannot consider any public comments regarding increased traffic and parking issues because no one submitted a traffic study, how can a member of the community not feel an us versus them divide? Must private citizens commission an official traffic study for the City to listen to their common-sense concern that 100+ new housing units on an already busy street will increase traffic? Is that really the tone that the City wants to promote?

The citizens of Saint Helena have entrusted the City Council to represent them and any continued unwillingness to acknowledge a breakdown in the democratic process only serves to further the City versus community divide. While no decision by the Council will immediately resolve this tension, some empathy and accountability may begin to facilitate a course correction that is sorely needed.

To regain certification of the Housing Element and Remove Builder's Remedy as quickly as possible, it appears that the City Council needs to approve the rezoning outlined in the Staff Report.

Rezoning Site 10 to high-density presents many serious risks with respect to traffic, parking, safety, privacy, noise, water, sewer, height restrictions, school routes, and other issues impacting the character of the neighborhood. **To better address these concerns, the City Council should commit to revisiting the Housing Element, once Builder's Remedy is removed, with a focus on finding alternate calculations and/or sites to satisfy the RHNA numbers that would not impose high-density on Site 10.**

Sincerely,
David Pruetter



Water Audit California
A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (707) 681-5111
EMAIL: General@WaterAuditCA.org

April 23, 2024

St. Helena City Planning Commission

Sent via email to: publiccomment@citysthenelena.org

RE: City of St Helena Agenda April 23, 2024

Find that the proposed changes to General Plan Figure 2.1 and the City's Zoning Map are consistent with adopted Addendum to the General Plan Environmental Impact Report prepared for the Housing Element and in compliance with the California Environmental Quality Act

A. This action is predicated on the assertion that an appeal of the 254-unit RHNA assignment was denied. In fact, no such appeal was ever made.

"While **we are not filing an appeal**, we find that the 254-unit RHNA assignment poses a legitimate threat to the City's safety and water supply as articulated further below... "Since we submitted our last correspondence to AGAB related to the RHNA, our water emergency has become more urgent and residents are currently under water rationing requirements and subject to fines and penalties...The City is in the process of conducting analyses of its existing water supply to better assess its ability to meet current and future demand, as well as exploring additional water resources..."

Attachment p. 004

Water Audit California Comment Letter re Housing Element
 April 23, 2024
 Page 2 of 6

**B. The City of St Helena (CSH) knows its water supply is inadequate.
 (Attachment p. 001-008)**

In 2019 the City of St. Helena (CSH) recognized “annual safe yield could decrease if the City finds that it cannot sustainably withdraw water from the City production wells at current levels.” Attachment p. 001

“The City needs to obtain new water supplies and/or achieve more water savings, even under current conditions in order to reliably meet the current and future water demand.” Attachment p. 002

“Our ability to assume more growth in the City became further constrained on October 27, 2020 when the City of St. Helena declared a Phase 2 water emergency. No new water connections are permitted during a Phase II emergency... Attachment p. 004

“We find that our circumstances will result in a likely diminished ability to rely on our local groundwater supply to meet our current domestic water supply needs. This could put the City in an untenable position, stuck between our obligations and desires to both provide our fair share of housing within the region, and ensure the health, safety and welfare of existing and future residents by ensuring an adequate water supply.” Attachment p. 005

“The City’s Water Neutral Policy for Development ensures that future water demand does not exceed the current demand, for which the City has sufficient entitlements and resources...The City raised concerns and objections to its RHNA numbers on two separate occasions (see Attachments 9 and 10 to the staff report). The City expressed concerns about strains on infrastructure and the costs associated with those, the appropriateness of “high-rise” residential development, fire threats in our surrounding hillsides, and more. Despite these facts, the Association of Bay Area Governments (ABAG) rejected the City’s request.” Attachment p. 005 **See contra above: “we are not filing an appeal.”** Attachment p. 004

Water Audit California Comment Letter re Housing Element
 April 23, 2024
 Page 3 of 6

“The City has adequate water supply to meet current demand, however the effects of climate change will likely reduce water supply from current sources. The City needs to obtain new water supplies and/or achieve more water savings in order to reliably meet future water demand.” Attachment p. 006

C. Napa County knows that CSH is an environmental blight. (Attachment 009-015)

Undesirable results for chronic lowering of groundwater levels occur when groundwater levels at 20 percent of the groundwater level RMS are below the MT in the fall (September through October) for three consecutive years of fall measurements in non-drought years. As of WY 2022, eight of the 27 groundwater level RMS (i.e., 30 percent of the groundwater level RMS) had water levels below the MT in the fall for three consecutive years. Five of these sites were in the Yountville subarea, and the other three sites were in the St. Helena. Attachment p. 010

Table 6-17. Recent Seasonal (June to October) Streamflow Depletion Estimated at Representative Interconnected Surface Water Stream Monitoring Sites

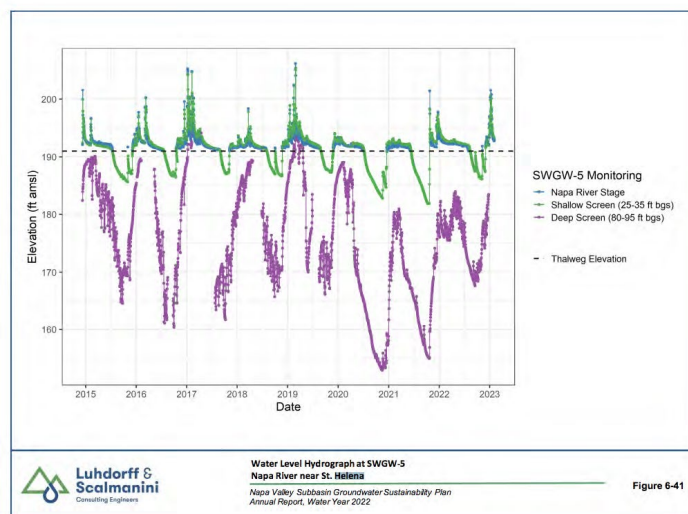
Well ID	Representative Site		Seasonal Depletion (AF)			WY 2022 MT Exceedance	Three Consecutive WY MT Exceedances
	Minimum Threshold (AF)	Measurable Objective (AF)	WY 2020	WY 2021	WY 2022		
11458000 (Napa River at Oak Knoll Avenue, Napa) ¹	3,190	2,370	740	3,829	3,120	-	-
11456000 (Napa River at Pope Street, St. Helena) ¹	1,400	1,120	141	1,018	1,215	-	-
1. RMS designated by the NCGSA as the point at which a sustainability indicator is monitored, and for which quantitative values for MTs, MOs, and IMs are defined. Site name represents the location of a U.S. Geological Survey stream site where the NCGSA monitors stream depletion, calculated by the NVIHM.							

Attachment p. 010

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Attachment p. 010

The prioritization score ... can be used to prioritize intensive sites but also to identify sites where additional hydrologic data are needed (e.g., sites with high ecological importance scores and low hydrologic information scores). Eight of the 21 sites had the highest ecologic score. These sites included ... Napa near St. Helena, Attachment p. 011

Interconnected Surface Water and Groundwater Dependent Ecosystems Workplan: Napa Valley Subbasin:

Groundwater levels decline by approximately 5 to 10 feet during the dry season and fell below the Minimum Threshold during the 2020 and 2021 dry seasons (Figure 5-2). The ground surface in this figure is the ground surface adjacent to the groundwater well. Dynamic river stage values below the streambed elevation at this site reflect conditions where water is present but below the surveyed thalweg elevation because the thalweg location and gage location are not exactly co-located. Stable stage measurements in the dry season likely represent isolated pool or dry conditions at the site as suggested by Stream Watch data. ...

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The NVIHM results indicate that the Napa River is disconnected from groundwater more frequently in this reach than in most other mainstem reaches. The model indicates that groundwater pumping causes this reach to go dry (or nearly dry) in July through September in Dry to Normal water year types from 1988 to 2014. Stream Watch data support the modeled results showing that dry conditions occur in fall in 5 of the 6 years from 2017-2023 (Figure 5-2).

Isolated pools do not persist for long at this site, with aperiodic observations spanning a few days to up to a month. The channel goes dry when the shallow groundwater elevation is approximately equal to the thalweg elevation. [See preceding image] The NVIHM results indicate groundwater pumping contributes to decreases in Napa River flows in this reach and increases the frequency and duration of dry conditions for the Napa River mainstem. Monthly discharge typically increases under the No Pumping scenario compared with the Baseline scenario, and the frequency of low/no-flow days is lower under the No Pumping scenario, particularly during the dry season (Table 5-3). Flow in this reach may also be affected by upstream water management, including Kimball and Bell Canyon dams, as well as in-channel diversions. Baseline model scenario. The Baseline scenario includes agricultural pumping. P. 72

The site supports critical habitat for steelhead and Chinook salmon and steelhead spawning and rearing. Foothill yellow-legged frogs are presumed extant in this area but have been observed only along Sulphur and Conn Creeks, not along the mainstem. ... Groundwater pumping in the vicinity, including the municipal pumps for St. Helena, as well as pumping upstream, contributes to stream depletion at St. Helena. ... Linkages between flow and habitat for steelhead and Chinook salmon are not well understood.

The NVIHM results indicate that the Napa River is disconnected from groundwater more frequently in this reach than in most other mainstem reaches. The model indicates that groundwater pumping ... causes this reach to go dry (or nearly dry) in July through September in Dry to Normal water year types from 1988 to 2014. Stream Watch data support the modeled results showing that dry conditions occur in fall in 5

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of the 6 years from 2017-2023 (Figure 5-2). Isolated pools do not persist for long at this site, with aperiodic observations spanning a few days to up to a month. The channel goes dry when the shallow groundwater elevation is approximately equal to the thalweg elevation.

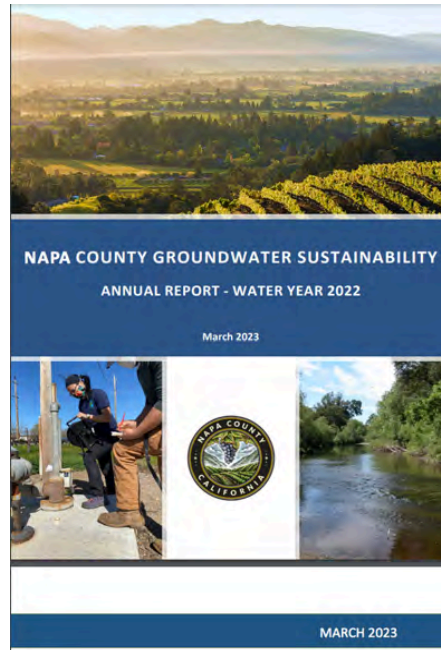
**D. CSH knows that its groundwater monitoring is adequate.
(Attachment 016-017)**

**E. Existing CSH extraction from the Stonebridge wells is
causing unlawful environmental injury. (Attachment 021-150)**

Respectfully,



William McKinnon
General Counsel
Direct Dial: 530.575.5335



Groundwater accounts for less than 5 percent of the water supply used by municipalities in the Subbasin. Currently, the City of St. Helena is the only municipality within the Subbasin that regularly extracts groundwater. The City of St. Helena reported on average 310 AF of groundwater extraction annually between 1988 to 2022 and approximately 450 AF of groundwater extraction during WY 2022, P. 28

The City of St. Helena operates Bell Canyon Reservoir and receives additional SWP water through the North Bay Aqueduct from sales received from the City of Napa. P. 29

Groundwater level MT exceedances occurred at .. one site in the St. Helena subarea P. 61

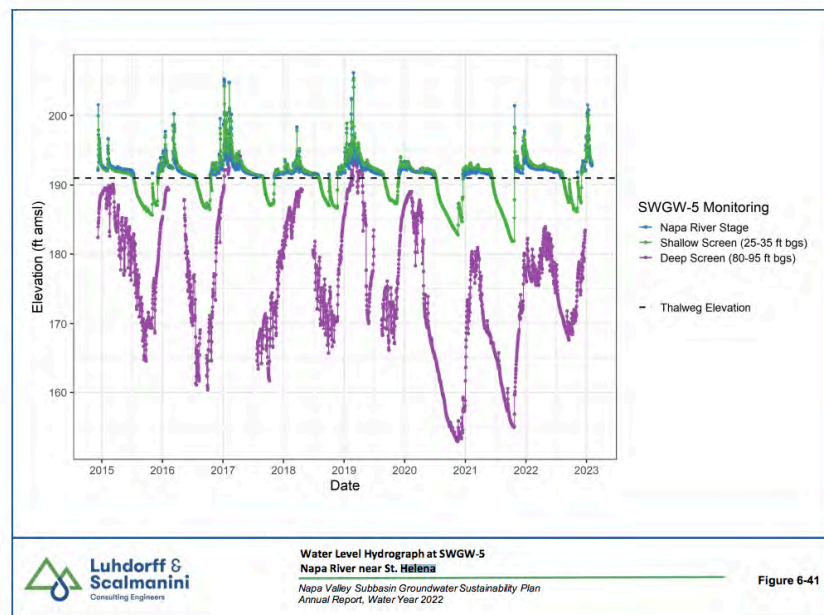
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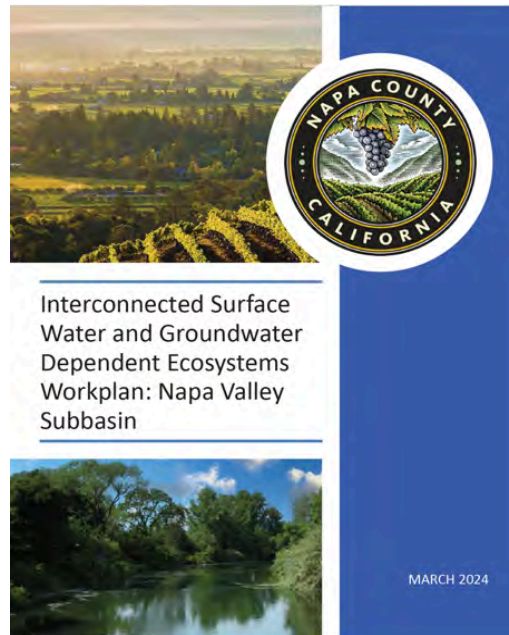
InSAR-derived total land surface elevation changes from June 2015 to June 2022 ... Between June 2015 and June 2022, total subsidence within the Subbasin ranged from +0.1 inches to -2.5 inches (+0.01 to -0.21 feet), with an accuracy of +/- 0.71 inches (0.06 feet) at 95 percent confidence level. According to InSAR imagery, the greatest amount of downward land displacement over that period occurred in an area south of St. Helena (Figure 6-35).

Table 6-17. Recent Seasonal (June to October) Streamflow Depletion Estimated at Representative Interconnected Surface Water Stream Monitoring Sites

Well ID	Representative Site		Seasonal Depletion (AF)			WY 2022 MT Exceedance	Three Consecutive WY MT Exceedances
	Minimum Threshold (AF)	Measurable Objective (AF)	WY 2020	WY 2021	WY 2022		
11458000 (Napa River at Oak Knoll Avenue, Napa) ¹	3,190	2,370	740	3,829	3,120	-	-
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1. RMS designated by the NCGSA as the point at which a sustainability indicator is monitored, and for which quantitative values for MTs, MOs, and IMs are defined. Site name represents the location of a U.S. Geological Survey stream site where the NCGSA monitors stream depletion, calculated by the NVIHM.





The prioritization score ... can be used to prioritize intensive sites but also to identify sites where additional hydrologic data are needed (e.g., sites with high ecological importance scores and low hydrologic information scores). Eight of the 21 sites had the highest ecologic score. These sites included ... Napa near St. Helena, p. 61

There were 2 sites with the 10 points maximum score (Napa River near Oak Knoll, Napa River near Yountville)), 1 site with nine points (Napa River near St. Helena)... P. 63

Based on the rankings ... six sites are recommended initially for Intensive monitoring (sites with scores of 8 or greater). These include ... Napa near St. Helena ,... Sulphur Creek which supports multiple lifestages for steelhead and Chinook salmon and has foothill yellow-legged frogs, and Bale Slough which is part of an ongoing restoration project. Despite having a higher priority score than the other tributaries (except Sulphur Creek), Bale Slough was selected as an intensive survey site rather than York Creek to avoid having 3 of the 6 sites within a 2 square mile area. Additionally, Bale Slough will provide a monitoring within the subbasin between St. Helena and Yountville. P. 64

Napa River at Pope St. (St. Helena)	Riparian oaks and willows.	Land cover is primarily urban. Reach is located near the eastern edge of the Subbasin at the downstream end of St. Helena.	Reach is frequently disconnected from groundwater.	Steelhead, Chinook salmon. Foothill yellow-legged frog presumed extant.	Urbanization and channel simplification and incision. Groundwater pumping contributes to stream depletion.	Channel conditions. Long-term shallow groundwater monitoring. Habitat-flow linkages.
St. Helena Area – Sulphur Creek	Riparian oaks and willows.	Sulphur Creek is a west-side tributary with a high sediment supply. Sulphur Creek has supported a consistently braided channel morphology near the Valley View Bridge but is incised near the Napa River confluence.	Sulphur Creek is intermittent, with flows in winter and spring. NVIHM indicates that Sulphur creek is typically disconnected from groundwater in this reach, except during wet winters.	Steelhead, chinook salmon, foothill yellow-legged frog.	Groundwater pumping has little effect on Sulphur Creek but contributes to depletion downstream (Napa River at Napa).	Long-term shallow groundwater monitoring. Habitat-flow linkages.

P. 68

Napa River at Pope Street (St. Helena) ...

Groundwater levels decline by approximately 5 to 10 feet during the dry season and fell below the Minimum Threshold during the 2020 and 2021 dry seasons (Figure 5-2). The ground surface in this figure is the ground surface adjacent to the groundwater well. Dynamic river stage values below the streambed elevation at this site reflect conditions where water is present but below the surveyed thalweg elevation because the thalweg location and gage location are not exactly co-located. Stable stage measurements in the dry season likely represent isolated pool or dry conditions at the site as suggested by Stream Watch data. ...

The NVIHM results indicate that the Napa River is disconnected from groundwater more frequently in this reach than in most other mainstem reaches. The model indicates that groundwater pumping causes this reach to go dry (or nearly dry) in July through September in Dry to Normal water year types from 1988 to 2014. Stream Watch data support the modeled results showing that dry conditions occur in fall in 5 of the 6 years from 2017-2023 (Figure 5-2).

Isolated pools do not persist for long at this site, with aperiodic observations spanning a few days to up to a month. The channel goes dry when the shallow groundwater elevation is approximately equal to the thalweg elevation. The NVIHM results indicate groundwater pumping contributes to decreases in Napa River flows in this reach and increases the frequency and duration of dry conditions for the Napa River mainstem. Monthly discharge typically increases under the No Pumping scenario compared with the Baseline scenario, and the frequency of low/no-flow days is lower under the No Pumping scenario, particularly during the dry season (Table 5-3). Flow in this reach may also be affected by upstream water management, including Kimball and Bell Canyon dams, as well as in-channel diversions. Baseline model scenario. The Baseline scenario includes agricultural pumping. P. 72

The site supports critical habitat for steelhead and Chinook salmon and steelhead spawning and rearing. Foothill yellow-legged frogs are presumed extant in this area but have been observed only along Sulphur and Conn Creeks, not along the mainstem. ... Groundwater pumping in the vicinity, including the municipal pumps for St. Helena, as well as pumping upstream, contributes to stream depletion at St. Helena. ... Linkages between flow and habitat for steelhead and Chinook salmon are not well understood.

The NVIHM results indicate that the Napa River is disconnected from groundwater more frequently in this reach than in most other mainstem reaches. The model indicates that groundwater pumping ... causes this reach to go dry (or nearly dry) in July through September in Dry to Normal water year types from 1988 to 2014. Stream Watch data support the modeled results showing that dry conditions occur in fall in 5 of the 6 years from 2017-2023 (Figure 5-2). Isolated pools do not persist for long at this site, with aperiodic observations spanning a few days to up to a month. The channel goes dry when the shallow groundwater elevation is approximately equal to the thalweg elevation.

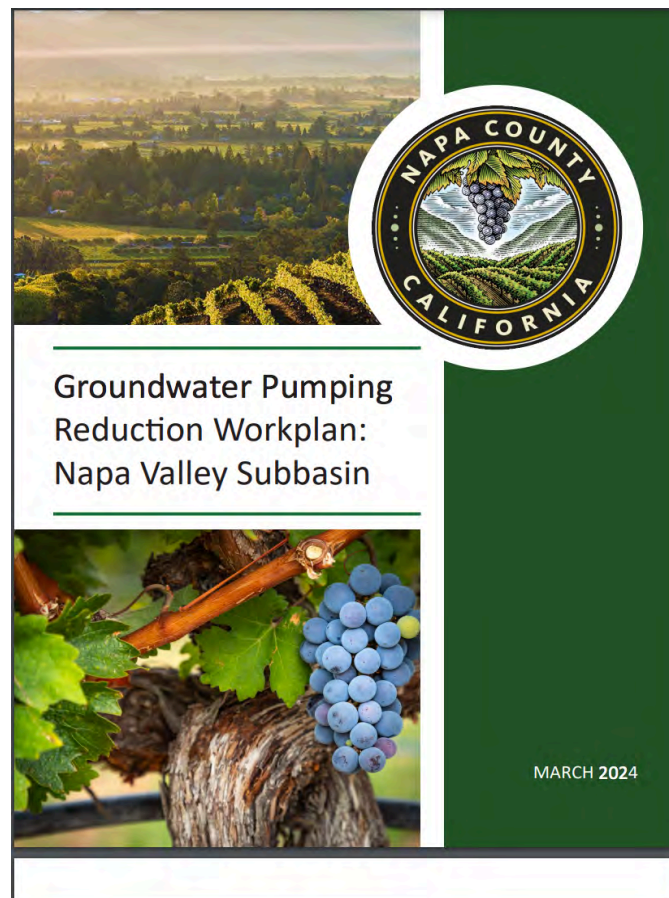
The NVIHM results indicate groundwater pumping contributes to decreases in Napa River flows in this reach and increases the frequency and duration of dry conditions for the Napa River mainstem.
P. 73

Table 5-3. Estimated Stream Depletion by Water Year Type (Napa River at Pope Street)

Month	Dry Years			Normal Years			Wet Years		
	Stream-flow (cfs) ¹	Stream Depletion (cfs) ²	Percent Stream Depletion	Stream-flow (cfs) ¹	Stream Depletion (cfs) ²	Percent Stream Depletion	Stream-flow (cfs) ¹	Stream Depletion (cfs) ²	Percent Stream Depletion
Jan	52.4	3.6	7%	126.7	5.1	4%	445.2	5.7	1%
Feb	108.5	4.0	4%	192.2	4.5	2%	465.3	4.3	1%
Mar	97.4	3.7	4%	139.5	3.6	3%	303.0	2.9	1%
Apr	36.6	2.6	7%	39.4	2.4	6%	122.2	2.0	2%
May	12.7	2.2	17%	15.1	2.4	16%	42.6	1.4	3%
Jun	5.9	3.0	51%	9.1	3.7	40%	17.8	2.5	14%
Jul	4.0	3.4	87%	6.5	4.6	71%	12.0	4.2	35%
Aug	2.8	2.6	96%	4.7	4.3	91%	8.8	5.0	57%
Sep	2.7	2.6	95%	5.1	4.4	86%	7.6	4.9	64%
Oct	11.0	3.8	35%	17.5	5.1	29%	20.8	4.7	23%
Nov	15.1	3.5	23%	36.2	5.3	15%	33.8	4.5	13%
Dec	35.3	4.2	12%	146.2	6.5	4%	205.4	5.8	3%

1. Streamflow is the simulated flow, from the NVIHM, when all irrigation pumping has been removed from the simulation, typically referred to as the 'No Pumping scenario'.
2. Stream depletion is calculated as the difference between all agricultural pumping removed (No Pumping) and the Baseline model scenario. The Baseline scenario includes agricultural pumping. Stream depletion occurs in winter months due to the time it takes for pumping effects to move through the hydrogeologic system.

The NVIHM results indicate that groundwater pumping upstream of this reach, north of Yountville to St. Helena, is the most significant contributor to stream depletion in the Napa River at Napa reach.
P. 88



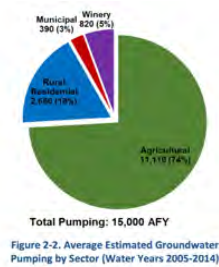
Municipal groundwater extraction occurs from three supply wells operated by the City of St. Helena to supplement surface water supply.
P. 6

Reducing net depletion generally requires reducing the consumptive use of groundwater, either by reducing total consumptive use or by replacing some groundwater use with another water source, such as recycled water. Reducing total groundwater pumping can also be achieved by reducing consumptive use or by improving water use efficiency and implementing water conservation measures. Water conservation can be achieved by implementing new technology, changing water use and management behavior, or by a combination of technology and management. All water users—including agricultural, urban/residential, and commercial/industrial—can potentially conserve water in the Subbasin.

- In-lieu use strategies. In-lieu water use strategies reduce groundwater pumping by switching to an alternative surface water source. P. 15

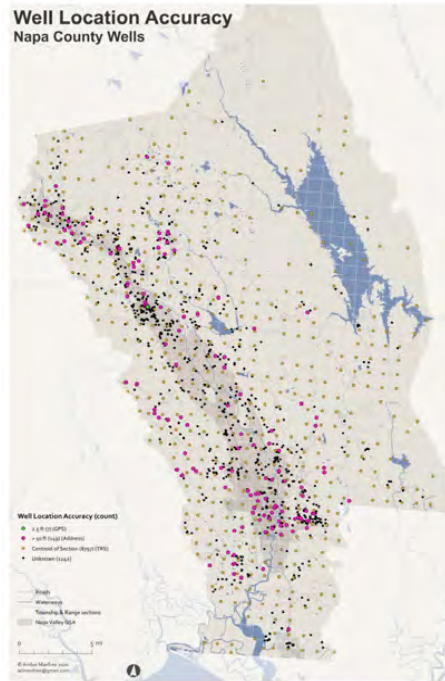
Municipal pumping accounts for approximately 3 percent of total groundwater extraction in the Subbasin (Figure 2-2). Municipal and small public water supply pumping averages 390 AFY and ranges from 180 to 530 AFY from 2005 through 2014 (Figure 2-1).

P 8

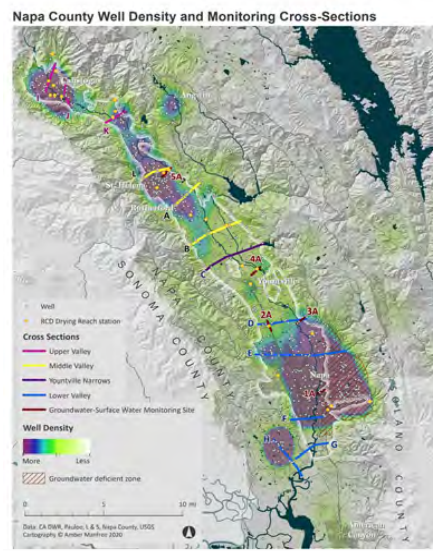


“Currently, the City of St. Helena is the only municipality within the Subbasin that regularly extracts groundwater.” *Supra.*

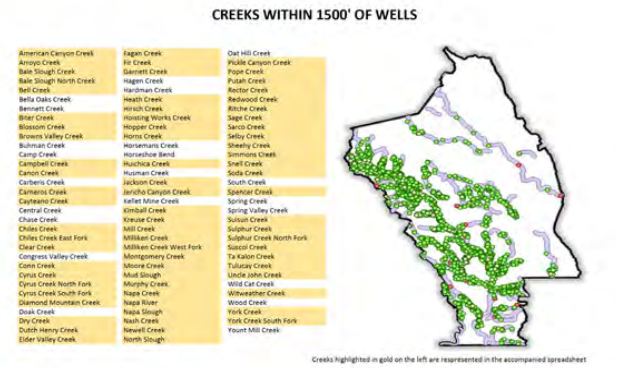
CSH is unable to locate all wells withing its jurisdiction, and although required by Ordinance to acquire extraction information records remain incomplete. Staff is understating the problem of inadequately reported well locations.



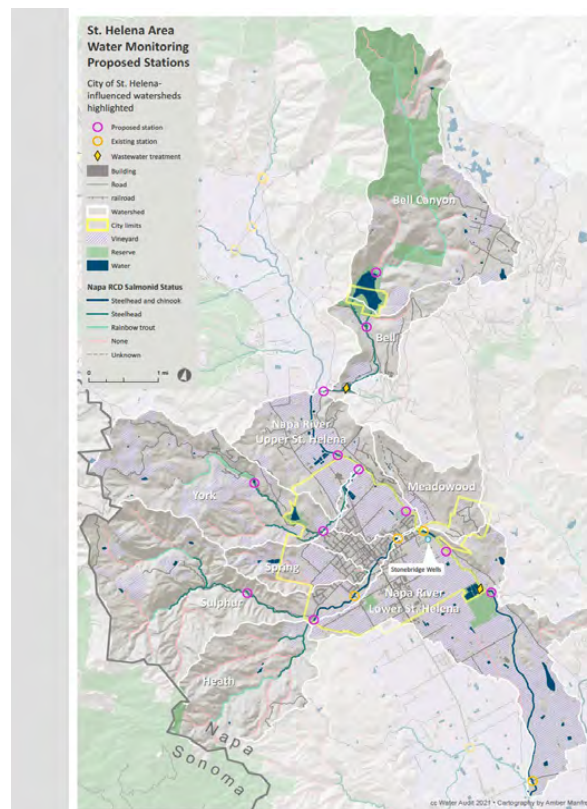
In the larger scale one can seek the juxtaposition of well density and drying reaches:



In this graphic produced by the County, one can see the close alignment between extractions and watercourses:



A group of concerned citizens, Save Napa Valley Foundation, as part of the Refugia Project, prepared a model environmental monitoring schema. We exhibit it here AGAIN as an example of sufficient monitoring.



Future tasking.

Water Audit's message is simple: **"You manage what you measure."** Under the current administration we have been marching in circles whenever it is not possible to actually retreat from the objective.

Unless the problem is approached holistically, inclusively, and with the utmost integrity, a solution cannot be found. The only other option is continuing failure – for an unsustainable water basin must be acknowledged as a failure – and continuing controversy.

Attached for your reference are four reports. The first challenges the County's legal policy of deeming existing potential environmental injury as immune from review, the second describes the public trust interests to be protected, the third deals with the evidence of environmental injury arising from current extraction decisions, and the last details the result of data analysis in an area in which groundwater extraction has been recently approved by the County.

Dr. Karrigan Börk is an acting professor of law at the University of California Davis specializing in environmental law. Dr. Börk's report and curriculum vita are attached hereto as Exhibit 2. In synopsis, Dr. Börk opines that subdivisions of the state have a duty to consider the public trust interest when making decisions impacting water that is imbued with the public trust. He asserts that the question of whether groundwater-related decisions must consider the public trust begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust. He opines that the public trust *requires* reconsideration of past or ongoing water use decisions where those decisions were made without any consideration of the impact upon the public trust.

Dr. Peter B. Moyle is a Distinguished Professor Emeritus of the University of California Davis and co-founder of the Center of Watershed Sciences. His report and curriculum vita are attached hereto as Exhibit 3. In synopsis, Dr. Moyle opines that for native fishes and other aquatic organisms to thrive in the Napa River, they need a flow regime that contains features of the natural flow. Data from the nearest stream flow gauge on the Napa River show that years with no summer flows have persisted since 2000. He states that fishes are much reduced from historic abundance, in large part due to degradation of potential habitat (e.g., by dry reaches).

D

Dr. Graham Fogg is a Professor Emeritus of Hydrogeology in the Department of Land, Air and Water Resources at UC Davis. Dr. Fogg's report and curriculum vita are attached hereto as Exhibit 5. In synopsis, Dr. Fogg opines that dry stream flow trends are not simply a climate change response, and that the streamflow and groundwater data clearly point to a cause-effect relationship between river flows and groundwater pumping. Further, Dr. Fogg opines that there is inadequate monitoring in Napa County to make a full assessment of potential public trust injuries, but nevertheless is able to conclude: "I strongly assert that both shallow and deep groundwater pumping in this basin, including pumping from deep, so-called confined aquifer wells, can each significantly affect the river flows."

Dr. Ted Grantham is an Associate Professor at the University of California Berkeley. Dr. Grantham's report and curriculum vita are attached hereto as Exhibit 4. In synopsis, Dr. Grantham opines that minimum flows observed in the Napa River near St. Helena show a distinctive decline in the past 20 years. The minimum 7-day flow has consistently been zero since 2006, indicating that the Napa River at the gauge now runs dry every year. Although the Napa River has ceased to flow in the past, these occurrences have been rare and have never occurred in more than two consecutive years prior to 2006. Since 2001, the number of zero days has been increasing at an average rate of 7 days per year. He concludes that water withdrawals at or near the streamflow gauge are dewatering the Napa River. The effects of these withdrawals on dry-season flows are evident around 2000 and appear to be increasing in magnitude since that time. There is a significant, increasing trend in the number of zero-flow days observed in the river.



EXHIBIT 1



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559

VOICE: (707) 681-5111

EMAIL: GENERAL@WATERAUDITCA.ORG

Water Audit California is a public interest advocacy group that seeks to optimize the interests of the public in watercourses.

The Napa River and its tributaries are subject to the public trust doctrine.

The Napa River flows from north to south through the Napa Valley. It is a federal and state designated navigable water course. The river and its fishable tributaries (identified below) are part of the public trust.

Mainstem Napa River consists of about 40 miles of channel and covers 426 square miles. The river enters San Pablo Bay at the city of Vallejo. Lower Napa River is tidal to approximately 0.25 miles upstream of Trancas Bridge in the city of Napa. Major tributaries include Dry Creek, Redwood Creek, Sulphur Creek, Conn Creek, Soda Creek, Milliken Creek, and Napa Creek. Kimball Canyon Dam, near the headwaters of the Napa River, is a complete barrier to upstream fish migration....

A rare, watershed-wide steelhead resource analysis was performed by DFG in 1969 for the Napa drainage. In the final document, DFG estimated the standing crop of juvenile steelhead¹ at 87,500 to 144,000 fish ... According to DFG, this crop would result in an adult run of 580 to 960 steelhead ...²

A confluence of three major factors have led to a dramatic decline in fish populations: degraded water quality, impaired passage, and diminished flow. While many explanations are offered for continuing failure to maintain sustainable aquatic life, one obvious reason is the tendency of statutes to address the ecological and natural resources in piecemeal fashion.

¹ A redd is a spawning nest made by a salmon or trout. Depending on the species and size, each female lays from 2,000 to 6,000 round, pinky- orange eggs, about 6 to 9 mm in diameter. Because of natural risks such as predation and anthropogenic human injury such as silt covering and suffocating the eggs, low dissolved oxygen, pollution, and blockages in stream flow, only about 2% will hatch into alevin, the second stage in the life cycle where the baby salmon will break free of the egg's soft shell retaining the yolk as a nutrient-rich sac that hangs below its body. This stage lasts for until the fish begin to feed in about a month. In the third stage of life juvenile steelhead are referred to as smolts. About 2% of hatched alevin (i.e. 0.04% of eggs) will survive to maturity in the ocean and return to spawn.

² Leidy, Becker, Harvey (2005) *Historical Distribution and Current Status of Steelhead/Rainbow Trout in Streams of San Francisco Bay Estuary*, Center for Ecosystem Management, Oakland, CA, p. 213

Legislative fragmentation fails to reflect the ecological reality of the interconnected systems of nature.

Water Audit believes that the comprehensive nature of the evolving public trust doctrine provides a mechanism for comprehensive remediation. As the California Supreme Court has held: “The only argument appears to be that the absence of an existing fish population makes it hard to know how much water ought to be released. The answer is - enough to restore the historic fishery.” (*California Trout v. Superior Court* (Cal. Ct. App. 1990) 218 Cal. App. 3d 187.)

The life cycle of steelhead (*Oncorhynchus mykiss*) includes a year or two of residency in natal fresh water before travelling to the ocean. Anthropogenic injury, including loss of refugia pools, frequent drying reaches and interruption of connectivity has resulted in steelhead being designated in the Environmental Protection Act (EPA) as “threatened.”³

Napa Resource Conservation District (NRCD) annual rotary screw trap surveys of steelhead smolts show a species tottering on the verge, (2018 [147]; 2019 [114]; 2020 [44]). The most recent NRCD surveys did not distinguish between fall run Chinook and steelhead, observing 3 redds in 2019 and 60 in 2020. A survey was not conducted in 2021 due to the pandemic, and 2022 is reported to not yet be finalized.

In addition to steelhead, for millions of years the endangered California freshwater shrimp (*Syncaris pacifica*) are reported to have persisted in this reach of the Napa River. They were present as late as 2002 but are now believed extirpated because of repeated drying of their reach. As will be discussed below, their loss occurred contemporaneously with new extractions from Stonebridge that began that year.

Reconciling extraction demands with the needs of the environment is critical for the preservation of fish populations. “Despite increased investments in hatcheries and fish production across the Pacific northwest, widespread salmon declines continue ... 83% of California fishes face extinction if present trends continue (Moyle et al. 2011.) Hatchery fish are sometimes released into the environment with little regard for their effects on local ecosystems or on wild fish that already live in the recipient ecosystems.”⁴

The Recent History of Groundwater in the Napa Subbasin.

In about 1929, the US Geological Service (USGS) installed a surface water monitoring well near to the Pope Street bridge over the Napa River. In about 1990 a local farmer and philanthropist, David Garden, drilled the first Stonebridge well. The Garden well was subsequently purchased by the City of St. Helena (CSH) and made an integral part of the city's water supply system.

³Threatened species are plants and animals that are likely to become endangered within the foreseeable future throughout all or a significant portion of their ranges.

⁴ *Hatcheries Alone Cannot Save Species and Fish*, California Water Blog, Rypel and Moyle (April 2023)

In November 1994, CSH commissioned a report from Richard C. Slade and Associates titled "Hydrogeologic Assessment for Water Well Feasibility for City of St. Helena, Napa Valley, California" ("Hydrological Assessment").)

In fall 2020, Water Audit retained hydrologist Rob Gailey to review and report on the Hydrological Assessment. He advised that it presented information and conclusions that indicated a hydrologic connection between the groundwater system and surface water contained in the Napa River. Gailey's report concluded that there is a surface water/groundwater interface by which the Napa River recharges the groundwater system pumped by production wells, even if the wells are screened only in the deeper volcanic rocks. It reports that production wells screened and/or gravel packed in the alluvium, or in the alluvium and deeper volcanics, can draw directly from the alluvium that is in direct contact with the Napa River.

Based in part on Slade's finding that the Napa River would recharge extractions, in 2002, CSH drilled a second potable well, which together with the Garden well and two Napa County monitoring wells are referred to as the Stonebridge complex. Together with stored water in Bell Canyon Reservoir and State Water Project water wheeled through the City of Napa, constitute the entire CSH water supply system. The extraction produced by the Stonebridge complex varies from year to year. For example, for the CSH fiscal year ending June 30, 2022, CSH reports the Stonebridge complex annual production of 553.38 AF (180.25 Million Gallons), or 32.7% of the total water supplied.

USGS data indicates that from 1929 until the drilling of the second Stonebridge well, in all but one year the Napa River flowed continually. Now it dries in more years than not, and for increasingly longer periods, now extending for several months.

As early as 2010, the County's consulting engineers, Luhdorff and Scalmanini Consulting Engineers (LSCE) informed a citizen's advisory committee of the diminution of surface flows by groundwater extraction. The committee, dominated by winery interests, was explicitly unwilling to consider the problem.

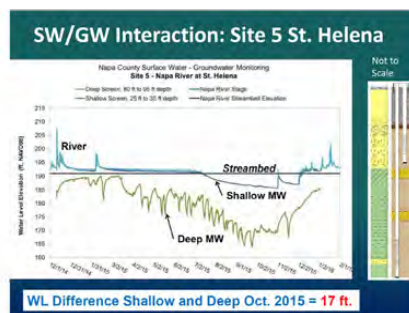
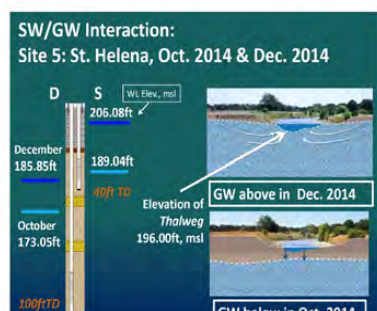
In its April 2014 final report to the Board of Supervisors, the Groundwater Resources Advisory Committee (GRAC) recognized the potential problem of extractions dewatering surface waters and voted to ignore the issue. "The majority of GRAC members recommended the County maintain the existing WAA [water availability analysis] process, not revise the well-to-well interference criterion, and not add a new criterion for well-to-surface water interference."

This decision has led to a decade of willful blindness in Napa County. Even as the state sought to remediate the problem of surface water depletions, at every juncture Napa has sought to avoid the issue.

In September 2014, the Legislature adopted the Sustainable Groundwater Management Act (SGMA); Wat. Code, § 10720 et seq. The valley portion of Napa County was identified as a priority sub-basin. Accordingly, SGMA required Napa County to either submit evidence by the

end of 2017 that the County was sustainable in its groundwater utilization, (herein an “Alt Plan”) or form a groundwater sustainability agency (GSA) to develop and implement a groundwater sustainability plan (GSP) to avoid undesirable results and mitigate overdraft within 20 years. GSAs are charged with procedural and substantive obligations designed to balance the needs of the various stakeholders in groundwater in an effort to preserve, and replenish to the extent possible, this diminishing and critical resource. (*Water Code* §§ 10721, subds. (u), (v), (x)(6), 10723.2, 10725.2, 10725.4, 10726.2, 10726.4, 10726.5.)

In 2015, LSCE reported to the Napa County Watershed Information and Conservation Council (“WIIC”) an example of the dewatering surface waters by groundwater extraction earlier report to the GRAC: the cause of the Napa River drying at Pope Street in St. Helena. In two slides LSCE showed the relationship between the Stonebridge complex extraction, a lower groundwater level and a dry river.



In 2015, Napa County adopted Water Availability Analysis Guidelines (WAA). While the WAA provided for review of larger wells that were proposed to be located proximate to watercourses, the provisions were not vigorously enforced. Frequently blue water streams and water courses are simply left off submittals, and their omission brushed off by the planning commission.

In 2016, LSCE recommended that Napa County install additional monitoring of groundwater/surface water interactions in areas where data was lacking. No additional monitoring was installed.

In 2017, Napa submitted an Alt Plan that claimed stable groundwater levels over a 28year base period. LSCE avoided discussing substantively the issue of potential injury to the public trust or interference with groundwater dependent ecosystems (GDE). Under SGMA, GDEs are ecological communities or species that depend on groundwater emerging from aquifers or groundwater occurring near the ground surface (GSP Regulation §351(m)).

The Alt Plan was rejected by the DWR in November 2019. As the Rejection largely mirrors current difficulties, the comments are recited at length.

DWR stated that the sustainability indicators section conflated “three requirements of the sustainable management criteria set out in the GSP Regulations: undesirable results, [UR] minimum thresholds, [MT] and measurable objectives [MO].”

23 CCR § 354.28(c)(1) specifies that the MT for chronic lowering of groundwater levels shall be based on groundwater elevations indicating a depletion of supply that may lead to undesirable results;

23 CCR § 354.28(c)(2) specifies that the minimum threshold for depletions of interconnected surface water shall be the rate or volume of surface water depletions caused by groundwater use that has adverse impacts on beneficial uses of the surface water and may lead to undesirable results; and

23 CCR § 354.32 requires that each basin be monitored, and that a monitoring network include monitoring objectives, monitoring protocols, and data reporting requirements be developed that shall promote the collection of data of sufficient quality, frequency, and distribution to characterize groundwater and related surface water conditions in the basin and evaluate changing conditions.

DWR also noted that monitoring was inadequate. Only eight wells had ten years of reporting, and consistent with the 2014 GRAC recommendations to the County to “see no evil,” DWR found that surface water ground water interfaces were inadequately measured.

The [Alt Plan] states that 18 wells were identified as representative monitoring sites for tracking minimum thresholds and measurable objectives for all six sustainability indicators.

Of the representative monitoring wells used for groundwater levels, storage, and depletions of interconnected surface water, 10 of the wells did not have 10 or more years of data. These 10 wells are the multi-completion wells installed in 2014, specifically for monitoring surface water-groundwater interactions. **No information was found in the Basin Analysis Report to demonstrate a significant correlation between groundwater levels and the other sustainability indicators where groundwater levels were used as a proxy.”**

... the County proposes that historically diminished baseflow, although it could be considered an undesirable result, should not be disqualifying because SGMA does not require an agency to address undesirable results that occurred before, and have not been corrected by, January 1, 2015.

While it is true that SGMA does not require undesirable results prior to 2015 to be remediated, the presence of undesirable results before 2015 undermines the County’s claim that it has operated the Napa Valley Subbasin without undesirable results.

DWR stated that the reported depletions of interconnected surface water have “significant and unreasonable adverse impacts.” “The [Alt Plan] notes that the historical occurrence of diminished baseflow could be considered an undesirable result but claims that this possibility is basically immaterial inasmuch as SGMA does not require an alternative to address undesirable results that occurred before, and have not been corrected by, January 1, 2015.” Herein lies the current defense against remediation. DWR stated:

The County pivots on this point, taking language from SGMA and employing it to make two arguments. The County notes that a GSP is not required to address undesirable results that occurred before, and have not been corrected by, January 1, 2015, and that a groundwater sustainability agency has discretion to set measurable objectives and the timeframes for achieving any objectives for those undesirable results. The County applies both provisions to its situation. ... SGMA defines “sustainable yield” with regard to undesirable results. In fact, SGMA defines sustainable yield, in part, as the absence of undesirable results. If the Legislature had intended for an alternative based on 10 years of sustainable yield to avail itself of the 2015 baseline for undesirable results, it would have shortened the period an agency was required to demonstrate sustainable yield from 10 years to two, consistent with the 2017 deadline for submitting alternatives to the Department. At any rate, **the 2015 baseline for undesirable results is simply a limitation on what conditions must be addressed; it does not operate as an exoneration of the undesirable result itself.** SGMA may not require a basin to reverse the effect of undesirable results to pre-SGMA conditions, but if undesirable results occurred during the 10-year period of the Alternative, that basin cannot demonstrate that it operated within its sustainable yield. (Emphasis added)

There was DWR discussion of the inadequacy of the Napa monitoring network. For example, “Justification for the selection of representative monitoring sites could not be found.” DWR concluded: “Department staff recommend that [the Alt Plan] not be approved.”

In early 2020, Water Audit wrote to the Napa Board of Supervisors urging them to consider public trust issues and highlighting portions of LSCE reports that indicated adverse surface water groundwater interface. The County was advised of its duty to the public trust. Caution and increased monitoring were recommended. A public Forum was held to deliver the message. The response from the County has been to repeatedly deny any responsibility for sufficient stream flows.

In 2022, a Napa Groundwater Sustainability Plan was prepared and filed that showed the Basin to be operated within sustainable limits and without GDE injury requiring remediation. Section 6 and associated Appendices pertain to surface water groundwater interface.⁵

The GSP said in part: “Continuous monitoring of groundwater-surface water connection occurs at five dedicated monitoring sites in the Subbasin, with four additional sites planned to be constructed in 2021/2022.”

Because the drying CSH reach predated 2015, the GSP continued to document the drying reach but no longer considered the injury reportable under SGMA. See GSP 6-50; Figure 6-18 See also: *Calculated Depth to Groundwater at Napa River Thalweg within One Mile of Monitored Wells*, Spring 2010, Figure 121; Spring 2015; Figure 6-122, Spring 2019, Figure 6-123-a; *Surface Water-Groundwater Hydrograph Site 5: Napa River at Pope Street*, Figure 6-18

The DWR Staff Report stated in part: “The sustainable management criteria and goal to maintain groundwater conditions at or near 2015 conditions are sufficiently justified and

⁵ For these purposes, the CDFW comment letter adequately summarized the issues of environmental remediation raised by groundwater extraction and will not be repeated here.

explained.” However, this statement does not constitute an authorization to deplete public trust surface water flows. It is simply an example of the fractured nature of environmental laws. As the DWR said in its response to the Alt Plan, acceptance of the GSP does not exonerate the undesirable result.

In approving the GSP, DWR made several recommendations directed to environmental stewardship.

The Staff Report also proposes recommended corrective actions that the Department believes will enhance the GSP and facilitate future evaluation by the Department. The Department strongly encourages the recommended corrective actions be given due consideration and suggests incorporating all resulting changes to the GSP in future updates.

Recognizing SGMA sets a long-term horizon for groundwater sustainability agencies (GSAs) to achieve their basin sustainability goals, monitoring progress is fundamental for successful implementation.

The GSA acknowledges, and the Department agrees, many data gaps related to interconnected surface water exist. The GSAs should continue filling data gaps, collecting additional monitoring data, and coordinating with resources agencies and interested parties to understand beneficial uses and users that may be impacted by depletions of interconnected surface water caused by groundwater pumping. (Emphasis added)

The most critical document for present review is the LSCE authored *Groundwater Sustainability Annual Report – Water Year 2022* published in March 2023, about sixty days after the GSP was accepted. It contains the admission that, contrary to the representation of sustainable conduct in the GSP, Napa groundwater extraction has exceeded sustainable limits in five of the last seven years. It may be reasonably speculated whether if this condition had been properly reported the GSP would not have been approved. The LSCE report states:

An undesirable result due to reduced groundwater storage is defined as occurring when the 7-year average annual net groundwater extraction from pumping in the Subbasin exceeds the sustainable yield. The sustainable yield of the Subbasin is estimated to be 15,000 acre-feet per year (GSP 2022). Table ES-5 summarizes the last seven years (2016-2022) of annual groundwater extraction from pumping and the 7-year average groundwater extraction from pumping with respect to the Subbasin sustainable yield.

Groundwater pumping was a total of about 18,790 AF in WY 2022, exceeding the MT for reduction of groundwater storage. Additionally, groundwater pumping in WY 2022 results in 18,023 AF as the seven-year groundwater pumping average. **The seven-year groundwater pumping average in WY 2022 qualifies as an undesirable result in the Subbasin.** (Emphasis added)

The 2022 Report advises that **trigger actions have been implemented in response to groundwater level MT (minimum threshold) exceedances at more than 20 percent of RMS (representative monitoring sites).**

For example, in regard to interconnected surface waters, LSCE states, “in WY 2022 an undesirable result has occurred for this sustainability indicator.”

A PowerPoint that LSCE presented to the GSA is a useful summary of the 2022 Report. Note in particular **a significant omission from the presentation: the last two pages of DWR staff recommendations. The omitted DWR pages included the following:**

RECOMMENDED CORRECTIVE ACTION 3

Department staff understand that estimating the location, quantity, and timing of stream depletion due to ongoing, Subbasin-wide pumping is a complex task and that developing suitable tools may take additional time; however, it is critical for the Department’s ongoing and future evaluations of whether GSP implementation is on track to achieve sustainable groundwater management. The Department plans to provide guidance on methods and approaches to evaluate the rate, timing, and volume of depletions of interconnected surface water and support for establishing specific sustainable management criteria in the near future. This guidance is intended to assist GSAs to sustainably manage depletions of interconnected surface water.

In addition, the GSA should work to address the following items by the first periodic update:

- a. Consider utilizing the interconnected surface water guidance, as appropriate, when issued by the Department to establish quantifiable minimum thresholds, measurable objectives, and management actions.
- b. Continue to fill data gaps, collect additional monitoring data, and implement the current strategy to manage depletions of interconnected surface water and define segments of interconnectivity and timing.
- c. Prioritize collaborating and coordinating with local, state, and federal regulatory agencies as well as interested parties to better understand the full suite of beneficial uses and users that may be impacted by pumping induced surface water depletion within the GSA’s jurisdictional area.

It is not a simple task to match cause to effect between numerous extractions and a drying reach. There is the “last drop” argument that no single divertor can be held individually responsible for the injury of the whole, and its counterpart, the tragedy of the commons were individuals in the pursuit of personal gain over-consume and ultimately deplete a common resource, which no person has a personal motivation to protect.

The 2023 Napa Grand Jury has made an admirable effort to remedy the matter, but they are without a mechanism to enforce its recommendations. As can be seen on the national stage, grand juries can remedy wrongs that evade remedy by the political and administrative components of government. A Grand Jury calls public administration to account, but if the administration stands united, the status quo will continue, no matter how inadequate.

The County is a conflicted public trust trustee at the best of times, but recent decisions highlight the problem of selling out the irreplaceable public trust. The trustee (the County) is giving its own parochial financial interests a higher priority than its duties to protect the public trust as a whole. Injury to the public trust continues to be ignored on the belief that it has been authorized by the GSP. Additionally, the County authorizes groundwater extractions by others, continuing to exacerbate the problem. Violators are ignored and their conduct ratified.

As a further example of the problems of fractured legal constraints, while the County exerts influence on one side of the Napa River at Pope Street, the CSH has jurisdiction over the other side. The County claims to have no jurisdiction or control over the drying of the river by the CSH Stonebridge complex on the west of the river, while CSH has no jurisdiction over the County approval of water extraction by Meadowood Resort, a large golf course, vineyards and residential development on the east bank of the river. And yet the issue of a single water administration is alleged to be far too large and complex except to acknowledge infrequently, and then only to dissemble and deflect.

The Local Area Formation Commission conducted a county wide review of twelve water districts in the Napa Valley, and reported that the cost of water to each CSH resident is approximately \$1,500 a year more than in the City of Napa, with further CSH rate increases in excess of 20% on the near horizon.

The quality of water service varies wildly as well. In 2011 CSH adopted a policy and mechanism for dealing with a potential "water emergency." A Phase I emergency was to be declared when Bell Canyon Reservoir storage reached 60%; Phase II was declared with storage reached 39%. Minimum permissible "Fire Storage" is 25%, so when a Phase II emergency is declared, the useable volume remaining is only 14%. For illustrative example of the impact on residents, during a Phase I emergency citizens may not add any water consuming appliances to their households and replacing an existing residential water consuming device (such as dishwasher) is subject to City approval.

In October 2020 the City declared a Water Shortage Emergency, because the total of the combined sources of water stored in the Bell Canyon Reservoir, extracted by the Stonebridge wells, and transferred from the City of Napa were not sufficient to meet the City's projected demands. In November 2020 the state of emergency was elevated to Phase II. The city did not downgrade from Phase II to Phase I until a year later, at the end of December 2021. During a Phase II emergency, in addition to the restrictions of Phase 1, residents are limited to 65 gallons per person per day, a third of the community's pre-emergency consumption.

CSH announced dropping the Phase I emergency restrictions in July 2023, well over two years after they were first imposed.

Regardless of price, water supply resiliency is a threshold of significance for land use change or development projects. An EIR must answer the question posed by CEQA, Section G, XVIII Utilities and Service Systems (d): "Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?"

EXHIBIT 2

**The Public Trust Doctrine
Dr. Karrigan Börk
August 18, 2023**

The public trust doctrine imposes independent and unavoidable obligations on trustee agencies overseeing groundwater extraction. California precedent makes clear that subdivisions of the state¹ have “a duty to consider the public trust interest when making decisions impacting water that is imbued with the public trust,”² and merely complying with the Sustainable Groundwater Management Act (SGMA) does not discharge that duty.³ Numerous academics and other commentators have drawn the same conclusion.⁴ Although SGMA requirements and a trustee’s obligations under the public trust differ in several ways, a key difference lies in the treatment of past harms from groundwater pumping. SGMA provides that a groundwater sustainability “plan [(GSP)] may, but is not required to, address undesirable results that occurred before, and have

¹ *Env’t L. Found. (ELF) v. State Water Res. Control Bd. (SWRCB)*, 26 Cal. App. 5th 844, 868 (2018) (“Although the state as sovereign is primarily responsible for administration of the trust, the county, as a subdivision of the state, shares responsibility for administering the public trust and may not approve of destructive activities without giving due regard to the preservation of those resources.”) (internal quotation marks omitted).

² *Id.* at 863.

³ *Id.* at 868 (“We conclude the enactment of SGMA does not, as the County maintains, occupy the field, replace or fulfill public trust duties, or scuttle decades of decisions upholding, defending, and expanding the public trust doctrine.”).

⁴ Jennifer L. Harder, *Cognitive Dissonance or Harmonic Convergence? California’s Groundwater Law and the Public Trust Doctrine*, 65 ROCKY MT. MIN. L. INST. 24-1, 24-2-3 (2019) (“The [ELF] court rejected the idea that SGMA represents a legislative determination that fixes the level of public trust protection with respect to groundwater, or that SGMA otherwise preempts the application of the public trust doctrine.”); Paul Stanton Kibel & Julie Gantenbein, *Fisheries Reliant on Aquifers: When Groundwater Extraction Depletes Surface Water Flows*, 54 U.S.F. L. REV. 473, 499 (2020) (“[I]t is clear groundwater sustainability agencies have a separate fiduciary duty under the public trust doctrine, independent of SGMA, to consider the impacts of groundwater pumping that reduces the instream flow of navigable rivers needed to maintain fisheries or other public trust uses.”); Nicole L. Kuenzi, *Maps, Models, and Mystery: Interconnected Groundwater and the Public Trust*, 34 NAT. RESOURCES & ENV’T 13, 16 (2019) (“The Sustainable Groundwater Management Act is not, however, coextensive with the public trust doctrine and does not supplant or subsume the doctrine as applied to tributary groundwater. . . . The Act and the public trust doctrine are two parallel systems that operate alongside one another, just as the public trust doctrine and the water rights permitting system operate in tandem.”); Kevin O’Brien, Richard Frank, Andy Sawyer, Alletta Belin, Paul Kibel, *Proceedings of the 2019 California Water Law Symposium Panel Organized by Ggu School of Law: Sgma and Interconnected Groundwater-Surface Water*, 12 GOLDEN GATE U. ENV’T L. L.J. 81, 105–06 (2020) (Kevin O’Brien, Richard Frank, and Andy Sawyer discussing SGMA and the public trust and noting that the public trust requires different analysis and considerations than SGMA). See also ALIDA CANTOR, DAVE OWEN, THOMAS HARTER, NELL GREEN NYLEN, & MICHAEL KIPARSKY, NAVIGATING GROUNDWATER-SURFACE WATER INTERACTIONS UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT. 25 (2018); ALLETTA BELIN, GUIDE TO COMPLIANCE WITH CALIFORNIA’S SUSTAINABLE GROUNDWATER MANAGEMENT ACT 14 (2018); Brian Gray, *The Public Trust and SGMA*, CALIFORNIA WATERBLOG, (Oct. 7 (018)).

not been corrected by, January 1, 2015.”⁵ In contrast, the public trust *requires* reconsideration of past or ongoing water use decisions where those decisions were made “without any consideration of the impact upon the public trust.”⁶

It is unclear exactly what impacts the time limitation in SGMA may exempt from inclusion in a GSP, but the requirements under the public trust doctrine are much clearer. In *Environmental Law Foundation (ELF) v. State Water Resources Control Board (SWRCB)*, the Court of Appeal held that the County of Siskiyou had “common law fiduciary duties to consider the potential adverse impact of groundwater extraction on ... public trust resource[s].”⁷ Following the California Supreme Court’s decision in *National Audubon (National Audubon) v. Superior Court* that the public trust must be considered in diversions of water from nonnavigable tributaries to a navigable waterway, the court held that the question of whether groundwater-related decisions must consider the public trust “begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.”⁸ It is clear, then, that decisions related to groundwater must consider the public trust if the decision may have an impact on trust resources.

It is also clear that a public trust analysis is not limited by SGMA’s January 1, 2015 time constraint. Indeed, as the California Supreme Court announced in *National Audubon*, “the public trust imposes a duty of *continuing* supervision over the taking and use of the appropriated water.”⁹ This stems from the nature of the public’s interest in, and the nature of the state’s ownership of, trust resources. The state holds such resources not as regular property, subject to sale, but as a trustee, in trust for the people of the state, and so not subject to alienation except in very limited circumstances.¹⁰ Except in these narrow circumstances, the state cannot permanently divest itself of trust resources. In the words of the California Supreme Court, “the core of the public trust doctrine is the state’s authority as sovereign to exercise a *continuous* supervision and control over the navigable waters of the state and the lands underlying those waters. This authority applies to the waters tributary to [navigable waters] and bars ... any ... party from claiming a vested right to divert waters once it becomes clear that such diversions harm the interests protected by the public trust.”¹¹ Thus past water use practices are not insulated from analysis under the public trust doctrine. The SWRCB faces a somewhat similar situation when dealing with rights that fall outside the water rights permit system, primarily the pre-1914 rights and riparian rights; California courts have consistently held that the public trust doctrine applies to these rights, even though they fall outside of the

⁵ CAL. WATER CODE § 10727.2(b)(4)(b).

⁶ *Nat’l Audubon Soc’y v. Superior Ct.*, 33 Cal. 3d 419, 426 (1983).

⁷ *ELF v. SWRCB*, 26 Cal. App. 5th at 851.

⁸ *Id.* at 859–60.

⁹ *Nat’l Audubon Soc’y v. Superior Ct.*, 33 Cal. 3d at 447 (emphasis added).

¹⁰ *Id.* at 438, citing *Illinois Central Railroad Co. v. Illinois*, 146 U.S. 387 (1892).

¹¹ *Id.* at 425–26. See also *Stanford Vina Ranch Irrigation Co. v. State*, 50 Cal. App. 5th 976, 995 (2020), *reh’g denied* (July 6, 2020), *as modified* (July 8, 2020), *review denied* (Sept. 23, 2020), *cert. denied*, 141 S. Ct. 1387; *Light v. State Water Res. Control Bd.*, 226 Cal. App. 4th 1463, 1489 (2014), *as modified on denial of reh’g* (July 11, 2014).

Board's statutory mandates.¹² Thus, the state and its subdivisions have a perpetual and ongoing "affirmative duty to take the public trust into account in the planning and allocation of water resources, and to protect public trust uses whenever feasible," regardless of when the water use at issue first began.¹³ In the groundwater context, then, permitting decisions must avoid "unnecessary and unjustified harm to trust interests" and "preserve, so far as consistent with the public interest, the uses protected by the trust,"¹⁴ regardless of whether impacts to trust assets predate the statutory time limit. When making public trust decisions in the groundwater context, trustees and courts might take guidance from CAL. PUB. RES. CODE § 6009.1, the California legislature's description of what it believes the trust requires in the public trust lands setting.¹⁵

Finally, it is clear that SGMA does not displace these trust obligations or remove from a trustee agency the obligation of weighing trust interests. In *ELF v. SWRCB*, the county argued that SGMA "occupied the field" and implicitly abolished any obligation the County might have to consider public trust impacts, and that SGMA was a conclusive judgment about the level of protection required for trust resources in groundwater decisions, such that the county and the court lacked the power to impose additional protections for the public trust. The Court of Appeal rejected both arguments.¹⁶

In rejecting the argument that SGMA occupied the field, the court noted that SGMA was not comprehensive, that the legislature did not indicate any intent to displace the public trust doctrine, and that SGMA was not inconsistent with the trust. Instead, the court held that SGMA and the public trust doctrine "can live in harmony," holding that "certainly SGMA ... can ... accommodate the perpetuation of the public trust doctrine."¹⁷ This conclusion applies to the provision allowing but not requiring a GSP to address pre-2015 impacts, based on public statements from Andy Sawyer, Assistant Chief Counsel at California State Water Resources Control Board and one of the lawyers involved in crafting SGMA. He observed that this language was designed to allow Groundwater Sustainability Agency's (GSA's) the ability to address their public trust obligations within their GSPs, should they choose to do so, and nothing he said could be read to suggest

¹² *In re Water of Hallett Creek Stream System*, 44 Cal. 3d 448, 472 n.16 (1988) (noting state agencies and the public can enforce public trust claims against riparians); *Stanford Vina Ranch*, 50 Cal. App. 5th at 994 (2020) ("All water rights in California, both riparian and appropriative, are constrained by two limiting principles: (1) the rule of reasonableness; and (2) the public trust doctrine."); *Santa Barbara Channelkeeper v. City of San Buenaventura*, 19 Cal. App. 5th 1176, 1184 (2018) (reasonableness requirements and the public trust doctrine "[b]oth apply to limit all water rights, regardless of their legal basis."); and *Light v. State Water Res. Control Bd.*, 226 Cal. App. 4th at 1489.

¹³ *Nat'l Audubon Soc'y v. Superior Ct.*, 33 Cal. 3d at 446.

¹⁴ *Id.* at 446–47.

¹⁵ CAL. PUB. RES. CODE § 6009.1 identifies many duties, including a duty of full disclosure, a duty to keep clear and adequate records and accounts, and a duty to administer the trust solely in the interest of the beneficiaries, among other things.

¹⁶ *ELF v. SWRCB*, 26 Cal. App. 5th at 870.

¹⁷ *Id.* at 866.

that SGMA somehow relieved GSA's of their trust obligations.¹⁸ The provision is not inherently inconsistent with public trust requirements, and the GSAs are thus obligated to meet both SGMA and public trust requirements.¹⁹

In rejecting the argument that SGMA was a conclusive judgment about the level of protection required for trust resources in groundwater decisions, the *ELF* court determined it would not find an "implied legislative intent to dismantle the public trust from the mere scope of SGMA."²⁰ As the court noted, the few examples where a court upheld the legislative alienation of trust resources "relied on an express and limited legislative determination that specific [trust assets] no longer served the public interest."²¹ SGMA contains no such express determination, and the time limit in SGMA cannot be read to relieve the state's obligation to address damage to the trust that predates that limit.

Many commentators have considered the time limit in SGMA and its interactions with the public trust,²² and all the analyses I have reviewed come to the same conclusion:

¹⁸ *O'Brien et al.*, *supra* note 4, at 105 ("I think that is why there is the 2015 baseline, but I may be too close to this because I actually drafted that language. Believe me, the alternative was much worse. The previous draft defined undesirable effects to exclude prior impacts, which means SGMA couldn't even be used even if we wanted to go for pre-2015 impacts. But, if you have an agency that wants to deal with pre-2014 conditions--for example, in Siskiyou County, you have a lawsuit that says you have to, so why not use SGMA to do it, instead of other much more cumbersome and less-effective ways of implementing public trust.").

¹⁹ See *CANTOR et al.*, *supra* note 4, at 26 ("As the California Supreme Court has stated, '[r]epeals by implication are not favored, and are recognized only when there is no rational basis for harmonizing two potentially conflicting laws.' That principle would be violated if SGMA had impliedly repealed laws that otherwise would have obligated a GSA to address pre-2015 impacts.") (citing *Fuentes v. Workers Comp. Appeals Bd.*, 547 P.2d 449, 453 (Cal. 1973)).

²⁰ *ELF v. SWRCB*, 26 Cal. App. 5th at 869.

²¹ *Id.*

²² *Gray*, *supra* note 4 ("The public trust requires restoration and maintenance of groundwater levels and surface water flows as needed to afford reasonable protection of public trust uses. By comparison, SGMA provides that GSAs are not required to address "undesirable results" that occurred before January 1, 2015, such as harm to beneficial surface water uses. No such baseline or statute of limitations applies to public trust claims."); Kuenzi, *supra* note 4, at 16 (2019) ("The Sustainable Groundwater Management Act is not, however, coextensive with the public trust doctrine and does not supplant or subsume the doctrine as applied to tributary groundwater." Further, [t]he Act does not require agencies to address undesirable results that occurred before and were not corrected by January 1, 2015, whereas the public trust doctrine assures an inalienable interest in trust resources. The Act and the public trust doctrine are two parallel systems that operate alongside one another, just as the public trust doctrine and the water rights permitting system operate in tandem."); BELIN, *et al.*, *supra* note 4, at 14 ("A final caveat concerns SGMA's provision allowing GSAs to choose not to address undesirable results that "occurred before, and have not been corrected by, January 1, 2015." GSAs should bear in mind that other laws such as those referenced in this guide [including the public trust doctrine] do not have an equivalent time limitation, so there may be other legal constraints or obligations resulting from the impacts of groundwater depletions on surface water uses even where no action is required under SGMA."); *CANTOR et al.*, *supra* note 4, at 25 ("We think . . . that, while SGMA clearly creates no responsibilities to address pre-2015 impacts, it also does not remove any responsibilities that might be created by other laws."); Harder, *supra* note 4, at 24-7 ("Although SGMA does not preempt the public trust doctrine, SGMA does include analytical standards that seem inconsistent with public trust principles. For example, SGMA provides that pumping impacts that

the public trust doctrine imposes obligations on trustee agencies overseeing groundwater extraction, and these obligations are independent from the analysis required under SGMA.

existed and were unaddressed through January 1, 2015, are exempt from the statute's purview; GSAs may choose to address pre-2015 impacts, but are not mandated to do so. The public trust doctrine has not yet been interpreted to impose any specific baseline.”).

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EXHIBIT 3

The Napa River as Habitat For Native Fishes and Shrimp
Dr. Peter Moyle
August 18, 2023



Napa River views. Upper left: Below Oakville Crossroad bridge, August 12, 1993. The river was flowing at about 5 cfs - 7 species of native fishes were abundant in deep pools. R.A. Leidy; Upper right: Zinfandel Lane Bridge at Calistoga, June 8, 2021. Coastal roach were observed in concrete-lined pools. A. Manfree; Lower left: Dry Napa River below the Pope Street bridge, St Helena, June 8, 2021. This was a drought year and only a few juvenile native fishes (2 species) were found in a small bedrock pool. It is doubtful they survived the summer. A. Manfree; Lower right, Flood Management Project Bypass in Napa, February 27, 2019. A. Manfree.

The Napa River is a defining element of the Napa Valley and the health of its assemblage of native fishes is a key indicator of the health of the river. Fishes and other biota have declined as the surface flows have been depleted and channels have been altered (Napolitano, Potter, and Whyte 2007). The river and its tributaries nevertheless still support native fishes where year-round flowing water is present. Here we first briefly describe the river as it is today, discuss the effects on stream flows of dams, groundwater pumping, and geomorphic change, and then review the status of native fishes. Finally, we discuss ways to improve conditions for native fishes (and shrimp) in the Napa watershed, recognizing that thriving native fishes require a healthy, flowing river, which is good for people as well.

The Napa River

The Napa River is a relatively small and short [89 km] stream flowing into the San Francisco Estuary. Historically, it was perennial, given the lack of historical accounts of a dry river, with the lowest flows in late summer and fall. In winter, however, when heavy rains pound the surrounding Coast Range, the river carries high flood waters that once spread across its floodplains on the Valley floor. The annual hydrology is naturally highly variable, given its dependence on rain fall and water stored in aquifers as dictated by the region's Mediterranean climate. See concurrently filed memorandums of Drs. Graham Fogg and Ted Grantham.

Most of the time, the Napa River was, and is, a pleasant, productive, and permanent component of the Napa Valley ecosystem. Having avoided the draconian flood control measures, such as the monster levees implemented in many other US streams and rivers, the river still manages to meander through the Valley, lined with a thin band of riparian trees, despite having a deeply incised channel. It still has flows that support native fish populations in places.

But the water that keeps the river flowing is in high demand and much of it is diverted, stored behind dams, or pumped from the ground. So, when the river stops flowing, as it does at times, the native fishes must leave the dry areas or die. Reaches with low flows in late summer/fall may also become too warm to be suitable for steelhead and freshwater shrimp. The decline in habitat for native fishes is related to large-scale changes in the Napa watershed, especially those associated with dams, geomorphic alterations, and groundwater pumping.

Dams and geomorphic constraints

There are over 400 dams in the Napa River watershed that are located on tributary or river channels and that capture winter precipitation in the watershed and store precipitation for later use (Napolitano et al. 2007). Most of these dams are small and create ponds whose water is often important for individual vineyards or farms. About thirty percent of the watershed land area is behind both large and small dams, with reservoirs that provide water for cities as well as vineyards. The dams are needed for storage because most precipitation comes in a few large winter storms (via atmospheric rivers), from which high flows become floods.

The larger dams primarily provide water for municipal use but can also be important for providing flows to streams below, which then provides habitat for fish, including steelhead. However, some of the larger dams in the watershed block access to cool water habitat in streams on the east side of the Valley (e.g., dams on Bell Canyon, Conn [Hennessey Reservoir], Rector, and Milliken creeks). Habitat for fishes is also present in tributaries to the reservoirs above the dams.

Presumably, the historic seasonal floods of the river were important for recharging the ground water and providing wetland habitat, but as the Napa Valley became more

developed and the river more constrained, seasonal flooding became regarded as a serious problem, rather than an asset. Once catastrophic flood flows became managed by infrastructure, authorized in 1998, that is famous because it leaves 'room for the river' (Opperman et al. 2017). The river and its tributaries nevertheless still suffer from the geomorphic constraints of old, 'grey' (concrete) infrastructure, fish passage barriers, and the conversion of floodplain to agricultural and urban uses. The Napa River and its tributaries have deeply incised channels over much of their lengths. In many places, channels are lined with rip-rap and banks feature small rock levees. Such features tend to move high flows out of the system rapidly, reducing flow benefits to fish and wildlife (e.g. a broad riparian zone).

Ground water

Although reliable statistics seem to be lacking (See Fogg and Graham, *supra*), well pumps that suck up groundwater are an important source of water for the Napa region. Although the Napa County Sustainable Groundwater Management Plan has set a sustainable limit of 15,000 acre-feet a year, up to 24,000 acre-feet of water per year are extracted to irrigate 48,000 acres of vineyards, putting the watershed outside of sustainable limits for five of the last seven years. Most of this water comes from pumping groundwater; agricultural demands constitute 85% of groundwater. Potable water pumping from the City of St. Helena's Stonebridge wells account for all but a fraction of the remaining extractions.

Although the systematic collection and analysis of well data for the Napa Valley is lacking, it seems logical to assume that wells for all purposes, especially those located close to a stream, can deprive the river of the underground inflow that historically maintained summer surface flows. In recent years, the abundance, location, and size of such wells is associated with the cessation of flows in some reaches (e.g. Napa River above and through St. Helena, lower Conn Creek).

For native fishes and other aquatic organisms to thrive in the Napa River, they need a flow regime that contains features of the natural (historic) flow regime (refs). A key component of streams in a Mediterranean climate region, such as the Napa Valley, is a 'living stream', from headwaters to estuary, with perennial flows. Historically, the best evidence indicates that the Napa River was a perennial stream. Data from the stream flow gauge on the Napa River at St. Helena, maintained by the US Geological Survey from 1929 to present, show that years with no summer flows began at the turn of the century when the second Stonebridge well was drilled. (See Graham, *supra*.)

But despite ongoing changes, even during the severe droughts of the 1930s, the river flowed until recent years. The reduced flows in the river and its tributaries and the long-term decline of the fishes, especially listed steelhead, coincide with the construction of wells.

Napa Fishes

There are records of 36 species of native fishes from the Napa River and its upper estuary (Leidy 2007, Napa RCD 2008, 2020) but only 15 are found today on a regular basis in the river and tributaries. These include 4 anadromous (sea-run) species that use the river in most years for spawning and the rearing of young (Pacific lamprey, western river lamprey, rainbow trout/steelhead, and Chinook salmon). Another 11 are freshwater fishes that are year-round residents in the watershed (brook lamprey, resident rainbow trout, Pomo riffle sculpin, prickly sculpin, coastal roach, Sacramento pikeminnow, Sacramento blackfish, hardhead, Sacramento sucker, tule perch, and threespine stickleback). This memorandum report focuses primarily on resident and anadromous fishes, plus the California freshwater shrimp.

The following fish species are of greatest interest because they are most likely to be affected by water management:

- **Central California Coast steelhead** (*Oncorhynchus mykiss*) is federally listed as a threatened species (1997, re-affirmed in 2006 and 2014). They are a Distinct Population Segment of rainbow trout (*Oncorhynchus mykiss*) that are anadromous, with spawning and juvenile rearing in the river, especially, its larger tributaries. They are managed separately from resident rainbow trout that are primarily found above barriers in tributaries, and do not go to sea. There has been no change in status since listing, so a continued decline to extinction is likely if present trends continue. Neapolitano et al (2007) state (p 7): “We reviewed available information to conclude that there has been a significant decline in the distribution and abundance of steelhead and coho salmon in the Napa River and its tributaries since the late 1940s” (U.S. Fish and Wildlife Service, 1968; Anderson, 1969; and Leidy et al., 2005). The U.S. Fish and Wildlife Service (1968) estimates that the Napa River watershed once supported runs of 6,000–8,000 steelhead, and 2,000–4,000 coho salmon, and that by the late 1960s, coho salmon were extinct in the watershed, and the steelhead run had reduced to about 1,000 adults. At present, the steelhead run is estimated at less than a few hundred adults (Emig and Rugg, pers. com., 2000 and Leidy et al., 2005). This statement still holds today, although steelhead spawners may be even fewer than reported.
- **Fall-run Chinook salmon** (*O. tshawytscha*) spawn and rear in the Napa River in most years, if flows are adequate. There is debate about whether these fish represent the southernmost population of Southern Oregon-Northern California Evolutionary Significant Unit (ESU) of this species (listed by federal government as threatened) or are strays from Central Valley ESU hatcheries. Either way, they are ecologically and aesthetically important to the river and are likely to disappear under present management.
- **Pacific lamprey** (*Entosphenus tridentatus*) are also anadromous and spawn in the Napa River, where the larvae live in silty backwaters for up to seven years.

They are considered a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). Their status in the Napa watershed is poorly understood.

- **Coastal roach** (*Hesperoleucus venustus subditus*) is a newly re-described species/subspecies that lives only in San Francisco Bay tributaries and the Russian River. It is highly tolerant of poor water quality and appears to be still common in the Napa watershed (NRCD 2020).
- **Hardhead** (*Mylopharodon conocephalus*) is a large (up to 50+ cm) soft-rayed fish that is endemic to Central California, including the Russian and Napa Rivers. It was once common in the deep pools of the middle reaches of the main river (Leidy 2007), but its current status is uncertain. The Napa River and Russian River populations are the only ones known outside of the Central Valley. It is listed as a *Species of Special Concern* by CDFW.
- **Pomo riffle sculpin** (*Cottus ohlone pomo*) is a newly described species and subspecies that occurs mainly in cool headwater streams tributary to northern San Francisco Bay and the Russian River (Moyle et al. 2022). It is presumably still locally common in the upper Napa River, especially in small, cool tributaries (Leidy 2007). Its current status is not well-documented, but it is considered a *Species of Special Concern* (as *C. gulosus*) by CDFW.
- **California freshwater shrimp** (*Syncaris pacifica*) is listed as *Endangered* by the U.S. Fish and Wildlife Service (USFWS) (1988). They are/were known from the mainstem upper Napa River and from Huichica Creek, a tributary to the estuary, but their current status is not well documented. "*Syncaris pacifica* occurs only in lowland freshwater streams, in pool areas away from the mainstream flow, often among roots, branches, or undercut banks. They have never been found at elevations higher than 380 feet (125 m)" (Martin and Wicksten 2004) Considering its endangered status, information on the current status of this species in the Napa watershed is badly needed.

The Napa Valley has been thoroughly domesticated in the past 150 years (Grossinger 2011). Little remains of the original wild landscape on the Valley floor, whether aquatic, riparian, or terrestrial, although some relatively unaltered habitat remains in the upper reaches of tributary streams. The river's water is in high demand due to the expanding vineyards and tourism, and due to growing direct human use, from drinking to washing wine bottles. It is therefore quite surprising that remnants of the native fish fauna are still present, an assemblage of species that need clear, cool flowing water and deep pools to persist. That small numbers of anadromous salmon, steelhead, and lampreys still use the river and its tributaries to complete their life histories is a positive sign. However, numbers are much reduced from historic abundance, given their decline statewide and condition of potential habitat (e.g., dry reaches of tributaries). This decline was recognized by the California Regional Water Quality Control Board in 1990 when it classified the Napa River as *impaired* because of sediment, noting that habitat for

steelhead and Chinook salmon had been degraded by sedimentation of spawning and rearing habitat, by channel incision, by low summer base flows, and by poor access to suitable habitat (Napolitano, Potter, and Whyte 2007). Habitat quality continues to be relatively poor for most native fishes.

Causes of native fish decline

Providing habitat for fish has been a secondary consideration. The most important ingredient for stream fish habitat is often lacking or in short supply: flowing water. Dry or non-flowing sections of riverbed are present during many years.

This makes it urgent to systematically determine the factors contributing to loss of flows and to find ways to increase summer/fall flows. Without a systematic program to determine causes of fish decline and ways to stabilize or increase native fish populations, the further decline and extirpation of native fishes is certain. One thing we also know for sure: the native fishes need water to survive.

Here are some suggestions for actions to reverse trends:

1. Immediately begin a systematic *annual* monitoring program for fishes and aquatic invertebrates to determine status and trends, using Leidy (2007) as the starting point. This effort would have to include developing a stable funding source.
2. Conduct special investigations throughout the watershed to demonstrate habitat benefits to fish from restoration projects, including those related to flood management. Such evaluations seem to be largely lacking, even for listed steelhead and freshwater shrimp.
3. Implement an active adaptive management program to benefit aquatic species. Such a program would involve habitat improvements to tributary streams (including flows and removal of barriers) as well as in the mainstem Napa River.
4. Monitor to the greatest extent possible groundwater extraction and levels and surface water flows.
5. Develop and implement a *Share the Water* plan through a water district that maximizes efficiency of use of existing water throughout the watershed, without increasing total use.
6. Recognize that improving aquatic habitats throughout the watershed will require a long-term commitment to engage in many, often small, habitat restoration projects, following the example of Water Audit California (see Appendix) and based on Public Trust obligations.

Conclusions

The Napa River and tributaries still provide habitats that support native fishes and, presumably, shrimp. A monitoring program is needed that evaluates, among other things, the efficacy of restoration projects on fish and shrimp populations and the determination of factors that affect flow in the river and its tributaries, especially ground water pumping (wells). The presence of two endangered species is a cause for action; steelhead and freshwater shrimp maintain small populations that could disappear from the watershed within a few years, absent improved habitat, fish passage, and flows.

For steelhead, improving habitat for in-migrating adults and out-migrating juveniles in the mainstem is essential to increase survival. In addition, removing or modifying barriers in 30-40 tributary streams would greatly improve access to long-lost spawning and rearing areas. A flow regime that would benefit steelhead and other fishes would first include preserving natural high winter/spring flows to attract adult spawners and move juveniles out to sea. But for shrimp and steelhead, and other fishes, the most significant need is to improve flows in summer/fall low-flow period. These flows are what the river needs to be a year-round 'living stream' from headwaters to the estuary, even during periods of drought, along with management of diverse habitat to support resident native fishes and for juvenile rearing of salmon, steelhead, and lamprey.

Having an actual living stream would mean, among other things, improving the flow regime in many places, including tributaries, in part by reducing diversions from the Napa River and tributary streams. Particularly important is developing fish-friendly summer flows; this would require restoring stream inflows from tributaries and from reducing groundwater pumping in or near the river's riparian zone. A thorough understanding of the relationship between groundwater pumping and surface flows, through measuring and monitoring, is needed to create a balance of flows for the river ecosystem vs. water for commercial purposes.

The presence of recent and ongoing restoration projects demonstrates that there is some movement, if often reluctant, towards a healthier river and sustainable populations of native fishes. Nevertheless, a systematic, multi-faceted program of habitat restoration, monitoring, and maintenance is needed if native fishes and shrimp are to survive through coming years, and then thrive, especially in the face of climate change.



Napa River just below Evey Lane, above the City of Calistoga.
August 31, 2018. Amber Manfree

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Appendix: Water Audit California and Fish

Water Audit California [<https://waterauditca.org/>] has been aware of the threats to the native fishes and other Public Trust issues in the Napa watershed for some time. Water Audit has been using legal actions to have local governments pay more attention these issues, especially on tributaries to the Napa River, which provide water that increases flows of the Napa River itself. This is part of a larger effort to remediate the effects of commercial development in the entire Napa River watershed. Recent examples of Water Audit's work are listed below (Börk and Manfree 2023). A common theme of these actions is to ensure that Public Trust requirements are followed in protecting these streams, no matter how small, and their biota, especially steelhead and other fish.

- 2016. An agreement was signed to release environmental water from Bell Canyon to Bell Canyon Creek, a tributary to the Napa.
- 2016. An agreement was signed to provide water releases from Rector Dam to Rector Creek, for fish habitat.
- 2020. Water Audit facilitated the removal of York Creek, restoring access to steelhead habitat.
- 2021. An agreement was signed to rewater Cayetano Creek with releases from Lake Marie dam.

Each of these agreements/actions benefits fish and reflects an obligation for local governments to provide environmental water under the Public Trust Doctrine, primarily as codified under Section 5937 of the Fish and Game Code (Börk and Manfree 2021).

EXHIBIT 4

Flow Analysis for Napa River Streamflow Gauge at St. Helena, California
Dr. Ted Grantham
August 18, 2023

Station Information

The U.S. Geological Survey has monitored streamflow on the Napa River at Pope Street in St. Helena since 1929 (Gauge Station #11456000). The gauge has operated continuously to the present day except for two notable breaks in the period of record: between 1932 and 1939 and between 1995 and 2000 (**Figure 1**). This gauge is the closest historical record to the proposed Duckhorn project at Lodi Lane and the Napa River, and the proposed Hunter subdivision in the City of St. Helena.

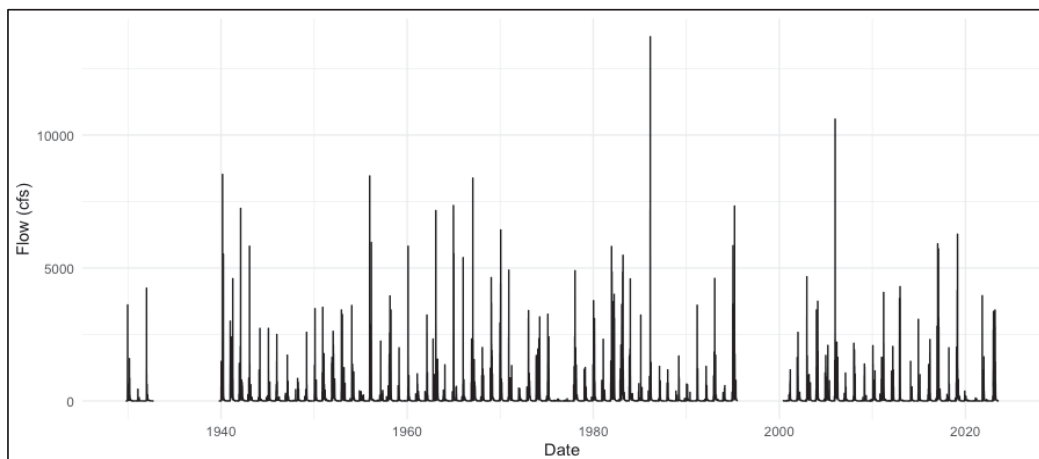


Figure 1. Daily streamflow in the Napa River
Near St. Helena (USGS Gauge Station # 11456000) between 1929 and 2023.

There are several metrics that are used to characterize low flows in streams. One is average 7-day minimum flows, calculated as the 7-day rolling-average of the lowest flows observed each year. Another common metric used is the number of zero flow days, calculated as the number of days in the dry season in which flows fall below 0.1 cfs, which is considered the limit of measurement accuracy for streams during low-flow conditions.

Minimum 7-day flows observed in the Napa River near St. Helena vary over the historical period of record but show a distinctive decline in the past 20 years (**Figure 2**).

The minimum 7-day flow has consistently been zero since 2006, indicating that the Napa River at the gauge now runs dry every year. Although the Napa has ceased to flow in the past, these occurrences have been rare and have never occurred in more than two consecutive years prior to 2006. Statistical analyses confirm that there is a significant negative trend in minimum 7-day flows.

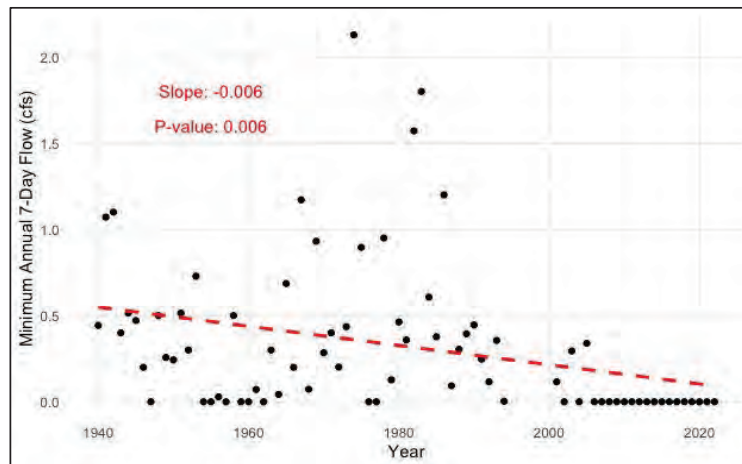


Figure 2. Minimum 7-day flows at the Napa River Near St. Helena (USGS Gage Station # 11456000) between 1940 and 2022.

For minimum 7-day flows there is a negative (downward) slope that is statistically significant. We can therefore state that there is a significant decreasing trend in minimum 7-day flows, although that is also evident by the extended period of zero flows.

The observed record of zero-flow days shows similar patterns of river drying since 2000 (**Figure 3**). For most of the period record, zero flows rarely occurred, with the exception of drought years in the late 50's and in 1976-77. Since 2005, there have been 20 or more zero-flow days occurring in the river. There is a significant, increasing trend in the number of zero-flow days observed in the river. Since 2001, the number of zero days has been increasing at an average rate of 7 days per year.

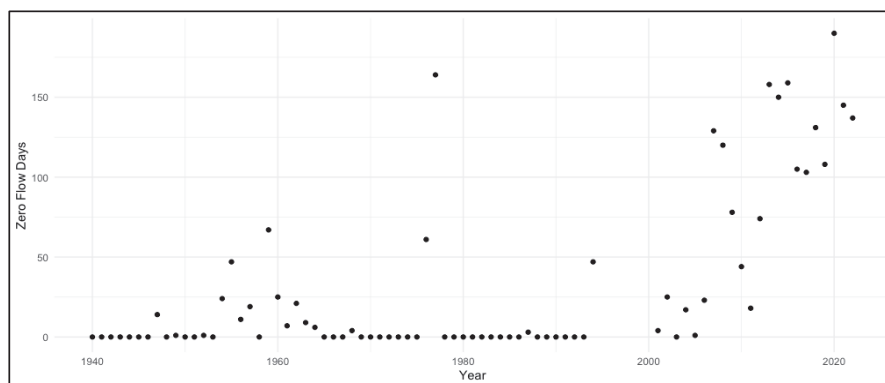


Figure 3. Annual, zero-flow days at the Napa River near St. Helena (USGS Gauge Station # 11456000) between 1940 and 2022.

While recent drought is likely contributing to low-flow conditions, regional climate does not explain observed drying of the Napa River. **Figure 4** is a record of total annual precipitation in the region since 1940:

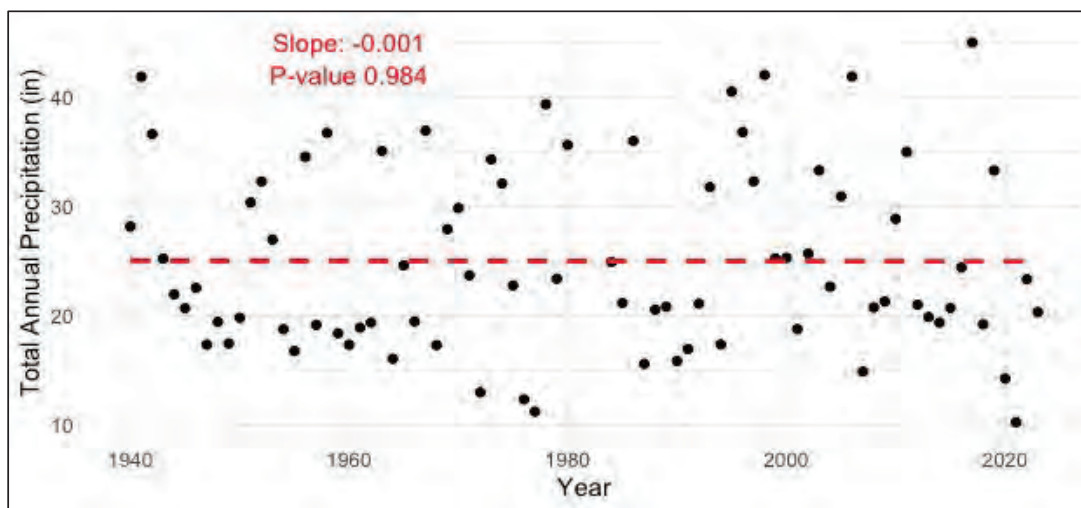


Figure 4. Total annual precipitation recorded in Napa Valley

Between 1940 – 2022, measured at the Napa Fire Department station.

This chart sets annual precipitation by year with slope and p-value. If the p-value is less than 0.05 the slope can be interpreted as a statistically significant trend. Here the relationship is not statistically significant and there is no trend in the data (i.e. over the study period precipitation is unchanged).

Unlike Napa River streamflow, there is not a significant trend in precipitation. Total precipitation is highly variable over the period record, but is not decreasing. Prior to 2000, Napa River low flows are positively correlated with annual precipitation. In wet years, minimum-7 days flows are higher and there are fewer zero flow days than in dry years. But after 2000, streamflow is decoupled from precipitation: despite the fact that the region has experienced several wet years since 2000, minimum flows are consistently zero.

Conclusion

Collectively, these results suggest that water withdrawals at or near the streamflow gauge at Pope Street in St. Helena are dewatering the Napa River. The effects of these withdrawals on dry-season flows are evident around 2000 and appear to be increasing in magnitude since that time. This gauge is the closest historical record to the proposed Duckhorn project at Lodi Lane and the Napa River, and the proposed Hunter subdivision in the City of St. Helena.

EXHIBIT 5

Groundwater Pumping and Napa River Low Flows
Dr. Graham Fogg
August 18, 2023

Groundwater Pumping

Groundwater data together with low flow data in the Napa River (“River”) near St. Helena (USGS Gage Station 11456000) strongly indicate detrimental effects of groundwater pumping on the River in recent decades. Specifically, the gage data demonstrate a dramatic and somewhat abrupt increase in low flow events circa 2000, with the minimum 7-day flows reducing uniformly to zero during 2006-2022, and a steady and massive increase in the number of annual zero-flow days after 2000. These post-2000 increases in low flow occurrences are consistent with post-1998 increases in Napa Valley Subbasin pumping from wells, as illustrated in Fig. 7-13 from the basin GSP (Fig. 1).

Groundwater pumping (Fig. 1, purple line) clearly increased post ~1998.¹ Importantly, the increase in groundwater production does not coincide with a decrease in precipitation in the basin. Precipitation exhibits no systematic or statistically significant decrease during the decades in question. Hence, the pumping trends are not simply a climate change response.

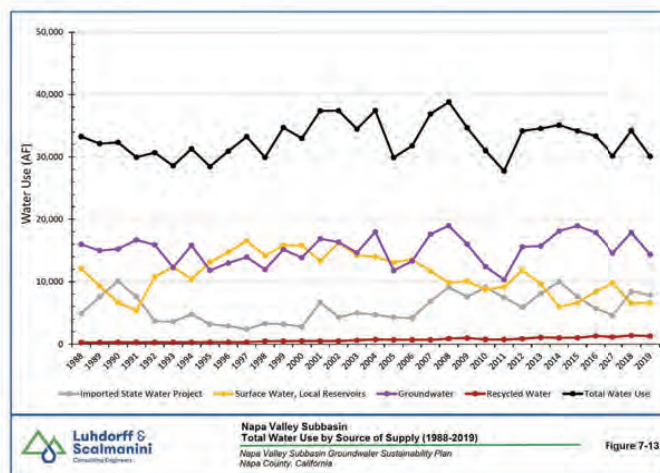


Figure 1. Napa Valley Subbasin water use by source of supply.

¹ In particular, note the extended period of lower pumping in the decade preceding 2000, and the big increases in pumping during post-2000 drought periods.

Cause-Effect Relationship

The streamflow and groundwater data clearly point to a cause-effect relationship between river flows and groundwater pumping that is relevant in the context of Sustainable Groundwater Management Act (SGMA) and the Napa Subbasin Groundwater Sustainability Plan (GSP). This suggests the need for a tighter cap on pumping to protect the Napa River groundwater dependent ecosystem (GDE). Furthermore, there is a need for additional data and analysis to identify specific subregions where the problems are most acute. However, some, but not all, of the needed data is already provided in the GSP.

For example, Figure 6-123a from the GSP (Fig. 2 below), compares groundwater levels near the river with elevation of the river thalweg (channel bottom), providing an excellent way of identifying areas with the greatest potential for surface water loss to groundwater. There are numerous unmapped reaches in Figure 2 due to lack of groundwater level data, however, demonstrating the need to improve upon the analysis by adding more groundwater data, which should be obtainable from the numerous wells in the basin. In Figure 2, dark blue and dark green river reaches means the groundwater levels at the river are likely above the thalweg, indicating potentially gaining conditions. Light green, tan and red means the groundwater levels at the river are likely below the thalweg, indicating potentially losing conditions.

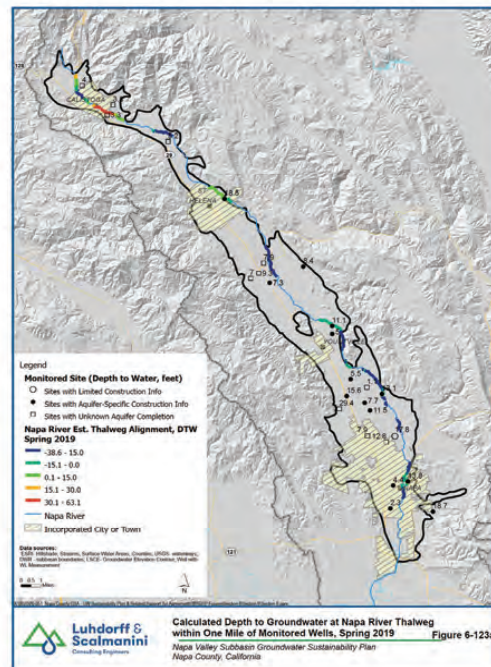


Figure 2. Partial mapping of the difference between near-river groundwater elevations and the river thalweg elevation. Long river reaches lacking any of the bold blue- to red-colors are due to lack of groundwater level data.

In and upstream of St. Helena three things stand out in Figure 2²: (1) losing reaches in and around Calistoga (light green, tan, red), (2) a losing reach in northern St. Helena (light green), and (3) a general lack of groundwater data on this map between St. Helena and Calistoga. There are also long reaches lacking groundwater data downstream of St. Helena. Additional monitoring of wells near the river, including both shallow and deep wells, would help fill in the blanks in maps like Figure 2, greatly facilitating an effective and transparent management of groundwater and river flows.

Maps of depth to groundwater (depth to the water table), such as Figure 6-6 of the 2022 Annual Report (Fig. 3 below), also provide important insight into areas where groundwater impacts are likely most acute. Similar to Figure 2, however, this map shows major stretches of the river lacking the necessary groundwater level data.

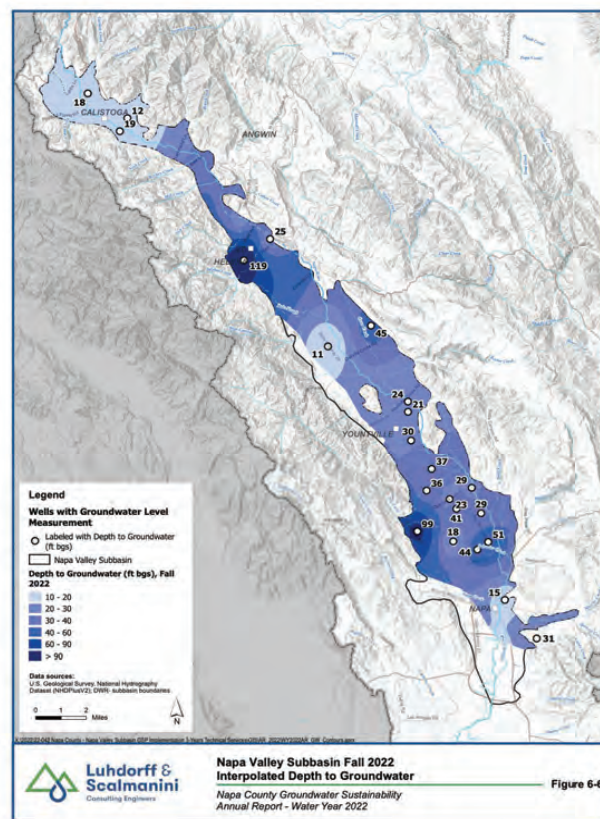


Figure 3. Interpolated depth to groundwater, Fall 2022.

² The GSP has maps for other years, but the 2019 map is the most recent.

Conclusion

In conclusion, both shallow and deep groundwater pumping in this basin, including pumping from deep, so-called confined aquifer wells, can each significantly affect the river flows. Specifically, groundwater pumping is adversely affecting the Napa River, particularly during low flow periods.

An expanded groundwater monitoring program that makes transparent both the groundwater levels and groundwater pumping amounts is needed to effectively manage and protect both the groundwater and the Napa River GDE.

EXHIBIT 6

Karrigan S. Bork

University of California, Davis, School of Law, 400 Mrak Hall Drive, Davis, CA 95616-5201

ksbork@ucdavis.edu, 202-271-9392

ACADEMIC/TEACHING EXPERIENCE

THE UNIVERSITY OF CALIFORNIA, DAVIS

Davis, CA

Acting Professor of Law, King Hall

July 2019 – Pres.

Associate Director, Center for Watershed Sciences

Aug. 2019 – Pres.

Senior Fellow, California Environmental Law and Policy Center

Dec. 2022 – Pres.

Lecturer, Water Law, Dept. of Land, Air, and Water Resources

Jan. 2018 – Mar. 2018

Postdoctoral Scholar, Animal Science Dept., Genomic Variation Lab

Summer 2011

Environmental Law Teaching Assistant, Envtl. Science & Policy Dept.

Spring 2010 & 2011

Design and teach courses for UC Davis Law students (Property, Water Law, Environmental Law, Environmental Externship, Biodiversity Seminar, California Environmental Cases and Places). Develop a portfolio of natural resources research. 2022 Distinguished Teaching Award winner. Law school graduation marshal (chosen by students) in 2023.

THE UNIVERSITY OF THE PACIFIC

Sacramento/Stockton, CA

Visiting Asst. Prof., McGeorge Law School & Dept. of Geol. & Envtl. Sci.

Aug. 2015 – July 2019

Codirector, Environmental Studies

Aug. 2015 – July 2019

Jointly appointed at the law school and the Dept. of Geological and Environmental Studies.

Developed and taught Administrative Law, Environmental Law, Foundations of Water Law, California Environmental Cases and Places, and other courses as assigned at the law school, and Environmental Law, Environmental Science, and Environmental Studies courses for undergraduates. Increased applications to Environmental Studies program more than five-fold.

THE UNIVERSITY OF KANSAS

Lawrence, KS

Lecturer in Environmental Law, Environmental Studies Dept.

June 2014 – Dec. 2014

Designed and taught undergraduate Environmental Law course. Developed syllabus, selected readings, presented lectures, and evaluated students.

TESTMASTERS

Various Locations

LSAT Course Instructor

Sept. 2004 – Oct. 2011

Taught basic logic/reading comprehension to classes of 25 to 75 students. Over 800 hours of teaching and tutoring.

EDUCATION

STANFORD LAW SCHOOL, JD, 2009

- *Distinction, Pro Bono Distinction*
- *Co-Founder/Managing Editor, Stanford Journal of Law, Science and Policy, 2007 – 2009*
- *Co-President, Stanford Older and/or Wiser Law Students (OWLS), 2007 – 2009*
- *Co-Chair, Joint Degree Students Association, 2007 – 2009*
- *Instructor, Stanford Streetlaw, 2007*
- *EPA Star Fellowship, 2005, \$132,000 over three years for 50 – 60 fellows nationwide*

UC DAVIS, PhD in Ecology, 2011

- *Outstanding PhD Graduate in Ecology (Shapiro Family Award) – awarded to top graduate*
- *Switzer Fellow, awarded to 20 California environmental graduate students per year*
- *Member, UC Davis Ecology Awards Committee, 2009 – 2011*
- *Member, UC Davis Ecology Admissions Committee, 2009 – 2010*

Karrigan S. Börk, Page 2 of 9

- *Co-chair, UC Davis Society for Conservation Biology, Policy Committee, 2010 – 2011*
- *James P. Michelleti Research Fellowship, 2010, awarded to 1 – 2 ecology students/year*
- *UC Davis Programmatic Initiatives Grant, 2010, co-principal writer*
- *UC Davis Graduate Scholar Fellowship, 2005, awarded to 12 UC Davis graduate students per year (\$25,500 stipend plus tuition reimbursement for one year)*
- *Dissertation: “Restoration and the Law: Rewatering Rivers, Running a Hatchery and Reintroducing Protected Species”*

THE UNIVERSITY OF KANSAS, 2002

Bachelor of Science in Biodiversity, Ecology, and Evolutionary Biology

- *Distinction, Departmental Honors, Chemistry Minor*
- *Chancellor’s Student Award, 2002, 1 of 9 awards recognizing outstanding KU graduates*
- *Outstanding Senior in Biology, 2002, awarded to the top KU graduate in Biology*
- *Outstanding Junior in Biology, 2001, awarded to the top KU junior in Biology*
- *Truman Scholar, 2001, Awarded to 55 – 60 public interest scholars nationwide*

Bachelor of Arts in Environmental Policy

- *Distinction, College Honors*
- *Study Abroad in Golfito, Costa Rica, 2000*
- *Phi Beta Kappa, 2000*

LEGAL PUBLICATIONS AND WORKS IN PROGRESS

THE LAW OF BIODIVERSITY AND ECOSYSTEM MANAGEMENT, FIFTH EDITION (expected 2024) (with J.B. RUHL & KALYANI ROBBINS)

The Evolution and Future of the Public Trust Doctrine in the West, forthcoming in 2024 FOUNDATION FOR NAT. RES. AND ENERGY L. SPECIAL INSTITUTE __ (2023) (with Anna Gard* & Julia Homaechevarria*)

Legal Challenges and Opportunities, in THE ART AND SCIENCE OF PRIVATE LAND STEWARDSHIP (Jenny Sanders & Roel Lopez, eds.) (with Temple Stoellinger & Jim Bradbury) (expected 2023)

Amoral Water Markets, forthcoming in __ GEORGETOWN L.J. __ (2023) (with Sonya Ziaja).

Water Right Exactions, 47 HARV. ENVTL. L. REV. 63 (2023).

Mapping Ecosystem Benefit Flows to Normalize Equity, 54 Ariz. St. L. J. 819 (2022) (with Cinnamon P. Carlarne, Keith H. Hirokawa, & Sonya Ziaja)

Time Limits for Water Rights, 37 NAT. RESOURCES & ENV’T 17 (2022).

Western Water Rights in a 4°C Future, in FACING THE WORST CLIMATE CASE: THE ROLE OF LAW (Shannon Roesler & Katrina Kuh, ed.) (Environmental Law Institute, forthcoming 2023) (with Shi-Ling Hsu and Kevin Lynch).

Environmental Law Education: New Techniques in the Classroom and Beyond, 46 VT. L. R. 575 (2022) (with Lincoln Davies and Sarah Krakoff).

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California's Constitutional Right to Fish, 51 ENVTL. L. 1085 (2022) (with Francis Coats).

Adapting to a 4°C World, 52 ENVTL. L. REP 10211 (2022) (with 17 others).

Implementing Ecosystem-Based Management, 31 DUKE ENVTL. L. & POL'Y F. 215 (2021) (with Brian Gray and Jennifer Harder),

Rewatering Napa's Rivers, 36 NAT. RESOURCES & ENV'T 1 (2021) (with Amber Manfree).

Trends in Local Ecosystem Governance, 3 FRONTIERS IN CLIMATE 19150 (2021) (with Keith Hirokawa).

Governing Nature: Bambi Law in a Wall-E World, 62 B.C. L. REV. 155 (2021).

Protecting Plants under the Existing Endangered Species Act, 45 HARV. ENVTL. L. REV. 151 (2021) (with Katie Young*).

Rebuttal to Weiland and Murphy: Revisiting the Delta Smelt, 51 ENVTL. L. REP. 9 (2021) (with Peter Moyle, Andrew L. Rypel, John Durand, & Tien-Chieh Hung).

Small Populations in Jeopardy: A Delta Smelt Case Study, 50 ENVTL. L. REP. 10714 (2020) (with Peter Moyle, Andrew L. Rypel, John Durand, & Tien-Chieh Hung).

Targeting Public Trust Suits, 29 ENVTL. L. NEWS 3 (2020).

Improving Infrastructure for Wildlife, 34 Nat. Resources & Env't 1 (2020) (with Andrew L. Rypel).

Cases and Places: A Field-based Approach to Teaching Natural Resource and Environmental Law, 68 J. of Legal Ed. 338 (2019) (with Kurtis Burmeister). Finalist, Thomson Reuters' 2021 Land Use & Environment Law Review top papers.

A PATH FORWARD FOR CALIFORNIA'S ECOSYSTEMS, Public Policy Ins. of Cal. (2019) (with Jeffrey Mount et al.)

An Evolutionary Theory of Administrative Law, 72 SMU L. REV. 81 (2019).

Guest Species: Rethinking Our Approach to Biodiversity in the Anthropocene, 2018 UTAH L. REV. 169 (2018).

Community-based Biomonitoring: An Antidote to Insufficient Governmental Water Quality Monitoring and Enforcement, in FROM EXTRACTION TO EMANCIPATION: DEVELOPMENT REIMAGINED (Raquel Aldana & Steven Bender, ed.) (American Bar Association 2018).

Through the Looking Glass: Using Trade Agreements to Enforce Environmental Law, 32 NAT. RESOURCES & ENV'T 36 (2017) (with Rachael E. Salcido).

Ditching Our Innocence: The Clean Water Act in the Age of the Anthropocene, 46 ENVTL. L. 415 (2016) (with Rachael E. Salcido).

Karrigan S. Börk, Page 4 of 9

The Rebirth of Cal. Fish & Game Code 5937: Water for Fish, 45 U.C. DAVIS L. REV. 809 (2012) (with Joe Krovoza, Jacob Katz & Peter Moyle).

"The Wilderness and the Dry Land Will Be Glad; and the Desert Will Rejoice and Blossom Like a Rose," Origins of the Bureau of Reclamation, 50 J. OF THE WEST 60 (2012).

Note, *Listed Species Reintroductions on Private Land – Limiting Landowner Liability under the Endangered Species Act*, 30 STAN. ENVTL. L.J. 177 (2011).

(* indicates student coauthor)

ADDITIONAL PUBLICATIONS

Katharine Tomalty, Molly Stephens, Melinda Baerwald, Karrigan Börk, Mariah Meek & Bernie May. *Examining the causes and consequences of hybridization during Chinook salmon reintroductions: using the San Joaquin River as a restoration case study of management options*. 12 SAN FRANCISCO ESTUARY AND WATERSHED SCI. 2 (2014).

Karrigan Börk & Paul D. Adelizi, HATCHERY GENETIC MANAGEMENT PLAN: SAN JOAQUIN RIVER SALMON CONSERVATION & RESEARCH FACILITY, Cal. Dept. of Fish & Game (2010).

Karrigan Börk, Andrea Drauch, Josh Israel, Bernie May, John Pedroia & Jeff Rodzen, *Development of new microsatellite DNA primers for green and white sturgeon*, 9 CONS. GEN. 973 (2008).

Karrigan Börk, *Lunar phobia in the greater fishing bat*, *Noctilio leporinus* (Chiroptera: Noctilionidae), 54 J. OF TROP. BIOL. 1117 (2006)

David Stockwell, Stephen Shaner, D. Jean Tate, Karrigan Börk & Sean Dougherty, *Integrating Transportation Network Data into Predictive Models for Invasive Species*, TRANSP. RES. BOARD 85TH ANN. MTG. COMP. OF PAPERS (2006).

Karrigan Börk, *National Ag Center Aids Compliance: EPA Center Demystifies Environmental Issues*, 193 AGRICHEMICAL & ENVTL. NEWS 1 (2002).

Karrigan Börk, FLOODPLAIN AND INSTREAM MINING, Trout Unlimited (1999).

CLERKSHIPS

U.S. BANKRUPTCY COURT FOR THE DISTRICT OF KANSAS	Topeka, KS
<i>Law Clerk to the Hon. Judge Janice Karlin</i>	Aug. 2013 – Aug. 2015
Oversaw half of the bankruptcy docket. Researched and drafted memoranda, opinions, and orders for the Judge.	

U.S. DISTRICT COURT FOR THE DISTRICT OF KANSAS	Topeka, KS
<i>Law Clerk to the Hon. Judge Julie Robinson</i>	Aug. 2012 – Aug. 2013
Oversaw half of the criminal docket. Researched and drafted memoranda, opinions, and orders for the Judge for criminal and civil matters.	

U.S. COURT OF APPEALS FOR THE TENTH CIRCUIT	Lawrence, KS
<i>Law Clerk to the Hon. Chief Judge Mary Beck Briscoe</i>	Sept. 2011 – Aug. 2012
Researched and drafted memoranda, opinions, and orders for the Chief Judge.	

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OTHER PROFESSIONAL EXPERIENCE**LEGAL CONSULTANT**

Consultant to Lawyers for Clean Water
 Consultant to California Water Audit

Davis, CA
 July 2016 – Pres.
 Dec. 2016 – Pres.

Assist with strategy and drafting in minimum stream flow litigation.

ENVIRONMENTAL LAW CLINIC, STANFORD LAW SCHOOL***Certified Law Student***

Stanford, CA
 Aug. 2007 – June 2009

Briefed and argued *Pac. Rivers Council v. Cal. Dep't of Fish & Game, Case No. 06CS01451* (Sacramento Superior Court, 10/08), successfully challenging California's failure to prepare environmental impact report for trout stocking activities. Researched and wrote briefs in NEPA and ESA cases. Prepared state ESA listing petition.

DAVIS POLK & WARDWELL***Summer Associate, Corporate/Litigation***

Menlo Park, CA
 Summer 2007, 2008 (partial), 2009

Strategized with clients and drafted closing documents on Las Vegas casino/hotel acquisition. Drafted memoranda. Analyzed intellectual property litigation ramifications in \$3 billion takeover.

OFFICE OF THE SECRETARY, U.S. DEPT. OF TRANSPORTATION***Acting Special Assistant to the Assistant Secretary******Policy Analyst***

Washington, DC
 Mar. 2005 – Aug. 2005
 Aug. 2002 – Mar. 2005

Assisted in drafting and implementation of DOT policies for transportation, environmental, and energy issues, including budget development. Chaired DOT's Climate Change Center Core Team and represented DOT at interagency meetings. Oversaw more than \$3,000,000 in research annually. Received the Secretary's Partnering for Excellence Award, the 2nd highest award at DOT, for interdisciplinary work in drafting fuel economy standards.

U.S. ENVIRONMENTAL PROTECTION AGENCY***Environmental Careers Organization Associate, National Ag. Center***

Kansas City, KS
 Nov. 2001 – July 2002

Developed materials concerning compliance with EPA's agriculture regulations. Partnered with federal and state agencies to encourage compliance.

Additional professional experience includes consultation on environmental, water law, and other cases and employment with the Washington, D.C. office of Trout Unlimited.

SCHOLARSHIP PRESENTATIONS

1. Presenter, Foundation for Natural Resource and Energy Law Annual Meeting, July 2023
2. Presenter, paper: *Western Water: A Counter Narrative*, UC Irvine Law, Mar. 2023
3. Panelist, Public Trust and Unreasonable Use in the West, Public Interest Environmental Law Conference, Mar. 2023
4. Presenter, paper: *Western Water: A Counter Narrative*, Michael Pappas Online Workshop for Environmental Scholarship, Jan. 2023
5. Presenter, paper: *Western Water: A Counter Narrative*, AALS Environmental Works in Progress, Jan. 2023
6. Panelist, paper: *Water Right Exactions*, Harvard Environmental Law Review Fall Issue Launch Event, Dec. 2022
7. Presenter, paper: Rocky Mountain Junior Scholars Forum, Dec. 2022

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8. Presenter, paper: *Western Water: A Counter Narrative*, UC Agriculture and Natural Resources, Oct. 2022
9. Presenter, paper: *Water Right Exactions*, Texas A&M Enviroschmooze, Aug. 2022
10. Presenter, paper: *Amoral Water Markets*, Natural Resource Law Teachers Institute, Works-in-Progress, June 2022
11. Panelist, Exposing Environmental Law's Hidden Value Judgments: Benefits Flows, Economics, Algorithms, and Climate Justice, Arizona State University School of Law, Seventh Annual Sustainability Conference of American Legal Educators (SCALE), May 2022.
12. Participant, paper: *Amoral Water Markets*, UC Davis Faculty Schmooze, May 2022
13. Presenter, paper: *A Legacy of Illegal Infrastructure*, Santa Clara Law, Mar. 2022
14. Presenter, paper: *A Legacy of Illegal Infrastructure*, Foundation for Natural Resources and Energy Law, Water Law Institute Works-in-Progress, Nov. 2021
15. Presenter, paper: *Water Right Exactions*, First Annual Starved Planet Environmental Law Scholars (SPELS) workshop, Oct. 2021
16. Presenter, paper: *Water Right Exactions*, Rocky Mountain Mineral Law Foundation Natural Resources Law Teachers Institute Works-in-Progress, June 2021
17. Co-organizer and participant, Paper: *Water Right Exactions*, NorCal Junior Faculty Workshop, June 2021
18. Presenter, paper: *Water Right Exactions*, Columbia Law School, 9th Annual Sabin Colloquium on Innovative Environmental Law Scholarship, May 2021
19. Panel organizer and panelist, Developing Local Ecosystem Governance, Arizona State University Sandra Day O'Connor College of Law, Sixth Annual Sustainability Conference of American Legal Educators (SCALE), May 2021
20. Presenter, paper: *Trends in Local Ecosystem Governance*, Frontiers in Climate – Coordinating Climate Change Adaptation Online Workshop, Apr. 2021
21. Presenter, paper: *California's Constitutional Right to Fish*, UC Davis Law Faculty Intellectual Enrichment Talks, Mar 2021
22. Speaker, Emerging Environmental Law Curriculum: Roundtable on New Techniques in the Classroom and Beyond, Vermont Law School, Feb. 2021
23. Panelist, paper: *Protecting Plants under the Existing Endangered Species Act*, Harvard Environmental Law Review Fall Issue Launch Event, Feb. 2021
24. Presenter, paper: *Water Right Exactions*, University of Utah S.J. Quinney College of Law/Rocky Mountain Mineral Law Foundation Water Law Professors Works-in-Progress Workshop, Dec. 2020
25. Panelist, 16th Annual California Water Law Symposium, Golden Gate University, School of Law, Feb. 2020
26. Presenter, paper: *Governing Nature: Bambi Law in a Wall-E World*, NorCal Junior Faculty Workshop, UC Hastings, Sept. 2019
27. Presenter, paper: *A Legacy of Illegal Infrastructure*, Colorado Law/UCSB Bren School of Environment's 12th Annual Summer Works-In-Progress Symposium, Aug. 2019
28. Presenter, UC Davis Conjunctive Use Symposium, Aug. 2019
29. Presenter, paper: *Governing Nature: Bambi Law in a Wall-E World*, Natural Resource Law Teachers Works in Progress, 65th Rocky Mountain Mineral Law Foundation Annual Meeting, Jul. 2019
30. Organizer, Natural Resources Law Teachers Institute, Rocky Mountain Mineral Law Foundation, May 2019
31. Panel organizer and Presenter, Field Courses for Environmental and Natural Resources Law, Natural Resources Law Teachers Workshop, 64th Rocky Mountain Mineral Law Institute, July 2018

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32. Panelist, Assoc. of CA Water Agencies Legal Affairs Committee CLE Workshop, May 2018
33. Panelist, 27th Annual Rocky Mountain Land Use Conference; Western Places/Western Spaces, Building Sustainable Communities in the Anthropocene, Mar. 2018
34. Panelist, UC Davis Delta Smelt Reintroduction Workshop, May 2017
35. Speaker, John and Mary Louise Riley Geol. Sem. Series, Sonoma State Univ., Apr. 2017
36. Speaker, Geology Dept. Speaker Series, Chico State, Mar. 2017
37. Organizer and panelist, 2nd Annual Cross-Boundary Panel – Age of the Anthropocene: Humanity’s Impact on the Planet, Univ. of the Pacific, Jan. 2017 (with Mary Kay Camarillo, Arturo Giraldez, Laura Rademacher, and Rachael Salcido)
38. Invited Participant, Stanford Water Policy Workshop, June 2015
39. Keynote address, Honors Commencement, Univ. of Kansas, May 2013
40. Keynote address, University Scholars Banquet, Univ. of Kansas, Jan. 2012
41. Panelist, The Public Trust Doctrine: 30 Years Later, UC Davis Law Review Symp., Mar. 2011

GUEST LECTURES

1. Guest lecture, Stream Ecology, UC Davis, Dept. of Wildlife, Fish, and Cons. Bio., May 2023
2. Guest lecture, Rivers of California, UC Davis, Dept. of Geol., Apr. 2023
3. Guest lecture, Water Law on the Colorado River, Ecogeomorphology, UC Davis, Geology Department, Feb. 2023
4. Guest lecture, Rivers of California, UC Davis, Dept. of Geol., Apr. 2022
5. Guest lecture, UC Davis BioLaunch Fellows Program, Career Lab, Feb. 2022
6. Guest lecture, Water Law on the San Juan River, Ecogeomorphology, San Juan River, UC Davis, Geology Department, May 2022
7. Guest lecture, Professional Development Seminar, University of the Pacific, Department of Geological and Environmental Sciences, Nov. 2021
8. Guest lecture, Professional Development Seminar, University of the Pacific, Environmental Studies Department, Oct. 2021
9. Guest lecture, Nature RX, First Year Seminar, UC Davis, Oct 2021
10. Guest lecture, Stream Ecology, UC Davis, Dept. of Wildlife, Fish, and Cons. Bio., May 2021
11. Guest lecture, Rivers of California, UC Davis, Dept. of Geol., Apr. 2021
12. Guest lecture, Foundations of One Health, UC Davis, Dept. of Pathology, Microbio., and Immunology, Fall and Winter 2021, Fall 2022, Winter 2023
13. Guest lecture, Seminar in Law Science and Technology, UMKC Law School, Sept. 2020
14. Guest lecture, Climate and Energy Workshop class, UCLA School of Law, Sept. 2020
15. Guest lecture, Rivers of California, UC Davis, Dept. of Geol., Apr. 2020
16. Guest lecture, Pacific Legal Scholars Program, Feb. 2016, Feb. 2017
17. Guest lecture, Admin. Law and Listing Decisions, Cons. Biol. graduate class, UC Davis, Jan. 2011

OTHER COMMENTARY, PRESENTATIONS, AND OUTREACH:

1. Conference co-organizer, Inaugural Environmental Geography and Law Conference, Dec. 2022 (funded by \$11,000 grant from the Foundation for Natural Resources and Energy Law)
2. Organizer, American River Rafting for Salmon, UC Davis, Nov. 2022
3. Presenter, Fall Open House Mock Class, UC Davis, Nov. 2022
4. Panelist, River Roundtable Session 1 – Putah Creek, Bring Back the Kern, Oct. 2022
5. Moderator, CWA Futures Panel, California Environmental Law and Policy Center “Clean Water Act at 50” conference, Oct. 2022
6. Organizer, Natural Resource Law Teachers Institute, Water Panel and Public Lands Panel, June 2022

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7. Presenter, UC Davis Terrafest, sponsored by the Mexican UC Davis Graduate Students Association, at the Whole Earth Festival, May 2022
8. Moderator, Voluntary Agreements Panel, Water Law Symposium, Apr. 2022
9. Panelist, Meet the Professionals Event, UC Davis Career Discovery Group, March 2022
10. Featured speaker, UC Davis Environmental Law Society's culture week, Feb. 2021
11. Guest, UC Davis Law Podcast – California's Constitutional Right to Fish, Feb. 2022
12. Op Ed CalMatters Article, Protect the public's interest with Kern River water allocation decision, Jan. 3, 2022, reprinted in the Mercury News, East Bay Times
13. Organizer, American River Rafting for Salmon, UC Davis, Nov. 2021
14. Panelist, Corporate Accountability in Wildlife Protection, 20th Annual Vermont Law Review Symposium, Nov. 2021
15. Discussion leader, Future of Environmental Law Education, Environmental Law Collaborative, July 2021
16. Moderator, UC Davis Law School Book Publishing Roundtable, June 2021
17. Featured speaker, Riverflow and Instream Rights: Professor Paul Kibel in Conversation with Professor Karrigan Bork, Sacramento County Bar Association, Environmental Law Section, May 2021
18. Introductory speaker, 2021 California Water Law Symposium, Climate Change: Adapting to a Warming Climate, Feb. 2021
19. Featured speaker, UC Davis Environmental Law Society's culture week, Feb. 2021
20. Speaker, UC Davis Law School, Aoki Center for Critical Race and Nation Studies, One L Critical Perspective Talks, Property: Mapping Environmental Justice, Jan. 2021
21. Invited speaker, Fireside Chat, Albany Law School, Jan. 2021
22. Organizer, American River Rafting for Salmon, UC Davis, Nov. 2020
23. Speaker, Episode 6: California Water Law 101, University of California's Division of Agriculture and Natural Resources Water Talk podcast, May 2020
24. Panel moderator, Saving a Bug's Life: Legal Solutions to Combat Insect Biodiversity Decline and the Sixth Mass Extinction, Mar. 2020
25. Featured speaker, UC Davis Environmental Law Society's culture week talk, Feb. 2020
26. Lead, Reimagining Environmental and Natural Resources Law Ecosystem work group, Environmental Law Institute/George Washington University Law School, Nov. 2019
27. Panelist, Water Law & Policy Program, Schwartz-Levi Inn of Court, Nov. 2019
28. Moderator, Environmental Law Conference at Yosemite, Deltas in the Delta panel, Oct. 2019
29. Presenter, UC Davis Conjunctive Use Symposium, Aug. 2019
30. Featured commentator, Documentary film Sacramento: At Current Speed, 2019-2020, (*People's Choice award winner at the 2020 Wild and Scenic Film Festival*)
31. Speaker, Iris Care 101, Ted and Chris Robb Garden, Univ. of the Pacific, Apr. 2017
32. Additional media quotations in Time magazine article on wild horses, Ag News magazine article on water rights, Guardian article on water issues, Washington Post article on fisheries, KFBK News Radio in Sacramento, UC Davis Magazine article on the drought, Maven's Notebook (leading California water blog) article describing a UC Davis conference, in a Westlaw Today envirobrief article (a legal publication), and in a Los Angeles Times article.

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SELECTED SERVICE

UC Davis School of Law

- *Law Faculty Co-chair, 2022 - Pres.*
- *UC Davis Law Distinguished Teaching Award Selection Committee, 2022 - 2023*
- *Alternate Law School Representative, UC Davis Academic Senate, 2021 - Pres.*
- *Advisory Committee for the UC Davis Water Policy Certificate, housed in UC Davis Continuing and Professional Education, 2021 - Pres.*
- *UC Davis Trustee, Rocky Mountain Mineral Law Foundation (Education & Planning Committees), 2020 - pres.*
- *Faculty advisor/cofounder for the UC Davis Law Parent Legal Society, 2020 - Pres.*
- *Advising assistant, UC Davis Prestigious Scholarship Advisor, 2020 - Pres.*
- *Law School Representative, University Library Committee, 2019 - Pres.*
- *UC Davis California Environmental Law and Policy Committee Advisory Board, 2019 - Pres.*
- *Faculty panelist, 2021 King Hall Admitted Students Weekend*
- *UC Davis Law Intellectual Enrichment Committee, 2020 - 2021*
- *UC Davis Law Academic Appeals Committee, 2019 - 2023*
- *UC Davis Law Ad Hoc Grade Appeal Committee, 2019 - 2020*
- *Faculty supervisor, Pace Nat'l Environmental Law Moot Court Competition, 2019 - 2020*
- *Review editor for Frontiers in Climate, peer reviewer for Case Studies in the Environment, published by the University of California Press, and the Land Use and Environment Law Review, 2020 - Pres.*
- *Extensive student mentorship for law review notes and independent study projects*

Univ. of the Pacific, College of the Pacific

- *Codirector, Environmental Studies Program, 2015 - 2019*
- *Member, Institutional Effectiveness Committee, 2015 - 2019*
- *Chair, Geol. and Env'tl. Sci. Dept. Peer Review Committee, 2016 - 2017*
- *Member, Biology tenure track faculty hiring committee, 2016*

Univ. of the Pacific, McGeorge School of Law

- *Member, Admissions Committee, McGeorge School of Law, 2017*
- *Member, Garden Director hiring committee, 2016*
- *Member, Water and Environmental Sustainability Task Force, 2015 - 2017*
- *Member, Vice-Chair, Board of Advisors, KU Natural History Museum and KU Biodiversity Institute, 2012 - 2016*

Reviewer, Molecular Ecology Journal, Minnesota Sea Grant College Program, Transactions of the American Fisheries Society, Society for Conservation Biology, 2006 - 2011

EXHIBIT 7

Numbering fixed

LIST OF PUBLICATIONS

PETER B. MOYLE

PEER-REVIEWED PAPERS, BOOKS, & BOOK CHAPTERS

1. [Jacinto, E.](#), [N. A. Fangue](#), [D. E. Cocherell](#), [J. D. Kiernan](#), [P. B. Moyle](#), and [A. L. Rypel](#) . 2023. Increasing stability of a native freshwater fish assemblage following flow rehabilitation. *Ecological Applications*.
<https://doi.org/10.1002/eap.2868>
2. Moyle, P.B. and R.L. Leidy. 2023. Freshwater fishes: threatened species and threatened waters on a global scale. Pages 177-206 *In* N. MacClean, editor. *The Living Planet: The Present State of the World's Wildlife*. Cambridge University Press.
3. Benke, A.C., V. H. Resh, P. K. Mendez, P.B. Moyle and S.V. Gregory 2023. Rivers of the Conterminous United States. Pages 511-558 *In* M. D. DeLong, T.D. Jardine, A.C. Benke, and C. E. Cushing, editors. *Rivers of North America, Second Edition*. London: Academic Press
4. Stompe, D.K., P.B. Moyle, K. Oken, and J. R. Durand. 2023. A spatiotemporal history of key pelagic fish species in the San Francisco Estuary, California. *Estuaries and Coasts*
<https://doi.org/10.1007/s12237-023-01189-8>
5. Moyle, P.B., N. Buckmaster, N. and Su, Y. 2023. Taxonomy of the Speckled Dace species complex (Cypriniformes: Leuciscidae, *Rhinichthys*) in California, USA. *Zootaxa* 5249(5):501-539. <https://doi.org/10.11646/zootaxa.5249.5.1>
6. Su, Y., P.B., Moyle, M.A. Campbell, A.J Finger, S. O' Rourke, J. Baumsteiger, J. & M.R. Miller 2022. Population genomic analysis of the Speckled Dace species complex (*Rhinichthys osculus*) identifies three distinct lineages in California. *Transactions of American Fisheries Society* 151: 695-710 (Featured Article).
<https://doi.org/10.1002/tafs.10388>
7. Ogaz, M.H., A.L. Rypel, R.A. Lusardi, P.B. Moyle, and C.A. Jeffres. 2022. Behavioral cues enable native fishes to exit a California floodplain while leaving non-native fishes behind. *Ecosphere* 2022;13:e4293. <https://doi.org/10.1002/ecs2.4293>
8. Moyle, P., A. Sturrock, and J. Mount 2022. California's Freshwater Fishes: Conservation status, Impacts of Dams, and Vulnerability to Climate Change. *Storing Water for the Environment, Technical Appendix A*. San Francisco: Public Policy Institute of California
9. Stead J.E., V.L. Boucher, P.B. Moyle, and A.L. Rypel. 2022. Growth of Lahontan cutthroat trout from multiple sources re-introduced into Sagehen Creek, CA. *PeerJ* 10:e13322 DOI 10.7717/peerj.13322.
10. Moyle, P. B. and M.A. Campbell. 2022. Cryptic species of freshwater sculpin (Cottidae, *Cottus*) in California, USA. *Zootaxa* 5154 (5):501-507. DOI: [10.11646/zootaxa.5154.5.1](https://doi.org/10.11646/zootaxa.5154.5.1)

Numbering fixed

11. Moyle, P.B. and D. K. Stompe. 2022. Chapter 11. Non-native fishes in estuaries. Pages 684-705 *In* A.K. Whitfield, K. W. Able, S. J. M. Blaber and M. Elliott, editors. Fish and Fisheries in Estuaries: a Global Perspective, Volume 1. Wiley.
12. Zillig, K. W., R.A. Lusardi, P.B. Moyle, and N. A. Fangue. 2021. One size does not fit all: variation in thermal eco-physiology among Pacific salmonids. Reviews in Fish Biology and Fisheries. <https://doi.org/10.1007/s11160-020-09632-w>.
13. Leidy, R. L. and P. B. Moyle. 2021. Keeping up with the status of freshwater fishes: a California (USA) perspective. Conservation Science and Practice 3(8), e474. <https://doi.org/10.1111/csp2.474>. 10 pages.
14. Williamshen, B.O., T.A. O'Rear, M. K. Riley, P.B. Moyle, J. R. Durand. 2021. Tidal restoration of a managed wetland in California favors non-native fishes. Restoration Ecology. Society for Ecological Restoration. <https://doi.org/10.1111/rec.13392> 12 pages.
15. Moyle, P.B., 2020. Living with aliens: nonnative fishes in the American Southwest. Pages 69-78 *In* D.L. Propst, J.E. Williams, K.R. Bestgen, and C.W. Hoagstrom, eds., Standing Between Life and Extinction: Ethics and Ecology of Conserving Aquatic Species in North American Deserts. Chicago: University of Chicago Press.
16. Hanak, E., B. Gray, J. Jezdimirovic, and P. Moyle. 2021. Managing changes in water and land use to benefit people and nature. Pages 171-190 *in* Butterfield, H.S., T.R. Kelsey, and A.K. Hart. Rewilding California Landscapes: a California Study Rebalancing the Needs of People and Nature. Washington DC: Island Press. <https://islandpress.org/books/Rewilding-Agricultural-Landscapes>
17. Aha, N.M., P.B. Moyle, N.A. Fangue, A.L. Rypel, and J. R. Durand. 2021. Managed wetlands can benefit juvenile salmon in a tidal marsh. Estuaries and Coasts (2021) <http://dx.doi.org/10.1007/s12237-020-00880-4>
18. Willmes, M., Jacinto, E.E., Lewis, L.S., Fichman, R.A., Bess, Z., Singer, G., Steel, A., Moyle, P., Rypel, A.L., Fangue, N., Glessner, J.J., Hobbs, J.A. and Chapman, E.D. 2021. Geochemical tools identify the origins of Chinook Salmon returning to a restored creek. Fisheries 46:22-32. <https://doi.org/10.1002/fsh.10516>
19. Rypel, A.L., Saffarinia, P., Vaughn, C.C., Nesper, L., O'Reilly, K., Parisek, C.A., Miller, M.L., Moyle, P.B., Fangue, N.A., Bell-Tilcock, M. and Ayers, D., 2021. Goodbye to “rough fish”: paradigm shift in the conservation of native fishes. Fisheries, 46(12): 605-616.
20. Börk, K.S., P. Moyle, J. Durand, Tien-Chieh Hung, and A. L. Rypel. 2020. Small populations in jeopardy: A Delta Smelt case study. Environmental Law Reporter 50 ELR 10714 -10722 92020

Numbering fixed

21. Colombano, D.D., T.B. Handley, T. O’Rear, J.R. Durand, and P.B. Moyle 2021. Complex tidal marsh dynamics structure fish foraging patterns in the San Francisco Estuary. *Estuaries and Coasts*. <https://doi.org/10.1007/s12237-021-00896-4>
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EXHIBIT 8

THEODORE (TED) GRANTHAM

CURRICULUM VITAE

Associate Professor of Cooperative Extension
 Department of Environmental Science, Policy, and Management
 University of California
 Berkeley, CA 94720

Email: tgrantham@berkeley.edu
 Office phone: 510-664-4664
 Website: <https://nature.berkeley.edu/granthamlab/>

PROFESSIONAL EXPERIENCE

1. Associate Professor of Cooperative Extension and Associate Adjunct Professor. Department of Environmental Science, Policy, and Management, University of California. Berkeley, CA. July 2021 – present.
2. Assistant Professor of Cooperative Extension and Assistant Adjunct Professor. Department of Environmental Science, Policy, and Management, University of California. Berkeley, CA. December 2015 – June 2021.
3. USGS Mendenhall Fellow Research Biologist. U.S. Geological Survey Fort Collins Science Center, Aquatic Sciences Branch. Fort Collins, CO. June 2014 – November 2015.
4. Postdoctoral Scholar. Center for Watershed Sciences, University of California. Davis, CA. January 2012 – May 2014.
5. Fulbright Research Fellow. University of Barcelona. Barcelona, Spain. September 2010 – July 2011.
6. Graduate Student Researcher. University of California. Berkeley, CA. September 2005 – August 2010.
7. National Science Foundation Graduate Research Fellow. University of California. Berkeley, CA. September 2006 – August 2008.

EDUCATION

- 2010 Doctor of Philosophy, Department of Environmental Science, Policy, and Management, Division of Ecosystem Sciences, University of California – Berkeley.
- 2000 Bachelor of Science, Biological Sciences, Stanford University.

FUNDING

1. **Grantham, T.** Brashares, J. California Department of Fish and Wildlife. “Assessing and Enhancing Aquatic Upland Habitat Impacts by Cannabis Activities,” 2023-204. \$709,000
2. **Grantham, T.,** Carlson, S. Bureau of Land Management. “South Fork Eel Invasive Species Management,” 2023-2027. \$270,829.
3. **Grantham, T.,** Carlson, S. California Trout. “The South Fork Eel River Seasonal Fish Weir,” 2022-2024. \$550,000 (\$195,700 UCB).
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8. **Grantham, T.,** Carlson, S. California Trout. “South Fork Eel River salmonid life history and flow ecology research for Gabriel Rossi, Postdoctoral Researcher and Cal Trout-UCB Coastal River Ecologist,” 2021-22. \$40,000.
9. Kahn, S. and **Grantham, T.** California Natural Resources Agency. “Climate-informed spatial analysis and restoration priority planning for AB2551 watersheds,” 2021-2022. \$950,000 (\$140,000 UCB).
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16. **Grantham, T.,** Butsic, V., and Stackhouse, J. Renewable Resources Extension Act. 2020. \$8,000.

THEODORE (TED) GRANTHAM
CURRICULUM VITAE

17. **Grantham, T.** California Wildlife Conservation Board. "Porter Creek Streamflow Enhancement Project," 2019-2021. \$530,366
18. Butsic, V. and **Grantham, T.** Resources Legacy Fund. "Cannabis Research," 2019. \$100,000.
19. **Grantham, T.**, Kocher, S., and Kearns, F. Renewable Resources Extension Act. "Integrating climate change in UC extension workshop," 2019. \$15,000.
20. Butsic, V. and **Grantham, T.** Renewable Resources Extension Act Student Intern. 2018. \$4,000.
21. Kocher, S., Kearns, T. and **Grantham, T.** Renewable Resources Extension Act Project. "Integrating climate change in UC extension workshop," 2018. \$15,000.
22. Carlson, S. and **Grantham, T.** California Wildlife Conservation Board. "Flow and survival studies to support endangered Coho recovery in flow-impaired tributaries of the Russian River Basin," \$958,512 (\$367,101 to UCB).
23. **Grantham, T.** California State Resources Control Board. "California Environmental Flows Framework" 2018-2019. \$750,000 (\$137,318 to UCB).
24. **Grantham, T.** UC Berkeley Social Science Matrix Workgroup. "Cannabis research center," 2018-2019. \$5,000.
25. **Grantham, T.** California Institute for Water Resources Early Career Investigator Grant. "Fish habitat response to streamflow augmentation in the Russian River Basin," 2017-2018. \$25,000.
26. **Grantham, T.** US Department of Agriculture Conservation Innovation. "Scaling pay-for-success market opportunities in California's Central Valley," 2017-2019. \$498,888 (\$52,491 to UCB).

AWARDS AND HONORS

1. Public Policy Institute of California Water Policy Center Adjunct Fellow, 2019 – present.
2. River Research and Applications Top-Cited Article, 2020-201.
3. Public Policy Institute of California-California Trout (PPIC-CalTrout) Ecosystem Fellow, 2019-2020.
4. American Water Resources Association Bogges Award, first runner up for best paper published in the Journal of the American Water Resources Association in 2019.
5. USGS Mendenhall Postdoctoral Research Fellow, 2012-2014.
6. Best Reviewer Award, 2014 Journal of Water Resources Planning and Management (ASCE-EWRI).
7. U.S. Scholar Fulbright Fellow, 2010-2011.
8. National Science Foundation Graduate Research Fellow, 2006-2008.
9. Phi Beta Kappa nomination, Stanford University, 2000.

PEER-REVIEWED PUBLICATIONS

Note: Underlined authors are postdoctoral students and double-underlined are graduate students under my supervision.

51. Jumani, S., Andrews, L., Grantham, T.E., McKay, S.K., Duda, J., and Howard, J. 2023. A decision-support framework for dam removal planning and its application in northern California. Environmental Challenges 100731.
50. Oshun, M. and Grantham, T.E., 2023. Leveraging species richness and ecological condition indices to guide systematic conservation planning. Journal of Environmental Management 341.
49. Moidu, H., Rodríguez-Lozano, P., Leidy, R., Bogan, M., Grantham, T. E., and Carlson, S. M. Ecological consequences of shifting habitat mosaics within and across years in an intermittent stream. Freshwater Biology.
48. Dillis, C., Butsic, V., Georgakakos, P., Portugal, E. and **Grantham, T.E.** 2023. Water demands of permitted and unpermitted cannabis cultivation in Northern California. Environmental Research Communications 5: 025005.
47. Polson, M., Bodwitch, H., Biber, E., Butsic, V. and **Grantham, T.E.** 2023. After legalization: Cannabis, environmental compliance, and agricultural futures. Land Use Policy 126: 106531.
46. Kastl, B., Obedzinski, M., Carlson, S.M., Boucher, W.T. and **Grantham, T.E.** 2022. Migration in drought: Receding streams contract the seaward migration window of endangered salmon. Ecosphere 13(12): e4295.
45. Rossi, G.J., Power, M.E., Carlson, S.M., and **Grantham, T.E.** 2022. Seasonal growth potential of *Oncorhynchus mykiss* in streams with contrasting prey phenology and streamflow. Ecosphere 13(9): e4211.
44. Stein, E., McClain, M., Sengupta, A., **Grantham, T.E.**, Zimmerman, J. and Yarnell, S. 2022. "Allocations and environmental flows" Chapter 5 in Water Resources Allocation and Agriculture: Transitioning from Open to Regulated Access. Edited by: Josselin Rouillard, Christina Babbitt, Edward Challies, Jean-Daniel Rinaudo. IWA Publishing.
43. Dillis, C., Butsic, V., Moanga, D., Parker-Shames, P., Wartenberg, A., and **Grantham, T.E.** 2022. The threat of wildfire is unique to cannabis among agricultural sectors in California. Ecosphere 13(9): e4205.
42. Kislik, C., Dronova, I., **Grantham, T.E.** and Kelly, M. 2022. Mapping algal bloom dynamics in small reservoirs using Sentinel-2 imagery in Google Earth Engine. Ecological Indicators 140: 109041.
41. Serra-Llobet, A., Jähnig, S.C., Geist, J., Kondolf, G.M., Damm, C., Scholz, M., Lund, J., Opperman, J., Yarnell, S., Pawley, A., Shader, E., Cain, J., Zingraff-Harned, A., **Grantham, T.E.**, Eisenstein, W. and Schmitt, R. 2022. Restoring rivers and floodplains for habitat and flood risk reduction: Experiences in multi-benefit floodplain management from California and Germany. Frontiers in Environmental Science 7778568.

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40. **Grantham, T.E.**, Carlisle, D.M., Howard, J., Lane, B., Lusardi, R., Obester, A., Sandoval-Solis, S., Stanford, B., Stein, E.D., Taniguchi-Quan, K.T. and Yarnell, S.M. 2022. Modeling functional flows in California's rivers. *Frontiers in Environmental Science* 7877473.
39. Yarnell, S.M., Willis, A., Obester, A., Peek, R.A., Lusardi, R.A., Zimmerman, J., **Grantham, T.E.** and Stein, E.D. 2022. Functional flows in groundwater-influenced streams: Application of the California Environmental Flows Framework to determine ecological flow needs. *Frontiers in Environmental Science* 788295.
38. Moidu, H., Obedzinski, M., Carlson, S.M. and **Grantham, T.E.** 2021. Spatial patterns and sensitivity of intermittent stream drying to climate variability. *Water Resources Research*: e2021WR030314.
37. Stein, E.D., Zimmerman, J., Yarnell, S.M., Stanford, B., Lane, B., Taniguchi-Quan, K.T., Obester, A., **Grantham, T.E.**, Lusardi, R.A. and Sandoval-Solis, S., 2021. The California Environmental Flows Framework: Meeting the Challenges of Developing a Large-Scale Environmental Flows Program. *Frontiers in Environmental Science* 769943.
36. Dillis, C., Bustic, V., Zipper, S., Carah, J., and **Grantham, T.E.** 2021. Cannabis farms in California rely on wells outside of regulated groundwater basins. *Environmental Research Communications* 3: 075005.
35. Dillis, C., Biber, E., Bodwitch, H., Butsic, V., Carah, J., Parker-Shames, P., Polson, M., and **Grantham, T.E.** 2021. Shifting geographies of legal cannabis production in California. *Land Use Policy* 105: 105369.
34. Comte, L., **Grantham, T.E.**, Ruhi, A. 2021. Human stabilization of river flows is linked with fish invasions across the United States. *Global Ecological and Biogeography* 30: 725-737.
33. Dillis, C., McIntee, C., Butsic, V., Le, L., Grady, K., and **Grantham, T.E.** 2020. Water storage and irrigation practices drive seasonal patterns of water extraction and use in Northern California. *Journal of Environmental Management* 272: 110955.
32. Vander Vorste, R., Obedzinski, M., Nossaman Pierce, S., Carlson, S.M. & **Grantham, T.E.** 2020. Refuges and ecological traps: extreme drought threatens persistence of an endangered fish in intermittent streams. *Global Change Biology* 26: 3834-3845.
31. Yarnell, S.M., Stein, E.D., Webb, J.A., **Grantham, T.E.**, Lusardi, R.A., Zimmerman, J., Peek, R.A., Lane, B.A., Howard, J. & Sandoval-Solis, S. 2020. A functional flows approach to selecting ecologically relevant flow metrics for environmental flow applications. *River Research and Applications* 36: 318-324.
30. **Grantham, T.E.**, Matthews, J.H. & Bledsoe, B.P. 2019. Shifting currents: Managing freshwater systems for ecological resilience in a changing climate. *Water Security* 8: 100049.
29. Wilson, H., Bodwitch, H., Carah, J., Danne, K., Getz, C., **Grantham, T.E.** & Butsic, V. 2019. First known survey of cannabis production practices in California. *California Agriculture* 73: 119-127
28. Dillis, C., **Grantham, T.E.**, McIntee, C., McFadin, B. & Grady, K. 2019. Watering the Emerald Triangle: Irrigation sources used by cannabis cultivators in Northern California. 73: 146-153
27. Bodwitch, H., Carah, C., Daane, K., Getz, C., **Grantham, T.E.**, Hickey, G. & Wilson, H. 2019. Growers say cannabis legalization excludes small growers, supports illicit markets, undermines local economies. 73: 177-184.
26. **Grantham, T.E.**, Zimmerman, J., Carah, J. & Howard, J. 2019. Stream flow modeling tools inform environmental water policy in California. *California Agriculture* 73: 33-39.
25. **Grantham, T.E.** 2018. North Coast Summary Report. California's Fourth Climate Change Assessment. Publication number: SUM-CCC4A-2018-001.
24. **Grantham, T.E.**, Carlisle, D.M., McCabe, G.J. & Howard, J.K. 2018. Sensitivity of streamflow to climate change in California. *Climatic Change* 149:427-441
23. Fernando, N., Morrison, R.R., Annis, A. & **Grantham, T.E.** 2018. Hydrologic scaling for hydrogeomorphic floodplain mapping: Insights into human-induced floodplain disconnectivity. *River Research and Applications* 34:675-685.
22. Howard, J.K., Fesenmyer, K.A., **Grantham, T.E.**, Viers, J.H., Ode, P.R., Moyle, P.B., Kupferburg, S.J., Furnish, J.L., Rehn, A., Slusark, J. & Mazor, R.D. 2018. A freshwater conservation blueprint for California: prioritizing watersheds for freshwater biodiversity. *Freshwater Science* 37:417-431
21. Kendy, E., Aylward, B., Ziemer, L.S., Richter, B. D., Colby, B.G., **Grantham, T.E.**, Sanchez, L., Dicharry, W.B., Powell, E.M., Martin, S. & Culp, P.W. 2018. Water transactions for streamflow restoration, water supply reliability, and rural economic vitality in the western United States. *JAWRA Journal of the American Water Resources Association* 54: 487-504
20. Zimmerman, J.K., Carlisle, D.M., May, J.T., Klausmeyer, K.R., **Grantham, T.E.**, Brown, L.R., & Howard, J.K. 2017. Patterns and magnitude of flow alteration in California, USA. *Freshwater Biology* 37:417-431.
19. Carlisle, D.M., **Grantham, T.E.**, Eng, K. & Wolock, D.M. 2017. Biological relevance of streamflow metrics: regional and national perspectives. *Freshwater Science* 36:927-940.
18. Eng, K., **Grantham, T.E.**, Carlisle, D.M. & Wolock, D.M. 2017. Predictability and selection of hydrologic metrics in riverine ecohydrology. *Freshwater Science* 36:915-926.
17. Cid, N., Bonada, N., Carlson, S.M., **Grantham, T.E.**, Gasith, A. & Resh, V.H. 2017. High variability is a defining component of Mediterranean-climate rivers and their biota. *Water* 9:1-52.

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16. Carlisle, D.M., Wolock, D.M., Howard, J.K., **Grantham, T.E.**, Fesenmyer, K. & Wiczorek, M. 2016. Estimating natural monthly streamflows in California and the likelihood of anthropogenic modification. US Geological Survey Open File Report 2016-1189.
15. **Grantham, T.E.**, Fesenmyer, K., Peek, R., Holmes, E., Viers, J.H., Quiñones, R., Bell, A., Howard, J. & Moyle P.B. Missing the boat on freshwater ecosystem conservation in California. 2016. Conservation Letters 10:77-85.
14. Poff, N.L., Brown, C., **Grantham, T.E.**, Matthews, J., Palmer, M. et al. 2015. Sustainable water management under future uncertainty with eco-engineering decision scaling. Nature Climate Change 2765:25-34.
13. Howard, J.K., Klausmeyer, K.R., Fesenmyer, K.A., Furnish, J., Gardali, T., **Grantham, T.E.** et al. 2015. Patterns of freshwater species diversity, endemism, and vulnerability in California. PLoS ONE 10:e0130710.
12. **Grantham, T.E.**, Viers, J.H. & Moyle, P.B. 2014. Systematic screening of dams for environmental flow assessment and implementation. BioScience 64:1006-1018.
11. **Grantham, T.E.** & Viers, J.H. 2014. 100 years of California's water rights system: patterns, trends and uncertainty. Environmental Research Letters 9:1-10.
10. Quiñones, R.M., **Grantham, T.E.**, Harvey, B.N., Kiernan, J.D., Klasson, M., Wintzer, A.P. & Moyle, P.B. 2014. Dam removal and anadromous salmonid (*Oncorhynchus* spp.) conservation in California. Reviews in Fish Biology 1-21.
9. **Grantham, T.E.**, Mezzatesta, M., Newburn, D. & Merenlender, A. 2014. Evaluating tradeoffs between environmental flow protections and agricultural water security. River Research and Applications 30:315-328.
8. **Grantham, T.E.**, de Figueroa, R. & Prat, N. 2013. Water management in mediterranean rivers: a multiregional assessment of physical impacts, ecological responses, and management strategies. Hydrobiologia 719:451-482.
7. Kondolf, G.M., Podolak, K. & **Grantham, T.E.** 2013. Restoring Mediterranean-climate rivers. Hydrobiologia 719:527-545.
6. **Grantham, T.E.** 2013. Use of hydraulic modelling to assess passage flow connectivity for salmon in streams. River Research and Applications 29:250-267.
5. Cañedo-Argüelles, **Grantham, T.E.**, Perrée, I., Rieradevall, M., Prat, N., Céspedes-Sánchez, R. & Martín Alonso, J. 2012. El mesocosmos Sostaqua: recreación de un ecosistema fluvial bajo condiciones experimentales controladas. Tecnología del Agua 344-345: 8-54.
4. **Grantham, T.E.**, Newburn, D.A., McCarthy, M.A. & Merenlender, A.M. 2012. The role of stream flow and land use in limiting over-summer survival of juvenile steelhead trout in California streams. Transactions of the American Fisheries Society 141:585-598.
3. Cañedo-Argüelles, **Grantham, T.E.**, Perrée, I., Céspedes-Sánchez, R., Rieradevall, M. & Prat, N. 2012. Stream invertebrate community responses to salinization: a mesocosm approach. Environmental Pollution 166:144-151.
2. **Grantham, T.E.**, Perrée, I., Cañedo-Argüelles, M., Rieradevall, M. & Prat, N. 2012. A mesocosm approach for detecting stream invertebrate community responses to treated wastewater effluent. Environmental Pollution 160:95-102.
1. **Grantham, T.E.**, Merenlender, A. M. & Resh, V.H. 2010. Climatic influences and anthropogenic stressors: an integrated framework for stream-flow management in mediterranean-climate California, USA. Freshwater Biology 55(S1):184-200.

REPORTS AND EXTENSION PUBLICATIONS

Note: Underlined authors are postdoctoral students and double-underlined authors are graduate students under my supervision and asterisks indicate peer-reviewed products.

33. Rossi, G., Grantham, T., Obedzinski, M., Robbins, K., van Docto, M., Boucher, W., Nossaman-Pierce, S., Skorko, K. and Z. Reinstein. 2023. Porter Creek Stream Flow Enhancement Plan. University of California, Berkeley, CA.
32. *Mount, J. and **Grantham, T.** 2023. Rebuilding Resilience: Drought and Declining Freshwater Species in California. Water Resources IMPACT 5: 29-32.
31. Polson, M., Butsic, V., Dillis, C., de Genova, H., **Grantham, T.**, Herrera, L.R., Hossack, J., Laudati, A., Martin, J.V., Parker-Shames, P., Petersen-Rockney, M., Sorgen, J., Starrs, G. 2023. Policy findings and recommendations regarding California cannabis: Farming, regulation, and the environment. Berkeley Cannabis Research Center, <https://crc.berkeley.edu/publication/policy-findings-recommendations-regarding-california-cannabis-farming-regulation-and-the-environment/>
30. Moidu, H., Obedzinski, M., Carlson, S., and **Grantham, T.** Between a rock and a hard place: effects of drought on stream drying patterns in California's intermittent streams. California WaterBlog, 13 March 2022, <https://californiawaterblog.com/2022/03/13/between-a-rock-and-a-dry-place-effects-of-drought-on-stream-drying-patterns-in-californias-intermittent-streams/>
29. **Grantham, T.**, Andrews, L., Moravek, J. 2021. Elevating Freshwater Ecosystems in 30x30. CalTrout-UC Berkeley Policy Brief, 3 September 2021, https://caltrout.org/wp-content/uploads/2021/10/Elevating-Freshwater-Ecosystems-in-30x30_UCB_090321.pdf

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28. Butsic, V., Biber, E., Bodwitch, H., Carah, J., Dillis, C., **Grantham, T.**, Parker-Shames, P., Polson, M. 2021. Science Brief: Land Use in Cannabis Agriculture. Cannabis Research Center, University of California, Berkeley, California.
27. Parker-Shames, P., Bodwitch, H., Butsic, V., Biber, E., Carah, J., Dillis, C., **Grantham, T.**, Polson, M. 2021. Science Brief: Cannabis Agriculture and Wildlife. Cannabis Research Center, University of California, Berkeley, CA.
26. Butsic, V., Biber, E., Bodwitch, H., Carah, J., Dillis, C., **Grantham, T.**, Polson, M., Parker-Shames, P. 2020. Science Brief: Cannabis Agriculture 101. Cannabis Research Center, University of California, Berkeley, California
25. Dillis, C., **Grantham, T.**, Butsic, V., Carah, J., Parker-Shames, P. 2020. Science Brief: Water Use in Cannabis Agriculture. Cannabis Research Center, University of California, Berkeley, CA.
24. Bodwitch, H., Polson, M., Biber, E., Butsic, V., Carah, J., Dillis, C., **Grantham, T.**, Parker-Shames, P. 2020. Science Brief: Barriers to Compliance in Cannabis Agriculture. Cannabis Research Center, University of California, Berkeley, CA.
23. ***Grantham, T.**, Mount, J., Stein, E.D., Yarnell, S. 2020. Making the Most of Water for the Environment: A Functional Flows Approach for California's Rivers. Public Policy Institute of California. August 2020.
22. **Grantham, T.**, Howard, J. Lane, B., Lusardi, R., Sandoval-Solis, S., Stein, E., Yarnell, S., Zimmerman, J. Functional flows can improve environmental water management in in California. California WaterBlog, 29 November 2020, <https://californiawaterblog.com/2020/11/29/functional-flows-can-improve-environmental-water-management-in-california/>
21. **Grantham, T.** and Mount, J. 2020. New approach needed to protect the health of California's rivers. Guest Commentary on CalMatters.org, 4 September 2020, <https://calmatters.org/commentary/my-turn/2020/09/new-approach-needed-to-protect-health-of-californias-rivers/>
20. *Mount, J., Gray, B., Bork, K., Cloern, J.E., Davis, F.W., **Grantham, T.**, Grenier, L., Harder, J., Kuwayama, Y., Moyle, P., Schwartz, M.W., Whipple, A., Yarnell, S. A Path Forward for California's Freshwater Ecosystems. Public Policy Institute of California. December 2019.
20. *Eng, K., Carlisle, D.M., **Grantham, T.**, Wolock, D.M., and Eng, R.L., 2019, Severity and extent of alterations to natural streamflow regimes based on hydrologic metrics in the conterminous United States, 1980–2014: U.S. Geological Survey Scientific Investigations Report 2019–5001, 25 p., <https://doi.org/10.3133/sir20195001>.
19. *Carlisle, D.M., **Grantham, T.**, Eng, K., Wolock, D.M., 2019, Regional-scale associations between indicators of biological integrity and indicators of streamflow modification: U.S. Geological Survey Open-File Report 2019–1088, 10 p., <https://doi.org/10.3133/ofr20191088>.
18. *Carlisle, D.M., Wolock, D.M., Konrad, C.P., McCabe, G.J., Eng, K., **Grantham, T.**, and Mahler, B., 2019, Flow modification in the Nation's streams and rivers: U.S. Geological Survey Circular 1461, 75 p., <https://doi.org/10.3133/cir1461>.
17. Whipple A., **Grantham, T.**, Desanker, G., Hunt, L., Merrill, A., Hackenjos, B. & Askevold, R. 2019. Chinook Salmon Habitat Quantification Tool: User Guide (Version 1.0). Prepared for American Rivers. San Francisco Estuary Institute, Richmond, CA.
16. Howard, J., Fesenmyer, K., **Grantham, T.**, et al. 2018. Getting strategic about freshwater biodiversity conservation in California. Blog post to the California WaterBlog, 4 November 2018, <https://californiawaterblog.com/2018/11/04/getting-strategic-about-freshwater-biodiversity-conservation-in-california/>
15. Yarnell, S., Obester, A., **Grantham, T.** et al. 2018. Functional flows for developing environmental flow recommendations. California WaterBlog, 9 December 2018, <https://californiawaterblog.com/2018/12/09/functional-flows-for-developing-ecological-flow-recommendations>
14. Howard, J., Fesenmyer, K., **Grantham, T.** et al. 2018. Getting strategic about freshwater biodiversity conservation in California. California WaterBlog, 4 November 2018, <https://californiawaterblog.com/2018/11/04/getting-strategic-about-freshwater-biodiversity-conservation-in-california/>
13. Hanak, E., Mount, J., **Grantham, T.**, et al. 2018. California's Water. Public Policy Institute of California Water Policy Center.
12. Mount, J., Hanak, E., **Grantham, T.**, et al. 2018. Managing Drought in a Changing Climate: Four Essential Reforms. Public Policy Institute of California Water Policy Center.
11. **Grantham, T.**, Kearns, F., Kocher, S., Roche, L. & Pathak, T. 2017. Building climate change resilience in California through UC Cooperative Extension. California Agriculture 71: 197-200.
10. Matthews, J.H., White, M., Bahije, S., **Grantham, T.**, Guillaume, G., Holmgren, T., Kerres, M., Krah, D., Lahham, N., Lundquist, J., Marre, F., Marta, S., Rodrigues, D., Thiem, M., Timmerman, J., Unver, O., van de Guchte, C., Vlaanderen, N. & Whiting, L. 2017. A thirst for food resilience: Integrating UNFCCC and SDG policies for food and agriculture. Global Water Forum.
9. *Mount, J., Gray, B., Chappelle, C., **Grantham, T.**, Moyle, P., Seavy, N., Szeptycki, L. & Thompson, B. 2017. Managing California's Freshwater Ecosystems: Lessons from the 2012-16 Drought. Public Policy Institute of California Water Policy Center.

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8. Mount, J., Gray, B., Chappelle, C., Doolan, J., **Grantham, T.** & Seavy, N. 2016. Managing water for the environment during drought: lessons from Victoria, Australia. Public Policy Institute of California Water Policy Center.
7. Howard, J.K., Klausmeyer, K.R., Fesenmyer, K.A., Furnish, J., Gardali, T., **Grantham, T.** et al. 2015. California Freshwater Conservation Blueprint: Phase I Overview. The Nature Conservancy.
6. **Grantham, T.** & Moyle P.B. 2014. Identifying problem dams for fish survival. California WaterBlog, 22 October 2014. <http://californiawaterblog.com/2014/10/22/identifying-problem-dams-for-fish-survival>
5. **Grantham, T.** & Moyle, P.M. 2014. Assessing flows for fish below dams: a systematic approach to evaluate compliance of California's dams with Fish and Game Code Section 5937. Center for Watershed Sciences, U.C. Davis, California.
4. **Grantham, T.** & Viers, J. 2014. California water rights: You can't manage what you don't measure. California WaterBlog, 20 August 2014. <http://californiawaterblog.com/2014/08/20/california-water-rights-you-cant-manage-what-you-dont-measure/>
3. Merenlender A., Deitch, M., Trafton, A. & **Grantham, T.** 2010. Estimating upland stream flow in the Russian River watershed, Final Report to the Sonoma County Water Agency, January 2010. U.C. Berkeley, California.
2. Natali, J., Kondolf, M., Landeiro, J., Christian-Smith, J. & **Grantham, T.** 2009. A living Mediterranean river: restoration and management of the Rio Real in Portugal to achieve good ecological status. University of California, Water Resources Center Contribution #209.
1. **Grantham, T.**, Christian-Smith, J., Kondolf, G.M. & Scheuer, S. 2008. A fresh perspective for managing water in California: insights from applying the European Water Framework Directive to the Russian River. University of California, Water Resources Center Contribution #208.

INVITED SEMINARS

1. "Water use and sustainability in cannabis agriculture," 2 February 2023. Seminar for Environmental Health Implications of Cannabis. Arizona State University. Remote.
2. "An ecological drought indicator framework for California," 15 April 2022. 39th Annual Salmonid Restoration Conference. Santa Cruz, CA.
3. "California water and climate change on the North Coast," 15 July 2022. UC Hopland Research and Extension Center NorCal Climate Futures seminar. Remote.
4. "Cannabis in California," 16 March 2021. UC Berkeley Department of Ag and Natural Resources (ARE) Discussions seminar. Remote.
5. "Managing water for the environment," 12 February 2021. Cal Poly College of Agriculture seminar. Remote.
6. The California Environmental Flows Framework," 19 January 2021. California Environmental Water Network seminar. Remote.
7. "Modeling natural stream flow in California rivers," 10 December 2020. Napa County groundwater management advisory group meeting. Remote.
8. "California Environmental Flows Framework," 8 December 2020. Northern California Water Association meeting. Remote.
9. "Stream gaging analysis and prioritization tool," 22 October 2020. Senate Bill 19 workgroup meeting. Remote.
10. "Managing water for the environment in a changing climate," 7 October 2020. Oregon State University water seminar. Remote.
11. "Functional flows for California's rivers," 9 April 2020. UC Davis Hydrologic seminar. Remote.
12. "Cannabis in California," 26 February 2020. San Jose Rotary Club. San Jose, CA.
13. "Cannabis water use," 25 February 2020. Indoor Agriculture Energy Solutions conference. La Jolla, CA.
14. "We manage what we measure," 7 February 2020. Napa Water Forum. Napa, CA.
15. "Environmental flow," 14 January 2020. UC ANR Water webinar. Remote.
16. "Cannabis in California," 11 December 2019. American Geophysical Union special session on agriculture. San Francisco, CA.
17. "Functional flows," 12 November 2019. Northern California Water Association meeting. Sacramento, CA.
18. "Managing water for the environment," 25 September 2019. Eel River Forum. Willits, CA.
19. "Cannabis water use research," 5 September 2019. Briefing to the California Governor's Office. Sacramento, CA.
20. "Functional flows in California," 29 August 2019. World Water Week. Stockholm, Sweden.
21. "Cannabis and water," 25 April 2019. Salmonid Restoration Federation Conference workshop on cannabis and instream flows. Santa Rosa, CA.
22. "North Coast Regional Report of California's 4th Climate Assessment" 13 December 2018. North Coast Climate Symposium. Eureka, CA.
23. "Managing water for the environment in a changing climate," 26 October 2018. UC Water annual meeting. Sacramento, CA.
24. "Overview of the California Environmental Flows Framework," 25 October 2018. Quarterly meeting of the California

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- Advisory Committee on Salmon and Steelhead Trout. Sacramento, CA.
25. "Freshwater science in the University of California system," 24 October 2018. California Bioassessment Workgroup Annual Meeting. Davis, CA.
 26. "California water management and the Sacramento-San Joaquin Delta," 10 September 2018. California Naturalist Program. Walnut Creek, CA.
 27. "California's Fourth Climate Assessment: North Coast Region," 27 August 2018. California Climate Adaptation Forum. Sacramento, CA.
 28. "Cannabis and the environment in California," 5 March 2018. UC Berkeley Water Group. Berkeley, CA.
 29. "California cannabis production and water impacts," 26 February 2018. UC Davis Winter Quarter Seminar on the Science and Policy of Environmental Flows. Davis, CA.
 30. "Climate change, water, and freshwater ecosystems," 6 February 2018. UC ANR Climate Change Workshop. Parlier, CA.
 31. "California water management and the Sacramento-San Joaquin Delta," 25 September 2017. California Naturalist Program. Walnut Creek, CA.
 32. "Defining performance indicators for freshwater ecosystems and climate adaptation services," 11 May 2017. Workshop hosted by World Wildlife Fund and focused on Mexico's Water Reserve Program. Mexico City, Mexico.
 33. "Managing freshwater ecosystems under climate uncertainty," 16 February 2017. Point Blue lunch seminar. Petaluma, CA.
 34. "Managing freshwater ecosystems under hydroclimatic uncertainty," 11 March 2016. UC Berkeley Wildlife, Fisheries, and Conservation Seminar. Berkeley, CA.
 35. "Balancing human and ecosystem needs in managed rivers," 21 September 2015. Humboldt State University Fisheries Department Seminar. Arcata, CA.
 36. "Balancing human and ecosystem needs in managed hydrosystems," 19 February 2015. UC Berkeley Environmental Science, Policy, and Management Departmental Seminar. Berkeley, CA.
 37. "Incorporating ecological flows in water resources planning and management," 28 August 2014. USGS Fort Science Center lunch seminar series. Fort Collins, CO.
 38. "Reconciliation approaches for large-scale freshwater ecosystem management," 10 April 2014. USGS National Research Program Seminar Series. Reston, VA.
 39. "Evaluation of California water rights to reveal hidden patterns and trends of river ecosystem impacts," 30 October 2013. School of Engineering, Environmental Systems Seminar Series, University of California, Merced. Merced, CA.
 40. "Spatial analyses of water use pressures to guide freshwater conservation in California," 22 October 2013. Landscape Architecture and Environmental Planning Department Colloquium, UC Berkeley. Berkeley, CA.
 41. "Approaches to support environmental flow management in California rivers," 19 September 2013. State Water Resources Control Board, Public Trust Division. Sacramento, CA.
 42. "Vineyard water security and environmental tradeoffs," 26 April 2013. Vineecology Meeting. Oakville, CA. April 26, 2013.
 43. "Investigations on salmon flow requirements in the Russian River Basin," 11 January 2013. Russian River Independent Science Review Panel. Santa Rosa, CA.
 44. "Evaluating dams for environmental flow management," 11 December 2012. National Marine Fisheries Service, Southwest Fisheries Science Center. Santa Cruz, CA.
 45. "The role of streamflow and land use in limiting over-summer survival of juvenile steelhead trout," 29 May 2012. National Marine Fisheries Service, Southwest Region. Santa Rosa, CA.
 46. "Managing water for human and ecosystem needs in Mediterranean-climate California," 28 January 2011. Department of Ecology Seminar Series, University of Barcelona. Barcelona, Spain.
 47. "Managing water for human and ecosystem needs in Mediterranean-climate California," 14 July 2010 State Water Resources Control Board, Water Rights Division. Sacramento, CA.
 48. "Instream flow needs for salmon and the pursuit of sustainable river management," 16 April 2010. California State University, Stanislaus. Turlock, CA.
 49. "Summer flow variability and juvenile steelhead survivorship in Russian River tributary streams," 21 February 2007. Hydrolunch Seminar Series, UC Berkeley. Berkeley, CA.

CONFERENCE PRESENTATIONS

Note: Double-underlined authors are postdoctoral students, underlined authors are graduate students, and italicized authors are undergraduate students under my supervision.

1. Ryan, R., Carlson, S., Grantham, T. 2022. Habitat diversity drives variation in juvenile salmon response to extreme drought, August 2022, Montreal, Canada.

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2. Ayres, J., Yarnell, S., Lusardi, R., Baruch, E., **Grantham, T.** 2022. Characterizing dry season streamflow to assess hydrologic changes and quantify ecological responses across California. Joint Aquatic Sciences Meeting, May 2022, Grand Rapids, MI.
3. Baruch, E., Ayres, J., Lusardi, R., **Grantham, T.**, Yarnell, S. 2022. Identifying fish community response to seasonal components of streamflow regimes. Joint Aquatic Sciences Meeting, May 2022, Grand Rapids, MI.
4. von Mayrhauser, M., Mazor, R., **Grantham, T.**, Ruhi, A. 2022. Urban freshwater ecosystems: multiple stressors and manifold opportunities. Joint Aquatic Sciences Meeting, May 2022, Grand Rapids, MI.
5. **Grantham, T.**, Stein, E.D., Zimmerman, J., Yarnell, S.M., Stanford, B., Lane, B., Taniguchi-Quan, K.T., Obester, A., Grantham, T.E., Lusardi, R.A. and Sandoval-Solis, S. Progress and challenges in implementing the California Environmental Flows Framework. Joint Aquatic Sciences Meeting, May 2022, Grand Rapids, MI.
6. Kastl, B., Obedzinski, M., **Grantham, T.** 2022. Minimum flows to support smolt outmigration during drought. Salmonid Restoration Federation Conference, April 2022, Santa Cruz, CA.
7. Dillis, C., Butsic, V., Carah, J., **Grantham, T.** 2021. Growth and evolution of California's legal cannabis industry and the emergence of groundwater use as a new challenge for policymakers. AGU Fall Meeting, December 2021, Virtual.
8. Bremer, L., Altamirano, M.A., Underwood, K., Arias-Hidalgo, M.E., Piemonti, A., Brauman, K.A., Dennedy-Frank, P.J., Molina, A., Baiker, J.R., Ochoa-Tocachi, B.F., Vogl, A., Abell, R., Bonnesoeur, V., Buytaert, W., Cassin, J., Castro Camacho, J.J., **Grantham, T.**, Kang, S., Matthews, J., Moss, S., Sotomayor, D., Vigerstol, K. 2020. Reviewing the evidence: How do nature-based solutions affect water flows in agriculture and rangelands? AGU Fall Meeting, December 2020, Virtual.
9. **Grantham, T.** 2020. A functional flows modeling approach for setting environmental flow standards in California rivers. California Water and Environmental Modeling Forum 2020. Remote. October 8, 2020.
10. Tu, T., Arumugam, S., Dong, X., Dyckman, C., **Grantham, T.**, Olson, L., Ruddell, B., Ulibarri, N., Ruhi, A. 2019. Sustainable water management in the lower Colorado basin: influence of climate and regulatory context on the ability to meet human and environmental water needs. American Geophysical Union Annual Meeting. San Francisco, CA. December 10, 2019.
11. Matthews, J., **Grantham, T.**, Bledsoe, B., Lopez Gunn, E. 2019. Ecological resilience in an engineer's world: water, nature-based solutions, and climate adaptation. American Geophysical Union Annual Meeting. San Francisco, CA. December 11, 2019.
12. **Grantham, T.**, Busic, V., Carah, J., and Dillis, C. 2019. Quantifying the water footprint of cannabis agriculture in northern California. American Geophysical Union Annual Meeting. San Francisco, CA. December 11, 2019.
13. **Grantham, T.**, Carlisle, D., Lane, B., Lusardi, R., Howard, J., Stein, E., Sandoval-Solis, S., Yarnell, S., Zimmerman, J. A functional flows approach for developing environmental flow standards in California. American Geophysical Union Annual Meeting. San Francisco, CA. December 10, 2019.
14. Kastl, B., **Grantham, T.**, Carlson, S., Obedzinski, M., & Nossaman Pierce, S. "Low streamflow is a bottleneck to coho salmon outmigration" California Aquatic Bioassessment Workgroup meeting. Davis, CA. October 24, 2019.
15. Rossi, G., Pneh, S., Slaughter, W., Flynn, K., Power, M., and T. Grantham. 2019. Food webs and salmonid life history across a Mediterranean gradient. American Fisheries Society, oral presentation. Reno, NV. October 2, 2019.
16. Slaughter, W., Rossi, G., Flynn, K., **Grantham, T.**, Obedzinski, M. 2019. The effect of flow augmentation on physical habitat, invertebrate drift, salmonid foraging behavior, and inter-pool movement. American Fisheries Society, oral presentation. Reno, NV. October 2, 2019.
17. Taniguchi-Quan, K., Stein, E., Yarnell, S., Zimmerman, J., Sandoval-Solis, S., Lane, B., Howard, J., **Grantham, T.**, and Lusardi, R. 2019. A coordinated approach for developing statewide environmental flow regulations in California. American Fisheries Society, oral presentation. Reno, NV. October 2, 2019.
18. Kastl, B., **Grantham, T.**, Carlson, S., Obedzinski, M., & Nossaman Pierce, S. "Deep enough to swim? Hydraulic Controls on coho salmon smolt outmigration in the Russian River watershed, CA." American Fisheries Society, oral presentation. Reno, NV. September 30, 2019.
19. Ruhi, A., Comte, L., **Grantham, T.** 2019. Interactive effects of flow regime alteration and propagule pressure in driving large-scale patterns of fish invasion. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
20. **Grantham, T.**, Lane, B., Lusardi, R., Howard, J., Stein, E., Sandoval-Solis, S., Yarnell, S., Zimmerman, J. 2019. A California Environmental Flows Framework. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
21. Yarnell, S., **Grantham, T.**, Lane, B., Lusardi, R., Howard, J., Peek, R., Stein, E., Sandoval-Solis, S., Zimmerman, J. 2019. An ecosystem-based approach for selecting flow metrics for environmental flow applications. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
22. Lane, B., Yarnell, S., Stein, E., **Grantham, T.**, Zimmerman, J., Howard, J., and Lusardi, R. 2019. California environmental flows (CEFF) tools I. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
23. Carlisle, D., **Grantham, T.**, Lane, B. 2019. California environmental flows (CEFF) tools II: predicting functional flows at ungaged locations. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
24. Stein, E., **Grantham, T.**, Yarnell, S., Sandoval-Solis, S., Lane, B., Zimmerman, J., Howard, J., Lusardi, R. 2019.

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- Application of the California Environmental Flows Framework across a range of flow management needs. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
25. Moidu, H., Vander Vorste, R., Rodrigues Lazano, P., Obedzinski, M., Carlson, S., **Grantham, T.** 2019. Predicting the spatial and temporal distribution of wetted habitats in intermittent streams and its implications for long-term drought impacts. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
 26. Vander Vorste, R., **Grantham, T.**, S. Carlson, S. Nossaman-Pierce, M. Obedzinski. 2019. Extreme drought limits survival of endangered coho salmon in intermittent streams. Society for Freshwater Science Annual Conference. Salt Lake City, UT.
 27. Dillis, C., McIntee, C., McFadin, B., Le, L., Grady, K., Butsic, V., and **Grantham, T.** Water storage and cultivation practices affect seasonal patterns of water demand of cannabis production in Northern California. 2019. Salmon Restoration Federation Annual Conference. Santa Rosa, CA. April 24, 2019.
 28. Woefle-Erskine, C., Carlson, S., **Grantham, T.**, and Rodriguez Lozano, P. 2019. Beyond flow regimes: dissolved oxygen controls on juvenile salmonid health and persistence. Salmon Restoration Federation Annual Conference. Santa Rosa, CA. April 26, 2019.
 29. Kastl, B., Obedzinski, M., Carlson, S., Nossaman Pierce, S., **Grantham, T.** 2019. Flows that support coho outmigration: hydraulic controls on downstream movements in the Russian River watershed. Salmon Restoration Federation Annual Conference. Santa Rosa, CA. April 26, 2019.
 30. Slaughter, W., Flynn, K., Rossi, G., and **Grantham, T.** 2019. The effects of flow augmentation on invertebrate drift, salmonid foraging behavior, and inter-pool movement in a Mediterranean stream. Salmon Restoration Federation Annual Conference. Santa Rosa, CA. April 26, 2019.
 31. Vander Vorste, R., **Grantham, T.**, S. Carlson, S. Nossaman-Pierce, M. Obedzinski. 2019. Effects of extreme drought on juvenile coho salmon survival in the Russian River. Salmon Restoration Federation Annual Conference. Santa Rosa, CA. April 26, 2019.
 32. Moidu, H., Vander Vorste, R., Obedzinski, M., Nossaman-Pierce, S., **Grantham, T.**, and Carlson, S. 2019. Predicting the spatial and temporal distribution of wetted habitats in intermittent streams and its implications for long-term drought impacts. Salmonid Restoration Annual Conference. Santa Rosa, CA. April 25, 2019.
 33. Rossi, G., Power, M., Carlson, S., **Grantham, T.** A foodscape approach to salmonid ecology and management. Annual Meeting of the Salmonid Restoration Federation. Santa Rosa, CA. April 25, 2019.
 34. **Grantham, T.**, Wilson, H., Bodwitch, H., Daane, K., Carah, J., Getz, C., Butsic, V. University of California On-line Grower Survey Characterizes Water Use and Cultivation Practices in California. Annual Meeting of the Salmonid Restoration Federation. Santa Rosa, CA. April 24, 2019.
 35. Yarnell, S., **Grantham, T.**, Viers, J., Bernacchi, L. 2018. Getting students wet: Key lessons from immersive education on California water policy, science, and management. Poster at the Annual Meeting of the American Geophysical Union. Washington DC. December 14, 2018.
 36. Vander Vorste, R., Obedzinski, M., Nossaman Pierce, S., **Grantham, T.** & Carlson, S. Abiotic drivers of juvenile Coho salmon survival in intermittent streams. Oral presentation at the Annual Meeting of the California Aquatic Bioassessment Workgroup. Davis, CA. October 24, 2018.
 37. Kastl, B., **Grantham, T.**, Carlson, S., Obedzinski, M., & Nossaman Pierce, S. Low streamflow is a bottleneck to coho salmon outmigration. California Aquatic Bioassessment Workgroup: CA Society for Freshwater Science Meeting oral presentation, Davis CA. October 18, 2019.
 38. **Grantham, T.** Eco-engineering decision scaling: A framework for incorporating freshwater ecosystems in water management decision-making and climate risk assessment. Oral presentation at the Annual Meeting of the Society for Freshwater Science. Detroit, MI. May 23, 2018.
 39. Vander Vorste, R., Obedzinski, M., Nossaman Pierce, S., **Grantham, T.** & Carlson, S. Isolated stream pools: A bottleneck for survival of endangered Coho salmon in northern California. Oral presentation at the Annual Meeting of the Society for Freshwater Science. Detroit, MI. May 23, 2018.
 40. Moidu, H., Leidy, R., **Grantham, T.** & Carlson, S. Linking landscape-level processes and aquatic refugia in intermittent streams of Central California. Poster at the Annual Meeting of the Society for Freshwater Science. Detroit, MI. May 21, 2018.
 41. Kastl, B., **Grantham, T.**, Carlson, S., Obedzinski, M. & Nossaman Pierce, S. Understanding landscape drivers of endangered coho salmon outmigration timing to maximize returns to the Russian River, California. Poster at the Annual Meeting of the Society for Freshwater Science. Detroit, MI. May 21, 2018.
 42. Zimmerman, J., Carlisle, D., Howard, J., **Grantham, T.**, Brown, L., May, J., Klausmeyer, K., Stein, E., Yarnell, S., Sandoval, S., Lane, B. & Lusardi, R. Flow alteration and functional flow metrics for California streams. Oral presentation at the Annual Meeting of the Society for Freshwater Science. Detroit, MI. May 21, 2018.
 43. Rossi, G. & **Grantham, T.** A study of aquatic habitat and fish behavioral response to enhanced flows in a Russian River tributary. Oral presentation at the annual meeting of the Salmonid Restoration Federation. Fortuna, CA. April 11, 2018.

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44. **Grantham, T.** California's Fourth Climate Assessment: Progress Update. Oral presentation at the UC ANR Statewide Conference. Ontario, CA. April 10, 2018.
45. Nardi, F., Morrison, R. R., Annis, A. & **Grantham T.** Hydrologic scaling and hydrogeomorphic floodplain delineation in urbanized basins: insights into human-induced disconnectivity of fluvial corridors. European Geophysical Union General Assembly. Vienna, Austria. April 9, 2018.
46. **Grantham, T.** Predicting functional flows at ungaged locations in California. Annual meeting of the Cal-Neva Chapter of the American Fisheries Society. Eureka, CA. April 7, 2017.
47. Stein, E., Yarnell, S., **Grantham, T.** et al. Overview of a three-tiered framework for establishing environmental flows for California streams. Annual meeting of the Cal-Neva Chapter of the American Fisheries Society. Eureka, CA. April 7, 2017.
48. Yarnell, S., Stein, E., **Grantham, T.** et al. Developing Tier 1 environmental flow targets using a functional flow approach. Annual meeting of the Cal-Neva Chapter of the American Fisheries Society. Eureka, CA. April 7, 2017.
49. Brown, L., Stein, E., **Grantham, T.** et al. Estimating unimpaired streamflow for California streams and an initial analysis of statewide streamflow impairment. Annual meeting of the Cal-Neva Chapter of the American Fisheries Society. Eureka, CA. April 7, 2017.
50. **Grantham, T.** Impacts of climate change on streamflows and freshwater ecosystems. U.C. Division of Ag and Natural Resources Strategic Initiatives Conference. Ontario, CA. March 15, 2017.
51. Morrison, R., Dong, Q., Nardi, F., **Grantham, T.** & Annis, A. 2016. Levee Presence and Wetland Areas within the 100-Year Floodplain of the Wabash Basin. Oral presentation at the annual meeting of the American Geophysical Union. December 2016.
52. **Grantham, T.** Sensitivity of streamflow to climate change in California. Oral presentation at the annual meeting of the Society for Freshwater Science. Sacramento, CA. May 23, 2016.
53. **Grantham, T.** A hydrogeomorphic approach for large-scale floodplain mapping. American Water Resources Association Specialty Conference on GIS and Water Resources. Oral Presentation. Sacramento, CA. July 11, 2016.
54. **Grantham, T.**, Carlisle, D., Wolock, D., McCabe, G., Wiczorek, M., Howard, J. Sensitivity of streamflow to climate change in California. Poster and AGU Annual Meeting. San Francisco, CA. December 16, 2015.
55. **Grantham, T.**, Eng, K., Wolock, D., Carlisle, D. Predictability of hydrologic metrics. Oral presentation at the Society of Freshwater Science Annual Meeting. Milwaukee, WI. May 19, 2015.
56. **Grantham, T.** Ecological Decision Scaling: A framework for incorporating ecological principles in water management decision making. Oral presentation at the AGU Annual Meeting. San Francisco, CA. December 16, 2014.
57. **Grantham, T.** Missing the boat on freshwater ecosystem conservation in California. Oral presentation at the Ecological Society of America Annual Meeting. Sacramento, CA. August 15, 2014.
58. **Grantham, T.** & Viers, J.H. Evaluation of water rights to reveal hidden patterns and trends in California water management. Poster at the AGU Fall Meeting. San Francisco, CA. December 11, 2013.
59. **Grantham, T.** & Moyle, P.M. Prioritization framework for improving environmental flows below dams in California. Oral Presentation at the Annual Meeting of the California-Nevada Chapter of the American Fisheries Society Meeting. Davis, CA. April 6, 2013.
60. **Grantham, T.** & Moyle, P.M. Prioritizing dams in California for environmental flow recovery. Oral presentation at the American Fisheries Society Annual Conference. Minneapolis, MN. August 23, 2012.
61. **Grantham, T.** & Moyle, P.M. Prioritization framework for improving environmental flows below dams in California. Poster at the Society for Conservation Biology North American Congress. Oakland, CA. July 16, 2012.
62. **Grantham, T.** Use of hydraulic modeling to assess fish passage flow connectivity for salmon in streams. Oral presentation at the American Fisheries Society Annual Conference. Seattle, WA. September 5, 2011.
63. **Grantham, T.**, Perrée, I., Cañedo-Argüelles, M., Rieradevall, M. & Prat, N. Stream macroinvertebrate community response to treated wastewater in a mesocosm experiment. Poster at the Symposium for European Freshwater Sciences. Girona, Spain. June 28, 2011.
64. **Grantham, T.** Use of two-dimensional hydraulic modeling to assess passage flow connectivity for salmon in streams. Oral presentation at the Symposium for European Freshwater Sciences. Girona, Spain. June 27, 2011.
65. **Grantham, T.** Managing water for human and ecosystem needs in Mediterranean-climate California. Oral presentation at the Department of Environmental Science, Policy & Management Graduate Research Symposium, University of California, Berkeley. Berkeley, CA. May 7, 2010.
66. **Grantham, T.**, Merenlender, A. & Resh, V. An integrated framework for streamflow management in Mediterranean climate streams: examples from Sonoma County, California. Oral presentation at the Joint American Fisheries Society Cal-Nevada Chapter and Salmonid Restoration Federation Annual Conference. Redding, CA. March 13, 2010.
67. **Grantham, T.**, Newburn, D., McCarthy, M. & Merenlender, A. Effects of summer flow variability on juvenile salmonid survival in coastal California streams. Oral presentation at the American Fisheries Society Annual Meeting. Ottawa, Canada. August 20, 2008.
68. **Grantham, T.**, Newburn, D., McCarthy, M. & Merenlender, A. Summer flow variability and juvenile steelhead

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survivorship in Russian River tributary streams. Oral presentation at the Salmonid Restoration Federation Annual Conferences. Santa Rosa, CA. March 10, 2007.

ACADEMIC MENTORING

Postdoctoral Researchers:

1. Jessica Ayers, 7/2021 – present. Supported by California Department of Fish and Wildlife grant.
2. Philip Georgakakos, 3/2021 – present. Supported by Bureau of Cannabis Control Board grant.
3. Gabriel Rossi, 6/2020 – present. Supported by Wildlife Conservation Board grant.
4. Christopher Dillis, 2/2020 – present. Supported by California Department of Fish and Wildlife grant.
5. Ross Vander Vorste, 11/2017 – 5/2019. Supported by Wildlife Conservation Board grant. Now an assistant professor at the University of Wisconsin.

Graduate Students:

1. Brian Kastl (ESPM PhD), NSF Graduate Research Fellow, California Sea Grant College Program Fellow, “Controls on coho outmigration in the Russian River basin,” 2016 – present.
2. Hana Moidu (ESPM PhD), Natural Sciences and Engineering Research Council Fellow, “Evaluation of intermittent streams and their role as refugia,” co-advised with Stephanie Carlson, 2017 – present.
3. Rachael Ryan (ESPM PhD), Natural Sciences and Engineering Research Council Fellow, “Flow impacts on life history diversity of an endangered species, *Oncorhynchus kisutch*,” co-advised with Stephanie Carlson, 2018 – present.
4. Lucy Andrews (ESPM PhD), 2018 – present.
5. Robin Lopez (ESPM PhD), NSF Graduate Research Fellow, Berkeley Chancellor’s Fellow, co-advised with Paolo D’Odorico, 2018 – present.
6. Amy Fingerle (ESPM PhD), co-advised with Stephanie Carlson, 2020 – present.
7. Melissa von Mayrhauser (ESPM PhD), co-advised with Albert Ruhi, 2020 – present.
8. Mariska Obedzinski (ESPM PhD), co-advised with Stephanie Carlson, 2021 – present.
9. Molly Oshun (ERG MS), 2021 – 2022.

Visiting Scholars: Dr. Celso Garcia (University of the Balearic Islands), Spring-Summer 2018

Visiting Graduate Students: Brian Kastl (U.C. Santa Barbara), Dominic Carver (Newcastle University, UK), Annelie Lagesson (Umeå University, Sweden)

Undergraduate Mentees: Sarah Zhang (Environmental Sciences), Alison Parmer (Conservation and Resource Studies), Weston Slaughter (Molecular Biology), Augie Clements (Conservation and Resource Studies), Diego Samaniego (Conservation and Resource Studies)

Graduate Student Committees: John Andrew (dissertation examiner, University of Melbourne), Molly Oshun (MS thesis, ERG), Emily Chen (qualifying exam chair, ESPM), Chippie Kislik (qualifying exam and dissertation, ESPM), Gabe Rossi (exam and dissertation, Integrative Biology), Jordan Wingenroth (MS thesis, ESPM), Suzanne Kelson (dissertation, ESPM), Tyler Nodine (MS thesis, Landscape Architecture), Garshaw Amidi-Abraham (Masters of Development Planning thesis, ESPM), Lauren Adams (dissertation, Civil and Environmental Engineering, UC Davis), and Bonnie Magnuson-Skeels (MS thesis, Geography Graduate Group, UC Davis).

PROFESSIONAL ACTIVITIES

1. *Ad hoc* manuscript reviewer for the following peer-review journals: Journal of the American Water Resources Association, Water Resources Research, Environmental Management, Ecosphere, Ecological Applications, BioScience, Ecohydrology, Ecology and Society, Conservation Biology, Transactions of the American Fisheries Society, Water Research, Marine and Freshwater Research, River Research and Applications, Journal of Applied Ecology, Science of the Total Environment, Environmental Engineering Science, Journal of Water Resources Planning and Management, Water, Environmental Biology of Fishes, Ecological Modelling, Freshwater Science, Biological Invasions, Freshwater Biology, Ecological Engineering, Proceedings of the National Academy of Sciences, Fisheries Management and Ecology, California Fish and Wildlife Journal
2. Associate editor for California Agriculture journal
3. Associate editor for Frontiers in Environmental Science, Freshwater Section
4. *Ad hoc* proposal reviewer for NIDIS Drought Program
5. *Ad hoc* proposal reviewer for California Institute for Water Resources Early Career Grant Program (November 2018), EPA Star Grant Program (April 2013)

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6. National Socio-Environmental Synthesis Center (SESYNC) workgroup participant, “Understanding causal pathways and feedbacks within complex water management systems,” Annapolis, MD, 2019 – 2020.
7. National Center for Ecological Analysis and Synthesis (NCEAS), Science for Nature and People (SNAP) workgroup participant, “Assessing the Water Quantity Benefits that Flow from Source Water Protection,” Santa Barbara, CA, 2018 – 2019.
8. NCEAS and SNAP workgroup participant, “Water Transactions to Enhance Streamflow, Water Supply Reliability, and Rural Economic Viability in the Western United States,” Santa Barbara, CA, 2015 – 2017.
9. SESYNC workgroup participant, “Climate Change & Water Resources Adaptation: Decision Scaling & Integrated Eco-engineering Resilience,” Annapolis, 2013 – 2014.
10. Conference session organizer: “Environmental Flow and Water Management Nexus,” Society for Freshwater Science Annual Meeting 2019; “Environmental Flow Assessment and Implementation Tools,” California Water and Environment Modeling Forum 2020

UNIVERSITY SERVICE

1. Co-director, UC Berkeley Cannabis Research Center, 2017 – present.
2. Committee member, Leadership Council of the Department of Environmental Science, Policy and Management, 2022 – present.
3. Committee on Justice, Equity, Diversity, and Inclusivity (JEDI), Department of Environmental Science, Policy, and Management, 2021 – present.
4. Mentor, U.C. Berkeley Regents and Chancellor’s Scholar Mentorship Program, 2019 – present.
5. Working group member, UC Berkeley Resilience Working Group, 2021 – present.
6. Advisory committee, Sustainable Natural Ecosystems Strategic Initiative, U.C. Division and Agriculture and Natural Resources, 2018 – present.
7. Research advisory committee, Hopland Research and Extension Center, 2019 – present.
8. Co-chair, Climate Change Program Team. U.C. Division and Agriculture and Natural Resources, 2017 – present.
9. Associate editor, California Agriculture Journal, Natural Resources subject area. U.C. Division and Agriculture and Natural Resources, 2016 – present.
10. Committee member, Search committee for the Water Justice Policy and Planning Cooperative Extension Specialist position, 2021 – 2022.
11. Chair, Cooperative Extension Specialist Executive Committee, College of Natural Resources, 2017 – 2022.
12. Graduate admissions committee, Ecosystem Sciences Division of the Department of Environmental Science, Policy, and Management, 2017, 2018, 2019, 2021.
13. Review committee, Graduate Students in Extension. Department of Environmental Science, Policy, and Management, 2017.

PUBLIC SERVICE

1. Adjunct fellow, Public Policy Institute of California Water Policy Center, January 2015 – present.
2. Science advisor, California Advisory Committee for Salmon and Steelhead Trout, June 2018 – present.
3. Technical advisory committee, Russian River Regional Monitoring Program (R3MP), April 2021 – present.
4. Technical Advisory Group member for the San Diego Region Hydrologic Vulnerability Study, led by the Southern California Coastal Watershed Research Program (SCCWRP). April 2021 – present.
5. Technical advisory committee, Water Audit, June 2014 – present.
6. Technical advisory committee, Upstream Tech California flow modeling project, November 2020 – present.
7. Member, Environmental Flows Workgroup of the California Water Quality Monitoring Council, August 2017 – present.
8. Co-founder and co-director, UC Berkeley Cannabis Research Center, UC Berkeley, CA, July 2019 – present.
9. Technical advisory committee, Russian River Coho Water Resources Partnership, March 2016 – 2020.
10. Technical advisory committee, Delta Stewardship Council Vulnerability Assessment, November 2018 – 2020.
11. Coordinating lead author, North Coast Region Climate Change Report of California’s 4th Climate Assessment, September 2017 – September 2018.
12. Organizer, UC Berkeley Social Science Matrix Working Group on Cannabis and the Environment, UC Berkeley, September 2018 – August 2019.
13. Organizer, Integrating Climate Change in California Cooperative Extension Programs Workshop and Professional Development, Kearney Research and Extension Center, CA, February 2018.
14. Invited participant, World Bank Resilient Water Decisions Workshop. Washington D.C., February 2018.
15. Invited participant, Examining Mexico’s Water Reserves Program as an Ecosystem-Based Adaptation Instrument, World Wildlife Fund, CONAGUA, and the Inter-American Development Bank Workshop, Mexico City, April 2017.
16. Invited participant, Southwest Extension Climate Workshop. Tucson, AZ, December 2016.

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17. Workshop instructor, Stream Hydrology for Ecologists Workshop, Society for Freshwater Science Annual Meeting, Sacramento, CA, May 2016.
18. Technical advisory committee, Lagunitas Creek Floodplain Study, January 2015 – 2020.
19. Technical advisory committee, California State Water Resources Control Board, Development of Numeric Flow Criteria to Support Freshwater Bio-Objectives, Hydromodification Management, and Nutrient Numeric Endpoints (aka Flow-Ecology), 2014 –2016.
20. Invited participant, Workshop on Global Indicator for Sustainable Water Use, World Bank Group and Korea Environment Institute, Washington DC, November 2014.
21. Oral session presider, Conservation Planning, Policy and Theory (COS 129), 2014 Ecological Society for America Annual Meeting, Sacramento, CA, August 14, 2014.
22. Invited participant, NSF SESYNC Workshop, “Climate Change & Water Resources Adaptation: Decision Scaling & Integrated Eco-engineering Resilience” Annapolis, MD, 2013 – 2014.
23. Conference abstract review committee, Society for Conservation Biology North America Congress, 2012.

TEACHING

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1. Guest lecture, UC Forestry Camp, “Introduction to forest stream ecosystems,” 22 June 2022.
 2. Guest lecture, Freshwater Ecology (ESPM C115A), “California’s water in a changing climate,” 26 April 2022.
 3. Guest lecture, Freshwater Ecology (IB 171/ESPM C115A), “California water management and the Sacramento-San Joaquin Delta,” 23 April 2020. U.C. Berkeley.
 4. Guest lecture, The Water Planet (EPS 3), “Managing water for the environment in a changing climate,” 30 April 2019. U.C. Berkeley.
 5. Guest lecture, Bearhs Environmental Leadership Program, “Managing water for the environment in a changing climate,” 16 July 2019. U.C. Berkeley.
 6. Guest instructor, UC Forestry Camp. Planned and taught 2-day field course on freshwater ecology in forested landscapes at the UC Forestry Camp, Quincy, CA. June 2018 and 2019.
 7. Guest lecture, Freshwater Ecology (IB 171/ESPM C115A), “California water management and the Sacramento-San Joaquin Delta,” 30 April 2019. U.C. Berkeley.
 8. Lead instructor, UC Water Academy. Organized and co-taught course on California water, including weekly discussion session in spring semester, followed by 10-day immersive field experience. January – July 2017 and 2018.
 9. Guest lecture, Water Resources Management Planning (ENVE 140), “Water Accounting in California,” 19 April 2018. U.C. Merced.
 10. Guest lecture, Data Science for the 21st Century (DS421), “Closing the research to policy gap: perspectives from California Water,” 18 April 2018. U.C. Berkeley.
 11. Guest lecture, Fish Ecology (ESPM 115C), “Large rivers and dams,” 1 February 2018. U.C. Berkeley.
 12. Guest lecture, Environmental Law Colloquium (Boalt Law School), “New approaches for managing environmental water in California,” 13 April 2017. U.C. Berkeley.
 13. Guest lecture, California Water (ERG 190), “Legal and policy perspectives on managing water for the environment,” 14 July 2016.
 14. Guest lecture, Water Resources Management Planning (ENVE 140), “Managing water in decentralized systems,” 19 April 2016. U.C. Merced.
 15. Guest lecture, Environmental Data Analysis (ES 207), “Balancing human and ecosystem needs in managed hydrosystems,” 19 April 2016. UC Merced.
 16. Guest lecture, Freshwater Ecology (IB171), “Managing for ecosystem resilience,” 5 April 2016. U.C. Berkeley.

PROFESSIONAL AFFILIATIONS

Society for Freshwater Science; American Geophysical Union; Salmonid Restoration Federation

EXHIBIT 9

June 2023

Curriculum Vitae

Graham E. Fogg

*Hydrology Program, Department of Land, Air, and Water Resources
Hydrologic Sciences Graduate Group
One Shields Avenue
University of California, Davis 95616
(530) 752-6810 FAX: (530) 752-5262
E-mail: gefogg@ucdavis.edu*

ACADEMIC BACKGROUND

B.S. Hydrology, University of New Hampshire, 1975
M.S. Hydrology and Water Resources, University of Arizona, 1978
Ph.D. Geology, The University of Texas at Austin, 1986

HONORS

Phi Kappa Phi Honor Society
Sigma Xi Honor Society
Geological Society of America Birdsall-Dreiss Distinguished Lecturer, 2002
Fellow, Geological Society of America
O.E. Meinzer Award, 2011, Geological Society of America
Alumni of the Year, 2012, Bureau of Economic Geology, University of Texas at Austin
David Keith Todd Lecturer, 2020, Groundwater Resources Association of California
Lifetime Achievement Award 2020, Groundwater Resources Association of California

AREAS OF EXPERTISE

- A. Contaminant transport in complex porous media; Geologic/geostatistical characterization of subsurface heterogeneity
- B. Numerical modeling of ground-water systems
- C. Regional system hydrogeology: ground-water hydraulics, sustainability of groundwater quality, groundwater and surface water interaction

PROFESSIONAL EXPERIENCE

- A. Professor Emeritus of Hydrogeology, Hydrology Program, Department of Land, Air, and Water Resources, University of California, Davis (July 1, 2020 – present).
- B. Professor of Hydrogeology, Hydrology Program, Department of Land, Air, and Water Resources, University of California, Davis (July 1, 1996 – June 30, 2020). Vice Chair for Hydrology 1998-2002.
- C. Associate Professor of Hydrogeology, Hydrology Program, Department of Land, Air, and Water Resources, University of California, Davis (March 15, 1989 - June 30, 1996).
- D. Research Associate, Bureau of Economic Geology, The University of Texas at Austin. (Sept. 1985 - Jan. 1989).

Research multiphase flow hydrodynamics of hydrocarbon reservoirs in West Texas and stochastic methods of characterizing reservoir interconnectedness. Research regional hydrogeologic processes as related to potential impacts of lignite mining on water quality and quantity. Develop improved methods of describing aquifer heterogeneity using geologic information.

- E. Research Scientist Associate, Bureau of Economic Geology, The University of Texas at Austin (January 1978 - August 1985).

Conduct research on hydrogeologic suitability of salt domes in the East Texas Basin for storage of high-level nuclear wastes. Assemble and interpret hydrogeologic data bases; design and supervise hydrologic test-drilling programs; construct detailed two and three dimensional ground-water flow models for analyzing near-dome flow systems and potential radionuclide pathways to the biosphere; research new methods of modeling mass transport and of describing aquifer heterogeneity.

PROFESSIONAL SOCIETIES

American Geophysical Union, Water Resources Division
 Association of Ground Water Scientists and Engineers
 International Association of Hydrogeologists
 Geological Society of America
 Groundwater Resources Association of California

SELECTED PROFESSIONAL ACTIVITIES

Member, National Academy of Sciences Panel: Decadal Survey for Earth Science and Applications from Space, Global Hydrology and Water Resources, 2016-present.
 Manuscript reviewer, Hydrogeology Journal, Ground Water journal, Water Resources Research, Mathematical Geology, Advances in Water Resources, and Transport in Porous Media, among others.
 Proposal reviewer, National Science Foundation.
 Member, Peer Review College of the Danish Council for Strategic Research.
 Member, Committee to evaluate research performance of GEUS (Geological Survey of Denmark and Greenland), Sept.-Nov. 2007
 Co-Chair of Subsurface Characterization Panel, Dept. of Energy, Basic Research Needs Program in Subsurface Science (to determine basic research needs for the future, concerning subsurface CO₂ sequestration and nuclear waste isolation), 2007-08.
 Associate Editor, journal of Hydrology and Earth System Sciences, 2012-2019.
 Member, National Research Council Committee on Challenges and Opportunities in the Hydrologic Sciences, 2010-2012.

SELECTED UNIVERSITY ACTIVITIES

Co-Director, UC Water Security and Sustainability Research Initiative, 2012-present.
 Director, Center for Climate Change, Water, and Society, an NSF Integrative Graduate Education, Research and Traineeship center at UC Davis.
 Member, Ad hoc Committee to Advise CA Governor's Office of Planning and Research on Groundwater and Climate Change, 2013.
 College of Agricultural and Environmental Sciences Academic Planning Committee, 2009.
 Member, Search Committee for Director of John Muir Institute for the Environment.
 Chair, Search Committee for Associate/Full Cooperative Extension Specialist and Associate Full Professor in Water Resources (Robert Hagan Endowed Chair), 2008 – 2009.
 Member, delegation to University of Concepcion, Chile, to develop collaborative water programs, March – 2009.
 Member, delegation to CyI, Nicosia, Cyprus, to develop collaborative water programs, Dec. 2010.
 Vice Chair for Hydrology, Department of Land, Air and Water Resources, 1998 – 2002.
 Chair, Hydrologic Sciences Graduate Group, 1993 – 1998, 2006 – 2012.
 Graduate Advisor, Hydrologic Sciences Graduate Group, 1991 – 1993, 1998 – 2000, 2001–present.
 Graduate Advisor, Water Science Graduate Group, 1989 – 1991.

COURSES TAUGHT

The University of Texas at Austin Geology Dept.: Groundwater Modeling, 1987.

UC Davis: WSC 298, Contaminant Transport Processes, 1989 (graduate).

WSC 149B, HYD 145B, Groundwater Hydrology, 1990, 1991, 1992, 1993, 1994, 1996, 1997 (undergraduate).

HYD 10, Water and Power, 2001, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017.

HYD 144, Groundwater Hydrology, 2009, 2010, 2011, 2013.

HYD 146, Hydrogeology and Contaminant Transport, 1998, 1999, 2000, 2001, 2003, 2004, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017.

HYD 269, Numerical Modeling of Groundwater Systems, 1990, 1991, 1992, 1993, 1994, 1996, 1997, 1998, 1999, 2000, 2001, 2004, 2006, 2008, 2010, 2012, 2014, 2016 (graduate).

HYD 273, Introduction to Geostatistics, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016 (graduate).

HYD 298/245, Climate Change, Water, and Society, 2012, 2013, 2014, 2015, 2016.

SELECTED SHORT COURSES AND WORKSHOPS DEVELOPED AND TAUGHT

“Hydrofacies Modeling with TProGS, a Geostatistical Approach based on Transition Probability and Markov Chains.” August 5-9, 2019. University of Copenhagen, Denmark.

“Hydrofacies Modeling with TProGS, a Geostatistical Approach based on Transition Probability and Markov Chains.” June 22-30, 2013. University of Copenhagen, Denmark.

“Modeling of Heterogeneity and Transport in Geologic Media: Transition Probability, Markov Chains and Random-Walk Particle Methods (TProGS & RWHET)” June 22-27, 2009. University of Copenhagen, Denmark.

“Hydrofacies Modeling with TProGS, a Geostatistical Approach based on Transition Probability and Markov Chains.” February 6-9, 2006. U.S. Geological Survey, Sacramento State University, Sacramento, CA.

“Hydrofacies Modeling with TProGS, a Geostatistical Approach based on Transition Probability and Markov Chains.” October 20-24, 2003. Geocenter Copenhagen, Denmark.

"Principles of Groundwater Flow and Transport Modeling." 3-day short course. Sponsor/Coordinator: University Extension, University of California, Davis. Taught one to two times per year since 1998.

"The Groundwater Workshop." 1-day workshop. Sponsor/Coordinator: The Water Awareness Committee of Monterey County, Inc. March 19, 1998. Salinas, CA.

"Applied Groundwater Hydrology: Principles, Measurements, and Interpretation." 2-day short course. Sponsor/Coordinator: Cal/EPA Department of Toxic Substances Control, CA Groundwater Resources Association and the University of California, Davis. May 19-20, 1998. Berkeley, CA.

"Introduction to Applied Groundwater Hydrology: Principles, Measurements, and Interpretation." 3-day short course. Sponsor/Coordinator: University of California Davis. November 6-7, 1996; Fresno County, CA; November 1997, Sacramento, CA.

SELECTED EXPERT TESTIMONY (public service and litigation)

- Expert witness and testimony in Imperial Irrigation District vs. Coachella Valley Water District, 1987-1988.
- Testimony to California Assembly Committee dealing with registration of groundwater professionals. 1991.
- Testimony to California Joint Legislative Audit Committee. “Is Groundwater Quality Falling Through the Legislative Cracks?” February 9, 1999.
- Testimony at CalEPA Public Hearing on MTBE in California, Diamond Bar, CA. Impacts of MTBE on California Groundwater. February 19, 1999.
- Testimony at CalEPA Public Hearing on MTBE in California, Sacramento, CA. Impacts of MTBE on California Groundwater. February 23, 1999.
- Testimony to EPA Blue Ribbon Panel on MTBE Issues. Impacts of MTBE on California Groundwater. March 25, 1999.
- Expert witness and testimony in South Lake Tahoe Public Utility District vs. ARCO et al., 2000-2001.
- Expert witness and testimony in Citizens for a Better Environment vs. Union Oil Corp. et al., 2000-2001.
- Expert witness and testimony to International Tribunal in the Arbitration Under Chapter 11 of the North American Free Trade Agreement (NAFTA) Between Methanex Corporation (Canada) and The United States of America, World Bank, Washington, D.C., June 11, 2004.
- Expert witness and testimony to arbitration panel in City of Santa Monica vs. Shell Oil Co. et al., 2005.
- Expert witness and testimony in Fruitridge Vista Water Company vs. ARCO et al., 2007.
- Expert witness and testimony in County of Suffolk and Suffolk County Water Authority vs. Amerada Hess Corp., et al., and United Water New York vs. Amerada Hess Corp, et al., 2008.
- Expert witness and testimony in *City of New York v. Amerada Hess Corp., et al.* 04 Civ. 3417, 2009.
- Expert witness and testimony in *Yosemite Springs Park Utility Company v. Chevron U.S.A.* 2012.
- Expert witness and testimony in *City of Merced v. Chevron U.S.A. et al.* 2012.
- Expert witness and testimony in *Orange County Water District v. Unocal Corp et al.* 2012-2018.
- Expert witness and testimony in *Orange County Water District Vs Northrop corp et al in the Superior Court of California, Orange County; June 2012.*
- Expert witness in *City of Fresno v. Chevron U.S.A. et al.* 2012.
- Expert witness and testimony in *State of New Hampshire v. Amerada Hess Corp. et al., 2013.*

- Expert witness and testimony in *New Jersey Department of Environmental Protection et al vs Atlantic Richfield Co et al.*, 2013
- Expert witness and testimony in *Commonwealth of Puerto Rico Vs. Shell Oil Co et al.*, 2014
- Expert witness in *Gardner Family LLC & Rosedale Farming Group LLC v. Crimson Res. Manag. Corp. et al.*, 2016 - 2017.
- Expert witness and testimony in *Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District* 2017.
- Expert witness in *Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency* 2020.

INVITED TALKS AND LECTURES (2000-present; partial list)

Dichotomy of Scale Concepts in Geology and Hydrology, Aquifer Sedimentology Conference (SEPM special conference), Santa Fe, Sept. 29, 2000.

Heterogeneity, the Pumping Test and the Plume: An Evolution (or Devolution?) of Hydrogeologic Concepts, Michigan State University, Oct. 19, 2000.

Geologic Heterogeneity and Predictive Uncertainty in Hydrogeologic Models, AGU, Dec. 15, 2000.

2002 Geological Society of America Birdsall-Dreiss Distinguished Lectures

Talk A: Plume Behavior in Heterogeneous Geologic Systems: Natural Attenuation, Remediation, and the Role of Diffusion

Talk B: Groundwater Vulnerability and the Meaning of Groundwater Age Dates

Talk C: A Geologic Approach to Simulation of Subsurface Hydrology

Total institutions visited: 45 (37 Universities; 2 USGS offices; 1 USGS workshop; 2 state surveys; 1 GS of Canada office; 1 national lab; 1 consulting firm; 1 state professional society)

Total lectures delivered: 56

All lectures were by invitation.

Date of Lecture	Location	Talk
1. January 14	Indiana University (Bloomington)	B, C
2. January 15	Wright State University (Dayton)	C, A
3. January 16	University of Kentucky, Lexington	B
4. January 17	Ohio State University (Columbus)	C
5. January 18	University of Akron	B
6. January 28	University of Mississippi (Oxford)	C
7. January 29	University of Memphis	B
8. February 1	University of Tennessee, Knoxville	A, B
9. February 5	Clemson University	A
10. February 6	Georgia State University (Atlanta)	A
11. February 12	Fresno State University	B
12. February 19	Boise State University	C
13. February 21	University of British Columbia	B
14. February 25	Louisiana State University (Baton Rouge)	B

15. February 27	Texas A&M University	A
16. March 1	University of Texas at Austin	A
17. March 4	Bureau of Economic Geology	B
18. March 4	Intera, Inc.	C
19. March 12	Penn State University	B
20. March 13	MIT	B
21. March 14	University of New Hampshire	B, A
22. April 2	Iowa State University	A, B
23. April 3	University of Wisconsin	A, B
24. April 9	University of Waterloo	B
25. April 10	Syracuse University	C
26. April 11	Canadian Geological Survey (Ottawa)	C
27. April 23	Northern Arizona University	B
28. April 24	USGS mtg. Tucson	C
29. April 24	University of Arizona Ty Ferre	A
30. April 30-May 1	New Mexico Tech	C, B
31. May 2	Los Alamos National Laboratory	A
32. May 3	University of New Mexico (Albuquerque)	C, B
33. September 13	University of Nevada Reno	B
34. September 16	Johns Hopkins University	B
35. September 17	Delaware Geological Survey, U. of Delaware	C
36. September 19	University of Virginia	A, B
37. September 23	USGS – Reston	B
38. October 4	University of Hong Kong, China	B
39. October 7	University of Chang'an, Xian, China	B
40. October 10	Chinese University of Geosciences, Beijing, China	B
41. October 16	Stanford University	A
42. October 17	USGS – Menlo Park	C
43. October 18	University of California, Santa Cruz	B
44. October 29	GSA Denver.	B
45. November 11-13	University of Hawaii	A, B, C

Influence of Paleosols on Fluid Flow and Transport: Perspective on Alluvial Complexity and Hydrogeology, Presentation before the DOE Nuclear Waste Technical Review Panel, Las Vegas, NV, Jan. 28, 2003.

Review of IGSM, and Perspective on Future Incarnations, Annual Meeting of CA Bay-Delta Modeling Forum, Asilomar, CA, Feb. 2003.

Hydrostratigraphy and Contaminant Transport Beneath Rancho Cordova and Vicinity.... Plus Discussion of Cosumnes Phenomena, American River Conference, CSU Sacramento, Nov. 2003.

Perspective on Heterogeneity, Groundwater Monitoring, and Natural Attenuation, Geological Society of America Annual Meeting, Nov. 2003, Seattle, WA.

Perched Aquifer Hydrology: An Unexplored Frontier?, Geological Society of America Annual Meeting, Nov. 2003, Seattle, WA.

Scientific Perspective on Groundwater, California Water Forum (Jay Lund), April 14, 2004.

Analysis of Human Exposure to Perchlorate Through Coupled Modeling of Groundwater and the Surface Distribution System, US EPA Superfund Conference, Oct. 19, 2004, Sacramento, CA.

Fish Passage, Groundwater and Base Flow - The Case of the Cosumnes River. CALFED Science Conference, Oct. 2004, Sacramento, CA.

The Stochastic Facies Model of Heterogeneity: A Necessary Tool or Unnecessary Tedium?, Geological Society of America Annual Meeting, Nov. 2004, Denver, CO.

The Role of Perched Aquifers in Hydrological Connectivity and Biogeochemical Processes in Vernal Pool Landscapes, Great Central Valley, California. Presentation to Sacramento Parks and Recreation Board, Nov. 2004.

Contaminant Transport in Groundwater, With Special Focus on MTBE, HYD 198 Lecture (Peter Hernes' class), Feb. 24, 2005.

Contaminant Transport in Groundwater, With Special Focus on MTBE, HYD 198 Lecture (Peter Hernes' class), Mar. 3, 2005.

Keynote: Washington Hydrogeology Symposium, April 14, 2005, Tacoma, WA: **Groundwater Vulnerability and the Meaning of Age Dates.**

Recent Perspectives on Groundwater Age: Estimation, Modeling, and Water Quality Sustainability, 25th Biennial Conf. & CA Groundwater Resources Association Meeting, Oct. 2005, Sacramento, CA.

The Hydrofacies Approach and Why $\ln K \sigma^2 < 5-10$ is Unlikely, American Geophysical Union Fall Meeting, Dec. 2004.

Groundwater Quality Sustainability, Creeping Normalcy, and a Research Agenda, Geological Society of America Annual Meeting, Oct. 17, 2005, Salt Lake City, UT.

Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8, Jan. 2006.

Keynote: Computational Methods in Water Resources Conference, June 19, 2006, Copenhagen, Denmark: If Heterogeneity Is So Important, Why Do We Still Ignore It?

Practical Approach For Dealing With Heterogeneity and Why It Is Essential for Modeling Transport, California Groundwater Resources Association Conference on High-Resolution Site Characterization and Monitoring, November 15, 2006.

Contaminant Hydrogeology: Rejuvenate the Research Agenda, Geological Society of America Annual Meeting, Oct. 23, 2006, Philadelphia, PA.

Keynote: If Heterogeneity Is So Important, Why Do We Still Ignore It? DOE Environmental Remediation Science Program, Oct. 23, 2006, Oak Ridge TN.

Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2007.

What's in a Plume Model and Why Should We Care? Geological Society of America Annual Meeting, Oct. 29, 2007, Denver, CO.

Motivation of Synthesis, With an Example on Groundwater Quality Sustainability, American Geophysical Union Fall Meeting, Dec. 12, 2007, San Francisco, CA.

Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2008.

The Graduate Group Model: An Innovative Structure That Is Still Maturing, Annual Meeting, ASCE Environmental and Water Resources Institute, May 15, 2008, Honolulu, Hawaii.

Climate Change, Water Resources and Deep CO₂ Sequestration, UCD Summer Science Institute, July 9, 2008, Davis, CA.

Groundwater Contaminant Transport and the Utility of a Subsurface Observatory, Consortium of Universities for the Advancement of Hydrologic Sciences (CUAHSI) Biennial Colloquium, July 14, 2008, Boulder, CO.

Climate Change, Water Resources and Deep CO₂ Sequestration, Future Farmers of America, August 26, 2008, Davis, CA.

Keynote: New Paradigms for Groundwater and Surface Water Interaction, HydroPredict 2008, International Interdisciplinary Conference on Predictions for Hydrology, Ecology, and Water Resources Management: Using Data and Models to Benefit Society, Prague, Czech Republic, Sept. 16, 2008.

Climate Change and Subsurface Storage, Conference Honoring Shlomo Neuman's 70th Birthday, Oct. 25, 2008, Tucson, AZ.

Subsurface Storage and Recovery: Perspective on Climate Change and Sustainability of Groundwater Quantity and Quality in CA, Joint Monthly Meeting of American Water Resources Association and California Groundwater Resources Association, Nov. 8, 2008, Sacramento, CA.

Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2009.

Subsurface Storage and Recovery: Perspective on Climate Change and Sustainability of Groundwater Quantity and Quality in CA, University of Concepcion, Chile, March 18, 2009.

Subsurface Storage and Recovery: Perspective on Climate Change and Sustainability of Groundwater Quantity and Quality in CA, Special webinar presentation to CA state agency Geosymposium, April 28, 2009.

Subsurface Storage and Recovery: Perspective on Climate Change and Sustainability of Groundwater Quantity and Quality in CA, Bay Area Chapter of California Groundwater Resources Association, May. 20, 2009, Berkeley, CA.

Keynote: The Disconnect Between Monitoring and Modeling, NOVCARE Conference, Leipzig, Germany, May 13, 2009.

Evaluation of Monitoring Approaches for Natural Attenuation, Superfund Science Research Program, University of California, Davis, September 11, 2009.

Climate Change, Water Resources & Deep CO₂ Sequestration, Future Farmers of America, Davis, CA, July 16, 2009.

Keynote: The Disconnect Between Monitoring and Modeling, North American Environmental Field Conference and Exposition, January 12, 2010, Tampa, Florida.

Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2010.

- A Geologic Approach to Simulation of Subsurface Geology, Department of Civil and Environmental Engineering, University of CA, Davis, March 4, 2010.
- Nitrate and Groundwater Quality Sustainability, California Roundtable on Agriculture and the Environment, April 15, 2010.
- Climate Change and Sustainability of Groundwater Quantity and Quality, Conference: Toward Sustainable Groundwater in Agriculture, San Francisco, June 16, 2010.
- A Geologic Path to Heterogeneity and Scaling, Workshop: Thirty years of stochastic subsurface hydrology: where do we stand and what are the emerging challenges? CSF Conference Center, Monte Verita, Ascona, Switzerland, June 28, 2010.
- Log-K Variance, Connectivity, Unconformities and Non-Fickian Transport, Geological Society of America, Denver, Colorado, October 30, 2010.
- Climate Change and Water Resources of a Mediterranean-Type System (CA), UCD-Cyl Worskhop, The Cyprus Institute, Athalassa Campus, Nicosia, Cyprus, December 12-14, 2010.
- Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2011.
- Climate Change and Subsurface Storage of Water, Stanford University, Dept. of Civil & Environmental Engineering, May 23, 2011.
- Groundwater: Out of Sight, Out of Mind, Cumbre Internacional de Sustentabilidad Hídrica, Santiago, Chile, November 14, 2011.
- Groundwater: Out of Sight, Out of Mind, University of Concepcion Water Center, Chile, November 17, 2011.
- Climate Change and Subsurface Storage of Water, University of Concepcion Water Center, Chile, November 17, 2011.
- Contaminant Transport in Groundwater, With Special Focus on MTBE, SAS 8 Guest Lecture, Jan. 2012.
- A Geologic Path to Heterogeneity and Scaling, Stanford University, Dept. of Civil & Environmental Engineering, May 13, 2012.
- Groundwater Connections: Climate Change and Subsurface Storage of Water, Workshop on Climate Change and California's Water Supply, University of California, Davis, May 15, 2012.
- Depositional Systems, Soils, and Subsurface Water Storage, Conference on Soil Survey Science, University of California, Davis, June 25, 2012.
- Groundwater Connections: Climate Change and Subsurface Storage of Water, Climate Change Compact of Yolo County, August 10, 2012.
- Climate Change and the Water Storage Problem in Chile and California, II International Water Sustainability Summit, La Serena, Chile, September 27, 2012.
- Climate Change and the Water Storage Problem in Chile and California, CNR, Ministry of Agriculture, Santiago, Chile, September 28, 2012.

- Risk of Groundwater Contamination from Unconventional Gas Development, IRGC Workshop on Risk Governance Guidelines for Unconventional Gas Development, Swiss Re Center for Global Dialogue, Zurich, Switzerland, November 5-6, 2012.
- Is Groundwater Quality Sustainable in Irrigated Systems? ETH (Federal Institute of Technology, Zurich, Switzerland, November 9, 2012.
- Is Groundwater Quality Sustainable in Irrigated Systems? Colorado School of Mines, Golden, CO, April 25, 2013.
- Groundwater Connections: Climate Change and Subsurface Storage of Water, Japanese Agricultural Training Program, UC Davis, September 19, 2013.
- Matrix Diffusion, Preferential Flow and Remediation, CA Groundwater Resources Association Biennial Meeting, Sacramento, CA, October 8, 2013.
- Groundwater is the Key to Climate Change Adaptation, CA Groundwater Resources Association Biennial Meeting, Sacramento, CA, October 9, 2013.
- Interview by PPIC (Public Policy Institute of California): [Farms That Grow Groundwater](#), April 18, 2016.
- Agriculture and Groundwater Banking for Increasing Water Security, UC Davis-Chile Life Sciences Innovation Center, Santiago, Chile, March 30, 2017.
- Groundwater Budgets and the Full Case for Subsurface Storage of Water, Seminario: “SEQUIA, CAMBIO CLIMATICO Y SU EFECTO EN LA AGRICULTURA”, Universidad de Concepción – Campus Chillán, Chile, April 6, 2017.
- Groundwater Budgets and the Full Case for Subsurface Storage of Water, Catholica University, Santiago, Chile, March 28, 2017.
- Is Sustainable Groundwater Development a Myth? Modflow and More Conference, Golden, CO, May 23, 2017.
- Role of Aquifers and Aquitards in Stream Depletion and Recharge: Cosumnes River Case Study, presented at GRA conference Stream Depletion Through the SGMA Lens: Practical Solutions for a Complex Problem, Sacramento, August 29, 2017.
- UC Water Activities to Maximize Water Security in the American-Cosumnes Basin, presented at Water Forum pursuant to Cosumnes Sub basin Technical Advisory Committee Meeting, September 13, 2017, Galt, CA.
- The California Recharge Challenge, Recharge Roundtable Workshop sponsored by UC Water and GRA, October 2, 2017, Sacramento, CA.
- Energy Consequences of Ongoing Conversion of Groundwater Systems to Closed Hydrologic Basins Due to Overdraft, CERC-WET, DOE Webinar, September 26, 2017.
- An MRI for the Ground Below Us, at Maximizing Groundwater Recharge: Land Use, Groundwater and Flood Management Symposium (ANR), October 5, 2017, Davis, CA.
- Some Paradoxes of Flow and Transport and a Way Out of the ‘Forest’, RTG Hydrosystems Modelling Course, University of Tuebingen, Germany, October 11, 2017.

The California Water Storage and Recharge Challenge, to HYD 245 class, Climate Change, Water, and Society, October 23, 2017, Davis, CA.

UC Water Activities to Maximize Water Security in the American-Cosumnes Basin, presented to Sacramento Central Groundwater Authority, November 8, Elk Grove, CA.

Real Time Groundwater Accounting by Proxy Models and Well Data, Presented to Yolo County Flood Control and Water Conservation District, Woodland, CA, November 20, 2017.

PUBLICATIONS

Articles and Books

- Edwards, E. C., Nelson, C., Harter, T., Bowles, C., Li, X., Lock, B., et al. (2022). Potential effects on groundwater quality associated with infiltrating stormwater through dry wells for aquifer recharge. *Journal of Contaminant Hydrology*, 103964. <https://doi.org/10.1016/j.jconhyd.2022.103964>.
- Knight, R., Steklova, K., Miltenberger, A., Kang, S., Goebel, M., & Fogg, G. (2022). Airborne geophysical method images fast paths for managed recharge of California's groundwater. *Environmental Research Letters*. <https://doi.org/10.1088/1748-9326/aca344>.
- Condon, L. E., Kollet, S., Bierkens, M. F. P., Fogg, G. E., Maxwell, R. M., Hill, M. C., et al. (2021). Global Groundwater Modeling and Monitoring: Opportunities and Challenges. *Water Resources Research*, 57(12). <https://doi.org/10.1029/2020WR029500>.
- Kang, S., Knight, R., Greene, T., Buck, C., & Fogg, G. 2021. Exploring the Model Space of Airborne Electromagnetic Data to Delineate Large-Scale Structure and Heterogeneity within an Aquifer System. *Water Resources Research*. <https://doi.org/10.1029/2021WR029699>.
- Xia, Y., Zhang, Y., Green, C. T., & Fogg, G. E. (2021). Time-Fractional Flow Equations (t-FFEs) to Upscale Transient Groundwater Flow Characterized by Temporally Non-Darcian Flow Due to Medium Heterogeneity. *Water Resources Research*. <https://doi.org/10.1029/2020WR029554>.
- Guo, Z., Fogg, G. E., Chen, K., Pauloo, R., & Zheng, C. (2021). Sustainability of Regional Groundwater Quality in Response to Managed Aquifer Recharge. *Water Resources Research*, n/a(n/a), e2021WR031459. <https://doi.org/10.1029/2021WR031459>.
- Goharian, E., Azizipour, M., Sandoval-Solis, S., & Fogg, G. (2021). Using Cellular Automata Approach to Optimize the Hydropower Reservoir Operation of Folsom Dam. *Water*, 13(13), 1851. <https://doi.org/10.3390/w13131851>.
- Pauloo, R.A., G.E. Fogg, Z. Guo, C.V. Henri. "Mean Flow Direction Modulates Non-Fickian Transport in a Heterogeneous Alluvial Aquifer-Aquitard System." *Water Resources Research*. <https://doi.org/10.1029/2019WR026000>. 2021.
- Castaldo, G., A. Visser, G.E. Fogg, and T. Harter. Effect of Groundwater Age and Recharge Source on Nitrate Concentrations in Domestic Wells in the San Joaquin Valley. *Env. Sci. & Technology* 55 (4): 2265–75. <https://doi.org/10.1021/acs.est.0c03071>. 2021.

- Pauloo, Richard A., Graham E. Fogg, Zhilin Guo, and Thomas Harter. "Anthropogenic Basin Closure and Groundwater Salinization (ABCSAL)." *Journal of Hydrology*, December, 125787. <https://doi.org/10.1016/j.jhydrol.2020.125787>. 2020.
- Goharian, Erfan, Mohamad Azizipour, Samuel Sandoval-Solis, and Graham E. Fogg. "Surface Reservoir Reoperation for Managed Aquifer Recharge: Folsom Reservoir System." *Journal of Water Resources Planning and Management* 146 (12): 04020095. [https://doi.org/10.1061/\(ASCE\)WR.1943-5452.0001305](https://doi.org/10.1061/(ASCE)WR.1943-5452.0001305). 2020.
- Carle, Steven F., and Graham E. Fogg. "Integration of Soft Data Into Geostatistical Simulation of Categorical Variables." *Frontiers in Earth Science* 8 (November): 565707. <https://doi.org/10.3389/feart.2020.565707>. 2020.
- Guo, Zhilin, Christopher V. Henri, Graham E. Fogg, Yong Zhang, and Chunmiao Zheng. "Adaptive Multirate Mass Transfer (AMMT) Model: A New Approach to Upscale Regional-Scale Transport Under Transient Flow Conditions." *Water Resources Research* 56 (2). <https://doi.org/10.1029/2019WR026000>. 2020.
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Cindy Tzaopoulos

From: elaine chan lund <echanlund@yahoo.com>
Sent: Tuesday, April 23, 2024 3:58 PM
To: Public Comment
Subject: [External] Site 10 - 1933 Spring St Rezoning

Dear Members of the St Helena City Council,

We reside on Hudson Ave with our children. I am writing again to express our strong opposition to the proposed rezoning of Site 10 - 1933 Spring St for high-density housing. We have expressed our support for the necessity for increased housing and to the current proposed medium-density plan. However, to the proposed rezoning to high-density - no, no and no for a myriad of reasons.

This would negatively impact our neighborhood in terms of traffic, parking, safety, lack of privacy and noise just to name several issues. We would be interested in data from a traffic study for this neighborhood especially during the hours of school drop off and pick up.

The lack of proper and timely notification have put affected residents in a no win situation. At this juncture, it appears our options are supporting the rezoning of Site 10 to high-density or continue being exposed to Builder's Remedy. Both options stink.

While we cannot change the past, we are asking the City to make things right going forward. The City will most likely approve the rezoning to avoid Builder's Remedy. However, we ask the City to commit to revisiting the Housing Element, once recertified, to revise with proper involvement from the community. This effort should focus on finding alternate calculations and/or sites to satisfy the RHNA numbers. We believe there are more viable locations for achieving the numbers outlined in the Housing element that wouldn't require Site 10 to be rezoned high-density. The City needs to continue to explore these options going forward.

Please do the right thing for our town and our community.

Elaine Lund
 1166 Hudson Ave



RICK TOOKER
rtooker@fbm.com
D 707.967.4152

April 23, 2024

Via Email to: publiccomment@cityofsthelena.org

City of St. Helena
City Council
1088 College Avenue
St. Helena, CA 94574

Re: GPA 2024-005/ZMA 2024-005 - General Plan/Zoning Amendment Upzoning Opportunity Site #10 from Medium Density Residential (MR) to High Density Residential (HR)

Honorable Mayor Dohring and Council Members:

Please allow me to begin by expressing my appreciation to those on the City Council and City Staff who were willing to meet regarding the proposal to rezone Opportunity Site #10 (Site 10 or Quaglia Property) from Medium Density Residential (MR) to High Density Residential (HR). You may recall from the many letters presented to the Planning Commission, Farella, Braun + Martel (“FBM”), located at 899 Adams Street in St. Helena, also submitted a letter to the Commission on behalf of property owners in the community who have expressed concern over this rezone plan (see agenda packet pages 211-215).

In our subsequent conversations since the Planning Commission hearing, it is clear that there is ongoing significant concern regarding Site 10, which has not subsided over these past few weeks since many learned, for the first time, of the plan to rezone the Quaglia property to HR. In my experience with over 30 years in planning at the local level, including working on housing elements, rezonings and residential development, such concerns are natural. Fundamentally, most are not based on a lack of understanding that someday the existing vineyards in their neighborhood may be replaced by housing. Rather, the concerns are largely about the proposal to upzone the Quaglia Property to HR.

Additionally, many concerns are based on an understanding that the die was cast when the Housing Element Update was approved in April 2023 requiring rezoning of the Quaglia Property to HR, but the most affected neighbors only learned of this through direct mailing a year later just before the Planning Commission hearing. It may be the case that direct mailing is not required when approving a Housing Element Update, however, it is understandable that the community is upset to learn that the die was cast earlier—had they understood the complexities of the series of City actions and their implications, they would have certainly been active participants in the process. The concern is only further exacerbated by comments that the City Council has no viable alternative but to approve the plan to upzone Site 10.

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Notwithstanding these concerns, and what is described in the agenda report as difficult choices for the City Council to consider, ultimately the City has options. I am more convinced than ever before, given my recent conversations with Council Members and City Staff, that no one remotely likes the idea of upzoning the Quaglia Property. Site 10 has been described as essentially the largest parcel on the west side of Main Street where a significant number of units had to be dumped on the property to comply with HCD and its interpretation of state housing laws. Not only is this plan completely counter to basic planning principles (apart from other concerns it constitutes spot zoning), it flies in the face of fundamental requirements of the Housing Element Site Inventory Guidebook (Government Code Section 65583.2) which requires as part of a site capacity analysis a 'description of the methodology used to determine the number of units that can be reasonably developed on a site.' Here, it appears that the City, community and property owner do not support upzoning Site 10 to HR, but to essentially placate state housing law as interpreted by HCD since there is no other alternative.

It is not clear whether the City Council and the community fully understand the implications of the rezoning or if the impacts were ever fully analyzed in the environmental review conducted as part of the Housing Element Update. Rezoning Site 10 (as described in the FAQs on page 22 of the agenda report) is not at all 'nearly identical' to a proposed HR project relative to density in terms of unit count and height. The argument offered is the number of units and height at the maximum of HR density (16 units/acre and 30 feet) with state-mandated density bonuses and concessions could increase the housing units and height to HR-level numbers. However, the same is true for the number of units and height (28 units/acre and 42 feet) for future development in the upzoned HR district on Site 10.

For example, HCD has required the City to upzone the Quaglia Property to HR zoning because current zoning has not achieved a result of residential development to meet prior RHNA. Specifically, the Housing Element Site Inventory Guidebook requires upzoning residential use to ensure that at least 20 percent of the units are affordable to sites allowing at least 20 units per acre. Since MR density only allows up to 16 units/acre, the City proposes to simply apply the next highest district with density that allows 20 units/acre, which is HR that allows up to 28 units/acre. Additionally, the City applied a 'reasonable' assumption of development at 88 units on Site 10 to reflect the 20 units/acre state mandate, which coincidentally proposes 100 percent of affordable units (44 lower income/44 upper income units) and 20 percent affordable units as required by HCD.

Although not described in the reporting of this action, it may not be understood (I see no information of this in the latest reporting on the matter) that rezoning Site 10 to HR density will allow up to 123 units (based on the maximum of the density at 28 units/acre). This does not include up to an estimated 140 units (based on state-mandated density bonuses) with potentially additional height, reduced parking and other housing concessions mandated by law in negotiations between a developer and the City.

The City had alternatives to this action to simply revert to the next highest zoning district that contained more density, however. Given the state requirement to upzone Site 10 to at least 20 units/acre, the City had sufficient time to create a new residential zone that exceeded the MR



City of St. Helena
 April 23, 2024
 Page 3

density of 16 units/acre. The City did not have to resort to HR density with a maximum of 28 units/acre. Rather, the City could also have created a zoning overlay that would be coupled with the MR base district to bump up the maximum zoning of 16 units/acre to 20 units/acre as required by HCD. This is a common practice in many communities, including in Yountville and Napa where overlays provide more site-specific standards (although in these other communities they call these Affordable housing overlays). The Housing Element Site Inventory Guidebook specifically supports this program for achieving 20 units/acre by 'an overlay on these specific sites.'

Ultimately, the decision is with the City Council whether to approve the proposed action to amend the General Plan/Zoning to upzone Site 10 to HR or alternatively to direct City Staff to expeditiously draft a different approach. However, if the Council were to maintain the commitment to rezone Site 10 to achieve 20 units/acre and to retain the 88 units already assigned to the property to achieve the RHNA, there should be no additional CEQA review required.

In my experience as a land use planner drafting code, including as a Planning Manager and Community Development Director in Napa where I directed the Planning and Housing divisions, and the Housing Authority that contracts with St. Helena, I am certain with focused direction City Staff can draft a Planned Development overlay district and return to the Planning Commission and City Council in fewer than 45 days. Although HCD has already decertified the Housing Element Update and continues to threaten a bureaucratic process of opening up the document and other delays commonly applied by HCD in every housing element cycle, a new zoning district or PD overlay offers an creative solution applied by many other communities compared to the plan to upzone Site 10 to HR district simple because it is convenient.

Thank you for your attention to this important issue and your consideration of an alternative approach to upzoning of Site 10 to HR density. If it is true that the proposed action to upzone the Quaglia Property is undesirable to the extent that it contradicts local home rule associated with basis planning principles, this alternative approach provides relief to comply with state housing law and offers the City Council an alternative to simply resorting to the next highest district density out of convenience rather than active planning in the community.

Very truly yours,

Rick Tooker

rft: Katherine Philippakis, Esq

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Dear Mayor Dohring, Vice Mayor Hall, and Council Members Chouteau, Summers, & Kenealy,

We are writing today regarding opportunity Site 10, located at 1933 Spring Street. We are very concerned about how this decision was made without including feedback from residents in this residential area and oppose the rezoning of this site from Medium Density to High Density.

As you know, Valley View Street and adjoining streets experience a lot of traffic throughout the day. Not only does this neighborhood and surrounding neighborhood streets experience local traffic commuting to and from school and work, but we all also experience a lot of traffic from Highway 29 when the traffic is congested. The “byway” traffic is many times tour buses, large construction vehicles, semi-trucks, and other vehicles that tend to exceed the speed limit. The amount of traffic we experience now can be overwhelming and can be a safety risk for residents enjoying a walk or bike ride with their family, students walking or riding their bikes to and from school, and children and teens that are riding to and from Crane Park and St. Helena High School for their sport’s team practice and play. There has always been discussion about traffic calming measures in this area, but to date nothing has been done. I cannot imagine what the traffic will look like on our residential streets when the 88 or more proposed units are built on Site 10.

We agree with our neighbors that the proposed high-density development at the proposed site on Spring Street is out of character with the surrounding area which consists of one-story, ranch style, single-family properties. The proposed number of residential units seems like a lot of units in a very small space. How is the City of St. Helena going to provide adequate water supply, traffic management/calming, and safe routes to school when there has not been any improvement of these items in the last 20 years?

I recently read an article in the San Francisco Chronicle: [California insurers are dropping homes due to ‘density’ \(sfchronicle.com\)](https://www.sfchronicle.com/bayarea/article/california-insurers-are-dropping-homes-due-to-density-1723623) This article is specifically about insurance companies dropping and/or not writing new policies in areas of high density, specifically the areas that are at high-risk for wildfire and earthquakes. I hope this is taken into consideration along with water, sewer, safety, and traffic circulation challenges, which our little town is already experiencing.

We both understand the importance of providing affordable housing options in St. Helena and we are not opposed to building on 1933 Spring Street. It just seems that the proposed amount of housing, hence the high-density, would be more suitable for other sites on the map.

Unfortunately, it seems as if the City of St. Helena has missed important deadlines and the City Council is now required to approve the rezoning outlined in the staff report to move out of Builder’s Remedy. We ask that the City Council commit to revisiting the Housing Element, once Builder’s Remedy is removed, with a focus on finding alternate calculations and/or sites to satisfy the RHNA numbers that would not impose high-density on Site 10.

Thank you for your commitment to the residents of St. Helena and the work that you are doing on the City Council. We know that it is a very time-consuming position and many times you are tasked with very difficult decisions, we are appreciative.

Sincerely,

David & Jeannie Kerr
1135 Valley View Street

Cindy Tzaopoulos

From: Patti Antonaccio <patti@sthelenatravel.com>
Sent: Tuesday, April 23, 2024 3:22 PM
To: Public Comment
Subject: [External] Rezoning site 10 Spring St.

Dear City Council,
Please reconsider the rezoning on Spring St. Site 10 from medium to high density.
The increased traffic will impact our safety whom live in the neighborhood and regularly walk our dogs and exercise.
Currently Spring St is an artery route for those in our neighborhood and this will negatively impact those who to go to school, work, errands, etc.
I'm not against more housing on Spring St, just not the amount of units which will affect our water use, safety, noise, and neighborhood character with apartment buildings with heights above the housing currently in the area.
Please reconsider this very important decision as to how it affects our neighborhood and our city.

Sincerely,

Patti Antonaccio
1100 Hudson Ave.
St Helena, CA



Agenda Report to the City Council

Agenda Section: PUBLIC HEARINGS

Department: Planning

DATE:	April 23, 2024
FROM:	Ethan Walsh, City Attorney
SUBJECT:	Introduction and First Reading of an Ordinance Adding Chapter 8.44 to Title 8 (Boarded and Vacant Buildings) of the St. Helena Municipal Code.
RECOMMENDED ACTION:	Introduce by title only and waive further reading of an Ordinance Adding Chapter 8.44 to Title 8 (Boarded and Vacant Buildings) of the St. Helena Municipal Code.
PREVIOUS COUNCIL ACTION:	None.
STATEMENT OF THE PURPOSE:	The purpose of this action is for Council to discuss an ordinance to regulate the maintenance of vacant commercial and industrial buildings and require vacant commercial buildings be actively advertised for sale/lease.
FINANCIAL IMPACT:	None.

BACKGROUND:

The City has expressed an interest in reducing the number of unmaintained vacant storefronts and commercial buildings along downtown Main Street and within industrial zones to spur economic development.

DISCUSSION:

Tourism and visitor spending are a significant part of City revenues. Vacant commercial buildings in downtown St. Helena and industrial zones bordering commercial buildings have raised concerns about blight. This Ordinance encourages property owners to maintain their commercial properties and actively advertise their availability for lease, including having a local contact person who is located within 30 minutes of the building. This ordinance will also have the added benefit of attracting commercial tenants and promoting economic development in the City. This Ordinance does not apply to residential buildings.

The Ordinance proposes the following changes:

- Owners must begin fixing commercial and industrial buildings within 30 days after the buildings are boarded.
- Commercial and industrial buildings shall not be vacant for more than 30 days, unless one of the following conditions is satisfied:
 - The owner is fixing a building pursuant to a building permit;

- The building complies with all codes, does not contribute to blight, is ready for occupancy and the building is offered for sale or lease in accordance with all the requirements of SHMC 8.44.030(B)(2);
- The building is red-tagged and the owner timely works to abate the violation;
- The Building Official or their designee determines that the owner is actively maintaining and monitoring the building and that it does not contribute to blight. Active maintenance and monitoring includes:
 - o Maintaining the landscaping in good condition;
 - o Maintaining the exterior of the building, including paint and finishes, in good condition;
 - o Regular removal of trash and graffiti;
 - o Maintaining the building in accordance with all codes and regulations; and,
 - o Preventing crime on the premises.
- A planning entitlement application for the property is pending.

If an owner does not begin fixing boarded buildings or a commercial/industrial building is vacant for more than 30 days without satisfying one of the exemptions listed above, the owner must begin correcting those issues within 30 days of the City's issuance of a Notice of Violation with the exception of red-tagged buildings which have separate deadlines. If the owner does not request a hearing or does not timely begin curing, the City may issue administrative penalties. The penalties shall not to exceed \$100 for a first violation, \$500 for a second violation within one year, or \$1,000 for each subsequent violation within a year. Each day a violation continues shall constitute a separate offense. If the owner requests a hearing, the cure period shall be suspended until the hearing officer issues a decision.

Before the expiration of the 30-day period to commence corrections, the owner must submit a rehabilitation plan to the Building Official or his or her designee that includes a timeline for completion. The cure period shall not exceed 90 days from the date of the Notice of Violation, which shall be issued by the City's code enforcement officer as specified.

ENVIRONMENTAL REVIEW:

None.

DOCUMENTS ATTACHMENTS:

[St. Helena Vacant Bldg Ordinance-CC 4-23-2024](#)

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA ADDING
CHAPTER 8.44 TO TITLE 8 (BOARDED AND VACANT BUILDINGS) OF THE
ST. HELENA MUNICIPAL CODE**

WHEREAS, vacant and boarded buildings and/or stores in the downtown area of the City of St. Helena ("City") have a negative effect on the economic vitality of the downtown area; and

WHEREAS, it is the responsibility of property owners to maintain their properties and prevent them from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare; and

WHEREAS, a vacant property which is not actively well maintained and managed can be a core cause of spreading blight; and

WHEREAS, this Ordinance encourages property owners to maintain, lease and utilize their properties; and

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

Section 1: The Recitals set forth above are true and correct and are incorporated into this Ordinance.

Section 2: If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, or the application thereof to any person or place, if for any reason held to be unconstitutional or invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or places.

Section 3: This action is not subject to the requirements of the California Environmental Quality Act ("CEQA"). The approval of this Ordinance is not a "project" within the meaning of 14 CCR Section 15378 ("State CEQA Guidelines") because it has no potential for resulting in direct or indirect physical change in the environment. The approval of this Ordinance is exempt from CEQA review because it will not have a significant effect on the environment under Section 15061(b)(3) of the State CEQA Guidelines.

Section 4: The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published in accordance with Government Code section 36933. This Ordinance shall become effective thirty (30) days later.

Section 5: Chapter 8.44 (Sections 8.44.010 – 8.44.110) is hereby added to Title 8 of the St. Helena Municipal Code to read as follows:

“Chapter 8.44 -- BOARDED AND VACANT BUILDINGS

Sections:

- 8.44.010 Findings - vacant and boarded buildings.
- 8.44.020 Definitions.
- 8.44.030 Boarded and vacant building prohibited.
- 8.44.040 Permitted time periods to commence and correct violations.
- 8.44.050 Notice of violation.
- 8.44.060 Opportunity for a hearing.
- 8.44.070 Extension
- 8.44.080 Inspection of premises.
- 8.44.090 Administrative penalty.
- 8.44.100 Administrative penalty - factors.
- 8.44.110 Payment of administrative penalty.

8.44.010 Findings – vacant and boarded buildings.

The city council finds as follows:

- A. Vacant buildings are a major cause and source of blight in nonresidential neighborhoods especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the immediate area. Vacant buildings attract vagrants and transients and invite criminal activity. Vacant buildings that are boarded, substandard or unkempt, discourage economic development and retard appreciation of property values.
- B. It is the responsibility of property owners to prevent their properties from becoming a burden to the community and a threat to the public health, safety, or welfare.
- C. Vacant properties that are not actively well maintained and managed can be a core cause of spreading blight.

8.44.020 Definitions.

The definitions contained in this section shall govern the construction of this chapter.

- A. “Blight” shall mean a condition of decay, deterioration, disrepair, neglect or inadequate maintenance, including, but not limited to, conditions constituting a public nuisance, contributing to the diminution of the property values of surrounding properties, undermining the economic vitality of a neighborhood or creating health or safety dangers.
- B. “Boarded building” or “boarded up” shall mean a building whose doors or windows have been covered with plywood or other material.
- C. “Building” means any commercial or industrial structure approved for occupancy.

D. “Vacant building” or “vacant” shall mean a building located within a commercial or industrial zoning district which is unoccupied or which is not being put to a lawful commercial or industrial use.

8.44.030 Boarded and vacant buildings prohibited.

A. The owner of any boarded building, whether boarded by voluntary action of the owner or as a result of enforcement activity by the city, shall cause the boarded building to commence rehabilitation for occupancy within thirty (30) days after the building is boarded.

B. No person shall allow a building designed for human use or occupancy to stand vacant for more than thirty (30) days, unless one of the following applies:

1. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.
2. The building meets all codes, does not contribute to blight, is ready for occupancy, and is actively being offered for sale, lease, or rent. “Actively” means that 1) the site/building has a sign visible to the public right-of-way noting the site is for sale, lease or rent with a valid contact phone number and/or email address on the sign; and 2) the site is advertised online for sale, lease or rent. The owner must keep on file with the City the name, address, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to inquiries. The local contact person shall be available to accept telephone calls and respond physically to the building within 30 minutes when the property is vacant.
3. Buildings that the City has tagged as unsafe for occupancy and the owner actively works to abate the violation within the timeframe specified in the notice to the owner.
4. The Building Official or his or her designee determines that the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:
 - a. Maintenance of landscaping and plant materials in good condition.
 - b. Maintenance of the exterior of the building, including but not limited to paint and finishes, in good condition.
 - c. Regular removal of all exterior trash, debris and graffiti.
 - d. Maintenance of the building in continuing compliance with all applicable codes and regulations.

e. Prevention of criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity.

5. There is a pending planning entitlement application for the subject property.

8.44.040 Permitted time periods to commence and correct violations.

A. Any owner of a boarded building in violation of subsection 8.44.030(A) or any owner of a vacant building in violation of subsection 8.44.030(B), except for subsection 8.44.030(B)(3) which has separate deadlines, shall commence any corrections or repairs necessary to comply with this chapter within thirty (30) days of the date of the issuance of the notice of violation. The date of the issuance of the notice of violation shall be the date the notice of violation is mailed to the property owner or posted on the property as provided for in section 8.44.050, whichever is earlier. Provided the property owner diligently pursues corrections or repairs to completion, no administrative penalties shall be imposed. In the event the property owner does not request a hearing or commence corrections within thirty (30) days of the date of the issuance of the notice of violation, the city may impose administrative penalties as provided for in section 8.44.090. In the event the property owner requests a hearing, the thirty (30) day correction commencement period shall be suspended from the date of the request until such time as the hearing officer renders a decision. Upon the issuance of the hearing officer's decision, the property owner shall have the balance of the original thirty (30) day period to commence any necessary corrections or repairs before administrative penalties accrue.

B. Prior to the expiration of the thirty (30) day correction commencement period, the property owner shall submit a building permit or rehabilitation plan to the Building Official or his or her designee. The rehabilitation plan shall include the following:

1. A statement outlining the property owner's plan for remedying each of the conditions described in the notice of violation as constituting a violation of this chapter.
2. The expected timeline for completing any necessary corrections or repairs.

C. Once the property owner commences corrections or repairs, the owner shall work diligently to ensure such corrections or repairs are completed in a timely manner. In no case shall completion of such repairs or corrections take longer than ninety (90) days from the date of the issuance of the notice of violation, sixty (60) days from the end of the thirty (30) day correction commencement period or any extension as provided for in section 8.44.070, whichever is later. In the event a property owner does not comply with this subsection, the city may impose administrative penalties as provided for in section 8.44.090.

8.44.050 Notice of violation.

A. The Building Official or his or her designee shall issue a notice directed to the record owner of the premises. The notice shall contain:

1. The street address and such other description as is required to identify the premises.
2. A statement specifying the conditions which constitute a violation of this chapter.
3. A statement that administrative penalties may begin to accrue upon the expiration of the thirty (30) day correction commencement period if the property owner does not begin to make corrections or repairs to remedy any violations of this chapter. The statement shall state that the thirty (30) day correction commencement period begins on the date of the issuance of the notice of violation. The statement shall identify the date of issuance.
4. A statement that the property owner must submit a building permit application or rehabilitation plan specifying how the conditions constituting a violation of this chapter will be remedied and the expected timeline for doing so.
5. A statement notifying the property owner that he or she may request a hearing within twenty (20) calendar days of the mailing of the notice to dispute the existence of any violation or to show cause why an administrative penalty should not be assessed in accordance with this code. The statement shall notify the property owner that the thirty (30) day correction commencement period shall be suspended from the date of a request for a hearing until such time as the hearing officer renders a decision.
6. A statement advising the owner that he or she has the option of voluntarily correcting the condition(s) which violate the provisions of this chapter prior to the imposition of administrative penalties. If the owner chooses to correct the conditions, the corrections must be completed prior to the expiration of the ninety (90) day correction completion period or any applicable extension, whichever is later. This requirement shall be satisfied even if the building permit expires at a later date. The owner must advise the code enforcement officer in writing that he or she will correct the conditions and the date of completion. The code enforcement officer or his or her designee will inspect the premises on the completion date, and if the conditions have been corrected, no administrative penalties will be assessed.
7. A statement notifying the property owner that he or she may request an extension as provided for in section 8.44.070.

B. The notice of violation, and any amended or supplemental notice, shall be served either by personal delivery or by return receipt mailing upon the record owner at his or her address as it appears on the latest equalized assessment roll of Napa County, or as known to the code enforcement officer. A copy of the notice any amended or supplemental notice shall also be posted on the building.

8.44.060 Opportunity for an appeal hearing.

Appeal hearings shall be requested, scheduled and conducted as provided for section 1.12.170 of the St. Helena Municipal Code.

8.44.070 Extension

The Building Official or designee may, upon request of the owner of the premises grant a thirty (30) day extension from the expiration of the ninety (90) day correction completion period for good cause shown. The Building Official or designee may grant extensions for each property in violation of this chapter. Administrative penalties shall not accrue during the extension period.

8.44.080 Inspection of premises.

A. If the property owner requests a hearing, the hearing officer may, with the consent of the owner, inspect the building and premises involved in the hearing prior to, during or after the hearing, provided that:

1. Notice of such inspection shall be given to the parties before the inspection is made;
2. The parties are given an opportunity to be present during the inspection; and
3. The hearing officer shall state for the record during the hearing, if requested, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusion drawn therefrom.

B. The owner shall have a right to rebut or explain the matters stated by the hearing officer pursuant to subsection (A) either for the record during the hearing or by filing a written statement within five (5) days after the hearing for inclusion in the hearing record.

C. An inspection warrant or the owner(s) consent to inspect the building and surrounding properties is required unless such inspection can be made from areas in which the general public has access or with permission of other persons authorized to provide access to the property on which the building is located.

8.44.090 Administrative penalty.

A. Any owner of a boarded building which remains boarded in violation of subsection 8.44.030(A) or any owner of a building which remains vacant in violation of subsection 8.44.030(B) beyond the time period for remediation allowed who fails to commence corrections or repairs within the correction commencement period allowed for in subsection 8.44.040(A) shall be liable for administrative penalties.

B. Any owner of a boarded building which remains boarded in violation of subsection 8.44.030(A) or any owner of a building which remains vacant in violation of subsection 8.44.030(B) beyond the correction completion period allowed for in subsection 8.44.040(C) or any extension as provided for in section 8.44.070, whichever is later, shall be liable for administrative penalties.

C. Any violation of section 8.44.030 shall be a misdemeanor. Any administrative penalty imposed pursuant to this chapter shall be in an amount (1) not to exceed one hundred dollars (\$100.00) for a first violation; (2) not to exceed five hundred dollars (\$500.00) for a second violation of this chapter within one year; or (3) not to exceed one thousand hundred dollars (\$1,000.00) for each additional violation of the same chapter within one year. Each and every day, or portion thereof, of continuing violation shall constitute a separate and distinct offense.

8.44.100 Administrative penalty - factors.

In setting the penalty, the Building Official or his or her designee shall consider factors including, but not limited to: the severity, extent and length of time in which the blighting conditions have existed on the property; the owner's efforts, or lack thereof, to remedy the problem; staff time and costs incurred in investigating the conditions; and the extent, if any, to which an administrative penalty would impose.

8.44.110 Payment of administrative penalty.

A. Upon the expiration of the thirty (30) day correction commencement period, the ninety (90) day correction completion period or any applicable thirty (30) day extension, whichever is applicable, the city may send the property owner a letter notifying him or her of any administrative penalties being imposed. The city shall send a letter each and every time administrative penalties are imposed. The administrative penalty shall become due and payable within thirty (30) days of the mailing of the letter notifying the property owner of the administrative penalty.

B. If the administrative penalty is not timely paid, the city may initiate action to collect the penalty by the remedies and procedures provided for in section 1.12.020.

An administrative penalty shall accrue interest at the same annual rate as any civil judgment. Interest shall accrue commencing on the 31st day following the date the penalty is due and payable as provided for in subsection (A) of this section."

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 23rd day of April, 2024, and was adopted at a regular meeting of the St. Helena City Council on the ____ day of _____, 2024, by the following vote:

Mayor Dohring:	_____
Vice Mayor Hall:	_____
Councilmember Chouteau:	_____
Councilmember Kenealy:	_____

Councilmember Summers: _____

APPROVED:

Paul Jamison Dohring, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk
CITY OF ST. HELENA