

Town of Yountville Zoning and Design Review Board

Resolution Number 24-016

A RESOLUTION OF THE TOWN OF YOUNTVILLE ZONING AND DESIGN REVIEW BOARD RECOMMENDING THE TOWN COUNCIL APPROVE AN AMENDMENT TO THE SAFETY ELEMENT OF THE TOWN OF YOUNTVILLE GENERAL PLAN TO INCORPORATE BY REFERENCE THE 2020 NAPA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

Recitals

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 incorporated 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 passed 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, Government Code Section 65353 and Yountville Municipal Code (YMC) section 17.184.050 require the Zoning and Design Review Board (ZDRB) to hold a noticed, public hearing before recommending approval of a General Plan amendment.

WHEREAS, the ZDRB desires to recommend the Town Council approve an amendment to the Safety Element of the General Plan to incorporate the 2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan by reference.

NOW, THEREFORE, BE IT RESOLVED that the Zoning and Design Review Board hereby finds and resolves 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 Zoning and Design Review Board (ZDRB) bases its recommendation 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 General Plan amendment; (2) the evidence, facts, findings, and other determinations set forth in this Resolution; (3) the Town of Yountville General Plan, 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 ZDRB and/or Town Staff; and (6) all other matters of common knowledge to the ZDRB including, but not limited to, Town, state, and federal laws, policies, regulations, reports, records, and projections related to development within the Town of Yountville and its surrounding areas.

SECTION 3. CEQA FINDINGS: The ZDRB recommends the Town Council find this General Plan amendment 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. ZONING AMENDMENT FINDINGS: The Zoning and Design Review Board hereby makes its recommendation based on the following findings as required by YMC Section 17.184.060 with respect 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. RECOMMENDATION: The Zoning and Design Review Board hereby recommends the Town Council adopt the Resolution attached hereto as **Exhibit A** and incorporated herein by this reference and find the proposed General Plan amendment exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) [common sense exemption].

Passed and adopted at a special meeting of the Zoning and Design Review Board of the Town of Yountville, State of California, held on this 27th day of August 2024 by the following vote:

AYES: Cook, Zagorsek, Deposki, Miller

NOES: None

ABSENT: Henthorne

ABSTAIN: None

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of the resolution which was adopted by the Zoning and Design Review Board of the Town of Yountville, County of Napa, State of California, on the 27th day of August 2024.

Steven Miller

Steven Miller, Chair

Hilary Gaede

Hilary Gaede, Town Clerk and Communications Director

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