RESOLUTION NO. 2020-133

**A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, AMENDING THE NAPA COUNTY ROAD AND STREET STANDARDS TO REFLECT THE CALIFORNIA BOARD OF**

**FORESTRY AND FIRE PROTECTION’S JULY 20, 2020 EMERGENCY**

**AMENDMENTS TO STATE RESPONSIBILITY AREA FIRE SAFE REGULATIONS TO EXEMPT REPAIR OR RECONSTRUCTION OF LEGALLY CONSTRUCTED STRUCTURES DAMAGED BY WILDFIRE**

**WHEREAS,** the County wishes to have the State Board of Forestry and Fire Protection (the “Board of Forestry”) certify amendments to the County’s Road and Street Standards (“Road and Street Standards”), all local ordinances, and all relevant Fire Marshal policies related to the Fire Safe Regulations (“Regulations”) to ensure they are consistent with the Regulations and thereby maintain local control over the inspection and exception process connected with the enforcement of the Regulations and Road and Street Standards and the other requirements of the Regulations within those portions of unincorporated Napa County that are within the State Responsibility Area as defined in Public Resources Code Sections 4126-4127, and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 1 through Article 5; and

 **WHEREAS,** the criteria for the design of road and street improvements in Napa County are set forth in the booklet on file with the Clerk of the Board of Supervisors, entitled “Adopted Road and Street Standards, Napa County (dated April 27, 1971 and as amended through February 4, 2020),” hereinafter referred to as the “Road and Street Standards”; and

**WHEREAS,** pursuant to Napa County Code Sections 17.02.470 and 17.36.010(B) the Road and Street Standards may be amended from time to time by resolution of the Board of Supervisors; and

**WHEREAS,** the Road and Street Standards have been revised fourteen times since their adoption on April 27, 1971 and were last revised on February 4, 2020, Resolution No. 2020-12; and

**WHEREAS,** the Engineering Division of the Planning, Building and Environmental Services Department and County Fire Marshal have reviewed the Road and Street Standards and recommend that they be amended to establish minimum wildfire protection standards compliant with the Board of Forestry’s State Responsibility Area Fire Safe Regulations and to meet the needs of current firefighting apparatus, and to provide a more reasonable basis for imposing the Road and Street Standards on legally constructed structures damaged or destroyed by wildlife. The proposed amendments to the Road and Street Standards are attached as Exhibit “A” and incorporated here by reference; and

**WHEREAS,** the proposed amendments to the Road and Street Standards would promote the safety of the public and property by providing safe access for emergency vehicles, safe civilian evacuation, avoidance of delays in emergency equipment response, defense from wildfires, and for the public and emergency responder’s safety.

 **NOW, THEREFORE, BE IT RESOLVED** that the Board hereby resolves as follows:

1. The Board hereby finds that the proposed amendment to the Road and Street Standards attached as Exhibit “A” are exempt from the California Environmental Quality Act (“CEQA”) under

the General Rule because it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).] The Board further finds that the proposed amendment is exempt from the CEQA pursuant to Categorical Exemption Class 8 because it been determined that this type of project does not have a significant effect on the environment. [See Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15308.]

 2. The Board hereby adopts the amendments to the Road and Street Standards attached as Exhibit “A” and incorporated here by reference. The amendments contained in Exhibit “A” shall become effective January 1, 2021.

 3. The Board hereby directs the Clerk of the Board to place a copy of the amendments to Road and Street Standards attached as Exhibit “A” in the booklet entitled “Adopted Road and Street

Standards, Napa County (dated April 27, 1971 and as amended through February 4, 2020), on file with the Clerk of the Board.

 **THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 10th day of November, 2020, by the following vote:

 AYES: SUPERVISORS GREGORY, WAGENKNECHT, PEDROZA,

 RAMOS and DILLON

 NOES: SUPERVISORS NONE

 ABSTAIN: SUPERVISORS NONE

 ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of the State of California

 By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DIANE DILLON, Chair of the

Board of Supervisors

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| APPROVED AS TO FORMOffice of County Counsel Deputy County CounselBy: *Laura J. Anderson (e-sign)*Date: October 30, 2020 | APPROVED BY THE NAPA COUNTYBOARD OF SUPERVISORSDate: November 10, 2020Processed By:  Deputy Clerk of the Board | ATTEST: JOSE LUIS VALDEZClerk of the Board of SupervisorsBy:  |

**EXHIBIT “A”**