



City of St. Helena
Special Joint City Council and Planning
Commission Meeting
Tuesday, August 19, 2025 @ 5:30 PM
Vintage Hall Boardroom - 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 joint meeting will be live-streamed on Comcast Channel 28 and on the City's website.

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

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofsthelelena.gov.

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

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

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

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1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPTION OF THE AGENDA
4. ROLL CALL
Mayor: Paul Dohring, Vice Mayor Michelle Deasy, City Council Members:
Aaron Barak, Kate Spadarotto, Billy Summers

Acting Chair: Chris Warner, Commissioners: Autumn Anderson, Michelle Covell, Sue Furdek, Hector Lopez
5. PUBLIC FORUM:
Under California law, public comments at special meetings are limited to subjects on the agenda only. Therefore public comment will take place during

consideration of the item. Each person's comments shall be limited to 4 minutes.

6. NEW BUSINESS

6.1. Discussion on State Housing Legislation and its Impact on Local Housing Policies

5 - 49

[Presentation](#)

7. ADJOURNMENT

The next Regular City Council meeting is scheduled for August 26, 2025 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 August 14, 2025.

Erika Opp, Administrative Analyst

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

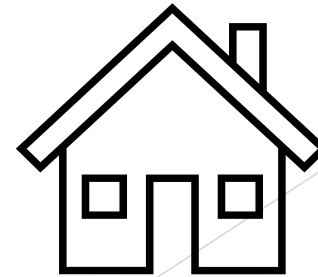
Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda,

will be available for public review in the City Clerk's Office located at 1088 College Avenue, St. Helena, California, during normal business hours. 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.

Special City Council/ Planning Commission Meeting

August 19, 2025

State Housing Laws and Local Control



AGENDA

- Purpose of Meeting
- Background on St. Helena Housing Growth
- Housing Pipeline
- Housing Policy
- Housing Accountability Act, Density Bonus, 'By Right' Approval, Budget Trailer Bills
- Litigation, HCD and the Courts
- What can cities do?
- Q&A/Public Comment
- Closing comments/discussion City Council and Planning Commission

Purpose of Meeting

- Educate Community about how current housing laws affect what a City can change about a Housing Development
- Discuss limitations on denial of a housing project
- Explain Density Bonuses and City process for 'by right' approval
- Allow for Question and Answer
- Receive feedback from City Council and Planning Commission
- Session will not discuss any specific St. Helena housing projects

St. Helena General Plan 2019

Figure 2.3-1

Proposed General Plan Land Use Diagram

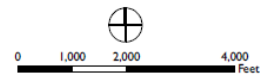
St. Helena General Plan

- 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

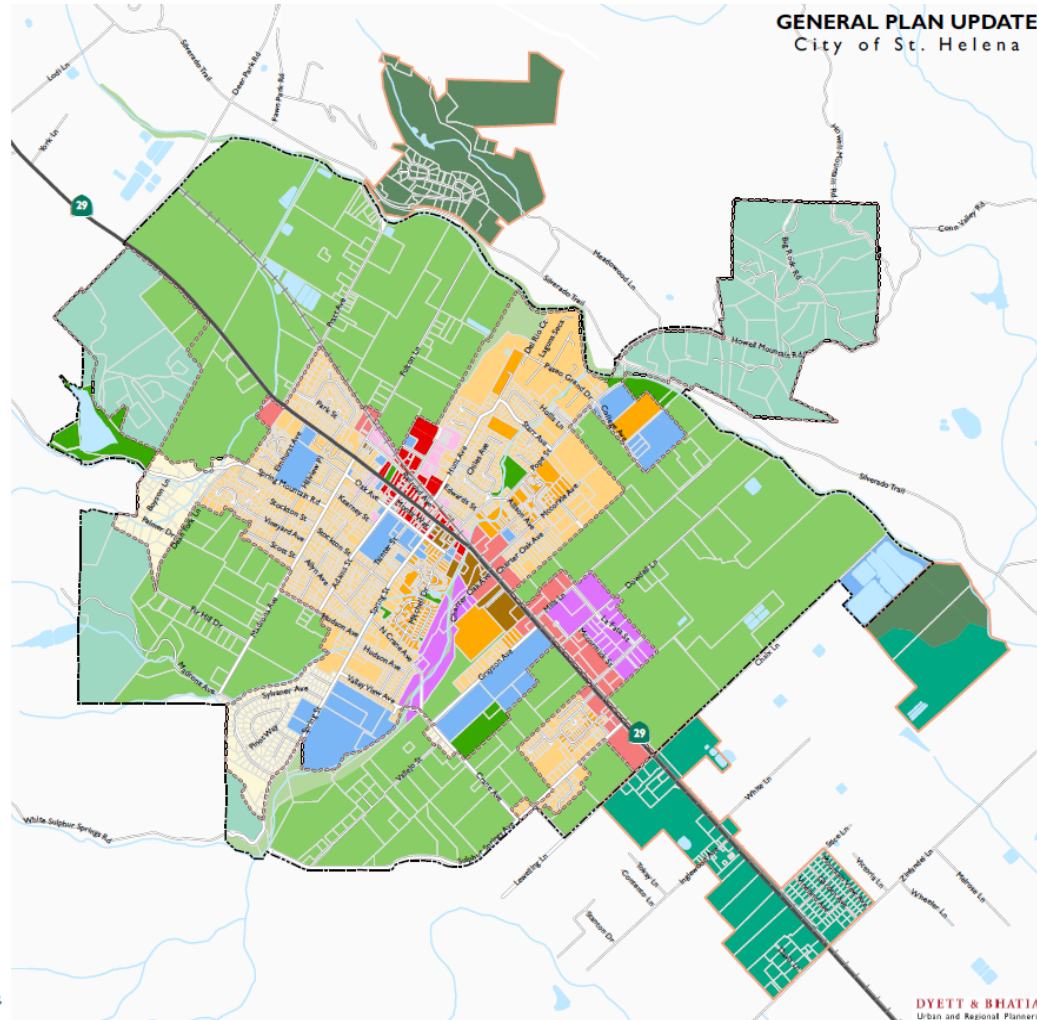
Napa County General Plan

- Agricultural Resource
- Agriculture, Watershed and Open Space

- Railroad
- Water Features
- Urban Limit Line
- Study Areas
- City of St. Helena



Data Source: City of St. Helena, 2018; Napa County, 2018; Dyett & Bhatia, 2018



DYETT & BHATIA
Urban and Regional Planners

Background on St. Helena Housing: General Plan Land Use Categories

Land Use Category	Density/ Intensity	Examples
Low Density Residential (LDR): Single-family detached homes, secondary residential units and limited agricultural uses.	1.0 to 5.0 dwelling units per acre	  
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	  

Background on St. Helena Housing Growth: Adopted Regional Housing Needs Assessment (RHNA)

Income/ Affordability Category	RHNA Allocation	Units Issued Building Permits or Certificate of Occupancy (as of 1/1/2025)	Remaining RHNA
Lower	163	2	161
Moderate	26	1	25
Above Moderate	67	31	36
Total	256	34	222

Projects in the Pipeline

	Location	Lower Income	Moderate Income	Above Moderate Income	Total	Year Expected Complete
Hunter Subdivision	Terminus of Adams and Library Lane	13	2	60	75	2028
OTSH Multi-family	951 and 963 Pope St	8	2		10*	2026
OTSH Multi-Family (HE Site 5)	Main St between Mills Ln and Dowdell	39			40	2028
Spring Grove Townhomes (HE Site 9)	1447 and 1515 Spring St		8	33	41	TBD
TOTAL		60	12	93	156	

*One unit is existing single family so net new housing units is 9

Note: Housing Element Site 10 (1933 Spring St), while no application or plans have been received, the property owner has expressed interest in developing multi-family units on this site. The minimum density for the 4.4 acre site would be 71 units.

Housing Element Sites Map (Figure 49)





State Housing Laws

Featured Speaker: Barbara Kautz

Attorney, Goldfarb and Lipman LLP



California's Housing Laws

Barbara E. Kautz

Goldfarb & Lipman LLP

City of St. Helena Joint City Council and
Planning Commission Meeting

August 19, 2025

Presentation Overview

- Introduction: State Housing Policy
- The Housing Accountability Act
- Density Bonuses
- “By Right” Approval in St. Helena
- New! 2025 Budget Trailer Bills
- Litigation, HCD, and the Courts
- What Can Cities Do?

State Housing Policy

Making It Hard to Deny Housing Projects

“The Legislature’s intent in enacting this section in 1982 and in expanding its provisions since then was to significantly increase the approval & construction of new housing for all economic segments of California’s communities by meaningfully and effectively *curbing the capability of local governments to deny, reduce the density of, or render infeasible housing development projects*. This intent has not been fulfilled.”

The Housing Accountability Act

Preliminary Applications

“Preliminary application” freezes development standards as of date all required info was submitted

- But project must meet these timelines:
 - Project application must be filed within 180 days
 - Applicant must complete application within 90 days of receiving incomplete letter
- Can be submitted for ANY housing project.

Five-Meeting Limit for Housing Projects

City cannot hold more than 5 public meetings on any housing project after project is “complete”

- Includes appeals and continuances
- Includes any meeting organized by the City
- Applies to single-family homes

Key Provisions

Denial only if:

- **Project doesn't comply with "objective standards" OR**
- **Results in "specific adverse impact" on public health & safety**
 - A "significant, quantifiable, direct, and unavoidable impact, based on **objective, identified, written public health or safety standards**" that can't be mitigated

“Affordable” Project

Includes housing projects with:

- 13% low income;
- 10 % very low income;
- 7 % extremely low income; and
- 10 or fewer units at density of at least 10 units/acre on a site smaller than one acre

Key Provisions - “Affordable” Project

Denial of “affordable” project only if:

- Doesn’t comply with both zoning and general plan
- “Specific adverse impact”
- Doesn’t comply with state or federal law
- Inadequate water or sewer
- Zoned for ag or resource preservation;
surrounded on two sides by sites used for that

What Is an “Objective Standard”?

“Involves no personal or subjective judgment by a public official and verifiable by referring to an external benchmark”

OBJECTIVE	SUBJECTIVE
DENSITY REQUIREMENTS	REFLECT THE LOOK AND FEEL OF THE COMMUNITY
HEIGHT LIMITS	SITE IS NOT PHYSICALLY SUITABLE FOR THE PROPOSED USE
LOT COVERAGE	MUST BE COMPATIBLE WITH ADJACENT USES
SETBACKS	
FAR REQUIREMENTS	

What Is NOT an “Objective Standard”?

- “If height varies by more than one story between buildings, a transition or step in height is necessary.”



Why Isn't This Standard “Objective”?

- Could be a “transition” of trees and a trellis instead of a stepback
- Not clear how far upper floors must step back
- Not clear how far along building the stepback must run
- Not clear how many floors must step back

Implications for Project Review

- Strict standard for “objective”
- Subjective standards adopted before 1-1-20 can be used to apply conditions but cannot:
 - Reduce density or effectively deny project.
 - Make affordable project infeasible
 - Cannot be used on ‘by right’ project.
- BUT: Developers can obtain waivers of most City standards

California Environmental Quality Act

If project requires discretionary approval, CEQA may apply

- Many more exemptions - no environmental review
- Mitigation measures can be imposed if project not exempt



Density Bonuses

Density Bonus Law

- Eligible project: 5% to 100% affordable housing
- Eligible projects entitled to receive:
 - A **density bonus** [20 - 100%, or unlimited];
 - 1 - 7 “**incentives / concessions**” [reduce costs]
 - **Unlimited waivers** of development standards
 - Reduced **parking** requirements.
- Density Bonus project = consistent with City standards
 - So can qualify for many CEQA exemptions

Concessions and Waivers for Density Bonus

- Can only be denied if:
 - “Specific, adverse impact”
 - Violates state or federal law
 - Adverse impact on project listed on California Register
- Concessions may also be denied if they do not result in “identifiable and actual cost reductions”

Density Bonus Law

- Affordable units required by City can qualify project for density bonus (*Latino Unidos v. County of Napa*)
- Example:
 - St. Helena requires 20% lower or moderate income units
 - All of these projects are eligible for a density bonus (plus parking reductions, one or more concessions, and unlimited waivers)



‘By Right’ Approval in St. Helena

‘By Right’ Approvals

- No CEQA review
- Only objective design review; may impose conditions
- Applies to:
 - **Housing element sites** designated for lower income housing if project has 20% lower income units and no subdivision is needed.

‘By Right’ Sites in St. Helena

- Rezoned sites:
 - 1480 Main Street
 - 1572 Railroad Avenue
 - 905 Main Street
 - Main Street b/t Mills & Dowdell Lanes
 - 882 -886 College Avenue
 - 1637 Spring Street
 - Spring Street b/t Hudson Avenue & Valley View Street
- Reused sites:
 - 821 Pope Street
 - 1447 and 1515 Spring Street

‘By Right’ Approval in St. Helena

- Subject only to minor design review (Section 17.05.080)
- Community Development Director reviews as part of building permit application based on objective design standards & findings
- Decision may be appealed to Planning Commission and appealed from PC to City Council

New!

2025 Budget Trailer Bills

Broad New Infill Exemption (AB 130)

Housing Projects in City Are Exempt from CEQA If:

- Site not more than 20 acres
- Previously developed with an urban use or 75% surrounded by urban uses or near urban uses
- Consistent with general plan and zoning
- At least 10 du/acre
- Meets certain environmental standards
- Doesn't demolish listed historic resource

Broad New Infill Exemption (AB 130)

Tribal Notification

- Tribes have 60 days to respond
- Consultation must be completed in 45 - 60 days

City Must Then Approve or Deny Project Within 30 Days after Tribal Notification Complete

- Appeals not included in 30-day limit
- 90-day extension possible

Litigation, HCD, and the Courts

HCD and Attorney General Enforcement

- HCD Housing Accountability Unit with at least 25 staff
 - Broader and broader authority
 - Letters of Technical Advice
 - Notices of Violation
 - Referral to Attorney General
- Attorney General has 12-person strike force that acts independently

HCD Decertification & the Builder's Remedy

- HCD has authority to “decertify” housing element
- Would subject St. Helena to the “builder’s remedy”
 - Any site could be built with “base density” of 65 du/acre; could be doubled with density bonus
 - Project could qualify for new infill exemption
 - Must be approved “as proposed by the applicant”

Third-Party Litigants & Aggressive Developers

Californians for Homeownership, YIMBY, California Housing Defense Fund

- Have sued dozens of cities on housing elements
- Often join in, or are plaintiffs, in litigation related to denials of housing development

Developers' attorneys

- More & more aggressive, demanding, & challenging

Housing Cases in General

- Courts:

- Generally very pro-housing
- Uphold housing approvals
- Overturn denials

- City risks:

- Significant attorneys fees exposure
- High defense costs
- Bill proposed with fine of \$10,000/unit if ignore letter from HCD or AG



What Can Cities Do?

Proactive Steps

- **Adopt objective health & safety standards**
 - Examples: sidewalk & bikeway standards, street design, “safe routes to school,” fire evacuation standards, adequate sewer & water capacity, etc.
- **Designate historic sites and buildings**
- **Adopt standards requiring studies of environmental issues apart from CEQA**
- **Adopt environmental standards & mitigation measures**
- **Contact your legislators**

Project Review

- **Review under CEQA, If Not Exempt**
 - Analysis of environmental issues required
 - City may impose feasible mitigation measures
- **Enforce Health & Safety Standards**
- **Enforce State & Federal Law**
- **Protect Some Historic Sites**

Thank You and Q&A/Public Comment