



Town of Yountville

6550 Yount Street
Yountville, CA 94599

Staff Report

Item #: {{section.number}}{{item.number}}

Zoning and Design Review Board Staff Report

DATE: May 27, 2025

TO: Board Members

FROM: Aaron Hecock, Planning & Building Director

PREPARED BY: Kari Svanstrom, Contract Planner

APPLICANT: Yountville Pacific, LLC

OWNER: Alfred Woodson IV

ADDRESS: 2010 & 2012 Humboldt Street (APNs 036-054-022 & 023)

LAND USE CLASSIFICATION: RSC Residential Scaled Commercial

TITLE/RECOMMENDATION

Consider Resolution Number 25-026, Provide Direction, and Make Recommendation to the Town Council regarding the Preliminary and Final Master Development Plan, Tentative Parcel Map, Use Permit, State Density Bonus Waivers, Design Review, Tree Removal Permit, and Master Sign Plan for the "Humboldt Mixed Use" Project at 2010 & 2012 Humboldt Street (the "Project") and recommend the Town Council find the project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 (Infill Development).

BACKGROUND

The Project site is located at 2010 & 2012 Humboldt Street (corner of Humboldt and Jefferson Streets) and is currently undeveloped with existing vegetation (trees & grasses) (the "Site"). The Site is currently two separate parcels - one of the parcels (2010 Humboldt Street, APN 036-054-023) is 0.12 acres, while the other parcel (2012 Humboldt Street, APN 036-054-022) is 0.14 acres. The two parcels will be merged into one parcel prior to issuance of a building permit. Once the parcels are merged, as required for the proposal, the total lot size will be 0.26 acres or 10,846 square feet. The Site is designated by the Yountville General Plan and Zoning Map as Residential-Scaled Commercial (RSC).

Adjacent uses include residential uses continuing northwest along Jefferson Street and along the northeast side of Humboldt Street. The southeast side of Humboldt Street includes commercial uses directly across from the Site, which then transitions to residential uses to the east. Across the street on the Jefferson Street side is Van de Leur Park, and directly across Washington Street at the diagonal intersection and along Washington Street are the downtown commercial uses.

The applicant previously submitted an application for a mixed-use Project at the site to the Town on March 20, 2023 (Planning File LUP-24-6). This previous application went through several submittals and staff reviews throughout 2023 and staff and ZDRB reviews in 2024 and early 2025. On April 4, 2024, the applicant submitted

a revised submittal. On June 11, 2024, the ZDRB held a Public Hearing on that modified application (a mixed-use project with three dwelling units), provided feedback to the applicant, and continued the Public Hearing. The applicant then submitted a further revised application in September, with additional revisions to the application made in October 2024. The ZDRB considered this revised application on January 14, 2025, and provided additional feedback to the applicant, including:

- Requested the building have a more residential appearance (sloped roof elements, multiple smaller structures, etc.)
- Reiterated preference for design with sloped roof elements
- Reduce perceived massing on north wall

After the January 14th, 2025, ZDRB Public Hearing, the applicant withdrew its previous application.

On February 6, 2025, the applicant submitted a new application (the current application) to construct a mixed-use project containing a total of five dwelling units. This new Project qualifies for review as a housing development project subject to the HAA and the Density Bonus Law (Gov. Code, § 65915). The new Project is also subject to the Town's Inclusionary Housing Ordinance as discussed below.

PROJECT DESCRIPTION

The Project applicant proposes to develop the Site with a two-story mixed-use development comprised of commercial and residential components. The Project will include two retail units on the ground floor and five residential units, one on the first floor, three on the second floor, and one as a two-story unit at the east side of the site. A shared parking lot for both the residential and commercial uses is proposed on the east side of the parcel with vehicular entry on Humboldt Street. The ground-floor commercial spaces total 2,307 square feet, with an additional 299 square feet of two-story space at the entry, for a total of 2,606 square feet of floor area; the residential spaces total 3,737 square feet, for a total of 6,343 square feet. The Project also includes various auxiliary spaces such as parking, trash and utility areas, within the building envelope. As the Project includes five residential units, and at least 2/3 of the Project square footage is residential, the Project constitutes a "housing development project" under the Housing Accountability Act (Gov. Code, § 65589.5) (HAA).

The Project's main building will be sited on the western side of the Site, with parking and vehicular access from Humboldt Street on the eastern side of the Site. A port cochere is proposed over the vehicle entry on Humboldt Street, which provides an entry to the Site as well as the structure for an upper-level courtyard area for the second-story studio unit. The southeast corner includes a two-story dwelling unit.

The commercial portion of the building will be fully contained on the first floor, with two retail spaces: the primary retail space ("Hunter Gatherer") is just over 2,000 square feet and includes an entry at the corner with a two-story volume at the entry, and windows along the Jefferson Street frontage. The smaller retail space is approximately 300 square feet, and fronts Humboldt Street, with the entry just to the east of the main corner entry. According to the applicant, the main retailer (Hunter Gatherer) will likely have one to two full-time employees, as will the smaller retail space, currently proposed as a flower shop.

The first floor of the main structure also contains a ground-floor studio dwelling unit at the northeast corner and the entry to the upper floor studio, covered parking and garage spaces along the east elevation, along with ancillary uses (covered trash, mechanical areas).

The 2nd floor includes three residential units, each with a dedicated private open space. The entrance to the two 1-bedroom residential units is via a shared staircase from within the covered parking area (between Garage A and B). The open space for the two 1-bedroom units is provided by upper-level courtyards which include access from each unit's entry, living room, and bedroom. Privacy for these spaces is provided by the stairwell and small exterior closets and wall, which divide the two courtyards. The second-story studio unit includes a private open space above the port cochere structure along Humboldt Street. The two-story studio unit east of the port cochere has a private open space to the north which also serves as the entry courtyard to the unit.

The parking lot includes five uncovered parking spaces and three covered spaces, two of which are proposed to be garage spaces and dedicated to the two condominium (1-bedroom) units. The applicant is proposing the

remaining six spaces be shared parking among the uses given the limited hours of the retail units and the complementary nature of residential and retail uses in terms of parking demand.

The Project also proposes a Tentative Parcel Map to create three condominium units: each of the 1-bedroom units (and one garage parking space) would be a unit, and the third would include the retail spaces, three studio dwelling units, and remainder of the parking lot. The applicant has offered to record a shared parking agreement setting forth how the 6 parking lot stalls would be shared between the retail and residential units.

Site design includes frontage improvements and landscaping, including replacement street trees and lower plantings along both Jefferson and Humboldt Streets. A 6-foot privacy fence is proposed along the northern and eastern boundaries to provide privacy to adjoining properties and screening of the parking area. Trees are proposed along the eastern property line, with shrubs and lower landscape plants along the northern property line.

Required Entitlements

The Project requires final action by the Town Council, after review and recommendation by the Zoning and Design Review Board (ZDRB) of entitlements. As a new construction Project, entitlements include a Master Development Plan (MDP) and Major Design Review. Use Permit entitlements are also required for a mixed-use development in the Residential Scaled Commercial Zoning District and to allow one of the residential units to be owner-occupied. Additionally, the applicant is proposing to subdivide the Project into three condominium units: one (1) retail and studio dwelling unit and associated parking lot; and two (2) one-bedroom apartment units. The subdivision requires approval of a Tentative Parcel Map.

The Project is subject to the Town's Inclusionary Housing requirements, which will require one deed-restricted affordable housing unit (restricted to the 50-80% of area median income [AMI]). The Project is proposing the northeast ground floor studio apartment be provided as the deed-restricted affordable housing unit.

The applicant is also requesting Density Bonus Waivers under State Density Bonus Law provisions, including the following:

- A decrease in the front setback at Jefferson Street of 5-feet from the required 15-foot setback to 10-foot setback
- A Floor Area Ratio (FAR) increase of the residential FAR from 0.15 to 0.37
- A decrease in parking from the required 13 spaces to 8 spaces, including 6 shared spaces
- A Top Story Floor Area Limit waiver to allow the 2nd floor area to be 43% of the total floor area where 40% is the development standard

The applicant is requesting a Master Sign Plan for the two retail spaces. Lastly, the Project will require approval of a Tree Removal permit for one protected tree, a 24-inch DBH (diameter at breast height) California Walnut Tree. The applicant is proposing to remove and replace the other trees on Site, including the pear trees along the street; however, these trees do not require Tree Removal Permits due to their size and species. In addition to the foregoing entitlements, the Project is subject to review under the California Environmental Quality Act (CEQA).

Per YMC 17.180.020(G), projects requiring multiple permit applications are processed concurrently and decided upon by the highest-level review authority for any of the permit types. The Town Council is the decision-making body for the Master Development Plan, Tentative Parcel Map, Major Design Review, and Use Permits. Therefore, all entitlements in the above application will be determined by the Town Council upon recommendation by the ZDRB.

ANALYSIS

LEGAL FRAMEWORK

The Housing Accountability Act (Gov. Code, § 65589.5) (HAA) is a set of legislation which places requirements

for processing of qualifying housing applications and includes restrictions on local governments' ability to deny or require certain modifications to housing development projects. Specifically, 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. This means that, unless the Town can find that the project would have an unavoidable, specific adverse impact on public health or safety, it may not deny the project or place conditions on the project that would reduce the density of the project. [*California Department of Housing and Community Development Division of Housing Policy, "Housing Accountability Act Technical Assistance Advisory (Gov. Code §65589.5). September 15, 2020.*]

It also means the Town cannot utilize "discretionary" or "subjective" design guidelines or standards and must restrict its review to only 'objective' standards. For instance, a building height limit is an objective standard, while a guideline to 'break up the massing of roof elements to reduce the scale' is subjective, as there is no specific standard/method to determine if the guideline is met or not.

Additionally, under the HAA, Gov. Code, § 65589.5(j)(1) the receipt of a density bonus, incentive, concession, or waiver (discussed below) is not a valid basis to find a housing development project inconsistent with applicable standards. (Gov. Code, § 65589.5(j)(3). In other words, receiving a Density Bonus waiver or concession enables the Project to be deemed to comply with the standard for which the waiver or concession is granted.

ANALYSIS

In addition to the Town's General Plan, the following Yountville Municipal Code (YMC) sections are applicable to this application:

- YMC § 16.20 Minor division of land (four or less parcels), and applicable State Subdivision Map Act (SMA) provisions
- YMC § 17.56 Residential-Scaled Commercial Zoning Standards
- YMC § 17.72 Nonresidential and Mixed-Use Design Standards
- YMC § 17.188 Design Review
- YMC § 17.192 Master Development Plans
- YMC § 17.200 Use Permits
- YMC §§ 17.100 - 17.178 General Development Standards & Standards for Specific Land Uses and Activities
 - YMC § 17.100 Floor Area Ratio and YMC § 17.178 Commercial and Mixed-use Development Incentives
 - YMC § 17.108 Setback Encroachments
 - YMC § 17.116 Off-street Parking and Loading
 - YMC § 17.120 Open Space
 - YMC § 17.124 Water Efficient Landscaping
 - YMC § 17.128 Tree Preservation
 - YMC § 17.132 Outdoor Lighting
 - YMC § 17.136 Walls, Fences, and Landscape Screening
 - YMC § 17.140 Utilities and Refuse Storage
 - YMC § 17.144 Regulations for Impact on Adjacent Uses
 - YMC § 17.148 Public Art Program
 - YMC § 17.152 Signs
 - YMC § 17.160 Provisions for Affordable Housing

The following Municipal Code Sections require Findings for Approval:

- YMC § 16.16.020 Tentative Parcel Map Approval
- YMC § 17.160.030 Provisions for Affordable Housing

- YMC § 17.188.060 Design Review Findings
- YMC § 17.192.060 Master Development Plan Findings
- YMC § 17.200.060 Use Permit Findings

General Plan – Land Use Designation Background – Residential-Scaled Commercial

The General Plan designation for the Site is Residential-Scaled Commercial. Extensive community input during the General Plan Update process helped identify where revised land use designations and development standards and incentives could create positive changes in the built environment. The Site is one of these areas and is identified in the General Plan as a “Change Area” (General Plan Land Use Element, Section 5.3 Change Areas, pages 58-61).

As described in this section of the General Plan, the land use designation of these two parcels was changed from Old Town Historic to Residential-Scaled Commercial due to their proximity to commercial uses on Washington Street. The General Plan provided for a program to rezone the two parcels and to require a minimum lot size of 10,000 SF (GP LU-6.2b). The rezoning was completed in 2020.

The General Plan requires that two second-story housing units are required in the Site’s development to ensure there is no loss of housing sites. The General Plan states that the residential and commercial uses could share parking spaces.

Lastly, Land Use Policy LU-6.2B states the following regarding the rezoning and uses for the parcels:

LU-6.2b Humboldt Rezoning.

Rezone two vacant residential parcels at the northeast intersection of Humboldt Street and Jefferson Street from Old Town Historic to Residential-Scaled Commercial with a minimum lot size of 10,000 square feet. Food and wine use incidental to a related retail use, such as a pharmacy soda fountain, may be acceptable as determined by the Town Council. Full-service restaurant, cannabis businesses, tasting rooms, wine bars, and similar uses are not permitted. Require at least two second-story rental housing units in any development proposal. One of the units may be used as a primary dwelling by either the owner or the owner’s immediate family subject to a use permit.

The requirement to merge the parcels is to ensure the parcels are an appropriate size for mixed-use development and so that parking could be tucked towards the rear, rather than two smaller, crowded commercial sites with inefficient parking.

Commercial use restrictions were established to ensure the commercial uses would be compatible with the adjoining residential areas in intensity, including noise and traffic. Most of these uses are not permitted in the RSC Zoning District, so were not included as site-specific requirements in the Zoning Ordinance provisions.

The requirement for the minimum of two rental units was two-fold: the minimum two units to replace the two single-family zone parcels ensures that the two potential housing units were retained, and the requirement for rental housing supports the goal of providing additional rental opportunities within the Town.

The Residential-Scaled Commercial Zoning District language (along with the rezoning of the two parcels) was amended in 2020 to incorporate specific conditions for these two parcels to implement the above Policy (see Zoning Analysis below).

Additionally, the newly adopted General Plan Housing Element Update identifies the two parcels as suitable for development of housing, with a minimum of two and maximum of 16 units, and a likely development density of 3 units, with 2 units on the western parcel and 1 on the eastern parcel (General Plan, Table E-2 Land Inventory, page E-13).

Staff Analysis - General Plan Consistency

As a Project subject to the HAA, it may only be reviewed against objective General Plan standards. Staff recommends the ZDRB and Town Council find the proposed Project consistent with applicable objective standards of the General Plan, as analyzed in the General Plan Consistency Analysis Memo included as Attachment 2 as well as the "Change Area" provisions discussed above.

YMC § 16.20 TENTATIVE PARCEL MAP

Pursuant to YMC Chapter 16.12, a Tentative Parcel Map is required for the subdivision of land into 4 or fewer parcels. The Town Council is the responsible reviewing authority for the approval of Tentative and Final Maps, with the Town Engineer and the ZDRB responsible for reviewing and making recommendations to the Town Council in accordance with YMC § 16.20.010(C).

The Project Site is currently composed of two parcels. The Applicant is proposing to merge the parcels into one parcel. The subdivision for the condominium project would have three condominium units: the retail and three studio units and associated parking as one unit, and the second floor one-bedroom units (and their associated parking and open space/courtyard areas) as two additional condominium units.

Findings

Pursuant to YMC §§ 16.20.010(D), the ZDRB may adopt findings and recommend approval to the Town Council if they find that the proposed subdivision, together with its provisions for design and improvement, is consistent with the General Plan, applicable specific plans, the Master Utility Plan, and applicable subdivision improvement standards adopted by the Town of Yountville. Pursuant to YMC § 16.04.030, Tentative Parcel Map must be in Conformity to General Plan and zoning ordinances as follows:

- A. No land shall be subdivided and developed for any purpose that is not in conformity with the General Plan and zoning ordinance of the Town.*

STAFF FINDING:

As noted above, the General Plan and Zoning Ordinance requirements specify the size of this Site shall be a minimum of 10,000 square feet. Additional General Plan Consistency criteria are discussed in the General Consistency Analysis Memo (Attachment 2). A merger of the two parcels will be required prior to either the issuance of a building permit or the subdivision of the land/recording of the Final Parcel Map. The proposed Tentative Parcel Map includes one parcel, which will be greater than 10,000 square feet, with condominium units within the parcel. As conditioned, this criterion will be met.

- B. The type and intensity of land use as shown on the General Plan shall determine the type of street, utilities, and public services that shall be provided by the subdivider. These public improvements shall be consistent with the General Plan, Master Utility Plan, and any Town Design Standards and Standard Plans.*

STAFF FINDING:

The Town Engineer has reviewed the proposed Tentative Parcel Map (TPM) and provided conditions of approval for the TPM, which will be required to be integrated into the Final Map to ensure the public improvements are consistent with the General Plan, Master Utility Plan, and any Town Design Standards and Standard Plans. These Conditions of Approval include the required lot merger and the provision for separate utility lines for each condominium unit. As conditioned, this criterion will be met

Pursuant to YMC § 16.20.010(D)(2)

- 1. The tentative parcel map may be denied for any reason provided by Town ordinance, resolutions, or the State Subdivision Map Act. The Zoning and Design Review Board shall adopt findings and recommend denial and the Town Council shall deny approval of the tentative parcel map if they make any of the findings contained in Section 16.16.020(E)(3)(b).*

STAFF FINDING:

None of the findings in Section 16.16.020-(E)(3)(b) can be made, in that, as conditioned, the proposed map and

development will be consistent with the General Plan, subdivision improvement standards, and other Town standards. There are no specific plans that apply to this site. The site is suitable for the proposed mixed-use project at the proposed density, and, as discussed in this staff report, is compatible with surrounding development and is not likely to cause serious public health problems. As conditioned, the subdivision and improvements will not conflict with easements of record.

YMC § 17.56 ZONING - RESIDENTIAL-SCALED COMMERCIAL (RSC)

§ 17.56.020 General Conditions

The Site is zoned Residential-Scaled Commercial (RSC). The land use designation RSC is intended to reinforce Washington Street as the main commercial street in Yountville, and to encourage an appropriate transition to adjacent residential neighborhoods.

Per YMC Section 17.56.020 (A), "all new uses listed in YMC Section 17.56.030 shall require a use permit (per YMC Chapter 17.200) and new development proposal shall require a Master Development Plan (per YMC Chapter 17.192). Additionally, design review is required (per YMC Chapter 17.188) and all commercial operations shall be subject to YMC Chapter 17.144 (Impact on Adjacent Use)."

The required permits are included in this application and compliance is discussed in the corresponding sections below.

YMC § 17.56.030 Site-Specific Conditions

In accordance with the General Plan policy discussed above, the following specific conditions apply to the two parcels (APNs 036-054-22 and -023) that constitute this Project:

YMC § 17.56.030 Site-specific conditions. The following conditions shall apply to APNs 036-054-022 and -023:

- A. Lot size shall be a minimum of 10,000 square feet*
- B. A minimum of two second-story residential rental units shall be required as part of any development proposal. One of these residential units may be owner-occupied subject to the granting of a use permit as provided in Chapter 17.200 of this title; and*
- C. Wine tasting rooms are a prohibited use.*

- A. Lot size shall be a minimum of 10,000 square feet*

The two parcels will be merged prior to issuance of a building permit. The merger of the two lots will create a 10,846 square foot lot, with a merger required as part of the conditions of approval prior to issuance of a building permit. The Tentative Map will retain the larger parcel, and create air-space condominiums within the parcel, and will conform to this standard.

B. A minimum of two second-story residential rental units shall be required as part of any development proposal. One of these residential units may be owner-occupied subject to the granting of a use permit as provided in Chapter 17.200 of this title; and

Three second story residential units (and two first floor units) are proposed. Two of these units are proposed to be one-bedroom market rate units while the third is proposed as a studio unit. The one-bedroom units would be separate condominium units, while the studio units would be rental and held in ownership with the retail spaces and the parking lot (other than the garage spaces for the one-bedroom units). A use permit has been submitted to allow one of the market-rate units to be owner-occupied. The other one-bedroom unit and the studio units would remain as rental units.

The Town's Inclusionary Housing ordinance will require one deed-restricted affordable unit, which must be a rental (cannot be owner-occupied) subject to an affordable housing agreement.

C. Wine tasting rooms are a prohibited use.

The commercial use proposed is retail and does not include any of the uses prohibited in the General Plan or Zoning Ordinance § 17.56.030(C).

Site Specific Requirements Comparison chart

	YMC Requirements	Prior Application (January ZDRB Proposal)	Current Application
Lot size	<i>Min. 10,000 SF</i>	<i>10,846 SF when the two lots are merged. If approved, the Project would be conditioned to merge the lots.</i> <u>Conforms to standard.</u>	<i>10,846 SF when the two lots are merged. If approved, the Project would be conditioned to merge the lots.</i> <u>Conforms to standard.</u>
Residential Density (minimum density per YMC 17.56.030(B; Maximum density per Table D-8, 2023-2031 Housing Element)	<i>Min. (2) units - 2nd story residential rental units as part of any development proposal</i> <i>maximum density of 16 units (8 units per parcel)</i>	<i>Three (3) 2nd story apartments proposed</i> <i>(2) one-bedroom with den residential units</i> <i>(1) studio residential unit</i> <u>Conforms to standard.</u>	<i>Five dwelling units, including three (3) 2nd floor units, one (1) 1st floor unit, and one (1) two-story unit.</i> <i>(2) one-bedroom with den residential units</i> <i>(3) studio residential units</i> <u>Conforms to standard.</u>
Residential Occupancy	<i>One unit may be owner-occupied by owner of retail complex</i>	<i>Use Permit requested – owner-occupancy proposed for one market-rate one-bedroom unit.</i>	<i>Use Permit requested – owner-occupancy proposed for one market-rate one-bedroom unit.</i>
Mixed Use Development	<i>Requires a Use Permit</i>	<i>Use Permit requested</i>	<i>Use Permit requested</i>

§ 17.56.030 General Development Standards (YMC § 17.56.060 & Table 17.56-1), and YMC § 17.100 Floor Area Ratios and YMC § 17.178 Commercial and Mixed-Use Development Incentives

Development Standard	YMC Requirement	Prior Application	Current Application
Max Floor Area Ratio (FAR)	<i>Max FAR: 0.40, or 10,846 SF x 0.4= 4,338 SF</i> <i>0.25 for commercial plus an additional 0.15 FAR for housing uses & professional office use (17.178)</i>	<i>0.475, or 5,149 SF (811 SF over the maximum FAR)</i> <i>Retail: 0.25 FAR 2,413 SF</i> <i>Retail 2nd floor volume: 299 SF = 2,712 SF</i> <i>Residential:</i> <i>Unit A: 1,049 SF</i> <i>Unit B: 1,073 SF</i> <i>Unit C: 315 SF</i>	<i>Retail: 0.24 FAR</i> <i>2,307 SF + 299 SF (second floor two-story space) = 2,606 SF</i> <i>Residential: 0.37 FAR</i> <i>Unit A: 1,123 SF</i> <i>Unit B: 1,178 SF</i> <i>Apartment 1: 479 SF</i> <i>Apartment 2: (335+307.6) SF</i> <i>Apartment 3: 314.2 SF=</i>

		<p>Total Res.: 2,437 SF</p> <p>Total SF: 5,149 SF</p> <p><u>Applicant requested a deviation through the MDP process for the additional residential square footage / 0.075 FAR</u></p>	<p>3,737 SF</p> <p>Other areas: 290 SF (enclosed stairs and garage SF above 400 SF exemption) =</p> <p>Total Res.: 4,027 SF</p> <p>Total SF for FAR: 6,633 SF</p> <p>Total FAR: 0.61</p> <p><u>Applicant is requesting a Density Bonus waiver to increase the Residential FAR to provide 5 units</u></p>
Setbacks			
Front (Jefferson St)	15' minimum	<p>10'</p> <p><i>Does not comply</i></p> <p><u>Applicant requested a deviation through the MDP process.</u></p>	<p>10'</p> <p><i>Does not comply</i></p> <p><u>Applicant is requesting a Density Bonus waiver under State Law to reduce the front setback by 5-feet</u></p>
Side - Humboldt St (west)	Determined by MDP	7'-9.5"	7'-9.5"
Side – North	Determined by MDP	7'-8.5"	7'-8.5"
Rear – East side yard	Determined by MDP	<p>5'9" to port cochere</p> <p>47'2" to main structure</p>	<p>5'9" to two-story dwelling unit</p> <p>47'2" to main structure</p>
Height	Two stories maximum Max – 22' to plate and 30 feet to peak	<p>30' peak of roof at entry</p> <p>26'0" for main roof parapet, with breaks in the higher roof every 30' or less</p> <p>22' to plate</p> <p><u>Conforms to standard.</u></p>	<p>30' peak of roof at entry, 26'-0" to parapet, and 28'-6" to hip roof peak</p> <p>22' to plate</p> <p><u>Conforms to standard.</u></p>
<p>Top Story Floor Area Limit</p> <p>No more than 40% of the floor area of any building may be on the top floor</p>	<p>40% of total building area</p> <p>Total area of the building is 7,873 SF</p> <p>40% of floor area = 3,149 SF</p>		<p>First Floor: 4,490 SF</p> <p>Second floor: 3,383 SF</p> <p>Total: 7,873 SF</p> <p>40% = 3,149 SF</p> <p>(3,383 SF / 7,873 SF = 43%)</p> <p><i>Does not comply</i></p> <p><u>Applicant is requesting a Density Bonus waiver under</u></p>

			<u>State Law to allow the Top Story Floor Area to be 43%</u>
Private Open Space 17.120.020(B) requires private open space for dwelling units	Lots 10,000 – 20,000 SF: 15% of gross area 15% of 10,846 SF = 1,627 SF	Unit A: 431.5 SF (Condo) Unit B: 431.5 SF (Condo) Unit C: 494.5 SF (Apt) Total: 1,357.5 SF 1st Floor Open Space: approx. 2,500 SF <u>Conforms to standard.</u>	Unit A: 431.5 SF (Condo) Unit B: 431.5 SF (Condo) Apartment 1: 91 SF Apartment 2: 185 SF Apartment 3: 601 SF <u>Conforms to standard.</u>
Parking (17.116) Retail - 1 space per 250 SF Residential – 4 spaces (one covered and one screened)** **Under State Density Bonus Law, 1 space per residential unit	As required by Chapter 17.116, Off-Street Parking and Loading Retail/Commercial: one space per 250 SF Residential Uses: (Duplex): Four spaces – one covered and one screened for each unit Three Units: four spaces- two covered and two screened spaces	Total of 14 parking spaces required: 2,413 SF of Retail = 10 spaces Three residential units = 4 spaces, 2 covered and 2 screened. <u>Conforms to standard.</u>	Total of 13 spaces: [Retail 2,112 SF = 8 spaces Dwellings: 1 space each = 5 spaces] Total Required= 13 spaces ----- Provided: 8 spaces 2 garage spaces (residential) and 6 shared spaces <u>Does not Comply;</u> <u>Applicant is requesting a Density Bonus waiver to reduce the parking</u>
Bicycle Parking (17.116.020I) <i>Bicycle storage space shall be provided in all parking areas of 10 or more spaces.</i>	Retail = min of 5% of the required vehicles spaces. Residential (multi-family) – min. of 10% of the required vehicle spaces.	2 racks provided which hold two bikes each = 4 bike spaces provided. <u>Conforms to standard.</u>	2 racks provided which hold two bikes each = 4 bike spaces provided. <u>Conforms to standard.</u>
Signage <i>0.5 Square Feet (SF) per Linear foot (LF) of frontage, 25 SF max per sign</i>	Master Sign Permit required/requested Allowed: [125 SF x.5 = 63 SF]; 25 SF max each sign	Proposed Signs (Wall signs): Hunter Gatherer: 10'-6"W x 1'H = 10.5 SF Flower Shop: 6'W x 0'-9"H = 4.5 SF Total SF: 15 SF <u>Conforms to standard.</u>	Proposed Signs (Wall signs): Hunter Gatherer: 10'-6"W x 1'H = 10.5 SF Flower Shop: 6'W x 0'-9"H = 4.5 SF Total SF: 15 SF <u>Conforms to standard.</u>

YMC § 17.72 NONRESIDENTIAL AND MIXED-USE DESIGN STANDARDS

YMC § 17.72 provides the Town's Non-residential and Mixed-Use Design Standards and Guidelines. Because the Project is subject to the Housing Accountability Act, the Town may only review the Project for compliance

with objective design standards, which are summarized below. Note, the Town may still impose conditions of approval that do not require the Project to be developed at a lower density.

17.72.020 District design intent. The following description defines the design intent for new nonresidential structures in the applicable zoning district.

*A. **Residential-Scaled Commercial** buildings are intended to provide an appropriate transition between commercial and residential areas. Typically, these buildings are similar in size to single-family houses and other residential buildings. The design standards outlined below intend to encourage the development of multiple, small, pedestrian-oriented buildings that combine to form publicly accessible courtyards and passageways, with parking at the rear of the Site.*

17.72.030 Design Standards. The following are the Town's objective Design Standards which all nonresidential projects are required to conform with, unless waived by design review approval as regulated by Chapter 17.188 of this title.

7. Blank walls (facades without doors or windows) shall be less than 30 feet in length if visible from adjacent street(s).

The Jefferson and Humboldt facades are both highly articulated, with detailed wood window frames with multiple lights on the first floor, metal Juliette balconies, light fixtures, and planter boxes to provide detail to the facades. There are no exterior walls greater than 30 feet in length, except for the north elevation (at thirty feet six inches). This elevation has a series of four second floor windows (clerestory for neighbor privacy) and openings on the first floor for the parking area, so it is not a blank facade.

8. Lighting for parking areas shall be designed to confine emitted light to the parking areas, and the light source shall not be visible from adjacent properties. Average illumination at the ground shall be no more than one foot candle, except where an increase in lighting level is recommended by a lighting consultant or qualified professional as necessary for safety.

As conditioned, the parking lot lighting will be required to adhere to the Municipal Code requirements regarding lighting levels.

F. Utilities and Auxiliary Structures

2. Screen rooftop equipment from view.

Mechanical equipment is proposed to be located on the roof and, as conditioned, would be screened by the roof parapets. Any mechanical equipment located on the first-floor port cochere roof, which also serves as the open space for the studio unit, will also be required to be screened. As conditioned, this criterion will be met.

3. Utilities and refuse storage areas are not permitted in any setback area or front yard.

The refuse areas are either included within the building envelope or adjacent to open space areas on the interior of the site. This criterion is met.

4. All new electrical, telephone, CATV and similar service wires or cables shall be installed underground. Risers on poles or buildings are permitted.

As conditioned, this criterion will be met.

5. Electrical vaults and meter boxes must be screened from view.

As conditioned, this criterion will be met.

6. Refuse storage areas shall be screened from public and adjacent properties view or located within a building.

The proposed refuse storage areas are integrated into the building structure and fully enclosed, accessed via exterior doors on the building. Additionally, the commercial (and Apartment 2) refuse area is located close to Humboldt Street, away from any nearby residents. The provision of three trash locations, with the commercial and four of the dwelling units' bins to be set along the Humboldt Street frontage will help address neighbor concerns regarding trash bin location on trash collection days.

7. Trash and recycling areas shall be fully enclosed structures with solid roofs and shall conform with all

mandated water quality requirements and building codes, including accessibility requirements for persons with disabilities. Chain link fencing and gates with wood or plastic slats shall not be used for trash and other utility enclosures.

The proposed trash/recycling areas are integrated into the structure and behind doors / under roof cover or within fully enclosed structures. As conditioned, this criterion will be met.

9. Reduced pressure backflow prevention devices are required for connection to the Town's water system, and are required to be above ground, but shall be screened from adjacent public street(s) by landscaping or fencing while allowing access for annual testing.

As conditioned, this criterion will be met.

YMC § 17.160 PROVISIONS FOR AFFORDABLE HOUSING

The Application is subject to the provisions of YMC § 17.160.020 (Inclusionary housing program) and is eligible for provisions of YMC § 17.160.030 (State density bonus program), and Gov. Code, § 65915 (Density Bonus Law).

YMC § 17.160.020 Inclusionary Housing

YMC § 17.160.020 requires any development that constructs five or more dwelling units to provide at least 15% of new dwelling units as deed-restricted, income restricted units. For a project with five units, one unit is required. The Applicant proposes to include a deed-restricted affordable housing unit (Apartment 1, the ground-floor studio dwelling unit), to be restricted to persons at the low-income level (50-80% of area median income, or AMI) for a minimum of 55-years. This unit would account for 20% of the dwelling units being proposed. Conditions of Approval regarding the regulatory agreements and deed-restriction required are included as Conditions of Approval #3-5.

YMC § 17.160.030 State Density Bonus Law

Under both State Law and the Yountville Municipal Code, a developer that provides a minimum of 10% of the project's housing units as affordable housing units (deed-restricted at specific income levels for at least 55-years) are eligible for certain incentives. These incentives can include additional density (additional units) above what zoning allows; waivers of any development standards that would preclude construction of the project; concessions/exceptions from otherwise applicable zoning standards; and a reduction to parking requirements.

Legal Framework

The Density Bonus Law prohibits the Town from applying a development standard that would have the effect of physically precluding the construction of an eligible development unless written findings can be made based upon substantial evidence that the waiver would (i) have a specific, adverse impact upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid; (ii) have a specific, adverse impact on any real property that is listed in the California Register of Historical Resources, or (iii) be contrary to state or federal law. (Gov. Code, § 65915, subd. (e)(1).)

Additionally, the Housing Accountability Act (HAA), as enacted by the State Legislature in 2017 and 2019, prohibits the Town from denying or reducing the density of housing development projects 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. (Gov. Code, § 65589.5(j)(1)) The approval of a density bonus, incentive, concession, or waiver makes those aspects of the project 'consistent' with the Town's standards (when a density bonus waiver is approved, those standards are "waived" and are considered to be consistent for the purposes of this legal requirement (Gov. Code, § 65589.5(j)(3).)

Density Bonus Waiver Requests

The Project includes one deed restricted dwelling unit of the five proposed, or 20% of the units, and is therefore eligible for Density Bonus waivers.

The applicant is *not* requesting additional units (density bonus) or concessions. They are, however, requesting four waivers/modifications to the Town's Development Standards, as outlined below.

The Density Bonus Waivers requested are:

- 1) Setback Waiver at Jefferson Street (front yard) to be 10-feet where 15-feet is the development standard
- 2) Floor Area Ratio (FAR) Waiver to allow a Residential FAR of 0.37 where 0.15 is the development standard for the residential portion of the project
- 3) Parking Waiver – to allow a reduction to 8 parking spaces where 13 spaces are required
- 4) Top Story Floor Area Limit Waiver– to allow the 2nd floor area to be 43% of the total floor area where 40% is the development standard

1) Setback Waiver at Jefferson Street (front yard) to allow a 10-foot setback where 15-feet is the development standard. The reduction in the setback is requested to be able to accommodate the retail space of just over 2,300 square feet without any reduction to the parking, which meets the Town's requirements (the Project could be set back further, but the full bay of uncovered parking would be lost, which would impact the Project's financial infeasible as well as reducing the parking).

The retail space, the deed-restricted affordable studio unit, and the two market-rate studio rental units are part of the same condominium unit. As described by the applicant, the retail space and associated revenues will subsidize the cost of providing the affordable studio unit. The ground floor retail space also physically supports the second-story residential units, and reduction to the ground floor square footage to meet the 15' setback would result in reduction to the residential square footage and potentially eliminating one of the dwelling units from the Project. As noted in the Legal Framework, a development standard that physically precludes the development of a Project at the allowed residential density (16 units) is not allowed. Staff are not aware of any evidence that waiver of this standard would result in any specific, adverse impact on public health, safety, or any historic real property, or that it would be contrary to state or federal law. Therefore, staff recommend this request for a Density Bonus waiver to be approved.

2) Total Floor Area Ratio (FAR) Waiver to allow an FAR of 0.61 where 0.40 FAR is allowed (to allow a residential FAR of 0.37 where 0.15 is the development standard).

The retail component FAR is 0.24, which corresponds to the maximum 0.25 FAR limit for commercial uses in this zoning district per the Municipal Code. The Municipal Code allows an additional 0.15 FAR for residential or office uses. The residential FAR proposed for the Project is 0.37 (an additional 0.22 FAR is being requested). Since all of the additional FAR is for the residential portion of the project, the additional FAR is directly linked to the provision of five residential units. As noted in the Legal Framework, a development standard that physically precludes the development of a Project at the allowed residential density is not allowed. Staff are not aware of any evidence that waiver of this standard would result in any specific, adverse impact on public health, safety, or any historic real property, or that it would be contrary to state or federal law. Therefore, staff recommend this request for a Density Bonus waiver to be approved.

<p>Max Floor Area Ratio (FAR) YMC § 17.56.060 and YMC § 17.178</p> <p><i>0.25 for commercial plus an additional 0.15 FAR for housing uses & professional office use (17.178)</i></p>	<p>Retail: 0.24 FAR First floor: 2,307 SF + 299 SF second floor space Total Retail SF = 2,606 SF</p> <p>Residential: 0.37 FAR Unit A: 1,123 SF Unit B: 1,178 SF Apartment 1: 479 SF Apartment 2: (335+307.6) SF Apartment 3: 314.2 SF = 3,737 SF Other areas: 290 SF (enclosed stairs and garage SF above 400 SF exemption) = Total Res.: 4,027 SF</p> <p>Total SF for FAR: 6,633 SF or 0.61</p>
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3) Parking Waiver to reduce the parking to 8 spaces, with 6 of the spaces shared between the residential and

retail uses, where 13 spaces are required.

The Yountville Municipal Code requires one parking space per 250 square feet of usable retail square footage, and seven spaces (four covered, three uncovered) for a five-unit multi-family use. However, State Density Bonus Law limits the parking for residential units in a Project eligible for a Density Bonus to one space per unit, or five spaces; no change is applied to the retail requirement. Therefore, the parking requirement for the Project is thirteen spaces. The Applicant is requesting a Density Bonus Waiver to reduce the parking requirement from 13 to 8 spaces.

The Applicant is proposing to provide eight spaces: two spaces would be dedicated garage spaces (covered with door and storage) for the two condominium units, while the other six spaces would be shared between the three studio dwelling units and the retail use. The Applicant is proposing to record a shared parking agreement to ensure the ADA-parking and shared uncovered parking (6 spaces total) is shared between the retail and residential uses. The Applicant has noted that, without the waiver, they would be required to eliminate two of the five residential units to meet the parking standards. To provide the additional 5 parking spaces required while maintaining the five units would either be physically infeasible or require a cost-prohibitive alternative (such as underground parking or mechanical lift parking to increase the capacity within the existing parking footprint).

As noted in the Legal Framework, a development standard that physically precludes the construction of a Project at the allowed residential density is not allowed. Staff are not aware of any evidence that waiver of this standard would result in any specific, adverse impact on public health, safety, or any historic real property, or that it would be contrary to state or federal law. Therefore, staff recommend this request for a Density Bonus waiver to be approved.

Chapter 17.116, Off-Street Parking and Loading Retail - 1 space per 250 SF of use are (not including utility areas) Multifamily Residential: 5 units = 7 spaces, 4 covered, 3 uncovered/screened Residential Parking Requirement is modified by State Density Bonus Law, 1 space per residential unit	<i>Required: 13 spaces</i> <i>Retail 2,112 SF = 8 spaces</i> <i>Dwellings: 1 space each = 5 spaces</i>
	Provided: 8 spaces 2 garage spaces (residential), and 6 shared spaces (residential and retail)

4) Top Story Floor Area Limit Waiver to allow the 2nd story floor area to be 43% of the total square footage, where the development standard is 40%. The total building area is 7,873 square feet, which would allow a top story of 3,349 square feet. The second story as proposed is 3,383 square feet, which is 43% of the total building square footage (note, building square footage includes parking and other ancillary spaces within building envelope).

As with the FAR, the percentage/amount of square footage on the top story is directly related to the residential component of the Project, as the top story is entirely residential. Reduction of the top story would reduce the amount of square footage available to, and potential viability of, one or more of the residential units. The Applicant notes, similar to the FAR, that a reduction in the square footage would require the elimination of one or more of the residential units. Staff are not aware of any evidence that waiver of this standard would result in any specific, adverse impact on public health, safety, or any historic real property, or that it would be contrary to state or federal law. Therefore, staff recommend this request for a Density Bonus waiver to be approved.

Top Story Floor Area Limit	40% of total building area	First Floor: 4,490 SF
No more than 40% of the	Total area of the building is	Second floor: 3,383 SF
		Total: 7,873 SF

floor area of any building may be on the top floor	7,873 SF 40% of floor area = 3,149 SF	40% = 3,149 SF (3,383 SF / 7,873 SF = 43%)
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Findings for Density Bonus Waivers

Pursuant to YMC § 17.160.030 Before approving an application for a density bonus, incentive, concession, waiver, or modification, the approval body shall make the following findings:

a. If the density bonus is based all or in part on donation of land, the findings shall include the findings in California Government Code 65915(g);

STAFF FINDING:

The Density Bonus is not based on the donation of land. This Finding is not applicable.

b. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care facility, the findings shall include the findings in California Government Code 65915(h);

STAFF FINDING:

The density bonus and waivers are not based all or in part on the inclusion of a childcare facility, and as such, the findings in California Government Code 65915(h) are not required. This Finding is not applicable.

c. If a waiver or modification is requested, the developer has shown that the waiver or modification is necessary to make the housing units economically feasible;

STAFF FINDING:

This finding has been superseded by law. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1346.)

Nonetheless, the applicant has demonstrated that the waivers are necessary to make the housing units feasible, as both the additional FAR and top story percentage in the Project are directly related to the residential areas of the Project. The Project meets the 0.25 FAR maximum for the commercial space; the FAR increase is all attributable to the residential component. Additionally, the top floor is residential, so any reduction in the top story size would reduce the size or number of dwelling units and financial feasibility of the Project. The Project would need to eliminate one to two dwelling units to meet the parking standard or provide a cost-prohibitive alternative (such as underground parking or mechanical lift parking).

The proposed Project's retail component, at the square footage proposed, will help to subsidize the cost of the affordable housing unit through retail and rent revenues. The waiver to the front setback on Jefferson Street allows the Project to construct the required amount of retail space needed to produce these revenues. Similarly, reduction in the ground floor square footage to meet the 15' setback would result in reduction to the residential square footage, and potentially elimination of one of the dwelling units, from the Project.

d. If concessions or incentives are requested, the findings shall include that the concessions or incentives granted result in identifiable, financially sufficient, and actual cost reductions.

STAFF FINDING:

No concessions or incentives are requested. This Finding is not applicable.

Pursuant to YMC § 17.160.030(B)(5): If a request for a waiver or modification is otherwise consistent with this section, the approval body may deny a waiver or modification only if it makes a written finding, based upon substantial evidence, of either of the following:

a. The waiver or modification would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. For the purpose of this subsection, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective and identified written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete;

b. The waiver or modification would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

STAFF FINDING:

Staff is not aware of any evidence that waiver of this standard would result in any specific, adverse impact to public health, safety, or any historic real property. As conditioned and through the implementation of the General Plan Policies and Actions and through the implementation of the uniform standards in the California Fire Code, the California Building Code, and the Town of Yountville Street Standards, the waivers requested will not have a specific adverse impact on health and safety or the physical environment and this finding is not made. The Project is located on a vacant site and will not impact any real property that is listed in the California Register of Historic Resources.

YMC § 17.192 MASTER DEVELOPMENT PLAN

A Master Development Plan (MDP) is required for all new or expanded commercial development or for any subdivision or development of five or more parcels or residential dwelling units. The Project requires a Preliminary and Final Master Development Plan, which may be processed together, as is the case with this application.

Findings for a Master Development Plan (MDP)

Pursuant to YMC § 17.192.060, the following findings must be made to approve a Preliminary and Final Master Plan (note, there are no separate findings regarding granting deviations as part of the MDP):

(A) The proposed development, and each increment of a phased project, creates an environment of sustained desirability and stability.

STAFF FINDING:

The proposed development creates an environment of sustained desirability and stability by implementing the vision of the General Plan to enhance and sustain the Washington Street commercial corridor with a mixed-use project at this Site. The Project provides commercial uses on the ground floor with the main retail corner entry oriented towards Washington Street. The Project also provides residential units as required by the General Plan and Zoning standards for the site. The Project's inclusion of both local-serving retail and residential units provides a transition from commercial to residential zoning. No phasing of the Project is proposed.

(B) The land uses and design of the proposed development are consistent with the intent of the General Plan, Title 17, and any other applicable plans or policies adopted by the Town Council, or those in the process of being prepared and adopted, and

STAFF FINDING:

The proposed development implements the mixed-use commercial and residential development on the two Residential Scaled Commercial parcels as outlined in the General Plan, Section 5.3 Change Areas (General Plan Land Use Element, Section 5.3 Change Areas, pages 58-61). The proposed development also provides needed housing units that exceed the General Plan requirement of two units and meets the allowed residential density of two to sixteen units and is therefore consistent with the General Plan Housing Element. With the approval of the Density Bonus Waivers listed above, and with the Project Conditions of Approval, the Project will comply with the Town's Municipal Code, including the Zoning Ordinance and Subdivision Ordinance.

As conditioned, the Applicant will provide a deed-restricted affordable housing unit as required by the Town's Inclusionary Housing requirements and execute the required regulatory agreements in compliance with YMC 17.160.020.

(C) Findings can be made as required by Sections 17.188.060 (Design Review Findings) and 17.200.060 (Use Permit Findings) of the YMC.

STAFF FINDING:

The findings required by Sections 17.188.060 related to all Objective Design Standards and 17.200.060 related to Use Permit requests are described below in this report.

YMC § 17.200 USE PERMIT

Pursuant to YMC 17.200.060, the responsible reviewing authority may approve the application and authorize a use permit if, from all the facts presented, all of the following Findings can be made:

- A. The proposed use, at the intensity represented and at the proposed location, will provide a use that is compatible with the neighborhood and community.*

STAFF FINDING:

The proposed mixed-use development of two small local-serving retail stores totaling less than 2,500 square feet and five residential units is an intensity appropriate and compatible with the neighborhood and the community. The retail store hours will generally be during the day, which is compatible with the neighborhood. The allowance for owner-occupancy will not impact the intensity of the development, which is the anticipated intensity as outlined in the General Plan Land Use and Housing Elements.

- B. The proposed use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.*

STAFF FINDING:

The Site is surrounded by existing residential and local-serving commercial uses, the same uses proposed for this Site. The proposed uses (retail and residential) do not include any hazardous materials, excessive noise or other components that would be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity.

- C. The proposed use would not conflict with the Town's goal of achieving economic sustainability with a mix of varied commercial services.*

STAFF FINDING:

The proposed use of two smaller scale local-serving retail spaces supports the Town's goal of achieving economic sustainability with a mix of varied commercial services in that two retail spaces of varying sizes will be provided.

- D. The proposed use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, will provide safe and adequate ingress and egress, and will furnish adequate off-street parking and loading for both customers and employees to the extent deemed feasible by the decision-making body.*

STAFF FINDING:

The use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, and the Project as designed will provide safe and adequate ingress and egress, with the main access driveway on Humboldt Street, across from another commercial use, and an appropriate distance from the intersection of Jefferson and Washington Streets. A traffic analysis was conducted and concluded that impacts to traffic would be less than significant and below the thresholds for the Town's and State's Vehicle Miles Traveled (VMT) thresholds of significance. (See further discussion in CEQA Analysis of this staff report and Attachment 7, Traffic Impact Analysis.)

- E. The proposed use provides sufficient safeguards to prevent noxious or offensive emissions such as glare, dust and odors, or levels of noise which may exceed the Town's noise regulations.*

STAFF FINDING:

The proposed uses (retail and residential) do not include any hazardous materials, excessive noise or other components that would exceed the Town's regulations. As conditioned, the Project will be required to adhere to the Town's Noise Ordinance during both construction and during operations. Noise, dust, and odors during construction will be conditioned accordingly to comply with the Town's and/or other applicable requirements. Additionally, the proposed uses will be required to operate within the proposed hours of operation per the use permit of 10 am and 6 pm for the retail spaces and required to comply with the Town's noise ordinance.

F. The proposed use does not require excessive amounts of water or generate excessive amounts of waste.

STAFF FINDING:

The proposed uses (retail and residential) will not require excessive amounts of water or generate excessive amounts of waste.

G. The existing or proposed utility, police and fire services are adequate to serve the proposed use.

STAFF FINDING:

The Project has been reviewed by the appropriate authorities, and, as conditioned, the proposed use will be adequately served by utilities, police, and fire services.

H. The proposed use will comply with all applicable provisions of Title 17 and will be consistent with the policies and standards of the General Plan.

STAFF FINDING:

The proposed uses comply with the General Plan, which identifies the two parcels which make up the site as a "Change Area" that led to the rezoning of these parcels to Residential Scaled Commercial zoning (See Attachment 2 General Plan Consistency Analysis for additional analysis). As required YMC §17.56.030 for the Site Specific Conditions, the Applicant has applied for a Use Permit for the mixed-use Project and proposed a project that conforms to the objective requirements of this Section.

The Project is consistent with the Land Use Element of the General Plan, which specifies a minimum of two second-story rental housing units be required as part of any development on the Site and permits one of the rental units to be owner-occupied subject to a use permit.

The five dwelling units proposed is also consistent with the Housing Element of the General Plan, which sets a maximum density of sixteen units (eight units per parcel, Table D-8 Housing Element, page D-48).

I. For properties in the Retail Overlay District, the proposed use enhances retail opportunities within the commercial code of the Town and the proposed use maximizes active uses along the Washington Street core business area and in doing so enhances pedestrian activity and interest.

STAFF FINDING:

The property is not located in the Retail Overlay District. This Finding is not applicable.

YMC § 17.188 DESIGN REVIEW

The reviewing authority may approve the application for design review if the facts presented establish all the following Findings:

A. The proposed development or physical improvement is appropriate for the site with regard to the siting and scale of buildings, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape;

B. The location of structures preserves significant trees, natural features and identified public view corridors;

C. The project will be compatible with neighboring properties and developments with regard to setbacks, building heights, and massing;

D. The project will not be detrimental to neighboring properties and developments with regard to the location of parking facilities, siting of trash enclosures, placement of mechanical equipment, and privacy considerations;

E. The project presents an attractive design, utilizing high-quality building finishes and materials, and design techniques to mitigate potentially bulky building forms, such as modulating varied rooflines, partial upper stories, setbacks for upper story volume and/or a variety of roof forms;

F. Proposed landscaping provides sufficient visual relief, complements the buildings and structures on

the site, and provides an inviting environment for the enjoyment of occupants and the public;

G. The existing or proposed infrastructure and utility capacity are adequate for the proposed development; and

H. The proposed project will comply with all applicable provisions of this Title 17 and will be consistent with the policies and standards of the General Plan.

Design Review Findings

- A. The proposed development or physical improvement is appropriate for the site with regard to the siting and scale of buildings, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape;*

STAFF FINDING:

The proposed development and physical improvement to the Site are appropriate for the Site with regard to the siting of the building, which fronts the corner and Jefferson Street, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape as the design places the pedestrian entry at the prominent corner element with retail windows along the Jefferson and Humboldt sidewalk frontages. Vehicle access is provided further along Humboldt Street, away from the corner entry and across from commercial uses. The parking is screened from the public and adjacent residential uses by the building and privacy fencing.

The Project places the structure on the west side of the site with a smaller two-story structure (Apartment 2) on the southeast corner. The parking area and landscaped setbacks on the north and east provide a buffer to the adjacent residential uses. The Project includes clerestory windows along the north elevation to provide privacy to the residential uses to the north, and the eastern two-story apartment also proposes clerestory windows on the east elevation facing the adjacent residential use.

The building incorporates hip roof elements, and includes setbacks of upper floor massing or partial second floors on the Humboldt Street elevation and the eastern elevation.

- B. The location of structures preserves significant trees, natural features and identified public view corridors;*

STAFF FINDING:

The Site is a vacant parcel that does not include any significant trees or natural features. There is one regulated tree which will require a Tree Removal Permit, however it is in declining health. The Site is not near any public view corridors identified in the General Plan.

- C. The project will be compatible with neighboring properties and developments with regard to setbacks, building heights, and massing;*

STAFF FINDING:

Although the Project is requesting a density bonus waiver from the setback standard to have a 10-foot setback at Jefferson Street where 15-feet is required, there is a distance of 17-feet between the building and curb (a 5-foot sidewalk and approximately 12-foot landscape strip, part of which is in the right-of-way but maintained by the owner). The Humboldt Street frontage has a setback of almost 8 feet for the main building (with the 5-foot sidewalk in the right of way for a total of 14-feet to the curb), which steps back to almost 10-feet for the port cohere and two-story dwelling unit near the east setback adjacent to the residential uses.

The proposed building is on the western side of the lot, nearest the Washington Street corridor and directly opposite another commercial structure on Humboldt Street, with the parking lot on the east side acting as a screened buffer to adjoining properties to the northeast and east. The building height is tallest at the corner entry, and steps down to a 26-foot parapet for the residential spaces.

The massing is moderated in that the majority of the building is four-feet lower than the maximum height allowed, includes breaks in the roofline on the west elevation, and step backs on the corner and south elevations, and open courtyard areas on the east elevation.

- D. *The project will not be detrimental to neighboring properties and developments with regard to the location of parking facilities, siting of trash enclosures, placement of mechanical equipment, and privacy considerations;*

STAFF FINDING:

As designed, the parking is screened from neighboring properties by the building, a port cochere, and privacy fencing at the north and east property lines. The trash enclosures are integrated into the building design and fully enclosed, with the commercial and four residential trash enclosures located internal to the site and near Humboldt Street, and one residential area on the north side of the building near Jefferson Street. Mechanical equipment is located on the roof and will be screened by the building parapets. A condition of approval will require any other mechanical equipment to be screened.

The Project includes clerestory windows on the second floor's north elevation and the eastern elevation of the two-story apartment to provide privacy to adjoining properties. The upper-level courtyard areas are screened from adjoining properties by the building (to the north for the one-bedroom units) and planting areas (to the east for the courtyard on the port cochere roof).

- E. *The project presents an attractive design, utilizing high-quality building finishes and materials, and design techniques to mitigate potentially bulky building forms, such as modulating varied rooflines, partial upper stories, setbacks for upper story volume and/or a variety of roof forms;*

STAFF FINDING:

The Project design includes high quality materials, such as color-integrated smooth stucco, wood windows, a vintage wood storefront entry, fabric and metal awnings, Juliette balconies with forged metal railings and window boxes for the second-floor windows. The windows and storefront are highly detailed with multiple lites, are inset from the stucco to provide additional depth to the design. The planter boxes provide breaks in the building surface and adds detail to the second floor.

The proposed design steps back the upper floor volumes at the corner entry, Humboldt Street, and east elevations. There are breaks approximately every 30-feet in the roof form along the Jefferson Street elevation, however the building sections are two-story sections with flat roofs at 26-feet.

- F. *Proposed landscaping provides sufficient visual relief, complements the buildings and structures on the site, and provides an inviting environment for the enjoyment of occupants and the public;*

STAFF FINDING:

The landscape proposed includes multiple planting areas integrated into the building design, including second floor window boxes, plantings along and overhanging the first floor building parapets, and taller potted plants along the first floor roof decks, all of which will be enjoyed by the building occupants, and many of which are also visible to the public. The proposed landscaping on the ground level includes deciduous street trees that will provide a variety of color and interest throughout the year, lower plantings along the streetscape that will enhance the pedestrian experience.

- G. *The existing or proposed infrastructure and utility capacity are adequate for the proposed development;*

STAFF FINDING:

The Project has been reviewed by the Public Works Department, and there is adequate infrastructure and utility capacity to serve the proposed development.

- H. *The proposed project will comply with all applicable provisions of this Title 17 and will be consistent with the policies and standards of the General Plan.*

STAFF FINDING:

With the proposed conditions of approval and granting of the requested Density Bonus Waivers, the Project is consistent with the General Plan as described in Attachment 2: General Plan Consistency Analysis, and with

Title 17: Zoning, as described in this report.

YMC 17.100 - 17.178 GENERAL DEVELOPMENT STANDARDS

YMC § 17.108.010 SETBACK ENCROACHMENTS

Pursuant to YMC § 17.108.010(D), Architectural features, such as eaves, awnings, sills, cornices, and chimneys, may encroach into front, side or rear yards or setbacks in a manner consistent with the building design but in no case greater than two feet in depth,

The awnings, window boxes, and Juliette balconies for the first and second stories are integral architectural features of the building design. These elements encroach into the front and side elevations by no more than two feet.

YMC § 17.116 OFF-STREET PARKING AND LOADING

As described in the staff report, the Project requires five parking spaces in total for the five residential units and eight parking spaces for the retail spaces. The Project proposes a total of 8 parking spaces, including two covered garage spaces, one for each of the residential condominium units, and six shared spaces (one van-accessible covered space and five uncovered spaces). Shared parking between the retail and residential uses is consistent with the Land Use Element of the General Plan, which notes the mixed-use project on this site could share parking.

The Project provides bicycle storage space at the front of the two residential garages, and a publicly accessible bicycle rack with capacity for two bicycles is provided at Humboldt Street (a minimum of 1 is required for the retail and one for the residential units).

The parking lot complies with the parking space, drive aisle, and driveway dimensions in YMC § 17.116.030. Three trees are provided on the east side of the parking lot, in conformance with YMC § 17.116.070 (one tree for every six spaces). As conditioned, the lighting in the parking area will meet the requirements of YMC § 17.116.080.

YMC § 17.120 OPEN SPACE

Pursuant to YMC § 17.120.020(B), Every dwelling unit in a multifamily dwelling or any dwelling built in conjunction with a commercial structure shall be provided with private usable open space for each building type as established in the applicable zoning district.

The residential units each have a dedicated private courtyard area for usable open space. A total of 1,638 square feet of private open space is included in the Project, with a range of 91 to 601 square feet per residential unit. Less than 60% of the private open space is covered by upper patios, as the majority of the square footage (1,362 square feet) is on the upper floor to reduce the upper floor massing.

YMC § 17.124 – WATER EFFICIENT LANDSCAPE ORDINANCE

As conditioned, the Project will need to demonstrate compliance with the Town's Water Efficient Landscape Ordinance at the time of building permit submittal.

YMC § 17.128 TREE REMOVAL PERMIT

Pursuant to YMC § 17.128.040(A), a Tree Removal Permit is required for any of the following:

1. A heritage tree identified in the Heritage Tree Survey;
2. Any native oak tree with a trunk that measures 10 inches diameter at breast height (DBH) (equal to 31 inches in circumference) or more;
3. Any tree with a trunk that measures 12 inches DBH (equal to 38 inches in circumference) or more or a multi-stemmed perennial plant having an aggregate DBH of 20 inches (equal to 63 inches in circumference) or more;
4. A tree shown to be preserved on an approved development entitlement or specifically required by the

Town Council or Zoning and Design Review Board to be retained as a condition of approval of an entitlement; or

5. A tree required to be planted as a replacement tree.

The Project Site has one tree meeting the above criteria, a California Black Walnut tree 24 inches DBH (category 3). Therefore, a tree removal permit is required as part of this Project.

Pursuant to YMC 17.128, the applicant has submitted an Arborist Report reviewing this and other trees on the Site.

There are three native trees on the Site's interior and a number of ornamental pear trees that serve as "street trees", all of which are proposed for removal for the Project. Of the native trees one, a 24-inch California Black Walnut, is a protected tree in accordance with YMC 17.128.040(A)(2). (Attachment 11 - Arborist Report, Tree 1). Two additional trees are native oaks, but less than 10-inches in diameter. (Attachment 11, Trees 2 and 3) and therefore not subject to YMC § 17.128.

The native trees are proposed to be removed due to proximity to development and, in the case of Tree 1, the protected Walnut tree, due to poor condition of the tree and proximity to development. The ornamental pear "street trees" are proposed to be removed due to construction impacts from the required sidewalks and proximity to the tree roots. However, the removal of these trees is not regulated by YMC § 17.128.

Pursuant to YMC § 17.128.060(B), the responsible reviewing authority may approve the application and authorize a tree removal permit if the facts presented establish one or more of the following:

1. The condition of the tree(s) with respect to its health present(s) an imminent danger of falling or failure and constitutes a likely hazard to safety due to the proximity of existing structures or interference with public infrastructure or utilities. Prior history of poor maintenance affecting the health of the tree may invalidate grounds for removal of an unhealthy tree; or
2. Removal is warranted due to the tree's age and size with respect to the size or appropriateness of its planted location or if removal would encourage healthier, more vigorous growth of other trees or would encourage healthier, more vigorous growth of trees and other plant material in the area; or
3. Alternative mitigation measures that reduce a structural defect but do not result in removal of the tree(s) are either impractical or would not benefit the longevity of the subject tree(s).

STAFF FINDING:

Staff recommends the tree, which is in poor health, and already in decline with several dead branches and decay at the branch junctions, be approved for removal as the facts establish removal is warranted due to the tree's age and size. Staff further recommends a condition of approval that requires the Project to provide the minimum replacement diameter of 24-inches in compliance with YMC § 17.128.070. In accordance with this Section, the Project will be subject to meeting the requirement either on-site or a combination of on-site and in-lieu fee requirement (if the replacement diameter cannot be met on-site due to site constraints).

The applicant is proposing nine replacement street trees as part of their Design Review application, to include Scarlet Oak and Crepe Myrtle trees at 36" and 24" box size and would likely be able to meet this requirement with the on-site tree plantings. As conditioned, the Project will be required to meet the replacement requirement for the Heritage tree being removed, either through on-site replacement or a combination of on-site plantings and in-lieu fee.

YMC § 17.132 OUTDOOR LIGHTING

Pursuant to YMC § 17.132.020(A), New outdoor lighting,

All outdoor lighting fixtures installed after the effective date of the ordinance codified in this chapter and thereafter maintained upon private property, public property, or in the public right-of-way shall be fully shielded and use directional lighting methods, including, but not limited to, fixture location and height.

The lighting proposed for the Project includes wall-mounted gooseneck lights that are shielded for down-lighting and path lights within the landscape that are also downlit (see Attachment4 – Master Development Plan book, page 20, and building elevations).

As conditioned, the Project will comply with the objective lighting standards and general requirements, including

illumination levels, in YMC § 17.132.040.

YMC § 17.136 WALLS FENCES AND LANDSCAPE SCREENING

The proposed fence on the north and east property lines is a six-foot privacy fence, as allowed by YMC § 17.136.020. The applicant is also willing to add two feet of landscape screen to the top of the fence if desired by adjoining neighbors and allowed by YMC § 17.136.020(J)1. No fencing is proposed on the west or south elevations.

YMC § 17.140 UTILITIES AND REFUSE STORAGE

All new utilities will be undergrounded in accordance with YMC § 17.140.020(B). The proposed refuse areas are incorporated into the building in compliance with YMC § 17.140.020(E). As conditioned, mechanical and utility equipment will be screened in compliance with YMC § 17.140.020.

YMC § 17.144 REGULATIONS FOR IMPACT ON ADJACENT USES

Because the Project is located in the RSC Zone adjacent to existing or planned residential areas, it must comply with the following “Impact Category I” standards (YMC § 17.144.020):

1. Noise. a. Impact category I. All noise generating operations shall be buffered so that they do not exceed noise levels identified in chapter 8.04 of this code.

The Project will be conditioned to comply with the noise requirements of the Municipal Code for construction of the Project and after the Project has been built.

2. Light impact. a. Impact category I. No bright or flashing light shall be visible in a residential district a lighted sign shall be subject to section 17.132.090 and end chapter 17.152, Signs, of this Title.

As noted in the Outdoor Lighting Section above, the proposed lighting meets the requirements of the YMC and are down lights. The plant lighting along Jefferson Street, which is within a building alcove and will not bleed to the residential area. A condition of approval will require that plans submitted for building permit be reviewed to ensure consistency with the objective lighting requirements of the Municipal Code.

3. Traffic circulation and parking. a. Impact category I. New development must demonstrate that it will not substantially increase truck traffic on residential streets. Trucks over 210 shall not be permitted on local residential streets customer and employee parking and truck loading area shall be provided in accordance with chapter 17.116, off street parking and loading of this title.

A Traffic Impact Assessment dated October 30, 2024 (Attachment 7), was prepared by AMS Associates for the proposed Project. The analysis concluded that no significant impacts on traffic flow and operations were anticipated. The parking as proposed, with the granting of the requested Density Bonus Law waiver, satisfies the applicable standards of Chapter 17.116. Additionally, the access to the parking lot is on Humboldt Street across from a commercial use and away from residential properties.

4. Vibration. a. Impact Category I. No perceptible vibrations shall be permitted off the development site.

Vibrations should only potentially occur during construction; the potential impacts would be temporary.

5. Flammable material. a. Impact category I. No operations involving the use or storage flammable materials or fuses shall be permitted adjacent to any residential area.

The proposed use is a mixed-use Project that includes retail and residential, there will be no flammable materials for the operations of the proposed uses.

6. Airborne emissions. a. Impact category one. No use shall exceed the maximum permissible emission standards established by the San Francisco Bay Area Air Quality Management District.

The Project Site is located in the San Francisco Bay Area Air Basin (SF Air Basin). The air quality of the SF Air

Basin is a product of sources of air pollution within the basin, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography. The local air quality regulatory agency responsible for the SF Air Basin is the Bay Area Air Quality Management District (BAAQMD).

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM10 and PM2.5 state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m³ for PM10 and less than 12 µg/m³ for PM2.5. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM2.5). All other national ambient air quality standards within the Bay Area Air Basin are attained. Implementation of the BAAQMD Best Management Practices for Construction-related fugitive dust is imposed as a condition of approval of the Master Development Plan. As such the Project will not have a significant effect from fugitive dust emissions.

7. Water Quality. a. Impact Category I. The town shall evaluate liquid waste to be disposed into its sewer system and report upon the town's capacity to provide treatment industries not connecting to the municipal sewer system are subject to water quality standards administered by the San Francisco Bay Regional Water Quality Control Board.

The proposed Project will be required to connect to the Town's municipal sewer and water systems and comply with the regulations applicable thereto.

8. Building Size and Architectural Design a. Impact Category I. All building design inside layouts shall be approved by the Zoning and Design Review Board or Town Council.

The Project application includes design review which will be reviewed and considered by the ZDRB and the Town Council.

YMC § 17.148 PUBLIC ART PROGRAM

Pursuant to YMC §17.148, and as conditioned, commercial projects are subject to the Town's Public Art requirement to provide public art on the Site or pay the in-lieu fee. The applicant is proposing a new art sculpture bicycle rack on the east side of the Site to meet the public art requirements, which will require the approval of the Town (Attachment 4- Master Development Plan Application Book, page 25). The applicant has also proposed to relocate the public art piece at the corner of Jefferson and Humboldt Streets; YMC §17.148.100(A) requires the removal or alteration of existing art be approved by the Town.

YMC § 17.152 SIGNS

Pursuant to YMC § 17.152.020(J), a Master Sign Plan is required for buildings with two or more businesses. The reviewing authority (ZDRB or Town Council) is the authority for approval of Master Sign Plans. The applicant has applied for a Master Sign Permit for the two retail spaces. The Applicant is proposing two smaller wall signs, one above each retail entry. The Hunter Gatherer sign would be one-foot in height by 10.5 feet wide, while the flower shop would be 9-inches in height by six feet wide, for a total of 15 square feet, where 63 square feet is allowed under the Master Sign Plan regulations. The sign for Hunter Gatherer, the main retail space, would be individual raised brass lettering and be lit by gooseneck lighting. The flower shop sign would be the same coloring but done as an awning sign. (See Attachment 4- Master Development Plan Application Book, pages 21-24).

Signage <i>0.5 Square Feet (SF) per Linear foot (LF) of frontage, 25 SF max per sign</i> Allowed: 125 Linear Feet of building x.5 = 63 SF	Proposed Master Sign Plan: Hunter Gatherer: 10'-6"W x 1'H = 10.5 SF Wall Sign Flower Shop: 6'W x 0'-9"H = 4.5 SF Awning Sign Total SF: 15 SF
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The Master Sign Plan as proposed complies with the objective standards set forth in Chapter 17.152. Because neither sign is internally illuminated, freestanding, or projecting, Chapter 17.152 does not require particular findings for approval.

ENVIRONMENTAL REVIEW

The Project is eligible for an exemption from the California Environmental Quality Act under CEQA Guidelines § 15332 Infill Development Projects, which applies when:

- A. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- B. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- C. The project site has no value, as habitat for endangered, rare or threatened species.
- D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- E. The site can be adequately served by all required utilities and public services.

A. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The Project is a mixed-use development that would add a mix of retail and three new residential units, consistent with the General Plan designation and Zoning district. The Project is consistent with the General Plan as described in this report and Attachment 2 – General Plan Consistency Analysis.

B. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The Site is less than five acres and is substantially surrounded by existing development. The Site is currently undeveloped and is served by existing utilities and public services.

C. The project site has no value, as habitat for endangered, rare or threatened species

Biological Resources - A biological resource study dated October 25, 2024, conducted by WRA Environmental Consultants, confirms that the subject property does not currently have any sensitive biological communities or special-status plant species. Additionally, the Site is bounded by developed properties, and does not have any habitat value for endangered, rare, or threatened species. The conditions of approval require a nesting study to be performed if Project development activities commence between February and August to address any concerns regarding nesting birds.

D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic - A Traffic Impact Assessment dated February 2, 2025, was prepared by AMS associates for the proposed Project (Attachment E). The analysis concluded that no significant impacts on traffic flow and operations were anticipated. The Project would result in a net increase of approximately 144 vehicle trips per day – 110 from the local serving retail and 34 from the residential uses.

The California Governor's Office of Planning & Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018 contains several criteria to identify certain types of projects that are unlikely to have a Vehicle Miles Traveled (VMT) impact and can be "screened" from further VMT analysis. Additionally, the Town of Yountville adopted VMT screening criteria and mitigations on December 7, 2021. The Town adopted OPR's screening criteria which exempts local serving retail of 50,000 square feet or less and also exempts small projects which generate less than 110 trips per day. Additionally, the Town of Yountville adopted mitigations for VMT that included encouraging mixed-use development. While no metric was adopted at that time, the Napa County Transportation Authority provides a "VMT calculator" with a potential VMT reduction of 30% of trips for mixed use projects (if applied to this project, would be a reduction of 43 trips, for a

VT of 101 trips per day).

The proposed local serving retail is 2,307 square feet, less than 5% of the 50,000 square foot threshold for VT analysis. Likewise, the five residential units would generate 34 trips per day, less than the 110-trip threshold. VT criteria allows mixed use projects to analyze each use component separately (for instance, 50,000 square feet of retail would generate over 2,000 trips per day compared to 'small project' criteria of 110 trips and would be in direct conflict to the adopted criteria if the retail were also subject to the small project threshold of 110 trips). Therefore, the Project is below the screening level, would not result in a significant effect relating to traffic, and meets this criterion for a Class 32 exemption.

Noise - The construction phases of the Project would generate maximum noise, however these activities would be temporary in nature and anticipated to occur during normal daytime working hours. Noise would also be generated by increased truck traffic, which would also be of short duration and occur during daytime hours.

The Town's General Plan requires implementation of Best Management Practices which are a standard condition of approval of the Master Development Permit. Implementation of Best Management Practices will ensure that temporary construction noise will not have a significant effect. The Project design elements include the use of Best Management Practices and the use of static drum rollers instead of vibrations for soil compaction. Implementation of Best Management Practices are a condition of approval of the Master Development Plan and as designed and conditioned, the Project will not have a significant effect on vibration. The operation of the Project would include typical commercial and residential noise which is consistent and compatible with existing adjacent & residential uses. As analyzed and with uniformly applied development standards imposed as Project conditions of approvals, the Project will not have a significant effect on noise. Therefore, the Project would not result in a significant effect relating to noise and the Project meets this criterion for a Class 32 exemption.

Air Quality - The Project site is in the San Francisco Bay Area Air Basin (SF Air Basin). The air quality of the SF Air Basin is a product of sources of air pollution within the basin, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography. The local air quality regulatory agency responsible for the SF Air Basin is the Bay Area Air Quality Management District (BAAQMD).

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM₁₀ and PM_{2.5} state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m³ for PM₁₀ and less than 12 µg/m³ for PM_{2.5}. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM_{2.5}). All other national ambient air quality standards within the Bay Area Air Basin are attained.

Fugitive Dust. Pursuant to General Plan OS-7.1d, the Project will implement BAAQMD Best Management Practices for Construction-related fugitive dust. These practices include:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas and access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48

hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

- The applicant/general contractor for the project shall demonstrate to the local jurisdiction that all off-road equipment greater than 25 hp that will be operating for more than 20 hours over the entire duration of the construction activities at the site, including equipment from subcontractors either produce zero emissions or meet both of the following requirements: 1) have engines that meet or exceed either US EPA or ARB Tier 2 off-road emission standards; and 2) have engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS), if one is available for the equipment being used (equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required).
- Idling time of diesel-powered construction equipment, trucks and generators shall be limited to no more than 2 minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturers' specifications.
- Portable diesel generators shall be prohibited. Grid power electricity should be used to provide power at construction sites; or propane and natural gas generators may be used when grid power electricity is not feasible.

Implementation of the BAAQMD Best Management Practices for Construction-related fugitive dust are included in the conditions of approval of the Master Development Plan. As such the Project will not have a significant effect from fugitive dust emissions.

Water Quality -The proposed Project includes a stormwater control plan prepared by AMS Associates (Attachment 8) as well as a Hydrology/Hydraulic Study (Attachment 9). Pursuant to YMC Chapter 13.128 Control of Urban Runoff, Public Works conditions require final approval of stormwater management and treatment, erosion control, and implementation of the hydrology plan.

Through the implementation of uniform standards and as conditioned, the Project will not have a significant effect on water quality and this criterion is satisfied qualifying the Project for a Class 32 exemption.

Review for Exceptions to CEQA Exemption If a project qualifies for use of a categorical exemption, then the lead agency must determine whether the project is subject to any of the exceptions that would preclude the use of a categorical exemption, pursuant to CEQA Guidelines Section 15300.2:

(a) Location. Certain classes of projects (Classes 3, 4, 5, 6, and 11) are qualified by consideration of where the project is to be located and whether it may impact an environmental resource of hazardous or critical concern.

Section 15300.2(a) does not apply to the Class 32 exemption; therefore, this exception does not apply.

(b) Cumulative Impact. All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Project will develop the Site in its entirety and will not result in successive projects of the same type or in the same place over time. Therefore, this exception does not apply.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Project Site is located within the Town limits of Yountville. The proposed Project is a mixed-use development (retail & residential – three residential units). There are no known site conditions or elements of the proposed Project that would have a significant effect on the environment due to unusual circumstances. As such, this exception does not apply.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage

to scenic resources within a highway officially designated as a state scenic highway.

The Project Site is not located on, adjacent to, or in a location visible from a highway officially designated as a state scenic highway. Therefore, this exception does not apply.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

A search of GeoTracker indicates that there are no known LUST clean-up sites within the vicinity of the proposed Project or onsite. Additionally, there are no Federal Superfund, State Response, Voluntary Cleanup, or School Cleanup sites within the vicinity of the Project or onsite. Therefore, the Project is not on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code and this exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Not applicable as there are no historic resources on the Site.

As provided above, the Project qualifies for an exemption under CEQA Guidelines Section 15332, because it meets all the criterion and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply.

Therefore, the Project is categorically exempt from CEQA.

STRATEGIC PLAN GOAL

By participating in a development review, the Town ensures new developments comply with Municipal Code requirements, helping maintain the Town's quality of life.

RECOMMENDATION

Receive staff report and direct questions to staff.

Receive the Applicant's presentation.

Conduct public hearing and receive public comments.

Conduct ZDRB discussion on Project application.

Motion and second to adopt Resolution Number 25-026 recommending the Town Council conditionally approve the Preliminary and Final Master Development Plan, Tentative Parcel Map, Use Permit for a two-story Mixed-Use building (residential and retail) and owner-occupancy of one residential unit, State Density Bonus Waivers, Major Design Review, Tree Removal Permit, and Master Sign Plan for the "Humboldt Mixed Use" Project at 2010 & 2012 Humboldt Street (the "Project"), subject to Conditions of Approval, and recommending the Town Council find the Project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 (Infill Development).

FISCAL IMPACT

Is there a Fiscal Impact? No

Is it Currently Budgeted? N/A

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? Discretionary

Is there a Staff Resource Impact? No

ATTACHMENTS

1. Draft Resolution No 25-026
2. Exhibit A - Conditions of Approval
3. General Plan Consistency Analysis
4. Project Narrative Letter, prepared by Palisades Land Use Consultancy, revised May 2, 2025
5. Project Plans dated May 2, 2025 and April 18, 2025 and Tentative Map, prepared by AMS Associates, dated February 3, 2025
6. Area calculations and Access Diagrams, dated May 2, 2025
7. Master Development Plan Application Book, dated May 2, 2025
8. Traffic Impact Assessment, prepared by AMS Associates, dated February 2, 2025
9. Stormwater Control Plan, prepared by AMS Associates, dated January 25, 2024
10. Hydrology/Hydraulic Study, dated January 25, 2024
11. Biological Resources Assessment, prepared by WRA Environmental Consultants, dated October 30, 2024
12. Tree Evaluation Letter, prepared by Focal Point Arboriculture Consulting, dated October 8, 2024
13. Public Comments