

Chapter 19.41 DESIGN PERMITS

19.41.010 Purpose.

The purpose of this chapter is to:

- A. Provide for a review process that promotes excellence in site planning and architectural design, consistent with general plan design policies;
- B. Encourage the harmonious appearance of buildings and sites;
- C. Ensure that new and modified uses and development are compatible with existing and potential uses in the surrounding area;
- D. Produce an environment of stable, desirable character. (Ord. 2001-02 § 1 (part), 2001)

19.41.020 Applicability.

Design permit approval by the community development director or planning commission is required for the following:

- A. New structures, except single-family detached dwellings and their attendant accessory structures constructed on a parcel of land. However, when a builder constructs three or more single-family dwellings in a single subdivision in one year, or on a single block in one year if the lots are not located within a subdivision, the dwelling units shall be subject to approval of a design permit.
- B. Enlargements and exterior alterations of structures, including repainting and color changes of commercial, industrial and multi-family structures, but excluding enlargements and alterations of single-family dwellings for which a design permit was not originally required, unless required as a condition of another approval.
- C. Alterations of land in commercial or industrial districts, and/or of sites of more than one acre in residential districts. (Ord. 2009-10 § 3, 2009; Ord. 2001-02 § 1 (part), 2001)

19.41.030 Design permit approval.

Except as provided in this chapter, no building or structure may be erected, and no building may be enlarged or altered, and no site may be altered until a design permit application has been approved by the community development director or planning commission, as required below. Such review and approval may take place concurrently with the review of any other required approvals.

- A. Community Development Department Director Approvals. The community development director may approve the following design permit applications. No public hearing shall be required unless the design permit is being processed concurrently with other applications for which a hearing is required. In this case, the design permit shall be considered at the same public hearing.
 1. Two-family dwellings and appurtenant accessory structures.
 2. Multifamily projects containing fewer than five units.
 3. Commercial structures containing less than five thousand square feet total, industrial structures

containing less than twenty thousand square feet total, and subsequent substantial changes of use to these structures.

4. Enlargements or alterations to a project originally approved by the planning commission involving an area of less than five percent of the project's floor or site area, that the director deems to be compatible with the original approval and an insignificant alteration to the project's appearance.

5. Any visible enlargements or alterations to projects, as determined by the community development director.

6. Changes in use to structures or property which cause a project to not meet design standards contained in this title for landscaping, parking, signage, screening, etc.

B. Planning Commission Approvals. The planning commission may approve the following design permit applications following a public hearing pursuant to the procedures set forth in Chapter 19.40:

1. Multifamily dwelling projects containing five or more units.

2. The construction in one year by a single builder of three or more single-family dwellings in a single subdivision, or on a single block if the lots are not located within a subdivision, except such construction in the PC zone district.

3. Commercial structures containing five thousand total square feet or more and industrial structures containing twenty thousand square feet or more, and/or substantial changes of use to these structures.

4. Enlargements and/or exterior alterations of projects and/or sites involving an area of more than five percent of the project's floor and/or site area, or lesser changes that the community development director has determined potentially represent a significant alteration to a project's and/or site's appearance.

5. Sign programs requiring commission approval, pursuant to Chapter 19.23.

6. Design permit applications referred to the commission by the director because of unique circumstances, potential public controversy or a need for policy direction. (Ord. 2009-10 § 3, 2009; Ord. 2001-02 § 1 (part), 2001)

19.41.040 Scope of design permit review.

The following areas of design shall be considered in reviewing design permits:

A. Site Planning.

1. Appropriateness of setbacks, site coverage, building heights, and outdoor use areas,
2. Adequacy of parking, and vehicular and pedestrian circulation,
3. Relationship to abutting or adjacent sites and land uses; minimization of impacts on residential districts,
4. Preservation of natural site amenities,
5. Use of landscaping, outdoor lighting, and outdoor furniture,
6. Usability of public and private open spaces;

B. Structural Design.

1. Scale, mass, bulk, and proportions,
2. Compatibility with the desirable qualities of the area and/or streetscape,
3. Compatibility of building materials and detailing for all structures,
4. Relationship to other structures and accessory elements on a site,

5. Screening of utility and mechanical facilities,
6. Design of fences and walls,
7. Use of architectural elements that contribute to visual interest and variety, including variation to wall planes, multiple roof lines and defined entries. (Ord. 2001-02 § 1 (part), 2001)

19.41.050 Required findings.

Approval of a design permit application may be granted by the appropriate decision-making authority only if all of the following findings are made:

- A. The project complies with all applicable provisions of this title and any applicable approvals granted for the project by any decision-making authority.
- B. The project and its design complies with any applicable design guidelines.
- C. The project and its design complies with all applicable general plan policies.
- D. The project's quality and character are compatible with the surrounding area, unless physically deteriorated or blighted, and will not be materially detrimental to existing development.
- E. The proposed design is compatible with existing development in the area in terms of scale, height, bulk, proportion, materials, cohesiveness, color, and the preservation of privacy.
- F. The design improves the community's appearance by avoiding both excessive variety and monotonous repetition.
- G. The proposed design promotes a harmonious transition in terms of scale and character between areas of different general plan land use designations and zoning districts.
- H. The proposed design provides for adequate and safe on-site vehicular and pedestrian circulation. (Ord. 2001-02 § 1 (part), 2001)

19.41.060 Expiration of approval.

- A. If the project for which a design permit has been approved pursuant to this chapter has not been inaugurated within two years of the granting of the design permit, the approval shall become null and void and of no effect. This provision shall not apply to applications approved in conjunction with another discretionary permit. In such cases, the expiration period shall coincide with that of the associated period.
- B. An extension of time may be granted by the community development director upon the written request by a responsible party before the expiration of the two-year period, provided that:
 1. There have been no changes in the approved plans; and
 2. There has been no change of circumstances which would prevent any of the required findings of approval to be made. (Ord. 2001-02 § 1 (part), 2001)

Sections:

- 17.06.010 Purpose.
- 17.06.020 Review required.
- 17.06.030 Repealed.
- 17.06.035 Design Advisory Panel.
- 17.06.040 Guidelines.
- 17.06.050 Review process.
- 17.06.060 Repealed.
- 17.06.070 Time limits/appeals.

17.06.010 Purpose.

The purpose of design review is to secure the general purposes of this title and the General Plan; to promote good design and a harmonious relationship of buildings; to preserve the unique character and ambiance of Calistoga; to promote efficient use of landscape resources; to ensure high quality of design and materials; to ensure compatibility of new development with existing development and to promote the preservation of historic structures of Calistoga. (Ord. 645 § 1, 2007; Ord. 577 § 2, 2001; Ord. 546 § 1, 1998).

17.06.020 Review required.

- A. Design review shall be required for the following:
 - 1. All proposals which require a conditional use permit;
 - 2. All proposals for new construction or substantial alterations on lands designated hillside overlay areas as defined in Chapter 17.15 CMC. For the purposes of this section, "substantial alteration" shall be defined as a change, modification or addition to an existing structure that will significantly alter the visual character of the structure as viewed from the public right-of-way;
 - 3. Multifamily developments;
 - 4. Exterior alterations, additions or site modification to commercial or industrial, multifamily dwellings or public structures including alterations such as awnings, paint or materials, lighting, murals and signs;
 - 5. Alterations or expansion to any structure listed or eligible for inclusion on a federal, state or local inventory of historic or cultural resources, or to a structure that is at least 50 years of age or older;
 - 6. New residential development with more than 4,000 square feet of floor area including garages and outbuildings;
 - 7. Tentative subdivision maps (five or more lots);
 - 8. Developments of two or more dwelling units utilizing substantially similar building designs;
 - 9. All new public or private parking lots or renovation of public or private parking lots for three or more spaces;
 - 10. All new commercial, industrial or public development proposals or renovation proposals to existing commercial, industrial or public facilities or developments;
 - 11. All new signs or modifications to existing signs.
- B. Design review shall not be required for the following:
 - 1. Minor repair or maintenance of commercial, industrial or public buildings where the work solely involves the replacement of materials in like kind or which is in an area not visible from the public right-of-way or accessible to the public;
 - 2. Proposals determined by the Director of Planning and Building to raise no substantial design issues in conflict with those outlined in CMC 17.06.010 and 17.06.040. In these instances, the Director may waive the requirement for design review and may ensure compliance with this title through review of the plans submitted for a building permit;
 - 3. A second dwelling unit approved in accordance with the provisions of Chapter 17.37 CMC. (Ord. 645 § 1, 2007; Ord. 599 § 3, 2004; Ord. 577 § 2, 2001; Ord. 546 § 1, 1998).

17.06.030 Design Review Board.

Repealed by Ord. 577. (Ord. 550 § 1, 1999; Ord. 546 § 1, 1998; Ord. 512 § 1, 1995).

17.06.035 Design Advisory Panel.

- A. Establishment and Purpose. There is hereby established a Design Advisory Panel consisting of members who are qualified by experience and training to advise and provide technical assistance to the Director of Planning and Building, the Planning Commission and the City Council in regards to design matters pursuant to this chapter.
- B. Panel Formation.
 1. The panel shall be comprised of five members who shall have residency within a 50-mile radius of the City of Calistoga. No member of the City Council, Planning Commission, or City Employee shall serve as a member of the panel. Preference in appointment shall be given to those qualified candidates who reside within the boundaries of the Calistoga Joint Unified School District.
 2. Although no certification is required for appointment, individuals shall be experienced or educated in the architecture, landscape architecture, planning, cultural/historic resources, and other design-related fields. A diversity of members is encouraged from all professions and from a variety of design firms. The panel shall utilize a rotating schedule so that at least three of the five members participate in a panel discussion/deliberation.
 3. Terms for the Design Advisory Panel shall be staggered in two-year terms after the initial panel has been appointed. There shall be no limit on the number of terms a person may serve. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.
 4. Panel members shall be appointed by the Mayor and confirmed by the City Council. Removal of a member may occur by a majority vote of the City Council.
 5. The Chair of the panel shall be elected by majority vote of the members and shall serve a one-year term.
- C. Panel Authority. The panel shall function on an on-call basis and serve as a sounding board and advisory group to identify design issues and ideas for project improvement for the benefit of the project proponent, the Director of Planning and Building, the Planning Commission and the City Council. Advice from the panel shall not be a binding action.
- D. Meeting Schedule.
 1. The panel shall meet on an as-needed basis as called by the Director of Planning and Building or the Planning Commission.
 2. A public meeting notice (a minimum 72 hours posted in advance) shall specify the time, place and business to be conducted.
 3. All meetings of the panel shall be open to the public.
 4. The Director of Planning and Building shall serve as the secretary to the panel. (Ord. 645 § 1, 2007).

17.06.040 Guidelines.

Each application for development shall be reviewed to determine whether the proposed development attains the purposes set forth in CMC 17.06.010 and is in compliance with the following design review guidelines:

- A. The extent to which the proposal is compatible with the existing development pattern with regard to massing, scale, setbacks, color, textures, materials, etc.;
- B. Site layout, orientation, location of structures, relationship to one another, open spaces and topography;
- C. Harmonious relationship of character and scale with existing and proposed adjoining development, achieving complementary style while avoiding both excessive variety and monotonous repetition;
- D. Building design, materials, colors and textures that are compatible and appropriate to Calistoga. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
- E. Harmony of materials, colors, and composition of those sides of a structure which are visible simultaneously;
- F. Consistency of composition and treatment;
- G. Location and type of planting with regard to valley conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to ensure water conservation and maintenance of all plant materials;
- H. Whether exterior lighting, design signs and graphics are compatible with the overall design approach and appropriate for the setting;
- I. The need for improvement of existing site conditions including but not limited to signage, landscaping, lighting, etc., to achieve closer compliance with current standards;
- J. Whether the design promotes a high design standard and utilizes quality materials compatible with the surrounding development consistent with and appropriate for the nature of the proposed use;
- K. Responsible use of natural and reclaimed resources. (Ord. 645 § 1, 2007; Ord. 577 § 2, 2001; Ord. 546 § 1, 1998).

17.06.050 Review process.

- A. Before any building, structure, sign or landscape area subject to design review is erected, constructed, altered, moved, or remodeled, design review approval shall be obtained.
- B. For applications which do not require a discretionary permit, such as a conditional use permit, the action of the Director of Planning and Building shall be final unless appealed.

C. In the case of a use permit or other application which requires Planning Commission approval, the recommendation of the Director of Planning and Building shall be considered at the time of the Planning Commission hearing. The Commission shall have final authority on all design review issues, unless the action is appealed to the City Council, and shall either approve, conditionally approve or deny the design.

D. The Director of Planning and Building is authorized to review and issue staff approval of minor design reviews (e.g., signs, awnings, paint colors, fencing, screening, etc.). Applications which are denied, or conditions which are imposed at the staff level may be appealed to the Planning Commission in accordance with CMC 1.20.020. Appeals heard by the Planning Commission shall be accompanied by the necessary drawings and plans, as determined by staff to adequately convey the design principles.

E. Prior to the issuance of a building permit, the applicant shall receive final approval by the Director of Planning and Building to ensure compliance with the conditions of approval. The Planning and Building Director may either grant approval administratively or may refer the proposal to the Planning Commission depending upon the nature and extent of conditions imposed upon the original project approval.

F. Before an occupancy permit is issued, there must be full compliance with all requirements and conditions as approved by the Director of Planning and Building, Planning Commission and City Council. If for any valid reason full compliance cannot be made, a cash bond shall be posted for the work to be completed within a reasonable period of time, as determined by the Director of Planning and Building.

G. In review of proposals requiring design review, the City shall not design or directly assist in the design of any buildings or projects submitted for approval. The City shall restrict its consideration to a reasonable review of the proposal relative to its compliance with the adopted design guidelines, leaving full responsibility for the design to the applicant.

H. The Director of Planning and Building or the Planning Commission or the City Council may refer a design review matter to the Design Advisory Panel for input and advice.

I. Conceptual design review applications shall be encouraged for any project which would benefit from early consultation with the Design Advisory Panel and/or the Planning Commission and shall be required for all new public, commercial, industrial, multifamily or residential subdivision projects. Recommendations provided by the Design Advisory Panel and/or the Planning Commission in this process are intended to serve as guidance only and shall not be considered an approval of an application. (Ord. 645 § 1, 2007; Ord. 577 § 2, 2001; Ord. 546 § 1, 1998).

17.06.060 Exemptions.

Repealed by Ord. 577. (Ord. 546 § 1, 1998).

17.06.070 Time limits/appeals.

A. All design review approvals shall remain effective for a one-year period from the date of approval or shall remain valid as long as there is a valid building permit for construction of the approved project. Design review granted in conjunction with other development applications shall remain in effect for the length of the accompanying applications, but in no case shall be longer than three years, unless otherwise approved by the Planning Commission.

B. Appeals of design review actions shall be governed by Chapter 1.20 CMC. (Ord. 645 § 1, 2007; Ord. 577 § 2, 2001; Ord. 546 § 1, 1998).

**Chapter 17.164
DESIGN REVIEW**

ST. HELENA

Sections:

- [17.164.010](#) Statement of policy.
- [17.164.020](#) Purpose.
- [17.164.030](#) Design criteria.
- [17.164.040](#) Limitations of review.
- [17.164.050](#) Applicability.
- [17.164.060](#) Exemptions.
- [17.164.070](#) Submissions.
- [17.164.080](#) Stages of inquiry.
- [17.164.090](#) Statement of minimum conditions.
- [17.164.100](#) Time limitations.
- [17.164.110](#) Notice.

17.164.010 Statement of policy.

The city council finds that new development can have a substantial impact on the character of the area in which it is located. Some harmful effects of one land use upon another can be prevented through zoning, subdivision controls and housing and building codes. Other aspects of development are more subtle and less amenable to exacting rules of thumb promulgated without regard to specific development proposals. Among these are the general form of the land before and after development, the spatial relationships of the structures and open spaces to proximate land uses and the appearances of buildings and open spaces as they contribute to an area as it is being developed. (Prior code § 27.375)

17.164.020 Purpose.

The purpose of design review are:

- A. To promote those qualities in the environment which bring value to the community;
- B. To foster the attractiveness and functional utility of the community as a place to live and work;
- C. To preserve the character and quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance;
- D. To protect certain public investments in the area;
- E. To encourage where appropriate, a mix of uses within permissible use zones;
- F. To raise the level of community expectations for the quality of its environment. (Prior code § 27.376)

17.164.030 Design criteria.

- A. In addition to the purposes prescribed in Section [17.164.020](#) the following factors shall be considered by the planning commission in reviewing all applications:

1. Consistency and compatibility with applicable elements of the general plan;
2. Compatibility of design with the immediate environment of the site;
3. Relationship of the design to the site;
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
6. Compatibility with future construction both on and off the site;
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
12. Whether natural features are appropriately preserved and integrated with the project;
13. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structures and functions;
14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
15. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;

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

B. The planning commission shall develop additional criteria for review of architectural and landscape plans. Such criteria shall be approved by the planning commission and city council and shall be designed to form a basis of understanding between project designers and the commission on design objectives for St. Helena. (Ord. 07-4 § 2 (part); prior code § 27.377)

17.164.040 Limitations of review.

A. The commission shall not design or assist in the design of any buildings or projects submitted for approval except on request of the proponent or his or her architect. The commission shall restrict its considerations to a reasonable and professional review of the proposal and plans, leaving full responsibility for the design and development to the applicant.

B. Individual initiative and experimentation are to be encouraged.

C. Only the proponent's failure to take reasonable account of the items discussed in Sections [17.164.010](#) through [17.164.030](#), shall justify the commission's disapproving a proposal solely on the basis of design.

D. In its endeavor to improve the quality of a design, the commission shall keep considerations of cost in mind. But consideration of cost shall not override the other objectives of this title.

E. The commission is not to use design review intentionally or inadvertently to exclude housing for minority groups or housing for low and moderate income persons.

F. The commission is not to use design review intentionally or inadvertently to prohibit or unduly restrict building types, materials or methods or to vary the specific allowances or other development controls. (Prior code § 27.378)

17.164.050 Applicability.

A. Any new building or structure or for exterior addition to, alteration of, or modification of any existing structure or building as regulated by each of the established zoning districts;

B. Structures or building/site modifications requiring use permits in any district;

C. Tentative map conditions shall include the requirement for design review prior to the issuance of any future building permits (Note: Effective on maps approved after January 1992);

D. Any public facility;

E. Demolition. Except when required for the emergency protection of public health, safety or welfare as determined by the city manager, no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the planning

commission in accordance with the following findings:

1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building. If a building is determined to be significant by the planning commission, no demolition will be authorized unless the following findings are made by the commission:

a. That the building poses a threat to health, safety and general welfare if it is not demolished,

b. That restoration of the building is not feasible or practicable using current building codes including, but not limited to, the Historic Building Code provisions of the Uniform Building Code of the state of California,

c. That no public or other funding is available for financing renovation or purchase of the building;

2. That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood;

3. That design review of the proposed replacement structure is approved prior to approval of the demolition of a housing structure.

F. Design review shall not be required for the following:

1. Those activities not described above,

2. 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.

(Ord. 07-4 § 2 (part): prior code § 27.379)

17.164.060 Exemptions.

A. Whenever the city planner finds that a proposal raises no substantial design problem of the sort outlined in Sections [17.164.010](#) through [17.164.030](#), the planner shall place such an exemption recommendation on the planning commission's consent agenda.

B. The planning commission may delegate to the city planner responsibility for review and recommendation for applications for zoning and building permits in those cases, where in the opinion of the commission, the proposed use or structure would not have a significant impact on neighboring properties or on the entire area, or in cases where the proposed use of structure is clearly consistent with the purposes of Sections [17.164.020](#) and [17.164.030](#) and the remaining requirements of this chapter and the general plan.

C. The city planner may review and approve the replacement of existing architectural features that do not involve substantial design changes or changes in materials. (Prior code § 27.380)

17.164.070 Submissions.

The proponent shall submit through the city planner the following:

A. Preliminary building floor plans and exterior elevations drawn to scale adequate to show clearly the design intent. These plans and exterior elevations shall include structures and significant natural features on abutting properties;

B. A site plan, or plans, at a scale to show clearly the following:

1. The dimensions, orientation, and acreage of each lot or plot to be built upon or otherwise used,
2. Layout of the entire project, and its relation to surrounding properties and the existing buildings thereon,
3. Location and dimensions of present and proposed street and highway dedication required to handle the traffic generated by the proposed use,
4. Location of points of entry and exit for motor vehicles and internal vehicular circulation patterns,
5. The location and layout of all paved areas including off-street parking and loading facilities,
6. All existing and proposed topography,
7. Location and size of existing and proposed planting and screening,
8. The size, shape and location of existing and proposed construction,
9. Indication of the proposed use of construction shown on the site,
10. Location of walls, fences and railings, and the indication of their height and the materials of their construction,
11. Indication of exterior lighting adequate to determine its character and to enable review of possible hazards and disturbances to the public and adjacent properties,
12. Indication of other potential disturbances to the public and adjacent properties due to noise or odors to be emitted by the proposed use,
13. Location, size and design of exterior signs and outdoor advertising,
14. A landscape plan showing grading, landscape materials and irrigating system,
15. A statement of sustainable and green building principles that have been incorporated into the site and/or building design,
16. A fee as determined by resolution of the city council;

C. A photocopy reduction of items in subsection B of this section at eight and one-half inches by eleven (11) inches;

D. The city planner may waive any of the above submissions that are believed unnecessary. The city planner may require such other information and exhibits as is deemed reasonably necessary to enable the planning commission to reach an informed result. That information may include:

1. Photographs taken on the site showing structures on adjoining property,
2. Detailed drawings of decorative elements,
3. Samples of exterior materials and colors,
4. Location and method of refuse storage,
5. Scale drawings of signs,
6. Sectional studies to explain the character of the design,
7. Scale models and/or perspective drawings and/or perspective drawings superimposed at proper scale on photographs of the property. (Ord. 07-4 § 2 (part): prior code § 27.381)

17.164.080 Stages of inquiry.

Prior to filing any submissions, the proponent and/or their architect are encouraged to meet with the city planner in order to obtain information on the general guidelines which the commission expects to use. The proponent or architect are entitled to have the commission's guidelines as they apply to their project in writing so that if they wish to rely on them, a permanent record of the basis for their reliance will exist. The commission will ordinarily approve, approve with minor modifications, or disapprove a proposal on the submissions described in Section [17.164.070](#) and for reasons based upon compliance with Sections [17.164.020](#) and [17.164.030](#). The commission may expressly reserve approval of detailed aspects of development not possible to decide on the submissions as provided by the proponent. (Prior code § 27.382)

17.164.090 Statement of minimum conditions.

Whenever the commission disapproves a submission, at the request of the proponent it will be obliged to specify in writing the conditions under which a majority of the commission would accept the submission. However, it is not the intent of this section to require the commission to furnish the applicant with a design. (Prior code § 27.383)

17.164.100 Time limitations.

When the city's only discretionary action is design review, the commission shall take action at the first reasonable opportunity. Unless environmental documentation is required, commission inaction within sixty (60) days of submission of a complete application shall constitute approval. The sixty (60) day review period can be extended by mutual consent of applicant and commission. (Ord. 02-6 § 17: prior code § 27.384)

17.164.110 Notice.

A. Entitlement to, method and time of notice under this chapter shall be determined by the secretary of the commission in consultation with the city attorney. Notice should be circulated to reach all interested members of the community in sufficient time to enable

them to participate meaningfully in commission proceedings and at the same time avoid undue expense and delay to the developer. For this purpose, notice may be had by posting, through advertisements in newspapers of general circulation and readership, by postcards, or any other means approved by the commission secretary and the city attorney.

B. Any person or organization desiring to be notified of any or all meetings held pursuant to a submission required by this chapter shall be entitled to notice by filing a request with the secretary and paying a fee reasonably calculated to meet the costs of such notice. (Prior code § 27.385)

This page of the St. Helena Municipal Code is current through Ordinance 2010-1, passed March 23, 2010.

Disclaimer: The City Clerk's Office has the official version of the St. Helena Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.st-helena.ca.us>
City Telephone: (707) 967-2792
Code Publishing Company

Division 2. — Building Types and Architectural Standards

Chapter 18.24 PURPOSE

18.24.010 Purpose.

The General Plan emphasizes creating a Town structure according to gridiron planning principles. For Yountville, it is necessary that the Town structure be reinforced by the quality and organization of individual buildings. Some types of buildings help to perpetuate the Town's rural scale, and others are damaging. The intention of this division is to encourage the production of locally appropriate building types, and to prohibit the continued intrusion of inappropriate ones. To the maximum extent possible, this title seeks to maintain the rhythm, scale, and diversity of buildings typical of Old Town. The design standards are directed toward ensuring a variety of building designs including street frontage, roof pitch, and architectural elements. Buildings that are designed, detailed, and constructed with care and consistency are encouraged. The overall intent is to invite buildings with uses that reinforce the walkable aspect of the Town and do not demand a substantial increase in parking. (Ord. 232-92 Ch. II Intro; Ord. 242-94 Ch. II Intro)

18.24.020 Floor area ratio.

All buildings are regulated by floor area ratio, FAR, which establishes a maximum permitted square footage, and height restrictions. It is intended to encourage a variety of building massing and of architectural style while disallowing the full build-out of the building envelope. Figure 15 illustrates the difference between regulating building massing by floor area ratio or by conventional envelope restrictions. One often results in homogeneity, while the other encourages diversity. The permitted FAR differs according to building type, and whether the lot is within an existing development, part of Old Town or part of a new development. Building heights are measured in two ways, they are measured from the average finished grade around the building to the plate height; there is also a maximum permitted height for the overall building, including a pitched roof or other architectural feature.

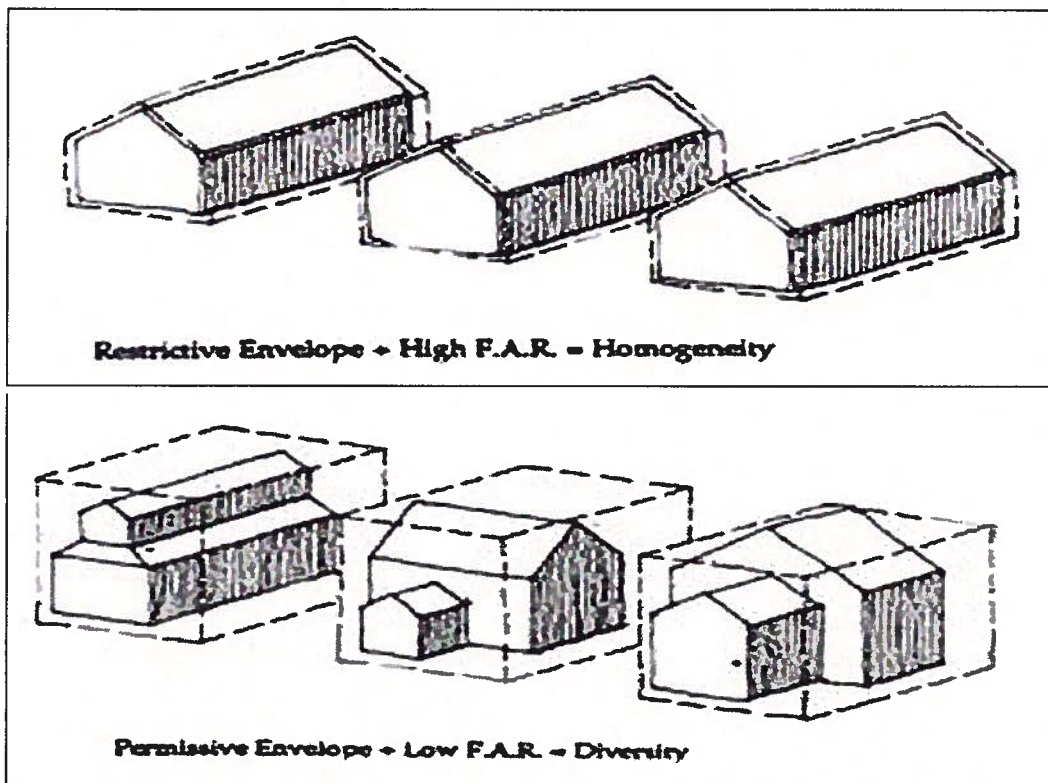


Figure 15

Sketches of Building Envelope Versus FAR

(Ord. 232-92 Ch. II Intro; Ord. 242-94 Ch. II Intro)

Chapter 18.28 THE CRAFT OF BUILDING

18.28.010 The craft of building.

Yountville's architectural heritage is not stylistically homogenous, and this title is not prescriptive about architectural style. Most of the existing buildings are simple shapes and of wood construction. The details of buildings are consistent with the selected materials. The Town and its buildings benefit from incorporating architectural features that are constructed with special care and skill. Therefore, there are a few principles of design and craft that all new buildings in Yountville should follow. (Ord. 232-92 Ch. II § A; Ord. 242-94 Ch. II § A)

18.28.020 Building materials.

A. New buildings should support regional traditions and maintain a level of craft in the process of construction. The choice, detailing, and application of materials should be carefully considered for their appropriateness with the design of the new buildings.

B. **Design Standards for Building Materials.** Listed below are materials or combinations of materials that are permitted and should be encouraged; and others that should be avoided, and are not permitted. The following design standards apply to new construction throughout the Town:

1. Buildings shall have consistent materials and details throughout. Materials and details shall be of a similar architectural theme on all sides of buildings. Materials that appear veneer-like should be avoided, and seams, joints, or raw edges of materials shall be concealed;
2. Exterior finish materials shall appear integral to the building construction. Material or color changes at the outside corner of buildings give an impression of thinness and artificiality and should be avoided. Changes of exterior color, texture, or material shall be accompanied by changes in plane, with exceptions for the base of buildings, corner boards, gable ends, or similar conditions;
3. Exterior finish materials shall be of solid wood, natural stone, brick, or stucco; window casings and building trim shall be solid wood; except as follows:
 - a. Use of manufactured materials that simulate the above materials may be permitted if an applicant can show, to the satisfaction of the ZDRB or Town Council, that the proposed material successfully simulates the above stated material. Samples of the proposed material or existing examples of its use shall be provided at the time of design review,
 - b. Other material may be used if the applicant can show, to the satisfaction of the ZDRB or Town Council, that the proposed material is appropriate and creates a building or structure that is architecturally and aesthetically compatible with its surrounding area;
4. Window and door style shall be compatible with overall building design. Flush nail-on windows shall not be used in combination with rough textured stucco. Spanish colonial style buildings shall not have window frames flush with the outside plane of a wall; and
5. Exceptions to the strict adherence to subdivisions 1 through 4 may be granted by the ZDRB provided the design does not compromise the overall intent and purpose of this chapter.

(Ord. 232-92 Ch. II § A.1; Ord. 242-94 Ch. II § A.1)

Chapter 18.32 RELATION OF BUILDINGS TO STREETS

18.32.010 Relation of buildings to streets.

One of the principal objectives of this title is to ensure that the streets of Yountville remain animated by dwellings, businesses, or other activities, and do not become lifeless blocks of blank walls, parking lots, driveways, or garage doors. Most residential buildings have architectural elements that serve many purposes, and give a domestic scale to the street frontage. One example is the front porch that usually serves as an entrance and as an outdoor living/open space. Commercial buildings, however, address the street in various ways. Some commercial buildings reinforce the street frontage with residential-scaled building elements, while other commercial properties have street frontage dominated by large areas of paving. The design standards outlined below intend to establish street frontages that are defined by architectural elements of buildings where people live, work, shop, and relax. (Ord. 232-92 Ch. II § B; Ord. 242-94 Ch. II § B)

18.32.020 Building frontage and orientation.

A. The embellishment of entrances animates streets, gives identity to individual dwelling units or commercial uses, and helps give a human scale to the Town. Architectural building elements in the form of unenclosed porches, or recesses in buildings may serve as entrances for several dwelling units or businesses, and make a cohesive street frontage.

B. **Design Standards.** The following design standards apply to new development throughout the Town:

1. The principal orientation of all buildings shall be parallel to streets they face. Accessory buildings may be exempt;
2. The street elevation of multiple unit residential buildings shall have at least one street-oriented entrance, and contain the principal windows of the front unit; and
3. For single-family houses with attached garages, the width of the house shall be at least five feet greater than the width of the garage along its street frontage. The garage shall be set back at least 10 feet farther than the house from the street.

(Ord. 232-92 Ch. II § B.1; Ord. 242-94 Ch. II § B.1)

18.32.030 Building elements.

A. Architectural building elements such as unenclosed porches, balconies, loggias, bay windows and entrances are an essential part of the character that make streets and neighborhoods feel walkable. To encourage the use of this kind of building elements 250 square feet of area exemption are allowed from FAR calculations as outlined later in this division. The intent is to strengthen and enhance the architectural character while not impeding accessibility.

B. **Design Standards.** The following design standards apply to new development throughout the Town, with the exception of primary commercial. The street frontage of new buildings shall contain one of the following elements:

1. Upper floor loggias recessed within the building;
2. Roofed balconies supported by brackets or by columns at the ground level;
3. Single-story or two-story unenclosed porches;
4. Exterior wooden or masonry stairs with closed risers; and
5. Building elements similar to those above and deemed acceptable by the Town Council or ZDRB.

(Ord. 232-92 Ch. II § B.2; Ord. 242-94 Ch. II § B.2)

Chapter 18.36 RESIDENTIAL BUILDINGS

18.36.010 Residential buildings.

Single-family houses and multifamily housing take on many shapes and sizes, and often only address issues of a particular site or desires of its inhabitants. Therefore, it is the intent of this title to establish design standards that ensure each single-family house, duplex, or apartment house contribute to the making of a residential street and neighborhood. The hope is that no two houses be the same but that a thread of common architectural elements gives a cohesive scale and character to streets, and help form neighborhoods. Design standards are established for each building type and include single-family houses, duplexes, triplexes, four-plexes, apartments, second units, and manufactured housing. (Ord. 232-92 Ch. II § C; Ord. 242-94 Ch. II § C; Ord. 343-04)

18.36.020 Single-family houses.

A. In Yountville, there is a strong heritage of diverse single-family houses. Some are one-story, some are two-story; some are large, but many are quite small; some are situated in a vineyard or orchard, and others are five feet from the street. However, there is a cohesive scale and character that is rural. In addition to yards, other open space such as terraces, courtyards, and small gardens extend the living space to the outdoors. The design standards outlined in this section intend to maintain and enhance the existing mix of single-family houses through the development of individual lots within the few remaining parcels with similar types of houses.

B. **Design Standards.** The following standards apply to new single-family houses within single-family and mixed residential land-use designations, other new development, and improvements of existing single-family houses throughout the Town:

1. **Lot Area.** The minimum lot area shall be 4,000 square feet, and the maximum lot area shall be 8,000 square feet. In Old Town, the minimum lot area shall remain at the current limit of 5,000 square feet. Where a FAR density bonus is granted, no more than 25% of the total number of lots shall be 6,500 square feet or larger.
2. **Floor Area Ratios.**
 - a. **Maximum Floor Area Ratios.** Except as provided in subdivision 3 of this subsection, the following maximum floor area ratios (FAR) shall apply to single-family homes on individual lots:
 - i. RS District.

- (A) On lots up to 8,000 square feet, a maximum .30 FAR is allowed for the living area of the home and maximum .35 FAR is allowed for the gross building square footage including a garage.
- (B) On lots over 8,000 square feet, a maximum .25 FAR is allowed for the living area of the home and maximum .30 FAR is allowed for the gross building square footage including a garage.
- ii. RM District. The maximum floor area ratio in the RM District is .25, except as provided by subdivision 3 of this subsection.
- iii. H District.
 - (A) On lots greater than 4,000 square feet, the maximum floor area ratio is .25.
 - (B) On lots up to 4,000 square feet, a base living area of 1,000 square feet is allowed.
- iv. MPR District. The maximum floor area ratio in the MPR District shall be as set forth in the applicable Master Plan. Where the Master Plan does not specify a maximum FAR or building footprint for a lot, the maximum FAR is .25.
- b. FAR Exemptions.
 - i. Garages and Carports.
 - (A) An exemption of up to 400 square feet is allowed for garages and carports located entirely within the rear half of a lot in the RM District and in the H District for lots of 5,000 square feet or more.
 - (B) An exemption of up to 200 square feet is allowed for garages and carports in the H District for lots under 5,000 square feet.
 - ii. Second Residential Units. An exemption of up to 300 square feet is allowed for a legally-permitted second residential unit.
 - iii. Accessory Structures. A combined exemption of up to 100 square feet is allowed for all enclosed accessory structures on a lot located in the rear yard and screened from street view, excluding carports, garages, and second residential units.
 - iv. Architectural Elements.
 - (A) A combined exemption of up to 1,000 square feet is allowed for all the architectural elements of a home as defined in Title 17, Section 17.08.010.
 - (B) The calculation of the maximum exemption for unenclosed porches shall be based on the ratio of four square feet of porch area for each lineal foot of lot street frontage up to the maximum allowed. The minimum porch area exemption, regardless of lot street frontage, shall be 250 square feet.
 - v. Architectural Features. Architectural features, as defined in Title 17, Section 17.08.010, are exempt from FAR calculations.
 - vi. Energy-Conserving Elements. The ZDRB may exempt materials and construction techniques associated with energy-efficient design from FAR calculations.
 - vii. Interior staircases.
 - viii. Second-floor, nonhabitable area that is open to the first floor below.
 - ix. Nonhabitable attics.
 - x. Basements where the ceiling is less than four feet above the average grade.
 - xi. Landscape elements, including detached decks under 30 inches in height.
 - xii. Swimming pools, spas and related equipment.
 - xiii. Improvements related to the retrofitting of existing residences for access by disabled persons and determined by the Planning Director to be reasonably necessary for such access. Such improvements may include, but are not limited to, access ramps and bathroom expansions.
- 3. FAR Bonus for Affordable Housing. The following FAR bonuses for single-family lots of 8,000 square feet or less may be approved through a Master Development Plan for single-family lots in projects that provide more than the minimum number of affordable units required by Title 17, Chapter 17.84. The affordability of such units shall be evenly distributed among the three affordability categories, except if a higher proportion of lower-income units are proposed.

Affordable Percentage	Maximum FAR per Single-Family Lot
20	.275
21	.30
22	.325

23	.35
24	.375
25	.40

4. **Building Height.** The building height for a single-family house shall not exceed two stories. One-story houses shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story houses shall not exceed 20 feet to the plate height or an overall height of 28 feet. No more than 50% of the single-family dwelling units in any given block are permitted to be two-story. Where this percentage is currently exceeded, no new two-story structures will be allowed. A block shall mean both sides of the street lying between intersecting streets. Corner houses shall be counted on both street elevations. In determining which two-story structures should be counted towards this limitation, the ZDRB may take into account the relative visibility, location, and massing of existing two-story structures in the vicinity; the width of the street; significant vegetation; and any other factors that may mitigate the visual impacts of such structures.

5. **Open Space.** There are no minimum area requirements for open space.

(Ord. 232-92 Ch. II § C.1; Ord. 242-94 Ch. II § C.1; Ord. 252-94; Ord. 316-01; Ord. 343-04)

18.36.030 Duplexes.

A. Duplexes have a significant history in American Cities and Towns, however, in Yountville there are only a few. Although there are always two separate dwelling units, duplexes usually appear as a large single-family house from the street. Some are paired townhouses, and in other cases, it is a two-unit building in which the building owner lives in one and rents the other. The General Plan seeks to encourage this type of small scale multifamily housing on vacant parcels within existing neighborhoods, and for some portion of new developments. It is important that each dwelling unit have its own entrance and private open space, however, a duplex building should appear as a coherent whole from the street. The design standards apply to all duplexes, including side-by-side dwelling units, back-to-back dwelling units, and stacked dwelling units.

B. **Design Standards.** The following standards apply to duplexes in the RM and H Districts:

1. **Lot Area.** The minimum lot area shall be 5,000 square feet. The maximum lot area in the H district shall be 8,000 square feet.
2. **Floor Area Ratio.** The permitted floor area ratio shall be 0.4 FAR on all lots. Exemptions include up to 250 square feet of area occupied by unenclosed porches, balconies, breezeways, and similar architectural elements. Garages and carports which are located within the rear half of the lot are exempt up to 400 square feet.
3. **Building Height.** The building height for a duplex shall not exceed two stories. One-story duplexes shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story duplexes shall not exceed 20 feet to the plate height or an overall height of 28 feet. For accessory buildings refer to Chapter 18.44.
4. **Open Space.** The minimum area required for use as private open space by each dwelling unit shall be 200 square feet and shall be directly accessible to its unit. For second story units, an exception may allow half of the private open space to be directly accessible to the unit with the remaining portion provided at grade.
5. **Parking.** Surface parking may encroach up to 15 feet into the rear yard or setback but not into open space, provided that a wall, fence or landscape adequately screens the view of parked cars from the street or adjacent properties, see Division 1, Section 18.16.060.

(Ord. 232-92 Ch. II § C.2; Ord. 242-94 Ch. II § C.2; Ord. 343-04)

18.36.040 Triplexes, fourplexes and apartments.

A. There are a few triplexes, fourplexes or apartment buildings currently within the Town. While these types of residential buildings provide an alternative to individual home ownership, they also can contribute to the making of neighborhoods comprised of diverse yet compatible buildings. Residential buildings of these types are often clustered together around a courtyard or common garden, and have a massing and scale similar to single-family houses. The design standards outlined in this section are intended to ensure the compatibility of multifamily residential buildings with single-family houses in ways which encourage new development to provide a mix of residential building types similar to Old Town.

B. **Design Standards.** The following standards shall apply to buildings within the historic and mixed residential land-use designations:

1. **Lot Area.** The minimum lot area shall be 6,000 square feet. The maximum lot area in the H District shall be 8,000 square feet.
2. **Floor Area Ratio.** The permitted floor area ratio shall be .40 FAR on all lots. Exemptions include up to 100 square feet per

unit of area occupied by unenclosed porches, balconies, breezeways, and similar architectural elements. Garages and carports which are located within the rear half of the lot are exempt up to 200 square feet per unit.

3. **Building Height.** The building height for multiunit buildings shall not exceed two stories. One-story multiunit buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story multiunit buildings shall not exceed 20 feet to the plate height or an overall height of 28 feet. Accessory buildings see Chapter 18.44.

4. **Open Space.** The minimum area for use as private open space by each dwelling unit shall be 100 square feet and shall be directly accessible to its unit. For second story units, an exception may allow half of the private open space to be directly accessible to the unit with the remaining portion provided at grade.

5. **Parking.** Surface parking may encroach up to 15 feet into the rear yard or setback but not into open space, provided that a wall, fence or landscape adequately screens the view of parked cars from the street or adjacent properties, see Division 1, Section 18.16.060.

(Ord. 232-92 Ch. II § C.3; Ord. 242-94 Ch. II § C.3; Ord. 343-04)

18.36.050 Manufactured housing.

A. Manufactured housing can be a viable alternative for affordable housing. Although mobile homes are the predominant type, there is an increasing variety of pre-assembled houses available. With special care and design, these types of homes can integrate into existing neighborhoods, and be compatible with adjacent houses. The design standards outlined herein are intended to ensure that manufactured housing be of similar scale and character as its neighbors.

B. **Design Standards.** The following standards apply to new manufactured housing throughout the Town:

1. **Lot Area.** The minimum and maximum lot areas established for each building type shall be the same for manufactured housing of the same type.

2. **Floor Area Ratio.** The maximum floor area ratio established for each building type shall be the same for manufactured housing of the same type.

3. **Building Height.** The building height for manufactured housing shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 20 feet to the plate height or an overall height of 28 feet.

4. **Open Space.** The minimum area for use as private open space established for each building type shall be the same for manufactured housing of the same type.

5. **Foundations.** The foundation of all manufactured housing shall be permanent and similar in character to the surrounding buildings.

(Ord. 242-94 Ch. II § C.5)

Chapter 18.40 COMMERCIAL BUILDINGS

18.40.010 Commercial buildings.

In most cases commercial buildings tend to be more versatile, and less typological in shape or form than residential buildings. In Yountville, there is a diversity of commercial buildings which accommodates many different businesses including restaurants, inns, professional offices, and many shops occupying renovated buildings that once served as a winery, a train station, or residences. However, it is more often the placement of buildings and parking on the site which has a greater impact on the character of a street or development than the buildings alone. Therefore, this section regulates new commercial buildings according to the land-use designations established in the General Plan and Title 17, Zoning, which are primary commercial and residential-scaled commercial.

The design standards for commercial uses are intended to reinforce the walkable aspect of the Town and to prevent new commercial development from changing the Town into a visitor-oriented commercial strip. The purpose of the residential-scaled commercial land-use designation is to encourage buildings that are pedestrian-oriented, similar in size and scale to neighboring residential buildings and accommodate a variety of commercial uses which serve the needs of the Town's residents. To encourage integrated uses there is one building type, combined commercial with residential, which may be built in all commercial areas and has its own design standards. The overall intent is that all new commercial buildings are street-oriented and reinforce Washington Street as the main commercial street in Yountville. (Ord. 232-92 Ch. II § D; Ord. 242-94 Ch. II § D)

18.40.020 Primary commercial buildings.

A. Since growth of visitor-oriented businesses in residential neighborhoods is not desired, the locations for primary commercial buildings are limited to properties on the west side of Washington Street. It is intended that these buildings reinforce Washington

Street as Yountville's commercial main street, while accommodating the needs of merchants. Therefore, the design standards outlined herein prevent new development of auto-oriented strip commercial buildings, and ensure that new commercial uses will contribute to the rural, small town character. For these properties, it is less an issue of the building type and more an issue of the placement of buildings and site planning. New buildings should address Washington Street, and accommodate professional office buildings, small inns or other uses which provide some benefit for the Town's residents.

B. **Design Standards.** The following design standards apply to new development throughout the Town:

1. **Floor Area Ratio.** The maximum permitted floor area ratio shall be .25 FAR. An additional .15 FAR for multifamily dwellings located on-site is allowed. Exemption includes up to 250 square feet of unenclosed porches, balconies, attached carports, breezeways, and similar architectural elements.
2. **Building Height.** The building height shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 22 feet to the plate height or an overall height of 30 feet. No more than one third of the total permitted FAR for a commercial development may occupy the second level.
3. **Open Space.** A minimum of 25% of the gross area of a given parcel shall be provided as open space in compliance with Chapter 17.96 of Title 17, Zoning. This requirement is intended to provide for open spaces, such as courtyards, which are unenclosed and usable to shoppers, visitors and general public and shall be proportionately scaled to allow sufficient sunlight. All such open space areas shall be in addition to public walkways adjacent to Town streets. All open space shall be visually accessible to the public, and should not require entry into a building for its sole access. Most open space should be physically accessible to the public.
4. **Parking.** Parking ratios related to specific uses shall be as established in Chapter 17.88 of Title 17, the Zoning Ordinance. Landscaping and screening of parking lots shall comply with Division 1, Section 18.08.030.
5. **Signage.** All signage shall comply with Chapter 17.92 of Title 17, Zoning.
6. **Design Review Special Requirements.** Story poles or models which illustrate the three-dimensional massing and architectural character of the proposed new buildings, including adjacent existing buildings, may be required in addition to the requirements established in Chapter 17.144, Design Review, of Title 17, Zoning, if in the opinion of the ZDRB such information is necessary to evaluate the impact.

(Ord. 232-92 Ch. II § D.1; Ord. 235-93; Ord. 242-94 Ch. II § D.1)

18.40.030 Residential-scaled commercial buildings.

A. Residential-scaled commercial is a building type and land-use classification intended to effect a transition between commercial and residential areas. This scale of local-serving commercial buildings and their uses add convenience, interest and livability to the Town and its residential neighborhoods. Typically, these buildings are similar in size to single-family houses and other residential buildings in adjoining neighborhoods. The design standards outlined below intend to encourage the development of multiple small pedestrian-oriented buildings, and prevent the new development of an auto-oriented commercial strip within the Town. To reinforce an important principle of the General Plan, the emphasis is on civic design and buildings that are compatible with the Town's character. Where civic amenity is maintained or newly provided, criteria has been established for possible reduction in parking required for new development.

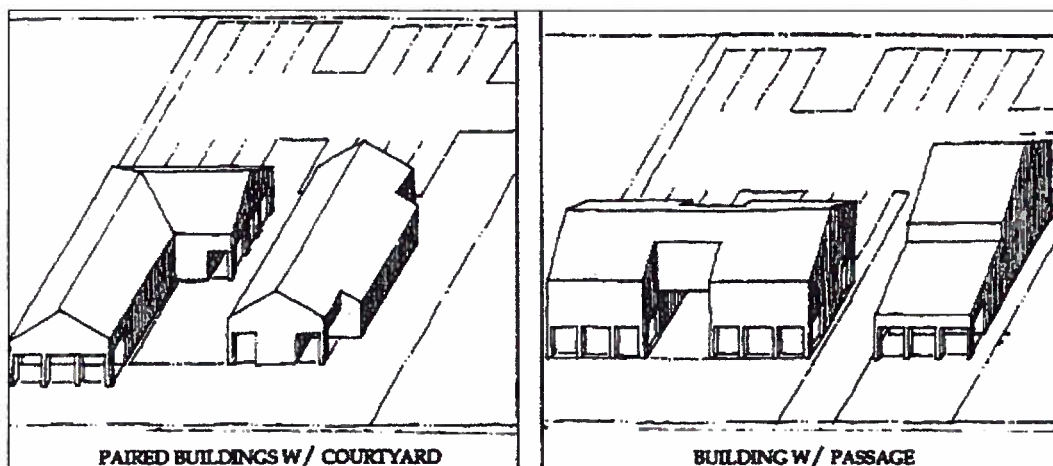


Figure 16

Examples of Residential-Scaled Commercial Buildings

B. Design Standards. The following design standards apply to new development throughout the Town:

1. **Floor Area Ratio.** The maximum permitted floor area ratio shall be .25 FAR. An additional .05 FAR for residential uses such as a second residential unit or an apartment is allowed. Exemption includes up to 250 square feet of unenclosed porches, balconies, attached carports, breezeways, and similar architectural elements.
2. **Building Size.** Where possible proposed development should consist of multiple small buildings rather than one large building. In cases where the permitted square footage exceeds 3,200 square feet consideration shall be given to providing multiple buildings; and where the permitted square footage exceeds 5,000 square feet the proposed new development shall consist of at least two buildings. Building size and location should take into account existing trees or similar site conditions which are considered important to the Town's character.
3. **Building Height.** The building height shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 22 feet to the plate height or an overall height of 30 feet. No more than one third of the total permitted FAR for a commercial development may occupy the second level. The maximum height is intended to ensure a variety of roof configurations.
4. **Open Space.** A minimum of 25% of the gross area of a given parcel shall be provided as open space in compliance with Chapter 17.96 of Title 17, Zoning. This requirement is intended to provide for open spaces, such as courtyards, which are unenclosed and usable to shoppers, visitors and general public and shall be proportionately scaled to allow sufficient sunlight. All such open space areas shall be in addition to public walkways adjacent to Town streets. All open space shall be visually accessible to the public, and should not require entry into a building for its sole access. Most open space should be physically accessible to the public.
5. **Parking.** Parking ratios shall be as established in Chapter 17.88 of Title 17, Zoning. Parking lots shall be adequately screened, and comply with design standards established in Division 1, Section 18.08.030. In cases where a reduced parking requirement is under consideration the following design criteria shall apply: the proposed design utilizes the area gained by the reduction in parking in ways which will help maintain the Town's character without adversely impacting surrounding properties; and the proposed design incorporate the features of the site in ways which reinforce Washington Street as Yountville's main commercial street.
6. **Signage.** All signage shall comply with Chapter 17.92 of Title 17, Zoning.
7. **Design Review Special Requirements.** Story poles or models which illustrate the three dimensional massing and architectural character of the proposed new buildings, including adjacent existing buildings, may be required in addition to the requirements established in Chapter 17.144, Design Review, of Title 17, Zoning if, in the opinion of the ZDRB, such information is necessary to evaluate the impact.

C. The following design standards apply to new development within the specific area indicated:

1. **Gateway Overlay Area Special Requirements.** The following design standards apply to new development within the Gateway Overlay designation, in addition to the criteria listed in subsections (B)(1) through (7) of this section. These criteria are intended to insure that development in this area reflects the aesthetic and historical character of the community.
 - a. If proposed building square footage exceeds 5,000 square feet, development shall consist of multiple buildings.
 - b. No single building shall exceed 6,000 square feet in floor area.
 - c. Multiple buildings shall be pedestrian oriented.
 - d. No more than one third of the total floor area of a property shall be on the second story, and no more than 40% of the floor area of any one building shall be on the second story.
 - e. Development shall be residential in scale and appearance.
 - f. Parking shall be provided in several small lots rather than one large lot.
 - g. A minimum of 30% of the gross area of a development parcel shall be provided as usable open space, excluding parking areas and driveways.
 - h. Minimum building front setback shall be 25 feet, of which a minimum of 20 feet shall be utilized as a landscaped visual buffer.

The following design guidelines, outlined more fully in Division 1, Chapter 18.20, Old Town Historic District, are intended to more specifically define the aesthetic and historical design elements of the community which should be reflected in this overlay designation.

- a. The overall appearance of buildings should be relatively low and small. Two story elements will add interest and break up roof heights but will be limited.
- b. Structures will be built with variation, attention to trim and detail, and attention to human scale and aesthetics.

- c. Varied roof heights and front setbacks are encouraged to give individuality to each structure.
- d. Buildings shall be constructed mostly of natural materials, predominantly wood.
- e. Windows and doors are important architectural details. Multipaned windows and doors shall be required.
- f. Informal landscaping which emphasizes mature, drought tolerant or native plant varieties is encouraged.
- g. Internal driveways and pedestrian paths are encouraged to be surfaced with permeable materials such as gravel or decomposed granite.

2. Inns or Hotel Use. The following design standards apply to new inns or additions to existing inns within the RSC district. These design standards are in addition to the criteria listed in subsections (B)(1) through (7) of this section. The intent of these design standards, which are similar to the requirements for the Gateway Overlay designation, are to insure that inns are developed in a manner consistent with the philosophy of the RSC district to foster residential scale development as a transition to adjoining residential properties.

- a. If proposed building square footage exceeds 5,000 square feet, development shall consist of multiple buildings.
- b. No single building shall exceed 6,000 square feet in floor area.
- c. Multiple buildings shall be pedestrian oriented.
- d. No more than one third of the total floor area of a property shall be on the second story, and no more than 40% of the floor area of any one building shall be on the second story.
- e. Development shall be residential in scale and appearance.
- f. Parking shall be provided in several small lots rather than one large lot.
- g. A minimum of 30% of the gross area of a development parcel shall be provided as usable open space, excluding parking areas and driveways.
- h. Minimum building front setback shall be 20 feet, which shall be utilized as a landscaped visual buffer.
- i. Maximum density for lodging use shall be 21 lodging units per acre.
- j. Where an addition is proposed to an existing inn in the RSC district, these design standards will only apply to the proposed addition and not the entire existing facility.

(Ord. 232-92 Ch. II § D.2; Ord. 253-93; Ord. 242-94 Ch. II § D.2; Ord. 259-96; Ord. 343-04)

18.40.040 Combined commercial and residential buildings.

A. There are several types of buildings which historically have accommodated the combination of commercial and residential uses. It is intended that regulating documents provide flexibility and include various combinations of working with dwelling. These types of buildings could enrich the Town and accommodate the diverse needs of its citizens. The permitted locations for the combined use is as established in Chapters 17.48 and 17.52 of Title 17, Zoning, and is limited so that commercial usage does not usurp housing or encroach on residential neighborhoods. The building types include: housing over commercial space; commercial buildings combined with detached residential buildings on the same parcel; and live/work buildings in which the portion of the building devoted to work exceeds 25%.

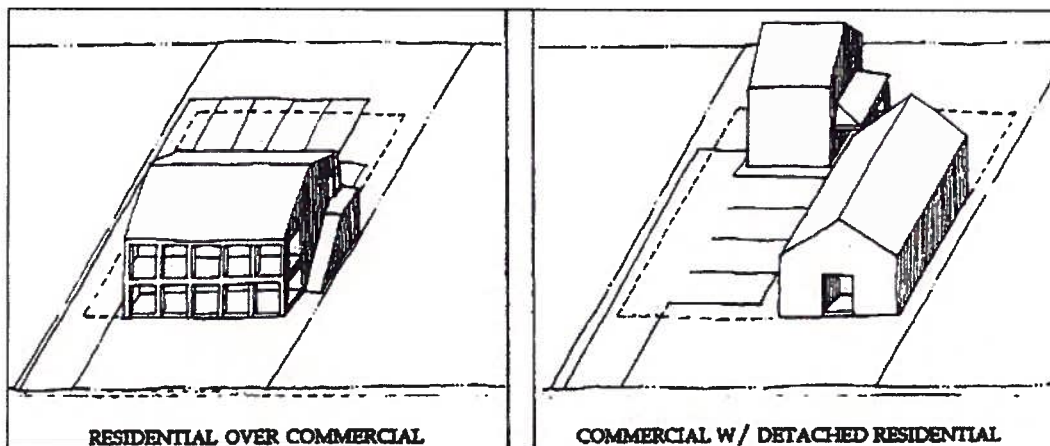


Figure 17

Examples of Combined Commercial and Residential Buildings

B. **Design Standards.** The following design standards apply to new development throughout the Town:

1. **Floor Area Ratio.** The maximum permitted floor area ratio shall be .25 FAR. An additional .15 FAR for multifamily dwellings located on-site is allowed. Exemption includes up to 250 square feet of unenclosed porches, balconies, attached carports, breezeways, and similar architectural elements.
2. **Building Height.** The building height shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 22 feet to the plate height or an overall height of 30 feet. No more than one third of the total permitted FAR for a commercial development may occupy the second level.
3. **Open Space.** A minimum of 25% of the gross area of a given parcel shall be provided as usable open space. The open space requirement may be met by providing a series of connected smaller areas which have a minimum area of 400 square feet each. Residential uses shall have no less than 100 square feet of private open space for each unit, half of which shall be directly adjacent to its unit.
4. **Parking.** Parking ratios shall be as established in Chapter 17.88 of Title 17, Zoning. Parking lots shall be adequately screened, and comply with design standards established in Division 1, Section 18.08.030.
5. **Signage.** All signage shall comply with Chapter 17.92 of Title 17, Zoning.
6. **Design Review Special Requirements.** Drawings, models, renderings, or perspectives which illustrate the three-dimensional massing and architectural character of proposed new buildings, including adjacent existing buildings, shall be required, in addition to the requirements established in Chapter 17.144, Design Review, of Title 17, Zoning.

(Ord. 232-92 Ch. II § D.3; Ord. 242-94 Ch. II § D.3; Ord. 343-04)

18.40.050 Old Town commercial.

A. Old Town commercial is a land use classification and building type intended to reflect Yountville's commercial beginnings in the period between 1870 to 1920 and in so doing create a commercial district separate and distinct from those of the primary and residential-scaled commercial districts. To preserve the building and site layouts typical of this period and to avoid development of an auto-oriented commercial strip, new development should be street-oriented and configured in multiple small pedestrian-oriented buildings.

It is also the intent of this classification to promote an interesting, attractive environment for pedestrians, and enhance the interface between commercial uses and the street. The design of new construction and alterations to existing buildings shall enhance the area's appearance of a retail commercial area.

B. **Design Standards.** The following design standards apply to new development in the Old Town Commercial District:

1. **Floor Area Ratio.** The maximum permitted floor area ratio shall be .25 FAR. An additional .15 FAR for multifamily dwellings located on-site is allowed. Up to 250 square feet of unenclosed porches, balconies, attached carports, breezeways and similar architectural elements is exempted from FAR calculations.
2. **Building Design and Layout.** Building massing, scale and size shall be reflective of structures dating from Yountville's early development period (1870 to 1920) and shall be compatible with the established North Washington Street area. Buildings' pedestrian entrances shall be located on Washington Street. Building design and layout must also comply with the design standards stipulated in Chapter 18.28, The Craft of Building, and Chapter 18.32, Relation of Buildings to Streets, of this title.
3. **Pedestrian-Oriented Design.** In order to promote an interesting and attractive environment for pedestrians and to enhance the interface between commercial uses and the street, building design shall be pedestrian-oriented and include the following elements at the ground-level street frontage:
 - a. Façades shall be articulated, which may include such measures as indentation in plane, change of materials in a complementary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame and projecting elements such as awnings and marquees to provide shade and shelter.
 - b. A substantial portion of the façade to a height of eight feet shall be visually transparent into the building or provide a minimum depth of three feet for window display. Alternatively, areas of activity such as outdoor cafés may be provided.
 - c. A building may have no more than 20 feet of continuous linear street-level frontage that is opaque. No storage shall be allowed in street-front windows that blocks the view of the interior of the building.
 - d. Pedestrian-oriented design elements and design amenities scaled to the pedestrian are encouraged on private property, such as street furniture or other seating surfaces, awnings, drinking fountains, paseos, arcades, colonnades, plazas, noncommercial community bulletin boards, public or private art and alternative paving materials in areas of pedestrian access.

- e. Signage shall be oriented and scaled to the pedestrian.
 - f. All new construction and expansions of existing structures shall be required to install and maintain pedestrian pathways along the Washington Street frontage in accordance with the Town Bicycle and Pedestrian Pathways Master Plan. Pedestrian pathways shall be interrupted with the minimal number and width of driveways. In consideration of the site limitations along Washington Street, various types of pathways shall be permitted including at-grade paving changes, poured-concrete sidewalks with curb and gutter or other pathway designs that meet the approval of the ZDRB or Town Council.
4. **Building Size.** New construction shall consist of multiple small buildings rather than one large building. No single building shall exceed 2,500 square feet in size. Building size and location should take into account existing trees or similar site conditions that are considered important to the Town's character.
 5. **Building Height.** The building height shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 22 feet to the plate height or an overall height of 30 feet. There shall be a combination of different building heights with an emphasis on one-story buildings.
 6. **Open Space.** A minimum of 25% of the gross area of each property shall be provided as open space in compliance with Chapter [17.96](#) of Title 17, Zoning. This requirement is intended to provide for open spaces such as courtyards that are unenclosed and usable to the general public and shall be proportionately scaled to allow sufficient sunlight. All such open space areas shall be in addition to walkways adjacent to Town streets. All open space shall be visually accessible to the public and shall not require entry into a building for its sole access.
 7. **Design Review Special Requirements.** Story poles that illustrate the three dimensional massing and architectural character of all proposed new buildings shall be erected 10 days prior to design review by the ZDRB.
 8. **Landscaping.** All new construction and expansions of existing structures shall be required to install and maintain landscaping at the Washington Street frontage. In consideration of the site limitations along Washington Street, various types of landscaping shall be permitted including planter beds, trees, window boxes or other landscape elements that meet the approval of the ZDRB or Town Council.
 9. **Setbacks.** All new construction and expansions of existing structures shall comply with the following minimum setbacks:
 - a. **Front.** For buildings or portions of buildings up to 15 feet high, at least a 10-foot setback;
 - b. **Front.** For buildings or portions of buildings 15 to 18 feet high, at least a 15-foot setback;
 - c. **Front.** For buildings or portions of buildings over 18 feet high, at least a 20-foot setback;
 - d. **Side.** To be determined via Master Development Plan process;
 - e. **Street Side.** To be determined via Master Development Plan process;
 - f. **Rear.** To be determined via Master Development Plan process.
 10. **Lot Size.** The maximum individual lot size shall be 15,000 square feet.
 11. **Preservation of Unique Design Elements.** In order to promote the preservation of the historic character of this part of Old Town, the following specific design standards apply:
 - a. In regard to the existing commercial building located at 6770 Washington Street, APN 036-033-001, which has been determined to be eligible for nomination to the National Register of Historic Places:
 - i. The existing building and its front porch shall not be permitted to be demolished, and shall be preserved and maintained.
 - ii. Any new use shall not alter the building in ways that would damage its scale and character.
 - b. In regard to the existing building at 6720 Washington Street, APN 036-033-013, that may be eligible for nomination to the National Register of Historic Places:
 - i. The structure shall not be removed or substantially altered without environmental review as required per State [Public Resources Code](#) Section 21001 (b), 21083.2, 21084 (e) and 21084.1.
 - c. In regard to the existing building at 6711 Washington Street, APN 036-440-01 (Burgundy House), which is listed on the National Register of Historic Places:
 - i. The existing building and its front porch, and the existing front yard shall be preserved and maintained.
- C. Photographic Catalog.** The Town shall develop and incorporate into this title for the Old Town Commercial District a photographic catalog illustrating representative architectural styles deemed compatible with and appropriate for the Old Town Commercial District that shall be used as a design reference. (Ord. 232-92 Ch. II § D.4; Ord. 242-94 Ch. II § D.4; Ord. 303-00; Ord. 310-01; Ord. 322-04; Ord. 343-04)

18.40.060 Increased floor area ratio.

A. Notwithstanding any other section of this title or Title 17, Zoning, pertaining to commercial uses, increases to the maximum floor area ratio (FAR) and modifications to required side and rear yard areas may be granted by the Town Council for existing commercial buildings if all of the following findings can be made:

1. The additional floor area or modifications to required side and rear yard areas are either:
 - a. Necessary to achieve compliance with requirements of the Napa County Environmental Health Department, the Americans with Disabilities Act (ADA), or resolves a building code or fire safety issue; or
 - b. Enhances compatibility between adjacent uses by eliminating or reducing impacts from noise, lights, odor, and/or improves sanitation.
2. The additional floor area or modifications to required side and rear yard areas maintains the existing, approved level of commercial use and does not result or contribute to intensifying the operational scope of the use, including the following:
 - a. Additional restaurant seating or inn units;
 - b. Creating a need for additional parking spaces;
 - c. Creating a need for additional employees;
 - d. Allowing for expanded hours of operation;
 - e. Increasing traffic generation;
 - f. Increasing water consumption or sewer generation; or
 - g. Modifications to drainage patterns that adversely affect surrounding parcels.
3. The additional floor area is not accessible to customers or guests (does not include ADA and safety related improvements). Improvements are generally associated with service and nonpublic operational areas and are visually subordinate to the overall building from the public way.

B. FAR increases and modifications to yard setbacks shall be limited to the minimum area necessary to achieve compliance with subsection (A)(1) of this section. The Napa County Environmental Health Department, Fire Department, and/or Building Department shall be consulted to ensure the proposed construction will result in code compliance.

C. Application for additional FAR or modifications to yard areas shall be made and processed in accordance with Section 17.144.030 of Title 17, Zoning. (Ord. 322-02)

Chapter 18.44 ACCESSORY BUILDINGS AND FACILITIES

18.44.010 Accessory buildings and facilities.

A. Nonhabitable buildings and structures that are subordinate and complementary to the primary use, and separate from dwelling units or commercial buildings shall meet the following design standards. Landscape elements, such as trellises, patios, decks below 30 inches, and arbors are not considered accessory structures, and therefore, are not limited by this section.

B. **Design Standards.** The following design standards apply to new development throughout the Town:

1. An accessory structure shall not be permitted in the front or side yards or setbacks, except for encroachments allowed in Division 1, Section 18.16.050(C).
2. An accessory structure shall not exceed one story or 10 feet to the plate height or an overall maximum height of 15 feet, with an exception for garages. Where necessary to enhance the architectural design, garages shall not exceed an overall maximum height of 20 feet.
3. Accessory structures shall have materials consistent with primary buildings.
4. Accessory structures shall be limited to garages, carports, patio covers, swimming pools, hot tubs or spas and related equipment, decks over 30 inches above ground, workshops, storage sheds, gazebos, and greenhouses. Other similar structures may be permitted as determined by the Town Council.
5. Adjoining properties may share an accessory structure that serves as a garage provided that there is a joint-use agreement and the accessory structure straddles the shared property line.
6. Carports must be located in the rear half of the lot or screened from view from the street.
7. Setbacks and permitted encroachments for accessory structures shall be as established in Division 1, Section 18.16.050.

(Ord. 232-92 Ch. II § E; Ord. 242-94 Ch. II § E)

Chapter 17.144 DESIGN REVIEW

17.144.010 Purpose and application.

Design approval is in the public interest and necessary to promote and protect the safety, convenience, comfort, prosperity and general welfare of the citizens of the Town. All new development will be required to follow the provisions of this chapter with the following intent:

- A. To preserve and enhance the natural beauty of the land and of the man-made environment, and the enjoyment thereof;
- B. To maintain and improve the qualities and relationships between individual buildings, structures and physical developments which contribute to the amenities and attractiveness of any Town or neighborhood;
- C. To protect and ensure the adequacy and usefulness of all development, public and private, as they relate to each other and to the neighborhood or Town;
- D. To protect and enhance the uses and buildings in the Old Town;
- E. To prevent the dissipation of beauty, amenity and usefulness, it is necessary:
 - 1. To stimulate creative design for individual buildings, groups of buildings and structures and other physical developments,
 - 2. To integrate the functions, appearance, and location of buildings and improvement in order to best achieve a balance between private prerogatives and preferences, and the public interest and welfare; and
- F. To reinforce the Town structure as defined in Chapter II of the General Plan and enhance public space. (Ord. 231-92 § 7.3.a)

17.144.020 Supplemental definition.

The following term applicable to this chapter shall be defined as follows. Other definitions can be found in Section [17.08.010](#), Definitions:

“Physical improvement” includes, but is not limited to parking and loading areas, fences and signs. (Ord. 231-92 § 7.3.b)

17.144.030 General conditions.

The following general conditions shall apply to all design review as established in this chapter:

- A. Review and approval of plans and proposals for the physical improvement or change of land, buildings, and structures, is required and is designated as design review;
- B. Review and approval of plans and proposals shall assure that a development or physical improvement is designed and located in accordance with this title and Title 18, Design Standards;
- C. The Town Council shall hear and make determinations regarding applications for design review of commercial development in accordance with the provisions of this chapter after they have been reviewed by the ZDRB and shall consider any recommendations made by the ZDRB;
- D. Design approval shall be secured for the construction of all new buildings, structures and physical improvements and for the addition, extension and extensive change of existing buildings, structures and physical improvements, except as provided in this chapter;
- E. When authorizing design approval the Town Council or ZDRB shall prescribe the character and extent of the design approval and also the specifications and conditions necessary to secure the objectives of this title and Title 18, Design Standards. Once any portion of the granted design approval is utilized, all such specifications and conditions pertaining to the authorization shall become operative immediately. The violation of any specification or condition shall constitute a violation of this title and may constitute grounds for revocation of the design approval. The conditions may include time limits for construction; otherwise, construction must commence within a reasonable time. (Ord. 231-92 § 7.3.c; Ord. 317-01)

17.144.040 Matters exempt from design review.

The following developments and physical improvements are exempt from design review procedures and requirements:

- A. Agricultural buildings, structures, and improvements; and
- B. Other improvements determined by the Planning Officer to be minor or incidental and within the intent and objectives of this

title and Title 18, Design Standards. (Ord. 231-92 § 7.3.d)

17.144.050 Criteria for approval.

The review and approval of plans and proposals shall assure that a development or physical improvement is designed and located in a manner that will best satisfy the following criteria:

- A. It will properly and adequately perform or satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings;
- B. It will not impair or interfere with the development, use, or enjoyment of other property in the vicinity, nor with the orderly and pleasing development of the neighborhood as a whole, including public lands and rights-of-way;
- C. It will not directly, or in a cumulative fashion, impair, inhibit, or limit further investment or improvements in the vicinity, on the same or other properties;
- D. It will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design, or juxtaposition. Such adverse effects may include, but are not limited to those produced by the design, location and characteristics of the following:
 1. Areas, paths, and rights-of-way for the containment, movement or general circulation of persons and vehicles,
 2. Other developments or improvements that may result in a diminution or elimination of sun and light exposure, views, vistas, and privacy;
- E. It will satisfy the standards in resolutions that the Town Council may adopt regarding design approval; these standards may be applied to the Town as a whole or in one or more land use designations; and
- F. Where possible existing healthy trees shall be protected in compliance with Title 18, Division 1, Section 18.12.060 and Chapter 17.96 of this title. (Ord. 231-92 § 7.3.e)

17.144.060 Expiration and extension.

- A. Approval of a design review application for any project which is not required to be reviewed through the Master Development Plan process shall expire five years from the effective date of approval if construction has not commenced unless a different expiration date is stipulated at the time of approval. No extension to this time limit shall be granted. Time limits for design review approvals granted as part of the Master Development Plan process shall be governed by the Master Development Plan process and conditions;
- B. The Planning Officer may make minor modifications of the approved design at the time of extension if he or she finds that there has been a substantial change in the factual circumstances surrounding the originally approved design; and
- C. If building or other permits are issued during the effective life of a design review permit, the expiration date of the design review permit shall be automatically extended to concur with the permit expiration date. (Ord. 231-92 § 7.3.f; Ord. 250-94)

Chapter 17.62 DESIGN REVIEW PERMITS

 **CodeAlert:** This item has been affected by [O2010-4](#). Please refer to the [CodeAlert Ordinance List](#) for the most current provisions.

17.62.010 Specific Purposes.

Design Review implements General Plan policies concerning the environment and design by guiding the location and appearance of development. Key design goals of the City are to integrate the urban environment with the city's natural features; to encourage attractive, well located commercial development and to assure high quality, well designed housing that respects neighborhood character. General Plan design goals are furthered by the adoption of design guidelines. Design Review also allows implementation of applicable design guidelines.

(O2003 12)

17.62.020 Authority.

The Community Development Director, Planning Commission or City Council shall approve, conditionally approve or deny applications for Design Review permits. This authority is identified as follows:

A. Community Development Director. The Community Development Director shall make determinations on Design Review applications for Administrative Design Review, as listed under Section 17.62.050A.

B. Planning Commission. The Planning Commission shall make determinations on Design Review applications for physical improvements listed under section 17.62.050.B.

C. City Council. The City Council shall make determinations on applications for physical improvements listed under section 17.62.050.C.

D. Planning Commission Referrals. When, in the opinion of the Community Development Director, any matter set forth in section 17.62.050.A is of a size, importance or unique nature such that it is judged not to be a routine matter, it may be placed directly on the agenda of the Planning Commission for determination in lieu of having it processed by the Community Development Director.

(O2003 12)

17.62.030 Application and General Process.

A. Initial Consultation. Initial consultation may be required for certain projects by design guidelines or through the subdivision ordinance.

B. Application for Design Review. Applications for Design Review permits shall be initiated by submitting the following information to the Community Development Department: a completed application form, signed by the property owner or authorized agent, accompanied by the required deposit, and any other information plans or maps prescribed by the Community Development Director.

C. General. General regulations for the Design Review Permit process, including review time frame, processing fees, environmental review, processing of multiple applications, continuance of hearing, scheduling Council hearing, effect of failure to give notice, the effective date of the permit, approval to run with the land, extensions, amendments, revocation, new application following denial, and expiration are found in Chapter

17.68.

D. Applicants shall comply in all respects with the requirements of Chapter 15.30, "Green Building Regulations," if the application is for a "covered project" as provided for in Napa Municipal Code 15.30.030." (O2003 12; O2009 3)

17.62.040 Information and Representations Provided by Applicants.

All plans, drawings, specifications and other information pertaining to a proposed project provided by an applicant in connection with any Design Review permit, and any and all representations, whether written or oral, made by the applicant either to staff or to any City decision maker, in an application or during any part of the permit review process, shall automatically be deemed a part of such project, and a condition of entitlement by operation of law, if such entitlement is approved or granted.

(O2003 12)

17.62.050 Improvements Subject to Review.

The following items shall be subject to Design Review permits, whether or not a building permit is required.

A. Physical Improvements subject to review by Community Development Director.

1. New single-family homes, and upper story additions on lots of record, unless Planning Commission or City Council review is required for the specific lot as a condition of a prior project approval or in accordance with subsection B.3. below.
2. Relocation of any house.
3. Multi-family and mixed use projects with 2 to 3 units (including the conversion of single-family homes into multi-family units.)
4. New nonresidential structures, additions and exterior remodels, except for ordinary maintenance and repair using essentially the same materials and colors.
5. The painting of murals or wall graphics, or the painting of walls of nonresidential buildings with unusual paint colors (such as but not limited to purple, pink, gold, black, orange) incompatible with their context. If a proposed mural, wall graphic or color scheme is determined by the Community Development Director to be a sign, it is also subject to the sign ordinance.
6. Certain fences and walls over 6 feet in height, fence "side on" or "back on" treatments, and retaining walls over 3 feet in height pursuant to Chapter 17.52.

B. Physical Improvements subject to review by the Planning Commission.

1. Small subdivisions (4 or fewer lots).
2. New single-family homes in small subdivisions approved after adoption of this ordinance when home design(s) are submitted with the subdivision.
3. Multiple story single-family homes and upper story additions on lots of record where the proposed house size is over the size threshold identified in adopted Design Guidelines. (Exceptions: The Community Development Director will continue to review upper story additions that stay within the existing house volume; and upper story historic home additions approved by the Cultural Heritage Commission.)
4. Multi-family projects of 4 to 10 units and mixed use projects up to 10 units.
5. Any project in subsection A above that also requires a hearing by the Planning Commission.

C. Physical Improvements subject to review by the City Council.

1. Subdivisions of 5 or more lots. Home designs shall be submitted with the application for design review of the subdivision, except that: HS Hillside lots may continue to use a two step review process described in Chapter 17.40.
2. Multi-family and mixed use projects with more than 10 units.
3. Mixed use projects including more than 10 units.
4. Any project in subsections A or B above that also requires a hearing by the City Council.”

(O2003 12; O2004 9; O2004 14)

17.62.060 Review Criteria.

- A. Consistency with General Plan Design Policies and Specific Plan Design policies.
- B. Consistency with applicable Design Guidelines adopted by the City Council.
- C. General Site Design. There should be a harmonious relationship between the structures within the development and between the structures and the site. Proposed structures and related site development improvements (e.g., access, parking, grading, etc.) should be related to existing development in the vicinity. There must be a consistent organization of materials and a balanced relationship of major elements.
- D. General Architecture. The project architecture should be harmoniously integrated in relation to the architecture in the vicinity in terms of colors and materials, scale, and building design. The design should be sensitive to and compatible with historic and architecturally significant buildings in the vicinity, and should enhance important community gateways and waterways.
- E. General Landscape Design. The natural landscape should be preserved in its natural state, insofar as practicable. The landscaping shall be designed as an integral enhancement of the site, sensitive to natural site features.
 1. Water conserving landscape design shall be required consistent with the City’s Water Efficient Landscape Guidelines.
 2. Landscaped buffer areas may be required near wetlands and other sensitive habitat areas.

(O2003 12; O2004 9)

17.62.070 Conditions of Approval, Considerations.

In approving a Design Review permit the Community Development Director, Planning Commission or City Council may apply reasonable conditions to assure furtherance of objectives stated herein. The decision-making authority shall consider the following in making its Design Review decision:

- A. Satisfactory mitigation of all impacts resulting from the project.
- B. The consistency of the project design with the General Plan and Title 17 of this code.
- C. The consistency of the project design with any applicable design guidelines or water efficient landscape standards adopted by the city.

(O2003 12)

17.62.080 Findings.

The decision-making authority may approve an application for a Design Review permit if the following findings can be made.

- A. The project design is in accord with the General Plan and any applicable Specific Plan design policies.
- B. The project design is consistent with applicable Design Review guidelines adopted by the City Council.
- C. The Design Review permit is in accord with provisions of this Title and will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.

(O2003 12)

17.62.090 Notice and Hearing Provisions.

A. Community Development Director Design Review Permit: No notice and hearing are required. However, once the Community Development Director has issued a decision, the applicant, Planning Commission, adjacent property owners listed on the last equalized assessment roll and any person requesting such notice shall be notified in writing of the decision, and of the right to appeal, except for the following Design Review permits which are minor in nature. For these following permits, the Director shall notify the applicant only:

- 1. Ordinary maintenance and repair of nonresidential buildings using different colors or materials judged by the Director to be in character with the non-historic building.
- 2. Nonresidential exterior remodels/additions not visible from the street, a public way such as a trail, or the Napa River and where the addition is less than 500 sq. ft. in size.
- 3. Fence “side on” or “back on” treatments.

B. Planning Commission or City Council Design Review Permit. The Planning Commission and, when applicable, the City Council shall hold a public hearing on an application for a Design Review permit. Notice shall be provided in accordance with Chapter 17.68. The decision-making authority shall prepare a written decision which shall contain the findings of fact upon which such decision is based and conditions of approval, if any. The decision shall be mailed to the applicant.

(O2003 12)

17.62.100 Appeals.

Appeals of Community Development Director or Planning Commission decisions on design Review permits shall be filed within 10 calendar days of the decision on the permit, or if the 10th day is a weekend or City holiday, the deadline is extended to the next working day. Appeals shall be filed and processed in accordance with Chapter 17.70 (Appeals).

(O2003 12; O2004 9)

17.62.110 Construction Review.

A. Consistency Review. Prior to issuance of a building permit for a project, the Community Development Director must find that the building permit plans are consistent with the Design Review permit.

B. Landscape Installation. The final landscape plans and irrigation plans shall be fully implemented prior to final building inspection of the project, or, if implementation has not been completed on such date, an extension of time for completion may be granted by the Director if implementation is secured by an agreement and the posting of adequate security.

(O2003 12)