

# **Town of Yountville**

## **Resolution Number 22-4120**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE ADOPTING THE STANDARDS FOR THE WASHINGTON STREET ACTIVATION ZONE, INCLUDING OUTDOOR SEATING, CURBSIDE PICK UP, AND TEMPORARY RETAIL ACTIVATION, PURSUANT TO SECTION 17.170.060 OF THE YOUNTVILLE MUNICIPAL CODE**

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### **Recitals**

1. In response to the COVID-19 Pandemic, the Town Council implemented the Business Transition Support Program which became the Economic Recovery Program, which allowed temporary uses during the declared emergency.
2. In 2021, the Town Council directed staff to evaluate the aspects of the Economic Recovery Program that could be considered more long term.
3. The Town Council held a publicly noticed meeting on March 15, 2022, at which Staff presented a summary of the elements of the Economic Recovery Program that were discovered to have a positive impact to the community, including outdoor seating, curbside pickup, and temporary retail activation.
4. The Zoning and Design Review Board (ZDRB) held a publicly noticed meeting on April 4, 2022, to discuss the Standards for the Washington Street Activation Zone and provide recommendations to the Town Council regarding outdoor seating, curbside pickup, and temporary retail activation.
5. The Town Council held a publicly noticed meeting on May 3, 2022, to review an ordinance for the Washington Street Activation Zone Ordinance and the Standards for the Washington Street Activation Zone Standards.
6. At the May 3, 2022, hearing, the Town Council determined that the Standards for the Washington Street Activation Zone established an appropriate threshold of requirements for accessory uses within the Washington Street Activation Zone subject to later adoption by the Town Council.
7. Section 17.170.060 of the Yountville Municipal Code authorizes the Planning Officer/Director to propose standards and guidelines to implement the Washington Street Activation Zone Ordinance and, once approved by the Town Council, such standards and guidelines become effective.
8. The Town Council now wishes to adopt Standards for the Washington Street Activation Zone.

**Now therefore, the Town Council of the Town of Yountville does resolve as follows:**

1. The Recitals above are true and correct and fully incorporated herein.

2. The Town Council has determined that the adoption of the Standards for the Washington Street Activation Zone will not have a significant environmental impact and is exempt from CEQA review under CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), 15305 (Minor Alterations in Land Use Limitations), 15311 (Accessory Structures), and 15332 (In-Fill Development Projects).
3. The Town Council hereby adopts the Standards for the Washington Street Activation Zone, as attached hereto as Exhibit A and incorporated herein by this reference.
4. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 17th day of May 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

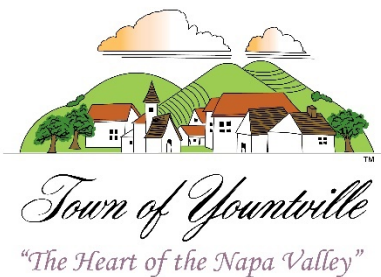
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John F. Dunbar, Mayor

ATTEST:

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Eddy Gomez, Town Clerk



## **EXHIBIT A**

### Standards for the Washington Street Activation Zone ("Standards")

#### **A. OUTDOOR SEATING**

##### **1. PURPOSE**

Small, bistro-style tables temporarily allowed as part of the Economic Recovery Program (ERP) have created a streetscape typically associated with European streets lined with cafes. This creates a warm, inviting atmosphere, and provides interest to the pedestrian. This document establishes outdoor seating standards for businesses on Washington Street, or within one block thereof, and ancillary to the primary use. These Standards accommodate pedestrian circulation, meet applicable code requirements, and create well-designed and visually attractive outdoor dining areas that produce a vibrant streetscape.

##### **2. REQUIREMENTS FOR ELIGIBLE USES**

- a. A permit or license agreement is required for all Accessory Uses and/or Quasi-Public Improvements not already governed by a Use Permit.
- b. Installation or construction of outdoor dining landscape barrier may not begin until a permit or license agreement is secured.
- c. Must have Washington Street visibility. This includes courtyard/alleyways seen by a pedestrian from Washington Street.
- d. Must be in the Employee Parking Management Program.
- e. Must be a permanent food or beverage provider with an operating Use Permit within the Town limits.
- f. Establishments that serve alcoholic beverages must meet applicable state requirements.
- g. Provide a seasonal plan that complies with the approved Use Permit for the property regarding the overall permitted number of patrons (and not to exceed). Businesses shall be subject to unannounced audits/spot checks and/or a requirement to submit monthly reports of outdoor dining areas.
- h. Must meet all requirements of Chapter 17.170 of the Yountville Municipal Code.

##### **3. REQUIREMENTS FOR ELIGIBLE SITES AND CONFIGURATIONS**

- a. If the building has potential historic eligibility, any permanent fixtures must be evaluated by a historic architect for compliance with applicable standards and laws.
- b. All outdoor dining areas shall fully comply with Americans with Disability Act (ADA) requirements and Title 24 (California Building Code). These include, but are not limited to, one wheelchair seating space shall be provided for each 20 seats, with a minimum 36-inch egress aisle width that shall be maintained for access to that seat.

- c. Establishments which serve alcoholic beverages must provide a physical barrier that meets the requirements of this document and state law.
- d. The outdoor seating area must promote a visual relationship to the street and the establishment to which it is ancillary.

#### **4. DESIGN CRITERIA**

##### **a. Site plan submittal requirements:**

- i. Show existing structures and location of property line and indicate setbacks and dimensions.
- ii. Show locations of encroachment onto public right of way, if applicable.
- iii. Depict location of public open space as conditioned in the operating Use Permit, if applicable.
- iv. Include a landscape plan with material, location, type of plant, and size.
- v. Include a shade plan. Note, umbrellas may not impede the sidewalk.
- vi. Adequate pedestrian access must be shown which is eight (8) feet of unobstructed access between chair/table and curb edge or street furniture. Access may be less under certain circumstances, but never less than five (5) feet of unobstructed access.
- vii. Show that the outdoor seating will maintain and not inhibit public pedestrian access compliant with Title 24 (California Building Code) (48-inch clear unobstructed path).
- viii. Depict designated walkways. Food serve aisles shall be not less than 36-inch wide and need not be greater than 42-inch wide.
- ix. Additional information as determined necessary by the Public Works Department or the Planning and Building Department.
- x. Detailed plans and specifications regarding heating and cooling systems must be included including proposed location and timing of use.

##### **b. Design criteria:**

- i. No temporary ropes. The design shall be appropriate and keep within the architectural design of the primary structure and be consistent with these Standards.
- ii. Outdoor landscape pots or containers are encouraged. Water drainage onto the sidewalk is not allowed and plants must be drought tolerant.
- iii. Long-term outdoor furniture shall be approved by the Planning Director
- iv. Permanent modifications within the right-of-way, such as borings for recessed sleeves or post holes, are not permitted.
- v. All barriers must be able to withstand inclement outdoor weather typical of the region.
- vi. The maximum height between an opaque barrier and the bottom of any awning shall remain open, inclusive of landscaping. No transparent barriers are permitted over 36-inches tall, and between the top of the opaque barrier and the bottom of the awnings of the streetside. The Planning Director may approve

taller features, but they shall not block the primary view to the street.

- vii. Retractable awnings and umbrellas may extend over the entire area and shall comply with the provisions of the Building Code. Complete details shall be submitted to the Planning and Building Department for the approval of the support system and attachments to the existing building.
- viii. Independent heating/cooling systems shall be integrated into the design by making it either a design feature or screening them.
- ix. Lighting fixtures, if provided, may be permanently affixed onto the exterior front of the primary building, must be downlight, and not protrude to neighboring properties. Any electrical modification will require an electrical permit from the Planning and Building Department.

## **5. OPERATIONAL CRITERIA**

- a. Must present a plan demonstrating compliance with the overall permitted number of patrons (and not to exceed).
- b. Hours of operation may not exceed the hours of operation of the operating Use Permit.
- c. All provisions of agreements with the Town must always be complied with. Failure to comply may result in revocation of the permit or license agreement.
- d. Any modification to the approved plans must be approved in writing and include an amendment to the permit or license agreement.
- e. All plans are subject to the approval of the Planning and Building Department, Public Works, Town Engineer, the County Environmental Management Department, and any other authority with jurisdiction.
- f. The sound from any form of music or entertainment shall comply with Chapter 8.04 of the Yountville Municipal Code, unless approved as part of a special event pursuant to Chapter 8.24 of the Yountville Municipal Code.
- g. Must comply with the parking requirements in the approved Use Permit and the Employee Parking Management Plan.
- h. Smoking shall be prohibited in outdoor dining areas.
- i. The business may continue to use existing furniture in place under the approved Economic Recovery Program through December 31, 2022, while new furniture is to be delivered subject to approval of a license or permit hereunder and proof of ordering furniture is submitted.

## **B. CURBSIDE PICK UP**

### **1. PURPOSE**

Curbside pickup assists businesses and residents alike. This section provides standards for curbside pickup of to-go food or beverages.

### **2. REQUIREMENTS FOR ELIGIBLE USES**

- a. Must be a business with a valid use permit that provides food or beverages.
- b. Must be in the Employee Parking Management Program.
- c. Must be located within the Washington Street Activation Zone

### **3. REQUIREMENTS FOR ELIGIBLE SITES AND CONFIGURATIONS**

- a. Curbside pick up shall be located at a reasonable location proximal to the business.
- b. Sign shall indicate hours of operations or be temporary during times of operation. Sign must adhere to Town's sign program.

### **4. DESIGN CRITERIA**

- a. Site plan must delineate the parking space designated for curbside pickup.
- b. Sign must be made of permanent materials, matching the architecture and style of the primary use.
- c. Site plan shall show the location of the sign.

### **5. OPERATIONAL CRITERIA**

- a. Must present a plan demonstrating compliance with the overall approved parking plan.
- b. If located on right-of-way, a revocable licensee agreement shall be entered into.

## **C. TEMPORARY RETAIL ACTIVATION**

### **1. PURPOSE**

This document provides standards to support limited term retail related uses. These limited term retail uses can be outdoors, within vacant retail floor area, public spaces, and or within pedestrian areas.

### **2. REQUIREMENTS FOR ELIGIBLE USES**

- a. Must be located within the Washington Street Activation Zone.

### **3. REQUIREMENTS FOR ELIGIBLE SITES AND CONFIGURATIONS**

- a. Must provide a site plan that includes the location and dimensions of proposed use.
- b. Must provide a letter of intent that describes the proposed temporary operations.
- c. Must have the property owner approval.

### **4. DESIGN CRITERIA**

- a. Temporary signage shall adhere to the Town's sign program.
- b. Temporary design elements shall be included in the scope and be harmonious to the adjacent architectural themes.

### **5. OPERATIONAL CRITERIA**

- a. The temporary use shall be limited in time, size, and scale.