

## ST. HELENA GENERAL PLAN OFFICIAL CHANGES FROM CITY ATTORNEY'S OFFICE COVER SHEET

A General Plan is required by State law, every 20 years, for every city and county in California and City Councils are required to adhere to it for 20 years. It consists of several parts, called Elements, some of which are required and some of which may be voluntarily done by the community but not required. This is the third General Plan that St. Helena has done. The first was a "community design" done in 1973; the second was a General Plan done in 1993.

The State has issued Guidelines for General Plans to guide local governments in making a General Plan. One Element of the General Plan, the Housing Element, is done every 8 years; St. Helena's next Housing Element is due in 2014. For the first time in its history, St. Helena has included Climate and Arts & Culture in its General Plan. The SH General Plan was completed by the GPUUC (General Plan Update Sub-Committee) in 2010 and approved by the Planning Commission in that year. The City Council has delayed and changed it for 4 years and now must adopt a General Plan and a new Housing Element.

Since there have been so many changes, the Council is resisting having to send it back to the Planning Commission as required by State law for "substantive" changes. All of the changes attached here are either Goal, Policy or Implementing Action changes -- all self descriptive as being substantive.

**All RED wording has been deleted from the original General Plan by the City Council.**  
**All GREEN wording has been added into the General Plan.**

The following labels identify the motivations for the changes.

- SELF: Changes were made to protect Council's personal location, business interests or ideology, irrespective of community interest that was identified during the Visioning process, preceding the formation of the General Plan.
- NO FACTS: Changes were made in denial or lack of information about true statistical information from either State or scientific sources.
- NO PRO: Changes did not reflect knowledge of professional urban planning principles and therefore lacked consistency with other premises in the Plan. It is a State requirement that all aspects of a Plan be consistent with each other to avoid contradiction.

The following Elements are included; Elements not included did not have problematic changes: Land Use, Economic, Circulation, Climate Change, Community Design, Arts, Culture & Entertainment, Parks & Rec, Open Space.

### **WHY?**

Many may wonder why these changes are a problem; the reasons are many:

- All the identified self-serving changes benefit a few currently in power, not the whole community. The changes may affect how St. Helena copes with climate change, or who gets to live in town, or whose property values will go up and whose will not, or who must drive longer and sit in traffic and who does not. They have redesigned the General Plan to falsely appear as though all the open land on the east side is off limits to any and all growth in the future, including even transit through the area. At the same time they are unwilling to open the Urban Limit Line in other areas of town,

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which would still be in the City Limits. This means as the State forces affordable housing upon St. Helena there will be much internal conflict here.

- Many of the changes that build a perimeter around their own properties are there because of bias against other groups of people based upon income, race, political affiliation, etc.
- Many of the changes are not based upon professional expertise since Council members do not have that either in education or experience so many of the changes may be illegal, inconsistent, or lack knowledge of cause and effect in urban planning, leaving St. Helena open to problems or legal challenges later.
- Many of the changes demonstrate ignorance of climate change and State law, in effect now, to combat and adapt to climate change. Again, St. Helena will be susceptible to legal challenge and suffer from the lack of a guiding community General Plan at a time when the City will be forced to accept the same responsibilities that other cities do.

At the present time, the City is in violation of the law to finish and adopt a General Plan within 2 years and to submit a report to the State every year on how well it is following its General Plan. The Council has prevented adoption for 4 years.

If the community supports the new changes completed by the Council then the community will be split in half for the next 20 years, barring Amendments by future Councils. On the east side there will be large spaces of open land, newer present development and few streets or institutional amenities. On the west side there will most of the community residents, who will most impacted by infill; there will be the most streets, most schools, churches and offices and businesses, the most degraded sidewalks and roads since they will get the most use. Overall St. Helena will not face a future that is best served by Smart Growth or successful adaptation to climate change or good community cohesion. California is the most populous state and is continuing to add population. St. Helena will not be exempt from growth in this State. It is best to manage it wisely and legally and the General Plan proposed by the City Council at this point does not do that.