

# Town of Yountville

## Ordinance Number 20-497

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE AMENDING SECTIONS 17.177.015, 17.177.020, 17.177.030, AND 17.177.050 OF CHAPTER 17.177 OF TITLE 17 OF THE YOUNTVILLE MUNICIPAL CODE REGARDING THE PUBLIC ART PROGRAM

---

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

SECTION 1. CODE AMENDMENT: The definition of “Applicant” in Section 17.177.015 of Chapter 17.177 of Title 17 of the Yountville Municipal Code is hereby amended to read as follows:

“Applicant” means any property owner or developer who applies to the Town for any commercial development entitlement including, but not limited to, a building permit, a use permit, and/or a master development permit.

SECTION 2. CODE AMENDMENT: Section 17.177.020 of Chapter 17.177 of Title 17 of the Yountville Municipal Code is hereby amended to read as follows:

An applicant shall either directly provide public art or make a contribution towards the placement of public art. An applicant has three ways in which to comply with the requirement to place public art or make a contribution towards the placement of public art:

- A. Install and maintain approved public art on property which has a value equal to *or* exceeding the in-lieu art fee deposit. Prior to installation of public art in satisfaction of this chapter, the applicant shall comply with all procedures set forth in this chapter for selection and approval of public art.
- B. Install and maintain approved public art which has a value less than the in-lieu art fee deposit and pay the difference as an additional in-lieu fee. Prior to installation of public art in satisfaction of this chapter, the applicant shall comply with all procedures set forth in this chapter for selection and approval of public art.
- C. Direct payment of the in-lieu art fee deposit into the dedicated art program fee fund managed by the Yountville Arts Commission in accordance with Section 17.177.050.

SECTION 3. CODE AMENDMENT: The first sentence of Section 17.177.030 of Chapter 17.177 of Title 17 of the Yountville Municipal Code is hereby amended to read:

If choosing to install public art, the applicant shall submit an application to the Yountville Arts Commission which shall include:

SECTION 4. CODE AMENDMENT: The first sentence of Section 17.177.050 of Chapter 17.177 of Title 17 of the Yountville Municipal Code is hereby amended to read as follows:

An applicant shall pay an in-lieu art fee deposit at the time of applying for any commercial development entitlement, including, but not limited to, a building permit, a use permit, and/or a master development permit, in support of the requirement to provide public art in accordance with Sections 17.177.020 through 17.177.040.

SECTION 5. 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 6. 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 7. Effective Date: This Ordinance shall take effect 30 days after final adoption.

SECTION 8. 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.

#

#

#

#

#

Ordinance Number 20-497

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

AYES:

NOES:

ABSENT:

ABSTAIN:

---

John F. Dunbar, Mayor

ATTEST:

---

Michelle Dahme, CMC  
Town Clerk

---

Gary Bell  
Town Attorney