



# 1980 YOUNTVILLE CROSS ROAD

Zoning and Design Review Board  
April 9, 2024



# REGULATORY CONTEXT

## Housing Accountability Act



Between 2017 and 2019, the Legislature expanded the Housing Accountability Act (HAA) (Gov. Code, § 65589.5) no less than seven times, placing restrictions on local governments' ability to deny housing development projects.



The HAA prohibits a local government from **denying or reducing the density** of housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards, absent written findings that the project would have a specific, adverse impact on health or safety that cannot be satisfactorily mitigated or avoided.

# REGULATORY CONTEXT

## State Density Bonus Law

- At least 10% of the total number of project dwellings as affordable units are eligible (Gov. Code, § 65915).
- At least one concession and the waiver of any standard that would physically preclude the construction of the development at the density proposed.



# REGULATORY CONTEXT

## SDBL Concessions

- A concession can only be denied if written findings are made based on substantial evidence that the concession:
  - would not result in identifiable and actual cost reductions, or
  - would have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources, or
  - would be contrary to state or federal law.



# REGULATORY CONTEXT

## SDBL Waivers

- California Government Code § 65915(e)(1) requires that a Density Bonus waiver be approved unless written findings can be made based upon substantial evidence that the waiver would:
  - have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources,
  - or because the waiver would be contrary to state or federal law.



# REGULATORY CONTEXT

## SDBL Waivers and Concessions for the Project

- Ten percent of the total units would be available for rent to low-income households
- The project is eligible for one concession and unlimited waivers of any standard that would physically preclude the construction of the development at the density proposed.
- Application requests one concession and five waivers in compliance with SDBL.



# REGULATORY CONTEXT

## (Junior) Accessory Dwelling Units

- ADU & JADU additions are subject to ministerial approval under State law (Gov. Code, § 65852.2, subd. (a)(3)(A).)
- The Town may not deny ADU or JADU applications which satisfy applicable objective standards
- State Standards for (J)ADUs
  - Side and rear setback requirements cannot be more than 4 feet.
  - JADUs and ADUs are excluded from site density (units/acre) and FAR
  - Must allow at least one ADU and one JADU on each residential lot

# OVERVIEW

## Existing Site Conditions

- 1.33 acres in Low Density Residential
- Single Family Residence (c. 1875)
- Cottage
- Various outbuildings, well,
- Paved driveway and landscaping
- Utility services



# OVERVIEW

## Proposed Project Elements

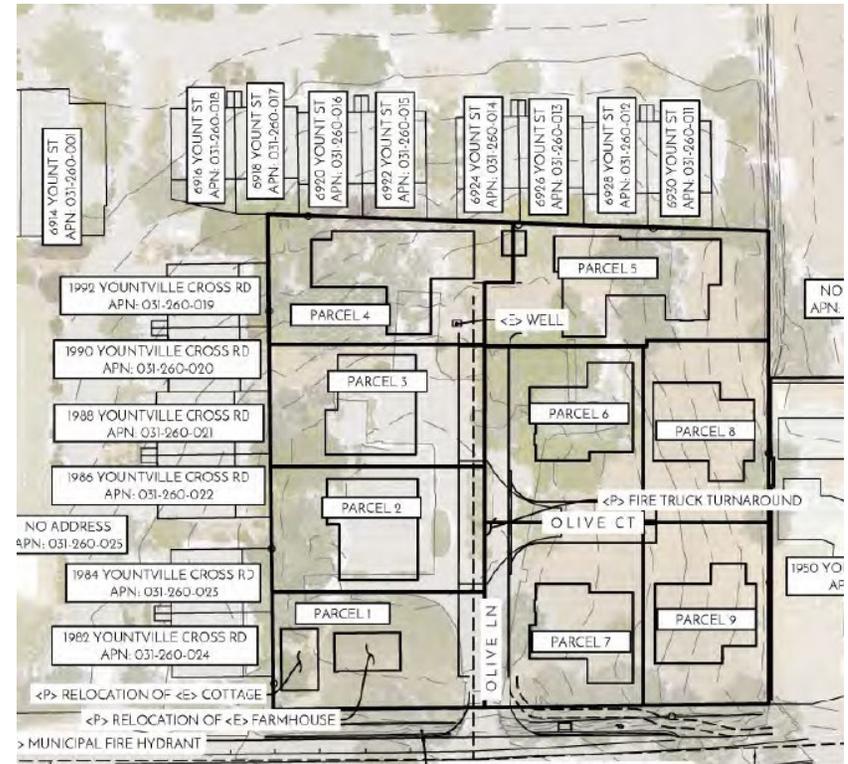
- Create nine single-family residential lots
- Relocate the existing residence and the cottage onto one parcel and convert to LMI Housing
- Demolish other structures
- Tree removal and replacement
- Construct 8 new residences (two JADUs)
- Construct private access roads
- Utilities and infrastructure
- Install fencing and landscaping



# OVERVIEW

## Entitlements Requested

- Major Subdivision Tentative Map
- Preliminary and Final Master Development Plan (with two deviations)
- One Concession and five waivers under State Density Bonus Law
- Design Review (with Waivers)
- Tree Removal
- Fence Extension Request



# COMPLIANCE REVIEW

## Inclusionary Housing Requirement

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- Requires that 15% of the new units be reserved for Very Low-, Low-, or Moderate-Income Households.
- The project would include a total of ten (eight dwellings and two JADUs) new units (15% of 10 = 1.5) rounded down to 1.
- **SDBL Concession:** Relief from the requirement that the size and design of inclusionary unit(s) be reasonably consistent with the non-inclusionary unit(s).

# COMPLIANCE REVIEW

## Single-Family Residential Development Standards

Standard	Requirement	Project
Density	Up to 7 units per acre	6.8 units/acre - Complies
Floor Area Ratio	0.3/.35	0.2-0.48 - Waiver
Height	no more than 50%... are permitted to exceed one story	All parcels have 2 story units - Waiver

# COMPLIANCE REVIEW

## SDBL Waivers

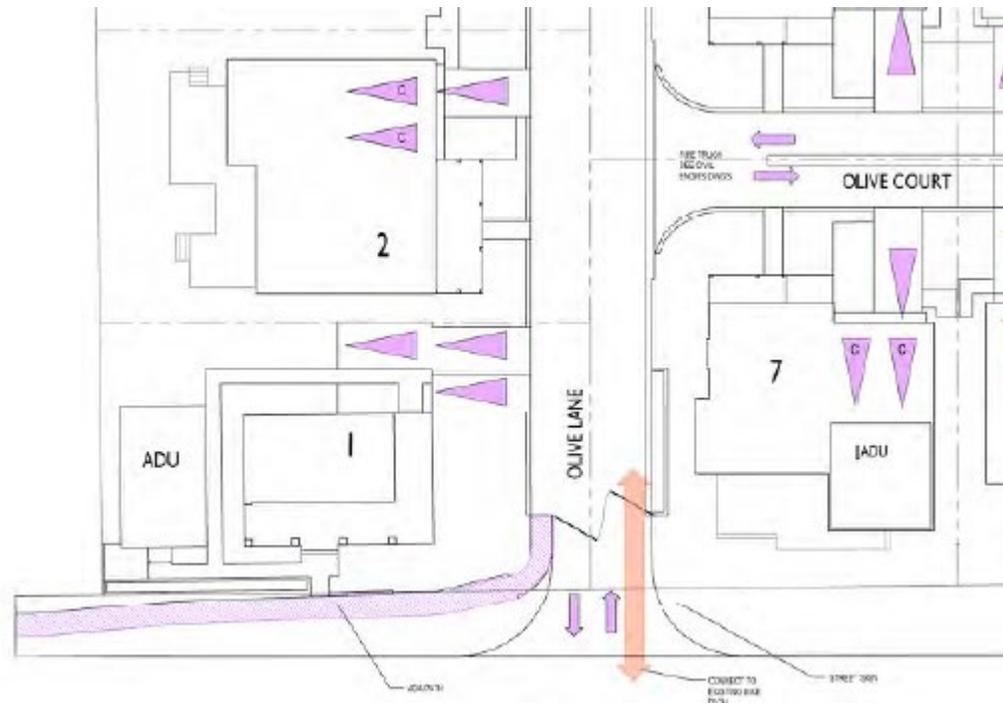
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- **Waiver 3:** Exceed the height limit to allow for more than 50% of the parcels on the block to have a second story. Exceed Yountville Municipal Code (YMC) Table 17.20-1 requirement that no more than 50% of parcels containing single-family or duplex units in any block may exceed one story in height.
- **Waiver 4:** Exceed Table 17.20-1 FAR Requirements of 0.30 for a living area of a single-family residence and 0.35 including the garage.

# COMPLIANCE REVIEW

## Parking – SDBL Waivers

- **Waiver 5:** Relief from YMC §17.116.020.F.1.a: Parking requirement for two spaces, consisting of one covered space and one screened space on Lot 1.
- **Master Plan Deviation:** Allow all lots to have driveways at a maximum of 18 ft.



# COMPLIANCE REVIEW

## Tree Removal and Preservation

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- The project site has 47 trees including ornamental trees, native oak trees, and nine heritage trees.
- Project will remove 11 trees including one heritage tree.
- **COA 3** requires tree protection measures including fencing and avoidance and a \$10,000 deposit to the Town for inadvertent, un-permitted removal, or damage to any trees.
- **COA 4:** Any tree removed or damaged through the development process shall be replaced at a 1:1 trunk diameter ratio...

# COMPLIANCE REVIEW

## Fencing

- 6 ft opaque wood fencing with cedar horizontal slats and a two-foot semi-opaque fence extension
- 3 ft opaque wood fencing
- 3 ft wood frame and wire fencing
- 3 ft metal post entry gate with decorative trim
- 72-foot long and 5 ft tall retaining wall



# COMPLIANCE REVIEW

## Utility and Refuse Storage

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- Plans provided did not clearly indicate that electrical equipment, air conditioners, or other utility equipment would be appropriately screened and located
- **COA 6:** Plans submitted for building permit shall show air conditioners, similar mechanical equipment, utility equipment, and any other equipment and shall be fully screened with materials that are consistent with the design of landscaping and fencing.
- **Master Plan Deviation** from 17.140.020(A) which prohibits the placement of the utility transformer in the front yard or setback.

# COMPLIANCE REVIEW

## Residential Design Standards

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§ 17.40.020 Design standards.

The following are design standards, which all residential projects are required to conform with **unless waived by design review approval** as regulated by Chapter 17.188 of this title.



# COMPLIANCE REVIEW

## Residential Design Standards Conditions and Waivers

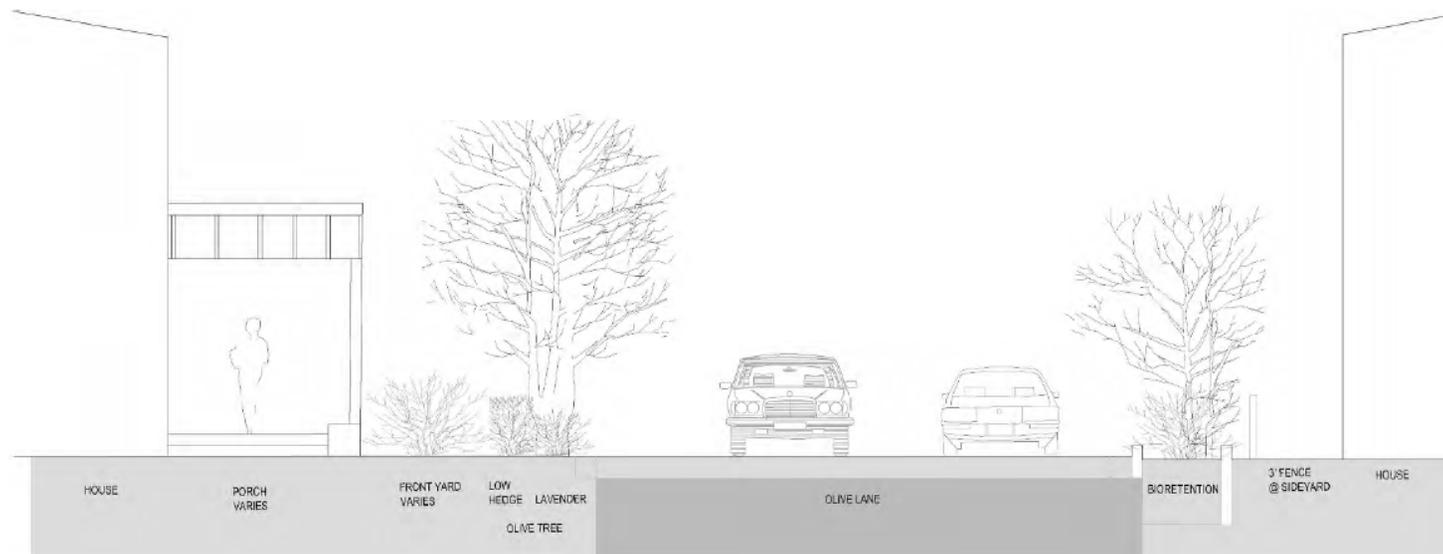
- **COA 7:** T-111 or plywood shall not be used for exterior siding.
- **DRW:** Multi-car garages are permitted if located on the rear half of the lot or screened from view from adjacent street frontages by building placement, landscaping, and/or fencing.
- **DRW:** the width of the house shall be at least five feet greater than the width of the garage along its street frontage. The garage shall be set back at least ten feet farther than the house from the street.
- **DRW:** Building facades that face street frontages shall include breaks in their wall plane by incorporating one or more techniques along at least 20% of the entire street-facing facade, such as varying setbacks, recessed or projecting building entries, wall offsets, wall projections or variation in materials.

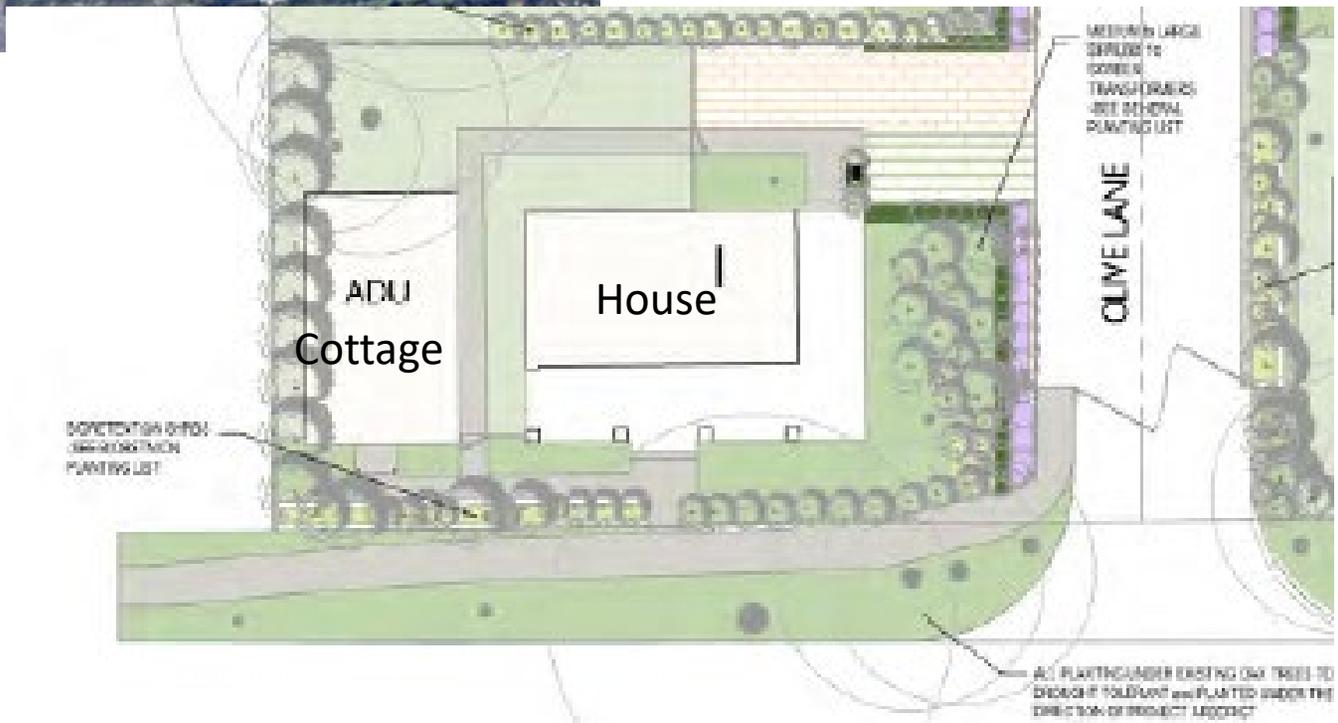
# COMPLIANCE REVIEW

## Street Standards

**Waiver 1:** Install a private road with two-way travel lanes without on-street parking, sidewalks, and landscape medians.

**Waiver 2:** Relief from installing a sidewalk on the project frontage along Yountville Cross Road between the eastern property line and the new access road.





# CONSISTENCY REVIEW

## General Plan

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Policy LU-2.10 Require new developments to maintain significant natural, historic, and cultural characteristics of their respective sites.

COA 9 requires the applicant to take nine steps to preserve the historic structure including:

- Following the Historic Preservation Relocation Plan and comply with the Secretary of the Interior Historic Rehabilitation Standards.
- purchase of a bond for a minimum of \$1,000,000 to protect against accidental or inadvertent demolition during the moving of the structure.
- submit a deposit of \$15,000 to cover an architectural historian in the event of demo or damage.

# CONSISTENCY REVIEW

## General Plan

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- Action NS-1.2f During review of development, infrastructure, and other projects involving construction activities, determine if proposed construction projects could exceed the Town's Noise Ordinance standards at nearby residences and sensitive receptors and, if necessary, require mitigation measures in addition to the standard best practice controls.

**COA-11** requires all contractors to incorporate Best Practices to limit noise exposure for all residents.

**COA-12** requires use of a roller for soil compaction and prohibits vibration compaction.

# CONSISTENCY REVIEW

## General Plan

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- OS-5.4b Require development and infrastructure projects to address potential impacts to special-status species and sensitive habitats, including sensitive natural communities, wetlands, vernal pools, waters of the U.S, and wildlife migration corridors....
- COA 13 and COA 14 include measures to avoid and protect nesting birds and bats that may potentially use existing buildings or trees for roosting or nesting

# CONSISTENCY REVIEW

## General Plan

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- OS-7.1d Review development projects to ensure compliance with the current regional air quality plan and to ensure that appropriate measures are implemented to address both short-term (e.g., construction) and long-term (e.g., operational) air quality impacts.
- OS-7.2 Minimize exposure of sensitive receptors to concentrations of air pollutant emissions, toxic air contaminants, and odors.
- COA 15 requires Best Management Practices be followed by all project contractors during all phases of the project to limit impacts to air quality.

# TENTATIVE MAP CONDITIONS

## Title 16 Subdivisions

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- COA 17 requires the applicant to pay the in-lieu fee in the amount established by the Town Council as well as \$125,000 to cover future improvements to pedestrian and bicycle access on Yountville Cross Road.

# ENVIRONMENTAL REVIEW

## CEQA Guidelines 15332 Infill Development Exemption

- Project is on a site less than 5 acres
- Substantially surrounded by urban (residential) uses
- The project is consistent with the Town's General Plan and complies with the regulations in Title 16 Subdivisions and Title 17 Zoning of the Yountville Municipal Code
- The site has no value as sensitive habitat or to support rare or endangered species
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality
- Will not have adverse impact on a historic resource
- No applicable exceptions to the exemption

# RECOMMENDATION

## Zoning and Design Review Board

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- Adopt a resolution
  - Recommending that the Town Council approve the project entitlements, waivers, deviations, and approvals
  - Finding the project exempt under CEQA Guidelines 15332

**QUESTIONS ?**

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