



Town of Yountville

6550 Yount Street
Yountville, CA 94599

Staff Report

Item #: A

Zoning and Design Review Board Staff Report

DATE: June 8, 2021

TO: Board Members

FROM: Sandra Liston, Planning & Building Director

Applicant: Town of Yountville

Owner: Town of Yountville

Location: Town wide

Land Use Classifications: A Agricultural
RS Single-Family Residential
RM Mixed Residential
H Old Town Historic
MPR Master Planned Residential
MHP Mobile Home Park Residential
AHO Affordable Housing Overlay
S Senior Mobile Home Park Overlay

SUBJECT:

Zoning Ordinance and Design Ordinance (ZODO) Update

PROJECT SITE

Town wide

DISCUSSION/BACKGROUND

Following adoption of the new General Plan in May 2019, the Town Council authorized an update to the Zoning and Design Ordinances (ZODO), which constitute Titles 17 and 18 of the Yountville Municipal Code. The initial phase of this update was to implement several land use and policy changes of the General Plan in the Zoning Ordinance and Zoning Map. The Zoning and Design Review Board (ZDRB) reviewed the first phase of the ZODO update on March 19, 2020, which included revisions to the Public Facilities, Primary Commercial, and Residential-Scaled Commercial zoning districts and the additional of a Mixed-Use Overlay district. The Town Council adopted these changes on April 21, 2020.

The second phase of the ZODO update has been under preparation since November 2020 and is overseen by the ZODO Ad Hoc Committee, comprised of Mayor Dunbar, Vice Mayor Dorman, ZDRB Member Cook, and ZDRB Member Miller. The advisory committee has reviewed all proposed modifications to the ZODO, providing feedback and significantly shaping the draft ordinances, in most cases reviewing edited chapters two or three times. The committee has met 10 times since November of last year.

Objectives of the ZODO Update

Currently zoning regulations and design criteria are divided between Titles 17 and 18, which is challenging for staff, decision-makers, and the public to navigate the codes. The chapters also have inconsistent formats, and definitions and findings are scattered throughout the zoning districts. The objectives of this update are to:

- Consolidate Titles 17 and 18 into a single, coherent, and easy to navigate document,
- Consolidate and update all definitions into one location,
- Consolidate and update all findings by their associated application types,
- Consolidate and update design criteria and differentiate between objective and subjective standards,
- Standardize the format of the various zoning district and regulatory chapters,
- Use tables to organize zoning standards and allowable uses for ease of reference,
- Update procedures and regulations to reflect changes in state law and staff practices, and
- Carefully review and edit allowable uses, zoning standards, and permit processes to reflect current conditions.

Phase 2 – Part A of the ZODO Update

Due to the size of the ZODO Update, staff will bring the ordinance amendments to the ZDRB in two segments. The first, Part A, will include the following chapters (with the new proposed numbering sequence – the current chapter numbers are listed in parentheses):

Chapter 17.16	A Agricultural	(17.20)
Chapter 17.20	RS Single-Family Residential	(17.24)
Chapter 17.24	RM Mixed Residential	(17.28)
Chapter 17.28	H Old Town Historic	(17.32)
Chapter 17.32	MPR Master Planned Residential	(17.40)
Chapter 17.36	MHP Mobile Home Park Residential	(17.44)
Chapter 17.40	Residential Design Standards and Guidelines	(New)
Chapter 17.80	AHO Affordable Housing Overlay	(New)
Chapter 17.88	S Senior Mobile Home Park Overlay	(New)
Chapter 17.112	Auxiliary Structures	(18.44)
Chapter 17.114	Off-Street Parking and Loading	(17.88 & 18.08)
Chapter 17.128	Tree Preservation and Management	(17.98 & 18.12)
Chapter 17.160	Affordable Housing	(17.84)
Chapter 17.164	Home Occupations	(17.120)

To facilitate review of the changes, an underline-strikeout version of each chapter is attached, along with column notes explaining the rationale for the more substantive edits as well as some of the advisory committee's recommendations. In addition to the proposed chapter edits, edits to existing definitions and new definitions referenced in each chapter are provided at the end of the applicable section. A "clean" version of the consolidated new chapters is also provided as a separate attachment to show how the new code will read.

The following sections highlight the more substantive proposed changes in each chapter.

A Agricultural District

- Added a lot coverage limit (i.e. development footprint), which is in addition to the existing Floor Area Ratio (i.e. total enclosed and habitable floor area) to restrict the amount of unoccupied agricultural auxiliary structures that would otherwise be possible under the FAR standard to

encourage compact development.

- Limited individual agricultural auxiliary structures to 2,000 square feet or less and exempted them from design review. Provided design review option for structures that exceed 2,000 square feet.
- Increased the height allowance for agricultural auxiliary buildings.
- Required design review for any new structure on the A-zoned vineyard parcel at Hotel Villagio (at corner of California Drive and Washington Street).
- Amended chicken-keeping regulations to apply to A-zoned parcels and allow a ratio of chickens by lot size. Precluded production facilities.
- Added regulations to allow beekeeping for agricultural and residential properties.

RS Single-Family Residential District

- Added an allowance for duplexes. Proposed development regulations mimic those for duplexes in the H and RM Districts and anticipate a change in state law to allow duplexes by right on single-family residential parcels.
- Added an allowance for beekeeping.
- Eliminated agricultural uses as an allowable use.
- Eliminated employee housing as an allowable use.

RM Mixed Residential District

- Added an allowance for beekeeping.
- Eliminated agricultural uses as an allowable use.
- Eliminated employee housing as an allowable use.

H Old Town Historic

- Added an allowance for beekeeping.
- Eliminated employee housing as an allowable use.

MPR Master Planned Residential

- Added an allowance for beekeeping.

MHP Mobile Home Park Residential

- Clarified that structures other than the mobile homes themselves (i.e. common facilities, perimeter walls) are subject to design review and use permit. Permitting for mobile homes and mobile home parks is the purview of the State Department of Housing and Community Development.
- Eliminated the section on the senior mobile home park overlay and relocated its provisions to new Chapter 17.88. Senior Mobile Home Park Overlay (see below).

Residential Design Standards and Guidelines

One of the major objectives of this second phase of the ZODO Update was the consolidation of all design criteria scattered throughout Title 18 by both zoning district and building type and their incorporation into Title 17.

This also provided the opportunity to differentiate between objective design standards and subjective design guidelines to comply with state law that requires jurisdictions to publish a list of all objective development criteria. These standards must be quantifiable (such as setback, height limit, FAR, etc.) and objective (clear and involve no interpretation). Objective design standards must be applied in the review of a “qualified housing development project” (i.e., two or more residential units constructed or altered concurrently). For such a project, the Town is limited in its decision-making, both in applying conditions to a qualified residential project

or denying it, to these objective standards. The Town retains full discretionary authority, including the ability to apply subjective design criteria, in the review on non-qualified residential projects (i.e., construction or remodeling of one single-family home).

- The design criteria are divided into Design Standards (objective) and Design Guidelines (subjective). The Design Standards apply to all residential projects and can be modified through the Design Review process, in which case full discretion is available to the decision-making body. The Design Guidelines apply only to non-qualified residential projects, and are not mandates. Design Guidelines can be modified through the Design Review process where alternate design solutions are acceptable.
- The individual Design Standards and Design Guidelines are identified as being applicable to either single family/duplex projects, multifamily projects, or both.
- The Design Standards and Design Guidelines are grouped into the following categories: subdivisions; garages, driveways, and parking; street frontage; building scale and massing; roof forms; window, doors, and entries; exterior building materials; landscape and open space; and utilities and auxiliary structures.

AHO Affordable Housing Overlay

- The current allowances for a Town density bonus require rezoning of a site to include the AHO Affordable Housing Overlay, but there was never such an overlay district created. This new chapter is relocated from existed Section 17.84.050.
- Revised to allow Town density bonus only as an alternative to the State density bonus. This is because the potential application of both the State and Town density bonuses, which can be cumulative, results in a significant increase in allowable density (as much as 2.5 times the maximum density), in exchange for a very low number of affordable units.

S Senior Mobile Home Park Overlay

- As noted above, this is a new overlay district created from current Section 17.44.070 and applied to mobile home parks with a senior-only restriction.

Auxiliary Structures

- Renamed the existing term “accessory buildings” to “auxiliary structures”.
- Combined the regulations contained in Chapter 18.44 and Section 18.16.050.
- Removed the descriptions of accessory buildings from applicability text into a revised definition.
- Defined the term “gazebo” to differentiate it from a “landscape element” such as an arbor or trellis.
- Retained the existing two structure limit on the number of auxiliary buildings allowed, and provided Design Review process to deviate.
- Eliminated provision for covered second story balconies to encroach into the front setback.
- Clarified that the existing six-foot separation requirement between structures applies to enclosed structures.

Off-Street Parking and Loading

- Consolidated parking regulations and design standards for driveways and parking lots from Titles 17 and 18.
- Reorganized parking regulations by the category of the regulation (i.e., # of spaces required by use type, space dimensions, driveways, landscaping, etc.).
- Added new regulations to address parking for buses, limousines and rideshares, EV charging stations, bicycles, and employee parking.

- Eliminated the “hybrid” parking option (dimensions between standard-sized and compact-sized spaces) and increased the width and length of compact spaces.
- Staff prepared draft advisory checklist to assist decision-making in situations when parking requirements should be either increased or decreased from the standards.

Tree Preservation and Management

- Listed the types of protected trees in the Applicability section, rather than relying on the definition of “protected tree”.
- Expanded upon the criteria for an exemption for a tree permit to remove a hazardous tree. Current requirement for finding an imminent hazard is difficult to obtain from an arborist.
- Edited the required findings to grant a tree removal permit.
- Edited Section 17.128.080 to update the process for payment and refund of the in-lieu fee for tree replacement.
- Removed the very extensive Recommended Tree List in current Section 17.98.130 from the zoning code. It will be provided to the public as a handout.

Affordable Housing

- Revised the inclusionary requirement for rental units to eliminate the moderate-income category (very-low income and low income retained) since these are approximately market rate.
- Modified Section 17.160.030.I to extend the term of required affordability for inclusionary units from 30 years to 45 years for ownership units and 55 years for rental units, based on direction from the current General Plan Housing Element.
- Deleted most of existing Section 17.84.040 State Density Bonus Program since it attempts to replicate the density bonus provisions in state law. Since state density bonus law is being amended almost every year, this section should simply refer to the applicable provisions of the Government Code. The Application Requirements and Review section (formerly subsection I) is retained since it stipulates the application submittal requirements and necessary findings for approval of a state density bonus request.
- Modified Section 17.160.050 to shift the Town density bonus regulations to a new AHO Overlay (Chapter 17.80).

Home Occupations

- Established limits on the number of client visits based on the level of the home occupation (minor, moderate, or major).
- Limited the number of onsite employees to one for Major Home Occupations.
- Edited the allowable home occupations by use category, such as “personal services” and “art and craft work”.
- Added a list of prohibited home occupations for ease of administration and tenant information.
- Added an Administrative Use Permit approval process by the Planning Officer for Minor and Moderate Home Occupations.
- Added consideration of neighborhood parking impacts.
- Added allowance for minor retail sales of products associated with home occupations and a requirement to pay applicable sales tax.
- Added allowance for “homemade food operations” with requirement for permit from County Environmental Health Department.
- Precluded “on-site meal service” to not allow home occupations to operate as de-facto restaurants.

NEXT STEPS

The following are the anticipated next steps in adoption of the new ZODO:

July 13, 2021: ZDRB public hearing to review and make recommendation to the Town Council on Phase 2 – Part B, which includes commercial zoning districts, overlay districts, commercial design standards, Use Table, regulatory chapters, and findings.

July 20, 2021: Town Council public hearing for consideration of ZDRB recommendations on Phase 2 – Part A sections and feedback to staff.

August 3, 2021: Town Council public hearing for consideration of ZDRB recommendations on Phase 2 – Part B sections and feedback to staff.

September 7, 2021: Town Council hearing on adoption of the new ZODO.

ENVIRONMENTAL REVIEW

Exempt per California Environmental Act (CEQA) Guideline, Section 15061(b)(3)

STRATEGIC PLAN GOAL

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective. **Exceptional Town Services and Staff:** The Town supports its talented staff who deliver high quality municipal programs and services while maintaining public infrastructure for the benefit of the community.

Briefly Explain Relationship to Strategic Plan Goal and Objective. By updating the Yountville Municipal Code, the Town Council shows its commitment to keeping the governing documents current and in compliance with state law, which leads to improved quality of life for Yountville residents and businesses.

RECOMMENDATION

Receive staff report and direct questions to staff.

Conduct public hearing and receive public comment.

Conduct ZDRB discussion on the draft Zoning and Design Ordinance Update.

Motion and second to recommendation that the Town Council approve as presented or approve with recommended modifications.