

Town of Yountville
Resolution Number 24-XXX

A Resolution of the Town Council of the Town of Yountville Amending the Town of Yountville General Plan to Incorporate by Reference the 2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the Town of Yountville is a political subdivision of the State of California and an official participating jurisdiction of the “2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan” (MJHMP).

WHEREAS, the Town of Yountville recognizes the MJHMP as the official hazard mitigation plan for the County and participating jurisdictions.

WHEREAS, the Disaster Mitigation Act (DMA) of 2000 (Public Law 106-390) requires the Town to develop and adopt pre-disaster mitigation plans in order to minimize property damage and the risk to public health and safety that might result from the effects of a natural or man-made disaster.

WHEREAS, Government Code section 8685.9 (also known as Assembly Bill 2140 or AB 2140) limits the amount of disaster relief funds the State may pay to local governments to 75 percent of the funds not paid for by federal disaster relief efforts, but allows greater funding if the Town adopts a valid local hazard mitigation plan (LHMP) that is consistent with the DMA, approved by the Federal Emergency Management Agency (FEMA), and incorporates the LHMP by reference into the Town’s General Plan.

WHEREAS, Government Code section 65358 limits the amendment of any mandatory element of the Town of Yountville General Plan to not more than four times per calendar year.

WHEREAS, this amendment is presented as the first amendment of the mandatory Safety Element in the calendar year 2024.

WHEREAS, the California Office of Emergency Services (Cal OES) and the FEMA Region IX officials reviewed and approved the MJHMP, contingent upon this official adoption by the Town Council.

WHEREAS, on May 19, 2020, the Town Council adopted Resolution No 20-3988 adopting the 2020 MJHMP.

WHEREAS, on August 13, 2020, FEMA Region IX officials confirmed all participating jurisdictions adopted the MJHMP and were in compliance with the planning requirements of the DMA.

WHEREAS, the Town has referred the proposed amendment to the requisite public entities and conducted consultations regarding the proposed amendment in accordance with State law.

WHEREAS, on August 27, 2024 the ZDRB held a public hearing in accordance with Government Code sections 65353 and 65354 and Yountville Municipal Code (YMC) section 17.184.050 in which it received comments and input from the public on the proposed General Plan amendment and recommended the Town Council amend the General Plan to incorporate the MJHMP by reference.

WHEREAS, YMC sections 17.184.040 and 17.184.050 authorize the Town Council, upon receipt of the recommendation of the ZDRB, to approve or approve in modified form proposed General Plan amendments based on specified findings.

WHEREAS, on [insert date] the Town Council conducted a duly noticed public hearing in accordance with Government Code sections 65355 and 65356 and YMC section 17.184.050 to receive comments and input from the public on the proposed General Plan amendment.

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

SECTION 1. RECITALS: The foregoing recitals are true and correct and incorporated into the findings herein.

SECTION 2. RECORD: The Record of Proceedings ("Record") upon which the Town Council bases its decision includes, but is not limited to: (1) the staff reports, Town files and records and other documents prepared for and/or submitted to the Town relating to the proposed General Plan amendment, (2) the evidence, facts, findings and other determinations set forth in this Ordinance, (3) the Town of Yountville General Plan and its certified final EIR and the Yountville Municipal Code, (4) all designs, plans, studies, data and correspondence submitted to the Town in connection with the proposed General Plan amendment, (5) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the Town relating to the proposed General Plan amendment, and (6) all other matters of common knowledge to the Town Council including, but not limited to, Town, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the Town of Yountville and its surrounding areas.

SECTION 3. CEQA: This Resolution is exempt pursuant to CEQA Guidelines section 15061(b)(3) (no potential for causing a significant effect on the environment). CEQA Guidelines Section 15061(b)(3) exempts projects from environmental review where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment. It can be seen with certainty that the General Plan amendment will not have a significant effect on the environment because the amendment merely updates the General Plan to reflect the Town Council's prior adoption of the 2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan. Moreover, the 2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan acts as a guidebook for hazard mitigation strategies and does not implement any specific project, action, or funding.

SECTION 4. FINDINGS: The Town Council hereby makes the following findings as required by YMC Section 17.184.060 with respect to the General Plan amendment at issue based on the evidence contained in the Record which is herein incorporated by reference:

1. *The proposed amendment(s) would further the goals, objectives, policies and programs and is consistent with the intent of the General Plan;*

The purpose of the amendment specifically applies to furthering funding for the Town in the event of a disaster. Specifically, the amendment directly or indirectly furthers the following goals and policies within the Safety and Hazards Element within the Town's General Plan: Goal SH-1, *Maintain high levels of public safety and emergency preparedness*, SH-1.9, *Emergency Management*, minimize exposure to all hazards through emergency management, planning and training; SH-1.9g, *Disaster recovery*, develop a disaster recovery plan that provides for efficient and effective coordination, recovery assessment, resource utilization, and policy guidance during the disaster recovery process. Furthermore, the amendment would not create any inconsistencies with the General Plan. The amendment would further the goals, objectives, policies and programs and is consistent with the intent of the General Plan.

2. *The proposed amendment(s) would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town;*

The purpose of the amendment specifically applies to furthering funding for the Town in the event of a disaster. Specifically, the amendment directly or indirectly furthers the following goals and policies within the Safety and Hazards Element within the Town's General Plan: Goal SH-1, *Maintain high levels of public safety and emergency preparedness*, SH-1.9, *Emergency Management*, minimize exposure to all hazards through emergency management, planning and training; SH-1.9g, *Disaster recovery*, develop a disaster recovery plan that provides for efficient and effective coordination, recovery assessment, resource utilization, and policy guidance during the disaster recovery process. Thus, the amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town.

3. *For amendments involving a zoning or land use map amendment, the site is physically suitable, including consideration of physical constraints, access, compatibility with surrounding land uses, and provision of utilities, for the requested or potential land uses.*

The proposed amendment does not involve a zoning or land use map amendment.

SECTION 5. GENERAL PLAN AMENDMENT: The Safety Element ("A Safe Environment") of the Town of Yountville General Plan is hereby amended as set forth in **Exhibit A** attached hereto and incorporated herein by reference.

SECTION 6. DISTRIBUTION: The Town Clerk shall cause a copy of the adopted General Plan amendment to be sent to all public entities specified in Government Code section 65352 and any other public entities that submitted comments on the proposed amendment during its preparation in accordance with Government Code section 65357. Copies of the documents amending the general plan shall be made available to the general public in accordance with Government Code section 65357.

SECTION 7. CERTIFICATION: The Town Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

PASSED AND ADOPTED by the Town Council at a **regular** meeting held on the day of 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Margie Mohler, Mayor

ATTEST:

Hilary Gaede Town Clerk

APPROVED AS TO FORM:

Gary B. Bell
Town Attorney

Attachments: Exhibit A: Amended General Plan Safety Element.

EXHIBIT A