

# Town of Yountville

## Ordinance Number 20-492

**AN ORDINANCE OF THE TOWN COUNCIL OF YOUNTVILLE AMENDING CHAPTERS 17.08 DEFINITIONS, 17.16 ZONING BY LAND USE DESIGNATION, 17.36 PF PUBLIC FACILITIES, 17.48 PC PRIMARY COMMERCIAL, AND 17.52 RSC RESIDENTIAL-SCALED COMMERCIAL OF TITLE 17 AND CHAPTER 18.40 COMMERCIAL BUILDINGS OF TITLE 18; ADDING CHAPTER 17.82 MU MIXED USE OVERLAY TO TITLE 17 AND CHAPTER 18.42 PUBLIC FACILITIES BUILDINGS AND CHAPTER 18.46 BUILDING HEIGHT EXCEPTIONS TO TITLE 18 OF THE YOUNTVILLE MUNICIPAL CODE**

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

**SECTION 1. CODE AMENDMENT:** Section 17.08.010 of Title 17 of the Yountville Municipal Code is hereby amended to add the following:

**17.08.010 Definitions.**

“Building Frontage” means the facade of a building most nearly parallel to abutting public rights-of-way.

“Developable Lot Area” means the total horizontal area measured in a horizontal plane within the lot lines bordering the property, excluding easements for common driveways and accessways and excluding portions of the lot which cannot realistically be developed with buildings and improved parking areas due to minimal property dimensions, presence of natural features or other similar constraints to development.

“Quasi-public Service” means facilities and uses operated by nonprofit organizations or associations offering services commonly provided by governmental agencies to segments of the local community, including but not limited to educational, cultural, health care, and transit services.

“Street Frontage” means the dimension of a lot or portion of a lot abutting public rights-of-way.

**SECTION 2. CODE AMENDMENT:** Section 17.16.060 of Title 17 of the Yountville Municipal Code is hereby amended to read as follows:

**17.16.060 Composite and Overlay Designations.**

The following composite and overlay designations shall apply to all lands within the Town of Yountville as established by the land use designations:

- A. C    Creekside overlay;
- B. F    Floodplain overlay;
- C. MU   Mixed Use overlay;
- D. G    Gateway overlay. (Ord. 231-92 § 3.6)

**SECTION 3. CODE AMENDMENT:** Chapter 17.36 of Title 17 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

## **Chapter 17.36 PF, PUBLIC FACILITIES**

### **17.36.010 Purpose and application.**

The land use designation PF, Public Facilities, is created to accommodate governmental, public utility and public educational facilities, and public services provided by private operators. This designation shall apply to specified parcels as indicated on the Zoning Map, in Figure 1. The following specific rules and regulations established in this chapter shall apply to such designated lands. (Ord. 231-92 § 4.5.a)

### **17.36.020 General conditions.**

The following general conditions apply to all land designated as PF, Public Facilities:

- A. All new uses and expanded uses listed in Section 17.36.040 shall require a Use Permit subject to the provisions of Section 17.36.050 and Chapter 17.156; new development proposals shall require approval of a Master Development Plan subject to the provisions of Chapter 17.148; expansion or exterior remodeling of a structure shall require Design Review approval subject to the provisions of Chapter 17.144; and all commercial operations shall be subject to the provisions of Chapter 17.100, Regulations for Impact on Adjacent Uses; and
- B. The area and frontage of the lot involved shall be sufficient for the specific intended use.

### **17.36.025 Site-specific conditions.**

The following conditions shall apply to the parcel on the west side of Highway 29 (that is, APN 034-140-012) as shown on General Plan Figure LU-1:

- A. Floor Area Bonus. An additional 0.15 FAR bonus allowed in Section 17.36.060 may be granted by the Town Council through approval of a Master Development Plan for retail and service-oriented uses that the Town Council determines will likely increase business diversity and provide community benefits.
- B. Height Bonus. A third-story height bonus up to a maximum height of 35 feet may be granted by the Town Council through approval of a Master Development Plan. The community benefit to qualify for the height bonus must be something above and beyond the base project and shall be solely determined by the Town Council. In order to be considered for a limited three-story height incentive, the project applicant must submit its proposal outlining in detail the specific elements of the project that the applicant believes qualify as a Substantial Community Benefit (SCB).

Examples of what might constitute a SCB shall be provided by resolution of the Town Council.

To minimize visual impacts of increased height, the Town Council shall require architectural techniques such as modulating building forms, partial upper stories, upper-story step-backs, variation in roof forms and sufficient setbacks from public rights-of-way.

C. Street Frontage. For application of design standards applicable to street frontages in Section 18.42.010, the portion of the parcel facing California Drive shall be considered the property's street frontage.

#### **17.36.030 Permitted uses.**

The following uses are permitted in the PF, Public Facilities, designation:

- A. All facilities operated by the Town of Yountville, the County of Napa, the State of California, the government of the United States, the Napa Valley Unified School District, any other public district, or any public utility as defined by the Public Utilities Code of the State of California, when such facilities and uses provide public and quasi-public services in conformity with the Yountville General Plan; and
- B. Emergency shelters as defined by Chapter 17.08 and as regulated by Chapter 17.130. (Ord. 231-92 § 4.5.c; Ord. 427-14)

#### **17.36.040 Uses requiring a Use Permit.**

The following uses shall be required to obtain a Use Permit as established in Chapter 17.156 and shall be subject to Design Review approval as provided in Chapter 17.144 of this title:

- A. State-licensed day care centers and nursing homes;
- B. Facilities operated by a non-profit organization when the facilities and uses provide public or quasi-public services;
- C. Recreational and open space facilities which are privately owned and/or operated but open to the public with or without a fee, such as golf courses, driving ranges, parks, arboretums or other similar uses of an open space nature. Uses of an open space nature shall be defined as uses with an FAR not to exceed 0.005;
- D. Congregate residences;
- E. Rooftop uses, subject to the provisions in Chapter 18.46; and
- F. Any other private or quasi-public use as determined by the Town Council. (Ord. 231-92 § 4.5.d; Ord. 278-97; Ord. 342-04; Ord. 427-14)

#### **17.36.050 Criteria for a Use Permit.**

In addition to the findings listed in Section 17.156.020, the Town Council, after a public hearing, shall make the following findings before granting a Use Permit for a proposed use listed in Section 17.36.040:

- A. The proposed use is consistent with the intent of the General Plan;
- B. The proposed use is consistent with Section 17.36.010; and
- C. The proposed use is not detrimental to the existing or proposed uses in the surrounding area. (Ord. 231-92 § 4.5.e)

#### **17.36.060 General development standards.**

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed and maintained in compliance with the requirements in Table 17.36-1, in

addition to the applicable development standards (e.g., landscaping, parking, etc.) in Chapters 17.88, 17.92, 17.94, 17.96, 17.98, 17.128, and 18.42.

**Table 17.36-1**

<b><i>Development Standard</i></b>	<b><i>Requirement for PF District</i></b>	<b><i>Notes</i></b>
Maximum Floor Area Ratio (FAR)	0.25 <sup>1</sup> Additional 0.15 for retail and service-oriented uses subject to 17.36.025.A	An exception may be granted for existing commercial buildings subject to Section 18.40.060
Minimum Setbacks		See Section 18.16.050 for allowed encroachments into yards
Front	15 feet	
Side	As determined by Master Development Plan	An exception may be granted for existing commercial buildings subject to Section 18.40.060
Side (street fronting)	As determined by Master Development Plan	
Rear	As determined by Master Development Plan	An exception may be granted for existing commercial buildings subject to Section 18.40.060
Height Limit	Two stories maximum One-story buildings: max. 15 feet to plate and 20 feet to peak Two-story buildings: max. 22 feet to plate and 30 feet to peak	See Section 17.36.025.B for available height bonus
Top Story Floor Area Limit	No more than 40% of the floor area of any building may be on the top floor	Exceptions to these requirements may be granted by the Town Council through approval of the Master Development Plan if warranted by site and surrounding conditions and mitigated by design techniques to avoid heavy or bulky forms (such as modulating building mass, partial upper stories, setbacks for upper story

		volume, variety of roof forms).
Minimum Open Space	Lots > 20,000 sf: min. 20% of gross area Lots 10,000-20,000 sf: min. 15% of gross area Lots < 10,000 sf: min. 10% of gross area	Open space does not include the area of public sidewalks in the public right-of-way
Parking	As required by Chapter 17.88 Off-Street Parking and Loading	
Signage	As allowed by Chapter 17.92 Signs	

<sup>1</sup> In the PF District, FAR calculations shall be based on the Developable Lot Area, which is defined as the total horizontal area measured in a horizontal plane within the lot lines bordering the property, excluding easements for common driveways and accessways and excluding portions of the lot which cannot realistically be developed with buildings and improved parking areas due to minimal property dimensions, presence of natural features or other similar constraints to development.

**SECTION 4. CODE AMENDMENT:** Chapter 17.48 of Title 17 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

## **Chapter 17.48 PC, PRIMARY COMMERCIAL**

### **17.48.010 Purpose and application.**

The land use designation PC, Primary Commercial, is primarily intended to reinforce Washington Street as the main commercial street in Yountville and to promote the economic health and diversity of businesses throughout the Town. This designation shall apply to properties on the west side of Washington Street as indicated on the Zoning Map, Figure 1. The following specific rules and regulations set forth in this chapter shall apply to lands designated as PC, Primary Commercial. (Ord. 231-92 § 4.8.a)

### **17.48.020 Supplemental definitions.**

The following term applicable to this chapter shall be defined herein. Other definitions can be found in Section 17.08.010, Definitions, of this title.

“Live work building or unit” means a building or portion of building (unit) utilized for the combination of working and living in which the workspace is a minimum of 35% of the total floor area. (Ord. 231-92 § 4.8.b; Ord. 397-11)

### **17.48.030 General conditions.**

The following general conditions apply to all land designated as PC, Primary Commercial:

- A. All new uses and expanded uses listed in Section 17.48.050 shall require a Use Permit subject to the provisions of Section 17.48.060 and Chapter 17.156; new development proposals shall require approval of a Master Development Plan subject to the provisions of Chapter 17.148; expansion or exterior remodeling of a structure shall require Design Review approval subject to the provisions of Chapter 17.144; and all commercial operations shall be subject to the provisions of Chapter 17.100, Regulations for Impact on Adjacent Uses;
- B. Development shall be of an intensity and scale which preserves and enhances Yountville's small-town character, and integrates well with the surrounding areas and natural setting;
- C. Parking shall be accommodated in ways which limit its visibility and prominence, typically in small lots screened from public view, as established in Section 18.08.030 and Section 18.40.020;
- D. Development shall contribute to a well-integrated mix of uses that create an attractive, vibrant, and walkable Washington Street experience; and
- E. Development shall maintain an appropriate balance between the needs of residents, visitors, and businesses to assure a livable community for residents. (Ord. 231-92 § 4.8.c)

#### **17.48.040 Site-specific conditions.**

The following conditions apply to parcels on the west side of Washington Street between Mulberry and Humboldt Streets (that is, APNs 036-330-006, -009; a portion of 036-330-010; and 036-081-004 and -011 as shown on General Plan Figure LU-1):

- A. Floor Area Bonus. An additional 0.15 FAR bonus allowed in Section 17.48.070 may be granted by the Town Council through approval of a Master Development Plan for retail and service-oriented uses that the Town Council determines will likely increase business diversity and provide community benefits; and
- B. Height Bonus. A third-story height bonus up to a maximum height of 35 feet may be granted by the Town Council through approval of a Master Development Plan. The community benefit to qualify for the height bonus must be something above and beyond the base project and shall be solely determined by the Town Council. In order to be considered for a limited three-story height incentive, the project applicant must submit its proposal outlining in detail the specific elements of the project that the applicant believes qualify as a Substantial Community Benefit (SCB).

Examples of what might constitute a SCB shall be provided by resolution of the Town Council.

To minimize visual impacts of increased height, the Town Council shall require architectural techniques such as modulating building forms, partial upper stories, upper-story step-backs, variation in roof forms and sufficient setbacks from public rights-of-way.

#### **17.48.050 Uses requiring a Use Permit.**

The following uses require a Use Permit as provided in Chapter 17.156, and are subject to Design Review approval as provided in Chapter 17.144 of this title:

- A. All primary uses commercial in nature including such uses as bakeries, food stores, variety shops, wine shops, services, full-service and limited-service restaurants, mobile food vendors, wine tasting rooms, bars, nightclubs, inns, and other uses deemed by the Town Council to be similar in kind;
- B. Accessory uses which are subordinate and complementary to the primary use;
- C. Commercial facilities for processing or retail sale of agricultural products that are grown on the premises;
- D. Residential uses in combination with commercial uses, including residential units over or behind commercial uses;
- E. Live/work units or buildings which meet the design standards outlined in Section 18.40.040;
- F. Home occupations as established in Chapter 17.120;
- G. Congregate residences;
- H. Rooftop uses, subject to the provisions in Chapter 18.46; and
- I. Exterior display of merchandise. (Ord. 231-92 § 4.8.d; Ord. 342-04; Ord. 397-11; Ord. 404-12; Ord. 408-12; Ord. 427-14)

#### **17.48.055 Permitted use.**

The professional office use (subject to retail overlay restrictions) is permitted to be approved at staff level without a public hearing provided the specific proposed use is qualified by Town staff and issued an administrative use permit (notice of pending action required to be posted), are subject to review for compliance by Town staff following a six-month period of full operation, and are subject to design review approval as provided in Chapter 17.144 of this title. (Ord. 404-12)

#### **17.48.060 Criteria for a use permit.**

In addition to the findings listed in Section 17.156.020, the Town Council, after a public hearing, shall make the following findings before granting a use permit for a proposed use listed in Section 17.48.050:

- A. The proposed use is consistent with the provisions outlined in Chapter II, Section D.3.c of the General Plan;
- B. The proposed use is consistent with Sections 17.48.010 and 17.48.030;
- C. The proposed use provides benefit to residents;
- D. The proposed use will not be environmentally detrimental to existing or potential commercial and residential uses in the surrounding area;
- E. The street network is suitable and adequate to carry projected traffic generated by the proposed use;
- F. The design of the structure or structures for the proposed use is compatible with the character of the surrounding area;
- G. The existing or proposed utility, police and fire services are adequate to serve the proposed use;

- H. The proposed use conforms with the design standards as established in Title 18, Division 2, Sections 18.40.020 and 18.40.040;
- I. The proposed use will not generate a significant increase in truck traffic on the local street network;
- J. The proposed use will not require excessive amounts of water;
- K. The proposed use will not generate excessive wastes which result in offensive or noxious odors or excessive burden on the Town's waste disposal capacity; and
- L. The proposed use will not result in excessive levels of noise for any period of time. (Ord. 231-92 § 4.8.e)

**17.48.070 General development standards.**

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed and maintained in compliance with the requirements in Table 17.48-1, in addition to the applicable development standards (e.g., landscaping, parking, etc.) in Chapters 17.88, 17.92, 17.94, 17.96, 17.98, 17.128, and 18.40.

**Table 17.48-1**

<b><i>Development Standard</i></b>	<b><i>Requirement for PC District</i></b>	<b><i>Notes</i></b>
Maximum Floor Area Ratio (FAR)	0.25 Additional 0.15 for housing uses, professional office uses subject to Section 18.40.070, and retail and service-oriented uses subject to 17.48.040.A There shall only be one additional FAR bonus of 0.15 and it may include a combination of the uses listed here	An exception may be granted for existing commercial buildings subject to Section 18.40.060
Minimum Setbacks		See Section 18.16.050 for allowed encroachments into yards
Front	15 feet	
Side	As determined by Master Development Plan	An exception may be granted for existing commercial buildings subject to Section 18.40.060
Side (street fronting)	As determined by Master Development Plan	
Rear	As determined by Master Development Plan	An exception may be granted for existing commercial buildings



		subject to Section 18.40.060
Height Limit	Two stories maximum One-story buildings: max. 15 feet to plate and 20 feet to peak Two-story buildings: max. 22 feet to plate and 30 feet to peak	See Section 17.48.040.B for available height bonus
Top Story Floor Area Limit	No more than 40% of the floor area of any building may be on the top floor, except for buildings located more than 100 feet from the front property line	Exceptions to these requirements may be granted by the Town Council through approval of the Master Development Plan if warranted by site and surrounding conditions and mitigated by design techniques to avoid heavy or bulky forms (such as modulating building mass, partial upper stories, setbacks for upper story volume, variety of roof forms).
Minimum Open Space	Lots > 20,000 sf: min. 20% of gross area Lots 10,000-20,000 sf: min. 15% of gross area Lots < 10,000 sf: min. 10% of gross area	Open space does not include the area of public sidewalks in the public right-of-way
Parking	As required by Chapter 17.88 Off-Street Parking and Loading	
Signage	As allowed by Chapter 17.92 Signs	

**SECTION 5. CODE AMENDMENT:** Chapter 17.52 of Title 17 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

## **Chapter 17.52 RSC, RESIDENTIAL-SCALED COMMERCIAL**

### **17.52.010 Purpose and application.**

The land use designation RSC, Residential-Scaled Commercial, is intended to reinforce Washington Street as the main commercial street in Yountville, and to encourage an appropriate transition to adjacent residential neighborhoods. This designation shall apply to specified parcels fronting on the east side of Washington Street, as indicated on the Zoning Map, in Figure 1. The following rules and regulations established in this chapter shall apply to lands designated as RSC, Residential-Scaled Commercial. (Ord. 231-92 § 4.9.a; Ord. 258-96)

#### **17.52.020 General conditions.**

The following general conditions apply to all land designated as RSC, Residential-Scaled Commercial:

- A. All new uses and expanded uses listed in Section 17.52.030 shall require a Use Permit subject to the provisions of Section 17.52.040 and Chapter 17.156; new development proposals shall require approval of a Master Development Plan subject to the provisions of Chapter 17.148; expansion or exterior remodeling of a structure shall require Design Review approval subject to the provisions of Chapter 17.144; and all commercial operations shall be subject to the provisions of Chapter 17.100, Regulations for Impact on Adjacent Uses;
- B. Development shall be of an intensity and scale which preserves and enhances Yountville's small-town character and integrates well with the surrounding neighborhood and natural setting. Commercial uses on the east side of Washington Street should be less intense than those on the west side of the street;
- C. Buildings shall be residential in scale, and generally street-oriented with pedestrian entrances from the street. Building height, massing and size shall be compatible with residential development, and comply with the design standards established in Section 18.40.030;
- D. Parking shall be accommodated in ways which limit its visibility and prominence, typically in small lots screened from public view as established in Section 18.08.030 and Section 18.40.030;
- E. Development shall contribute to a well-integrated mix of uses that create an attractive, vibrant, and walkable Washington Street experience; and
- F. Development shall maintain an appropriate balance between the needs of residents, visitors, and businesses to assure a livable community for residents. (Ord. 231-92 § 4.9.b; Ord. 258-96)

#### **17.52.022 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 (2) 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 17.156; and
- C. Wine tasting rooms are a prohibited use.

#### **17.52.025 Prohibited uses.**

The following uses are prohibited:

- A. Full-service restaurant;
- B. Hotel, inn, bed and breakfast inn and other transient uses;
- C. Wine tasting bar;
- D. Bar;
- E. Nightclub;
- F. Winery production;
- G. Adult oriented entertainment business;
- H. Cannabis-related business; and
- I. Other uses deemed by the Town Council to be similar in kind. (Ord. 398-11)

**17.52.030 Uses requiring a Use Permit.**

The following uses require a Use Permit as provided in Chapter 17.156, and are subject to Design Review approval as provided in Chapter 17.144 of this title:

- A. Small bakery;
- B. Limited-service restaurant;
- C. Mobile food vendor;
- D. Wine tasting room (except for APNs 036-054-022 and -023);
- E. Wine shop;
- F. Exterior display of merchandise;
- G. Food store;
- H. Confectionery shop with production;
- I. Ice cream store;
- J. Service-oriented business (note: listed permitted uses below are excepted);
- K. Art gallery;
- L. Tattoo or piercing salon;
- M. Tanning salon;
- N. Rooftop uses, subject to the provisions in Chapter 18.46;
- O. Residential uses in combination with commercial uses, including residential units over or behind commercial uses;
- P. Live/work units or buildings which meet the design standards outlined in Title 18, Division 2, Section 18.40.040;
- Q. Home occupations as established in Chapter 17.120; and
- R. Other uses deemed by the Town Council to be similar in kind. (Ord. 231-92 § 4.9.c; Ord. 258-96; Ord. 289-99; Ord. 319-01; Ord. 397-11; Ord. 398-11; Ord. 408-12)

**17.52.035 Permitted uses.**

The following uses are permitted to be approved at staff level without a public hearing provided the specific proposed use is qualified by Town staff and issued an administrative use permit (notice of pending action required to be posted), are subject to review for compliance by Town staff following a six-month period of full operation, and are subject to design review approval as provided in Chapter 17.144 of this title:

- A. General merchandise retail—Non-food or wine;
  - B. Book store;
  - C. Barber shop/beauty shop;
  - D. Professional office (subject to retail overlay restrictions);
  - E. Chamber of commerce office (first floor location permitted);
  - F. Real estate office (first floor location permitted);
  - G. Confectionery shop—Non-production;
  - H. Dry cleaners, drop-off and pick-up only;
  - I. Florist;
  - J. Hardware store;
  - K. Furniture store;
  - L. Interior design service with interior decorating retail;
  - M. Hobby, toy, and/or game store;
  - N. Music store;
  - O. Opticians and optometrist shop;
  - P. Pharmacy and drugstore;
  - Q. Fabric store;
  - R. Shoe store;
  - S. Stationery supply store;
  - T. Tailor and dressmaking shop;
  - U. Clothing store (limited to sale of new clothing and other than souvenir clothing);
- and
- V. Other uses deemed by the Town Council to be similar in kind. (Ord. 398-11)

#### **17.52.040 Criteria for a Use Permit.**

In addition to the findings listed in Section 17.156.020, the Town Council, after a public hearing, shall make the following findings before granting a Use Permit for a proposed use designated as RSC, Residential-Scaled Commercial:

- A. The proposed use is consistent with the provisions outlined in Chapter II, Section D.3.c, of the General Plan;
- B. The proposed use is consistent with Sections 17.52.010 and 17.52.020;
- C. The proposed use provides benefit to residents;
- D. The proposed use will not be environmentally detrimental to existing or potential commercial and residential uses in the surrounding area;

- E. The street network is suitable and adequate to carry projected traffic that is generated by the proposed use;
- F. The design of the structure or structures is compatible with the character of the Town;
- G. The existing or proposed utility, police and fire services are adequate to serve the proposed use; and
- H. The proposed use conforms with the design standards as established in Title 18, Division 2, Section 18.40.030. (Ord. 231-92 § 4.9.d)

### **17.52.050 General development standards.**

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed and maintained in compliance with the requirements in Table 17.52-1, in addition to the applicable development standards (e.g., landscaping, parking, etc.) in Chapters 17.88, 17.92, 17.94, 17.96, 17.98, 17.128, and 18.40.

**Table 17.52-1**

<b><i>Development Standard</i></b>	<b><i>Requirement for RSC District</i></b>	<b><i>Notes</i></b>
Maximum Floor Area Ratio (FAR)	0.25 Additional 0.15 for housing uses and professional office uses subject to Section 18.40.070  There shall only be one additional FAR bonus of 0.15 and it may include a combination of the uses listed here	An exception for existing commercial buildings may be granted subject to Section 18.40.060
Minimum Setbacks		See Section 18.16.050 for allowed encroachments into yards
Front	15 feet	
Side	As determined by Master Development Plan	An exception for existing commercial buildings may be granted subject to Section 18.40.060
Side (street fronting)	As determined by Master Development Plan	
Rear	As determined by Master Development Plan	An exception for existing commercial buildings may be granted subject to Section 18.40.060

Height Limit	Two stories maximum. One-story buildings: max. 15 feet to plate and 20 feet to peak Two-story buildings: max. 22 feet to plate and 30 feet to peak	
Top Story Floor Area Limit	No more than 40% of the floor area of any building may be on the top floor	Exceptions to these requirements may be granted by the Town Council through approval of the Master Development Plan if warranted by site and surrounding conditions and mitigated by design techniques to avoid heavy or bulky forms (such as modulating building mass, partial upper stories, setbacks for upper story volume, variety of roof forms).
Minimum Open Space	Lots > 20,000 sf: min. 20% of gross area Lots 10,000-20,000 sf: min. 15% of gross area Lots < 10,000 sf: min. 10% of gross area	Open space does not include the area of public sidewalks in the public right-of-way
Parking	As required by Chapter 17.88 Off-Street Parking and Loading	
Signage	As allowed by Chapter 17.92 Signs	

**SECTION 6. CODE AMENDMENT:** Chapter 17.82 is hereby added to Title 17 of the Yountville Municipal Code to read as follows:

### **Chapter 17.82 MU, MIXED USE OVERLAY**

#### **17.82.010 Purpose and application.**

The overlay designation MU, Mixed Use overlay, is intended to provide opportunities for mixed-use development, including live-work, office, service and under-represented retail uses in addition to required residential uses, either within existing structures or in redeveloped buildings that reflect the character of the Old Town Historic District. For the purposes of this chapter, the application of this overlay designation encompasses parcels on the east side of

Washington Street between Creek and Pedroni Streets. In recognition that this area along Washington Street is an extension of the primary retail commercial area of the Town but is also part of the Old Town Historic neighborhood, it is the intent of this designation to: (A) continue the attractive, walkable and active Washington Street experience; (B) to provide additional opportunities for small-scale commercial uses; and (C) and integrate these commercial uses in a way that complements the existing character of Old Town.

This designation shall apply to the specified parcels/areas indicated on the Zoning Map, in Figure 1.

#### **17.82.020 General conditions.**

The following general conditions are required on lands where the overlay designation MU, Mixed Use overlay, is shown on the Zoning Map in Figure 1:

- A. All new uses and expanded uses listed in Section 17.82.030 shall require a Use Permit subject to the provisions of Chapter 17.156; new development proposals shall require approval of a Master Development Plan subject to the provisions of Chapter 17.148; expansion or exterior remodeling of a structure shall require Design Review approval subject to the provisions of Chapter 17.144; and all commercial operations shall be subject to the provisions of Chapter 17.100, Regulations for Impact on Adjacent Uses; and
- B. The proposed commercial or nonresidential use shall conform to the design standards and development regulations established in Chapters 17.32, 18.20, and 18.36.

#### **17.82.030 Uses requiring a Use Permit.**

The following non-residential uses require a Use Permit as provided in Chapter 17.156:

- A. Professional office;
- B. Service-oriented business;
- C. Under-represented retail;
- D. Live/work units; and
- E. Accessory uses which are subordinate to and complementary to the primary use.

#### **17.82.050 Criteria for a Use Permit.**

The Town Council, after a public hearing, shall make the findings contained in Section 17.156.020 before granting a Use Permit for a proposed use in the overlay designation MU, Mixed Use overlay.

**SECTION 7. CODE AMENDMENT:** Chapter 18.46 is hereby added to Title 18 of the Yountville Municipal Code to read as follows:

### **Chapter 18.46 BUILDING HEIGHT EXCEPTIONS**

#### **18.46.010 Architectural, mechanical and utility features.**

Architectural features, vents, mechanical equipment, cooling towers, and equipment screening shall not exceed the building height limit of the applicable zoning district. Elevator equipment, stair overruns and chimneys may exceed the building height limit of the applicable zoning district by a maximum of five (5) feet subject to Design Review approval, except where a greater height is authorized by the Town Council through the Master Development Plan approval, provided that no such feature or structure in excess of the height limit shall be used for habitable space or for any commercial or advertising purposes.

#### **18.46.020 Rooftop uses.**

Rooftop pools, decks, gardens and similar recreational facilities may be located in the Primary Commercial, Residential-Scaled Commercial and Public Facilities districts subject to Design Review and Use Permit approval, and subject to the following limitations:

- A. Rooftop pools, accessible decks and gardens and similar recreational facilities may be allowed atop the first or second floors of buildings in the Primary Commercial and Public Facilities Districts, with the exception of parcels in the Public Facilities District identified in Section 17.36.025, which may be allowed on the third floor. In the Residential-Scaled Commercial District such uses may only be allowed atop the first floor;
- B. No habitable space may be permitted in excess of the building height limit of the applicable zoning district;
- C. Non-habitable structures, including but not limited to permanently affixed umbrellas, shade structures, cabanas, outdoor bars, pool slides, pool equipment enclosures and mechanical equipment, shall not exceed the building height limit of the applicable zoning district. Temporary structures, such as unaffixed umbrellas or mobile heaters, which comprise a total area no greater than twenty (20) percent of the roof area may exceed the building height limit of the applicable zoning district by a maximum of eight (8) feet subject to Design Review approval, except where a greater height or coverage is authorized by the Town Council through the Master Development Plan approval; and
- D. Perimeter safety barriers which are clear or more than fifty (50) percent open may exceed the building height limit of the applicable zoning district by a maximum of five (5) feet, subject to Design Review approval.

**SECTION 8. CODE AMENDMENT:** Chapter 18.40.020 of Title 18 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

#### **18.40.020 Design standards for Primary Commercial buildings.**

- A. Primary Commercial buildings on the east side of Highway 29 are intended to reinforce Washington Street as Yountville's commercial main street, while accommodating the needs of merchants, visitors and residents. Therefore, the design standards outlined herein encourage commercial uses that will be compatible with Yountville's small-town character. Buildings should face Washington Street, promote walkability and create courtyards and passageways to encourage public use.
- B. Design Standards. The following design standards apply to development in the Primary Commercial district. These design standards and descriptions are intended to guide the project design and the design review process and inform the public about Yountville's unique built environment. It is acknowledged that each property is different,



and this condition is considered when applying these standards. All development proposals are considered on a case-by-case basis, which provides flexibility for decision-making based on existing conditions.

1. Building Scale and Massing:

- a. Use massing techniques that mitigate heavy or bulky forms, such as modulating building mass, partial upper stories, setbacks for upper story volume, and varying roof forms;
- b. Break down the massing of buildings and the scale of long facades to fit the rhythm of the surrounding block where appropriate; and
- c. Avoid placement of structures or dense landscaping which obstructs public view corridors as defined in the General Plan.

2. Street Frontages:

- a. Buildings should be pedestrian oriented, creating an attractive and active sidewalk and street frontages;
- b. Create or reinforce a well-defined rhythm of intervals of built and open spaces. Pedestrian passageways between buildings should generally be at least twelve (12) feet in width;
- c. Where possible, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street to encourage pedestrian activity and informal community gathering;
- d. Support adjacent sidewalks and public spaces with active ground floor uses and amenities such as seating and public art;
- e. Create a human-scale environment at street level with architectural detailing that adds variety and rhythm to the façade;
- f. Give prominence to pedestrian entrances over vehicle access; and
- g. Create focal points and integrated public spaces at prominent corner sites.

3. Parking:

- a. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view. Limit the amount of Washington Street frontage that can be used for parking or vehicular access;
- b. In larger developments, parking should be provided in smaller lots, rather than one large lot;
- c. Provide bicycle parking near access points and active areas to maximize visibility and convenience; and
- d. Consider measures that maximize the amount of onsite and offsite parking, including valet, tandem, parking structures and other creative solutions provided they take into account neighborhood context, view corridors, setbacks, screening and massing.

4. Open Space:

- a. Use landscape design to connect a network of open spaces, appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use and pedestrian circulation;
  - b. Encourage interaction between the building's interior uses and exterior public space, including plazas, seating areas and other hardscape areas to support public activities appropriate to the site context and building use;
  - c. Choose plantings that complement the proportions and scale of the building, offer color and interest throughout the year, and are water-efficient and fire-resistant;
  - d. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter; and
  - e. Use public art as required by Section 17.177 to enhance entrances to buildings and public spaces.
5. Utilities:
- a. Locate utility areas away from public areas and adjacent sensitive uses; and
  - b. Integrate utilities and service functions into the architectural concept, screening mechanical equipment and trash facilities from view. Screen rooftop equipment from view and group roof penetrations to the extent feasible.

(Ord. 232-92 Ch. II § D.1; Ord. 235-93; Ord. 242-94 Ch. II § D.1; Ord. 399-11; Ord. 400-11; Ord. 17-458)

**SECTION 9. CODE AMENDMENT:** Chapter 18.40.030 of Title 18 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

**18.40.030 Design Standards for Residential-Scaled Commercial buildings.**

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.

B. Design Standards. The following design standards apply to development in the Residential-Scaled Commercial District. These design standards and descriptions are intended to guide the project design and the design review process and inform the public about Yountville's unique built environment. It is acknowledged that each property is different, and this condition is considered when applying these standards. All development proposals are considered on a case-by-case basis, which provides flexibility for decision-making based on existing conditions.

1. Building Size: Where possible proposed development should consist of multiple small buildings rather than one large building. If proposed individual building square footage exceeds 5,000 square feet, consideration and preference shall be given to multiple

buildings. Building size and location should take into account existing trees or similar site conditions which are considered important to the Town's character.

2. Building Scale and Massing:

- a. Use massing techniques that mitigate heavy or bulky forms, such as modulating building mass, partial upper stories, setbacks for upper story volume, and varying roof forms;
- b. Break down the massing of buildings and the scale of long facades to fit the rhythm of the surrounding block where appropriate; and
- c. Avoid placement of structures or dense landscaping which obstructs public view corridors as defined in the General Plan.

3. Street Frontages:

- a. Buildings should be pedestrian oriented, creating an attractive and active sidewalk and street frontages;
- b. Create or reinforce a well-defined rhythm of intervals of built and open spaces. Pedestrian passageways between buildings should generally be at least twelve (12) feet in width;
- c. Where possible, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street to encourage pedestrian activity and informal community gathering;
- d. Support adjacent sidewalks and public spaces with active ground floor uses and amenities such as seating and public art;
- e. Create a human-scale environment at street level with architectural detailing that adds variety and rhythm to the façade;
- f. Give prominence to pedestrian entrances over vehicle access; and
- g. Create focal points and integrated public spaces at prominent corner sites.

4. Parking:

- a. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view. Limit the amount of Washington Street frontage that can be used for parking or vehicular access;
- b. In larger developments, parking should be provided in smaller lots, rather than one large lot;
- c. Provide bicycle parking near access points and active areas to maximize visibility and convenience; and
- d. Consider measures that maximize the amount of onsite and offsite parking, including valet, tandem, parking structures and other creative solutions provided they take into account neighborhood context, view corridors, setbacks, screening and massing.

5. Open Space:

- a. Use landscape design to connect a network of open spaces, appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use and pedestrian circulation;
- b. Encourage interaction between the building's interior uses and exterior public space, including plazas, seating areas and other hardscape areas to support public activities appropriate to the site context and building use;
- c. Choose plantings that complement the proportions and scale of the building, offer color and interest throughout the year, and are water-efficient and fire-resistant;
- d. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter; and
- e. Use public art as required by Section 17.177 to enhance entrances to buildings and public spaces.

6. Utilities:

- a. Locate utility areas away from public areas and adjacent sensitive uses; and
- b. Integrate utilities and service functions into the architectural concept, screening mechanical equipment and trash facilities from view. Screen rooftop equipment from view and group roof penetrations to the extent feasible.

(Ord. 232-92 Ch. II § D.2; Ord. 253-93; Ord. 242-94 Ch. II § D.2; Ord. 259-96; Ord. 343-04; Ord. 399-11; Ord. 400-11; Ord. 17-458)

**SECTION 10. CODE AMENDMENT:** Chapter 18.40.040 of Title 18 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

**18.40.040 Combined commercial and residential buildings.**

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

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

- 1. Floor Area Ratio. The maximum permitted floor area ratio shall be 0.25 FAR. An additional 0.15 FAR for multifamily dwellings located on-site is allowed.

2. Minimum Commercial Floor Area. Residential units in combination with commercial units and live/work units or buildings shall have a minimum of 35% of the floor area devoted to commercial use.
  3. Building Height. The building height shall not exceed two stories. One-story buildings shall not exceed 15 feet to the plate height or an overall height of 20 feet. Two-story buildings shall not exceed 22 feet to the plate height or an overall height of 30 feet. No more than one-third of the total permitted FAR for a commercial development may occupy the second level.
  4. Open Space. A minimum of 20% of the gross area of parcels exceeding 20,000 square feet; 15% for lots less than 20,000 square feet; and 10% for lots less than 10,000 square feet shall be provided as open space. The open space requirement may be met by providing a series of connected smaller areas which have a minimum area of 400 square feet each. Residential uses shall have no less than 100 square feet of private open space for each unit, half of which shall be directly adjacent to its unit.
  5. Parking. Parking ratios shall be as established in Chapter [17.88](#) of Title 17, Zoning. Parking lots shall be adequately screened, and comply with design standards established in Division 1, Section [18.08.030](#).
  6. Signage. All signage shall comply with Chapter [17.92](#) of Title 17, Zoning.
  7. Design Review Special Requirements. Drawings, models, renderings, or perspectives which illustrate the three-dimensional massing and architectural character of proposed new buildings, including adjacent existing buildings, shall be required, in addition to the requirements established in Chapter [17.144](#), Design Review, of Title 17, Zoning.
- (Ord. 232-92 Ch. II § D.3; Ord. 242-94 Ch. II § D.3; Ord. 343-04; Ord. 399-11; Ord. 400-11)

**SECTION 11. CODE AMENDMENT:** Chapter 18.42 is hereby added to Title 17 of the Yountville Municipal Code to read as follows:

## **Chapter 18.42 PUBLIC FACILITIES BUILDINGS**

### **18.42.010 Design Standards for Public Facilities buildings.**

A. Public Facilities buildings are intended to accommodate uses that provide a public service or otherwise benefit the community on a Town-wide scale. The types of buildings in the Public Facilities district vary greatly depending on use. Buildings that directly serve the public, like Town Hall, the Post Office, the Community Center/Library, and Yountville Elementary School, form Yountville's civic core and have building styles that reinforce and enhance Yountville's small-town character. Other Public Facilities buildings, like the wastewater treatment plant and the water pump station, serve the public indirectly and so these uses are screened and isolated from residential and commercial areas. Historic and legacy uses which predate the Town, like the Veterans Home and Pioneer Cemetery, are also included in the Public Facilities designation. New buildings in this designation should, where appropriate, strengthen the cohesion of the civic core or otherwise be sympathetic to existing uses as well as historic and environmental resources.

B. The following design standards apply to development on sites designated PF, Public Facilities. These design standards and descriptions are intended to guide the project design and the design review process and inform the public about Yountville's unique built environment. It is acknowledged that each property is different, and this condition is considered when applying these standards. All development proposals are considered on a case-by-case basis, which provides flexibility for decision-making based on existing conditions.

1. Building Scale and Massing:

- a. Use massing techniques that mitigate heavy or bulky forms, such as modulating building mass, partial upper stories, setbacks for upper story volume, and varying roof forms;
- b. Break down the massing of buildings and the scale of long facades to fit the rhythm of the surrounding block where appropriate; and
- c. Avoid placement of structures or dense landscaping which obstructs public view corridors as defined in the General Plan.

2. Street Frontages:

- a. Buildings should be pedestrian oriented, creating an attractive and active sidewalk and street frontages;
- b. Create or reinforce a well-defined rhythm of intervals of built and open spaces. Pedestrian passageways between buildings should generally be at least twelve (12) feet in width;
- c. Where possible, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street to encourage pedestrian activity and informal community gathering;
- d. Support adjacent sidewalks and public spaces with active ground floor uses and amenities such as seating and public art;
- e. Create a human-scale environment at street level with architectural detailing that adds variety and rhythm to the façade;
- f. Give prominence to pedestrian entrances over vehicle access; and
- g. Create focal points and integrated public spaces at prominent corner sites.

3. Parking:

- a. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view. Limit the amount of Washington Street frontage that can be used for parking or vehicular access;
- b. In larger developments, parking should be provided in smaller lots, rather than one large lot;
- c. Provide bicycle parking near access points and active areas to maximize visibility and convenience; and

d. Consider measures that maximize the amount of onsite and offsite parking, including valet, tandem, parking structures and other creative solutions provided they take into account neighborhood context, view corridors, setbacks, screening and massing.

4. Open Space:

a. Use landscape design to connect a network of open spaces, appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use and pedestrian circulation;

b. Encourage interaction between the building's interior uses and exterior public space, including plazas, seating areas and other hardscape areas to support public activities appropriate to the site context and building use;

c. Choose plantings that complement the proportions and scale of the building, offer color and interest throughout the year, and are water-efficient and fire-resistant;

d. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter; and

e. Use public art as required by Section 17.177 to enhance entrances to buildings and public spaces.

5. Utilities:

a. Locate utility areas away from public areas and adjacent sensitive uses; and

b. Integrate utilities and service functions into the architectural concept, screening mechanical equipment and trash facilities from view. Screen rooftop equipment from view and group roof penetrations to the extent feasible.

**SECTION 12. CEQA:** The Town Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the Town Council, and hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance will not result in a significant foreseeable environmental impact.

**SECTION 13. Severability:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

**SECTION 14. Effective Date:** This Ordinance shall take effect 30 days after final adoption.

**SECTION 15. Certification:** The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date

of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council at a regular meeting held on the 21st day of April 2020.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the 19th day of May 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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John F. Dunbar, Mayor

ATTEST:

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Michelle Dahme, CMC  
Town Clerk

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Gary Bell  
Town Attorney