

**NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT**

USE PERMIT

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of October 4, 2000

Agenda Item: # 8

APPLICATION DATA:

APPLICANT: **Eagle Vines Golf Course
Use Permit Request # 99169-UP**

Filed: Oct 26, 1999

Complete:

REQUEST FOR: Approval of a use permit to establish an 18 hole golf course consisting of 8 new holes and the redesign of 10 holes from an existing course; construct a 12,400 sq. ft. club house; an 8,220 sq. ft. restaurant; bar and banquet facility; a 4,000 sq. ft. maintenance building; tennis courts and parking, located on approximately 227 acres.

LOCATION: on the southeast corner of State Highway 12 and South Kelly Road within an AW:AC (Agricultural Watershed and Airport Compatibility Combining) zoning district. APN 57-070-014, (portion), 001 & 57-060-051, 007. 015

FINDINGS:

SPECIAL INFORMATION:

1. The proposal involves the construction of a new golf course facility, including a variety of accessory uses such as a club house, food service facility and maintenance building. Eight new holes would be added to the 10 holes "borrowed" from the Chardonnay Golf Course and additional vineyard (60 ac.+/-) would be planted. Treated and reclaimed water would be used to irrigate the new course and vineyard. Three new structures are proposed. The main club house has three levels and totals 12,400 sq.ft. The food service building has two levels and 8,220 sq.ft. The maintenance building is 4,000 sq.ft. The total structure area is 24,620 sq.ft.

Agenda Item # 8

Page 2

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

2. A use permit was issued on February 5, 1986 for the Chardonnay Golf Club. That course has been expanded several times to the present 36 holes and the club house design was revised until the present one was constructed several years ago. The Chardonnay Golf Club would operate with 27 holes; the three sets of 9 holes could be played in several combinations for 18 holes. (Attached graphics indicate how the courses would be revised.)
3. Additional details of the proposal are contained in the attached supplemental information sheet.
4. Comments and recommendations from various County departments and other agencies are attached.

ENVIRONMENTAL ANALYSIS:

5. The visual impact potential from Kelley Road is minimized by the setback of 750 feet for the main structures and 100 feet for the maintenance building which would receive additional landscaping screening. Materials and colors are to be used that will blend the facilities into the surroundings.

The area in the vicinity of the project site is archeologically sensitive, the site where the proposed improvement would be located is not. A standard condition of approval to stop work and have an archaeologist investigate any artifactual material found during excavation activity is sufficient to minimize concerns.

The project site is in the vicinity of and affected by Napa County Airport operations. The project site is located in Airport Compatibility zones C and D with zone C being the most restrictive in terms of airport safety. Compatibility zone C allows the type and density of use proposed. The specific conditions applied to this use will assure that height, lighting, etc. will not interfere with the aircraft flights, and an airport easement requirement acknowledges existing airport operations. However, while the type and density of use is permitted, the location of the buildings as submitted is inconsistent with Sec. 18.80.050 F. and G. requiring them to be as far from the runway centerline as possible and in the least restrictive airport zone possible.

Traffic and traffic safety concerns are reduced by the access location on South Kelly Road and the nature of golfing with no peak loading except for special events like tournaments and a mitigation measure requires that they avoid peak travel times.

Agenda Item # 8

Page 3

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

Groundwater use is not a concern. No well water is to be used and all irrigation of both the golf course and the 60 acres of vineyard will use reclaimed water.

Erosion concerns are minimized by the requirement of erosion control plans for all work done on slopes over 5% including structures, roads and parking, vineyard development and golf course development.

A blue line stream, Fagan Creek, is south of the project site and the setbacks required by the County's conservation Regulations will apply.

The project will not have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. A Negative Declaration has been prepared.

PLANNING AND ZONING ANALYSIS:

6. The following findings must be made in order to approve the use permit:

- a. Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

Analysis: The project is consistent with the AW (Agricultural Watershed) zoning district regulations which apply to this property which permits rural recreation such as golf courses with use permit approval. Modifications to the Code regarding rural recreation (Ord. 1105) are covered under d. below. The project is inconsistent with the :AC (Airport Combining) zoning district due to the location of the structures within compatibility zone C.

- b. The procedural requirements for a Use Permit set forth in Title XII of the Napa County Code (zoning regulations) have been met.

Analysis: The appropriate procedural requirements have been met.

- c. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the use permit for the requested new golf course and accessory structures as proposed will affect the health, safety or welfare of

Agenda Item # 8

Page 4

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

the County unless and until all proposed structures are re-located out of compatibility zone C. Potential impacts outside of airport safety issues can be reduced to less than significant levels or is di minius. Water use, because the irrigation of the golf course and the vineyard utilizes reclaimed water, is a beneficial effect.

- d. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: The General Plan allows specified recreational uses in agriculturally designated areas and the AW:AC (Agricultural Watershed and Airport Compatibility Combining) zoning district regulations can be met, as follows:

The definition of "Rural Recreation Uses and Facilities", which is permitted in AW districts with use permit approval, is found in Sec. 18.08.428 and was adopted in 1996. This golf course proposal meets the strict definition of an outdoor recreation use generally unsuitable for urbanized areas with structural development limited to customarily accessory structures necessary to conduct the outdoor use.

The Outdoor Recreation General Standards (Sec. 18.104.340) are satisfied as follows:

- A. Adequate water supply and sewage disposal consistent with the requirements of the county environmental management department shall be provided.
- B. Adequate access for the intensity of use proposed and to accommodate access by emergency equipment as specified by the county public works department and the county fire department shall be provided.
- C. Adequate on-site parking, where needed to accommodate the proposed use, shall be provided on site with a dust-free all weather surface approved by the county public works department.
- D. Garbage service and litter cleanup consistent with environmental management department standards shall be provided.
- E. Continuous management of the use shall be provided, through on-site supervision or an adopted state-of-the-art management plan that includes appropriate implementation.
- F. The recreational use shall fully provide for appropriate buffer zones and/or fencing for adjoining agricultural and residential activities.

Agenda Item # 8

Page 5

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

G. The recreational use shall fully provide for appropriate buffer zones and/or fencing for protection of adjoining habitats and erosion hazard areas.

H. Impervious surfaces shall be minimized to the greatest feasible extent.

I. Such use shall not result in the displacement of existing agricultural use, as defined in the Napa County Code. (Ord. 1105 § 9, 1996)

The Environmental Performance Standards (Sec. 18.104.350) apply to all permitted recreational uses and are satisfied as follows:

A. Noise. No noise shall be produced which exceeds the standards set forth in the general plan noise element and Chapter 8.16 of the Napa County Code for adjacent residential uses.

B. Odors. No obnoxious off-site odors shall be produced.

C Dust. No dust shall be produced.

D. Nighttime Lighting. No light or glare shall be produced that is visible off-site.

E. Aesthetics. Landscaping and/or fencing shall be required as necessary to reduce adverse visual impacts to the public.

F. Fire. The use shall result in minimal added fire hazard. The use shall meet all requirements of the applicable fire protection agency for fire prevention and suppression.

G. Pests, including Weeds and Vectors. The use shall result in minimal added pest hazards. If necessary, appropriate suppression methods shall be provided.

H. Safety. Facilities shall be designed and the use shall be conducted in a manner that minimizes safety hazards to users, adjacent residents, and adjacent livestock.

I. Erosion. Facilities shall be designed to produce a minimum of soil erosion, and managed and maintained so as to promptly restore any damage from erosion. (Ord. 1105 § 10, 1996)

Any night lighting will be kept to the minimum necessary, kept as low as possible and shielded and turned on as little as possible. Landscaping for visual screening will be required. Netting may be necessary for safety along Highway 12. However the applicant has looked at the stray ball potential and believes that due to the orientation of the course as proposed, there is no need for concern. Erosion concerns will be addressed by the required erosion control plans.

The following specific findings for use permits for rural recreation facilities under Sec. 18.104.390 must be met as well:

Agenda Item # 8

Page 6

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

A. The use is shown by evidence in the record to be appropriately located.

Analysis: The use (a new golf course complex) is appropriately located. Part of the golf course is pre-existing and the location allows the use of reclaimed water, provides a buffer between the industrial development and the agricultural areas, provides an attractive landscaped entrance to the County, and allows vineyard development in addition to the golf course. There is a question regarding the actual location of the structures in relation to the centerline of the runway.

B. There is a demonstrated need for the use within the County.

Analysis: Golf courses continue to be popular, the County is growing in population and the vicinity is experiencing industrial park development. All of these create more demand. In addition, another golf course may possibly close and be converted to vineyard further increasing the demand.

C. The use does not significantly affect the ability to conduct existing agriculture uses on site or nearby.

Analysis: The proposal includes the planting of 60 acres of vineyard on the golf course property, and vineyard operation on surrounding properties is not diminished by this proposed use.

D. The use does not significantly affect the potential agricultural operations on site or nearby.

Analysis: see C. above.

E. The use itself would not be adversely affected by adjacent agricultural activities.

Analysis: There are presently agricultural operations off site and vineyard is proposed to be added to this site. On the neighboring golf course, agriculture (vineyard) operations has proven to be compatible with the recreational use.

F. The use is not growth inducing.

Agenda Item # 8

Page 7

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

Analysis: This proposed use is not growth inducing; it provides a buffer between the industrial and agricultural areas and establishes a visible boundary.

G. The use serves local needs.

Analysis: The use serves local needs as covered by A. and B. above.

- e. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County.

Analysis: Potable water is to be supplied by the City of American Canyon. Irrigation water for the golf course and the vineyard would be reclaimed water from the Napa Sanitation District. Well water is not proposed to be used. The use of the reclaimed has a beneficial effect.

7. The :AC Airport Compatibility Combination District is intended to, among other things, limit physical obstructions to flight that may constitute hazards to aircraft or people on the ground, limit the density of development so as to reduce the risks of damage to property or injury to persons in the event of an aircraft accident, provide emergency landing opportunities where appropriate, and avoid construction of structures that would be incompatible with the continued existence and planned expansion of a public-use airport. Consistent with the intent, the zoning district requires that development shall be set back the maximum possible distance from the extended runway centerline in compatibility zones B and C. Further, it requires in zones B and C that when a parcel contains buildable area for the intended structures in more than one of these compatibility zones, development shall be sited on the portion of the parcel corresponding to the least restrictive of these compatibility zones or elsewhere on the parcel outside of those zones. (Sections 18.80.050 F. and G. attached)

The entire project lies within zones C and D, with the structures located approximately 200 to 600 feet inside zone C pursuant to Chapter 18.80.050. These structures must be relocated to areas outside of compatibility zone C. It appears possible to locate the structures approximately 800 feet to the north on the same parcel and have them entirely within zone D. Moving them 800 feet on the same parcel meets the letter of the ordinance. The applicant has reasoned that the topography, views, constraints in the area (PG&E substation and telecommunication antenna) and relation to the existing portion of the golf course naturally lead to the structure and parking location. Further, the extent of the

Agenda Item # 8

Page 8

CDPC Meeting Date: October 4, 2000

Use Permit # 99169-UP (Eagle Vines)

mature, pre-existing trees in the vicinity negate any height concerns of structures in the area. The only revision to the project proposed by the applicant is response to Chapter 18.80.050 is the relocation of the maintenance building that was closest to the runway centerline to Zone D.

RECOMMENDATION:

ENVIRONMENTAL:

1. Denial not subject to CEQA.

PLANNING:

2. **Denial** of the Use Permit based upon Findings 6 and 7.

mC/EagleVines.UP

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

USE PERMITS

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of November 21, 2001

APPLICATION DATA:

APPLICANT: Napa Valley Country Club/Larry Nelson representative
(cdi companies)
Use Permit Modification # 00441-MOD

Filed: March 7, 2001

REQUEST: Modification of Use Permit #97506-UP to construct a clubhouse of approximately 19,765 ft², replacing the existing clubhouse of approximately 8,000 ft², interior remodel the pool building, modify the parking area and minor modifications to the landscaping.

LOCATION: On 183.85 acres, south side of Hagen Road, within an AW (Agricultural Watershed) zoning District. (APN: 052-130-041 & 052-170-044)

FINDINGS:

BACKGROUND INFORMATION:

1. Clubhouse and Golf Course History:
 - The clubhouse and a 9-hole golf course was constructed 1924 prior to the enactment of zoning regulations in 1955
 - #U-16172: Use permit to legalize existing facilities and add a deck to the viewing area adjacent to the tennis courts
 - #U-197475: Use permit modification to add four (4) tennis courts and parking area
 - #U-458889: Use permit modification to construct a 60' X 120' tennis court
 - #U-248384: Use permit modification to construct a 3,000 ft² golf cart storage area
 - #U-58687: Use permit modification to expand the existing 9-hole course to an 18-hole course
 - #93001-MOD: Use permit modification to relocate the practice driving range
 - #94027-MOD: Use permit modification to construct a 208 ft² restroom and leachfield on the back nine (9) of the golf course
 - #94250-UP: Use permit to redesign/realign the fairway of the 16th hole, add temporary 19th hole and add two (2) water reservoirs
 - #94289-MOD: Use permit modification to relocate the snack bar in the pool area by enclosing a 192 ft² area
 - #94329-MOD: Use permit modification to add a 1450 ft² deck with seating for upto 50 people to the existing clubhouse
 - #94355-MOD: Use permit modification to construct a 5600 ft² golf cart storage building (previously approved, yet expired under #U 2483884)
 - #96521: Use permit extension of time for #94250-MOD
2. The applicant is proposing to demolish the existing clubhouse building of approximately 8,000 ft²; build a new clubhouse of approximately 19,765 ft² (located between the pool and the old clubhouse expanding to the east over the existing lawn area; remodel the pool house to included a small snack bar to facility the demolition of the clubhouse and expand the lawn terrace area towards the east; re-stripe and add planter boxes to the existing parking lots; remove some existing landscaping and

replace and plant an increased number of trees. Due the modifications occurring over existing improvements no net increase in traffic, noise or any other associated impacts is expected. Additionally, no increase in membership is permitted with the new clubhouse. The only associated impacts to the site and surrounding properties will occur during construction, in which all appropriate mitigation measures will be in place. The applicant has provided additional details of the proposal in the attached supplemental information sheet and proposal statement.

3. Comments and recommendations from various County departments and other agencies are attached.

ENVIRONMENTAL ANALYSIS:

4. This project is located on a private road that intersects with Hagen Road. The existing parking area and road will remain. The only modification to the parking area is to re-strip the area to provide for ample parking.
5. Based on the information provided by the applicant that there is no increased membership, low flow water valves and facets are to be installed, there will be no increased demand on the current water consumption levels. This has been reviewed by Environmental Management and has deemed that there will be no adverse effects. However, both Public Works and Environmental Management do have concerns on the overall water management practices and can review those issues separately from this request. Staff would like to clarify that it has reviewed this request only for the replacement of the clubhouse and any associated impacts.
6. The water use analysis by Public Works found that adequate ground water exists to serve this project without impacting water levels in the surrounding property's wells.
7. Visual impact of this project is minimal due to the location that isn't seen from any public road and the building materials, design and colors which help it blend in with the existing landscape.
8. An erosion control plan will be prepared covering all associated grading and minimizes concern regarding erosion and sediment in site runoff.
9. There are no significant changes to existing drainage, with only minor modification which will be reviewed and approved with the building permit clearance. Tree removal has been minimized and a replanting program will add tree vegetation around the disturbed areas. The project will not have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game code. A Negative Declaration is recommended.
10. Negative Declaration pursuant to the California Environmental Quality. The project will not result in a physical change in the environment in that all expansions of the use are located such that no environmental changes will occur.

PLANNING AND ZONING ANALYSIS:

Before issuing a permit, the Commission shall make the following written findings:

11. The commission has the power to issue a use permit under the zoning regulations in effect as applied to the property.

- The project is a use that is permitted by the zoning district upon grant of a use permit. Section #18.124.010 of the Napa County Code provides that a modification to a use permit may be granted by the Commission subject to the Use Permit provisions of Chapter 18.124. Since the project proposes the replacement of the existing clubhouse is over the allotted 10% of the previously approved square footage, pursuant to Department criteria, the project is not a minor modification, and must be considered by the Commission.

12. The procedural requirements for a Use Permit set forth in Title 18 of the Napa County Code (zoning regulations) have been met.

- The use permit application has been filed and notice and public hearing requirements have been met. The hearing notice was posted on November 06, 2001 and copies were forwarded to the 32 persons on the mailing list.

13. That grant of the use permit, as conditioned, will not adversely affect the public health, safety or welfare of the county;

- The request is to replace the existing clubhouse with a new clubhouse increasing the square footage (located between the pool and the old clubhouse), expanding to the east over the existing lawn area; remodel the pool house to include a small snack bar to facilitate the demolition of the clubhouse and expand the lawn terrace area towards the east; re-stripe and add planter boxes to the existing parking lots; remove some existing landscaping and replace and plant an increased number of trees.

The proposed location of the clubhouse is on existing improved areas of the golf course and therefore will not affect the public health, safety and welfare of the County. This compliance of the conditions set forth below, all proposed improvements will be developed in compliance with County Codes and regulations, and all required septic systems, road and property improvement plans, and building plans will be prepared, reviewed and approved in accordance with County regulations.

14. That the proposed use complies with applicable provisions of this code and is consistent with the policies and standards of the general plan and any applicable specific plan;

The key goals established by the County General Plan that are relevant to this proposal are:

- To encourage recreational uses on lands designated for agricultural only where those uses will meet the recreational needs of Napa county residents and are beneficial to the residents of Napa County, will not deplete or degrade natural resources on which nearby or onsite agricultural depends, and where the type of recreation would not be adversely affected by commencement, intensification, or continuation of local agricultural activity.
- Recreational uses permitted on lands designated for agriculture, watershed and/or open space shall be limited in density, intensity, need for public services, impacts on the natural environment, and growth-inducement. Such uses shall maintain the character of the surrounding area, require a minimum of public support services (such as paved roads, emergency services, or law enforcement), a minimum of impervious surfaces, structures, natural landform alteration or other introduced or constructed features inconsistent with a rural environment, and shall not significantly contribute to the likelihood that additional non-agricultural uses of agricultural land will be proposed to support or be accessory to the continued existence of the recreational use.

- This proposed modification does not change the previously approved uses or expands any existing operations as previously approved and is consistent with the General Plan. The proposal to permit the construction of the new clubhouse of approximately 19,765 ft² and will be consistent with the General Plan regarding the preservation of open space and the agricultural character of the surround community.
 - Conservation/Open Space policy 4(a) specifies that the county protect potential ground water recharge areas from urban encroachment because of the potential need to replenish underground water tables to prevent land subsidence or other reasons. Policy 4(b) requires evaluation of land use policy and encourages densities and land uses that will provide a stable vegetation cover to improve water quality, reduce contamination, pollution and siltation within boundaries of watershed for existing and potential reservoirs. The proposed project provides for the continuation of the golf course as the predominant land use and is consistent with the general plan. No physical changes or operational changes are proposed to the approved use permit which would make the golf course inconsistent with the general plan policies.
 - The AW zoning district permits golf courses and associated uses (§18.20.030(H)) and §18.16.030(F)) upon grant of a use permit. The project proposes no change in the activities at the approved golf course, via approved use permit and subsequent use permit modifications.
 - The proposal is to demolish the existing clubhouse building of approximately 8,000 ft²; build a new clubhouse of approximately 19,765 ft² (located between the pool and the old clubhouse expanding to the east over the existing lawn area; remodel the pool house to included a small snack bar to facility the demolition of the clubhouse and expand the lawn terrace area towards the east; re-stripe and add planter boxes to the existing parking lots; remove some existing landscaping and replace and plant an increased number of trees. All expansions are to be constructed over existing improvements and therefore no new or additional impacts are associated with this request.
15. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under section 13.15.070 or 13.15.080 of this code.
- This use permit and all modifications operates under State Water Resources Control Board Division of Water Rights permit # 20314, issued on March 17, 1989. The proposed clubhouse and all associated changes to the use permit will not increase any water allocations issued under the above referenced permit.
 - This project makes no changes to the previously approved uses or other operational aspects of this approved golf course and does not permit any increase in membership
 - The golf course operates as a nonprofit organization in which limits outside member events to four (4) per year. All other events are for members only. Therefore, the existing water allocations will not be increased with this use permit.
 - The new clubhouse will be fitted with all water efficient flow faucets and low flow fixtures as required by both State and County codes. This requirement should decrease the existing water usage of the old clubhouse.

RECOMMENDATION:

ENVIRONMENTAL:

1. Find that the Planning Commission has read and considered the Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. Find that the Negative Declaration is based on independent judgement by the Planning Commission.
3. Adopt the Negative Declaration.

PLANNING:

4. **APPROVAL** of use Permit Application # 00441-UP MOD with Findings and subject to the attached Conditions of Approval.

**CONDITIONS OF APPROVAL
NAPA VALLEY COUNTRY CLUB
00441-UP MOD
APN: 052-130-041 & 052-170-044**

REVISED

1. The permit is limited to:
 - a. Modification of Use Permit #97506-UP to replace an existing clubhouse with the construction a new clubhouse of approximately 19,765 ft² (located between the pool and the old clubhouse expanding to the east over the existing lawn area); remodel the pool house to included a small snack bar and expand the lawn terrace area towards the east; re-stripe and add planter boxes to the existing parking lots; remove some existing landscaping and replace and plant an increased number of trees (as per the attached site plan, floor plans and elevations). No additional memberships may be added with this approval.
2. Any other changes will require review and approval of a use permit modification by the County.
3. The permittee shall comply with all applicable building codes, zoning standards (including conservation regulations) and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of June 13, 2001.

The Department of Public Works as stated in their letter of June 14, 2001.

The Napa County Fire Department as stated in their letter dated May 14, 2001.

California Environmental Protection Agency, California Regional Water Quality Control Board as stated in their letter dated August 02, 2001.
4. A detailed landscaping plan for the development area of the Country Club, including parking and lighting details shall be submitted to the Department for review and approval indicating the names and locations of plant materials along with the method of maintenance prior to the issuance of any building permits for the winery. The landscaping shall be completed prior to the completion and final occupancy of the clubhouse. All exterior lighting shall be the minimum necessary for the operational and security needs. Light fixtures shall be kept as low to the ground as possible, shall include shields to deflect the light down, and shall be turned on only when needed.
5. All facilities of the golf course shall be for the exclusive use of the club membership and guest as specified in the bylaws and declarations of the Napa Valley Country Club. Additionally as per the non-profit status of the club, the limitation of outside member events is limited to (4) per year. All other events are for members only. No portion of the structure or facilities shall be rented, leased and the facilities shall not be used for events hosted by entities other than the golf course association itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
6. The permittee shall comply with all applicable conditions and measures which were included in the originally approved use permit #167172-UP and all subsequent Use Permit modifications. Any conditions that are in conflict with the requirements of this permit shall be null and void.
7. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

**CONDITIONS OF APPROVAL
NAPA VALLEY COUNTRY CLUB
00441-UP MOD
APN: 052-130-041 & 052-170-044**

1. The permit is limited to:
 - a. Modification of Use Permit #97506-UP to replace an existing clubhouse with the construction a new clubhouse of approximately 19,765 ft² (located between the pool and the old clubhouse expanding to the east over the existing lawn area; remodel the pool house to included a small snack bar to facility the demolition of the clubhouse and expand the lawn terrace area towards the east; re-stripe add planter boxes to the existing parking lots; remove some existing landscaping and replace and plant an increased number of trees. No additional memberships may be added with this approval.
2. The permittee shall comply with all applicable building codes, zoning standards (including conservation regulations) and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of June 13, 2001.

The Department of Public Works as stated in their letter of June 14, 2001.

The Napa County Fire Department as stated in their letter dated May 14, 2001.

California Environmental Protection Agency, California Regional Water Quality Control Board as stated in their letter dated August 02, 2001.
3. Prior to the issuance of any permits the applicant shall submit a landscaping, parking and detailed lighting plans to be reviewed and approved by staff for full compliance with applicable regulations.
4. Prior to the certificate of occupancy for the new clubhouse the applicant shall install a well monitor for water consumption of the new clubhouse.
5. All facilities of the golf course shall be for the exclusive use of the club membership and guest as specified in the bylaws and declarations of the Napa Valley Country Club. No portion of the structure or facilities shall be rented, leased and the facilities shall not be used for events hosted by entities other than the golf course association itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
6. The permittee shall comply with all applicable conditions and measures which were included in the originally approved use permit #167172-UP and all subsequent Use Permit modifications. Any conditions that are in conflict with the requirements of this permit shall be null and void.
7. Any expansion or changes in use shall be by a separate Use Permit submitted for the Planning Commissions review.
8. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



NAPA COUNTY

CONSERVATION - DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

November 30, 1989

Mel Brim
General Manager
Napa Valley Country Club
3385 Hagen Road
Napa, California 94558

Re: Request for Administrative Approval of a Modification of Use
Permit #U-58687 (Assessor's Parcel #52-130-41)

Dear Mr. Brim:

This letter is in response to your October 31, 1989 request for a minor modification to use permit #U-58687 which allowed for the expansion of the existing golf course at the Napa Valley Country Club facility on Hagen Road. Your October 31, 1989 request was accompanied by building plans filed with this Department on November 2, 1989, incorporated herein by reference. Your requested modification involves the installation of a 64 x 150 ft. metal golf cart storage building south of the existing parking area. The building would be used to store 95 new golf carts necessitated by the membership increase approved as part of the golf course expansion project authorized by use permit #U-58687; no membership expansion beyond that specifically authorized by that use permit is requested.

Based upon a review of use permit #U-58687, the plans submitted on November 2, 1989 and the letter from you which preceded these plans and the findings contained in section 12809 of the County zoning ordinance, your request for approval of the proposed golf storage building is approved, subject to the following conditions:

1). This approval is limited to the installation of a 64 x 150 ft. metal golf storage building as described and located on plans prepared by H.J. Kozlowski, dated Sept. '89 incorporated by reference; no further changes to the operation or facilities at the Napa Valley Country Club will be approved except as may be authorized through the approval of a use permit by the Conservation, Development and Planning Commission;

2). No increase in Club membership beyond that specifically authorized by prior use permits is approved or implied by this approval;

Page Two
Napa Valley Country Club
November 30, 1989

3). Any exterior lighting located on the storage building shall be directed downward and shielded from off-site properties, structures and streets;

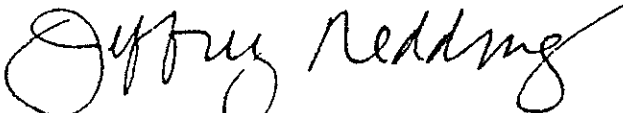
4). Any and all disturbed areas shall be immediately planted for erosion control; permanent ground plantings shall be installed on the downslope located on the east side of the proposed storage building. Plantings shall also include a minimum of four (4) evergreen trees, 15 gal minimum size. All permanent plantings shall be installed within 90 days of the completion of the storage building;

5) No bathrooms or fixtures of any kind shall be installed in the storage building except as may be required by the Uniform Building or Fire Code;

6). A building permit is required prior to start of construction; compliance with requirements of County agencies and relevant state agencies is also included.

Please be advised that the Department has received several complaints regarding the lighting of the tennis courts approved and constructed under use permit #U-458889. County regulations require that exterior lighting be shielded from off-site residences, properties and streets so as not to create a nuisance. It would be appreciated if you could make the necessary modifications or adjustments to the tennis court lighting so as to comply with these requirements.

Sincerely,



Jeffrey Redding
Director

cc: Bill Hall, Building Codes Administrator
Mike Miller, Supervising Planner
Jim Hall, Planner, III

JR/jrla
NVCC.1



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

July 24, 1987

Napa Valley Country Club
3385 Hagen Road
Napa, Ca. 94558

APN: 52-170-17;
52-130-35P, 36P & 41

Gentlemen:

Please be advised that on July 21, 1987 the Board of Supervisors accepted the withdrawal of the appeals of Morley Shapiro, et al and the Napa Valley Country Club to a decision by the Conservation, Development and Planning Commission on May 20, 1987 to approve Use Permit #U-58687 (Revised) to expand the Napa Valley Country Club by constructing a nine-hole golf course on 88.3 acres located southwest of the existing facility on Hagen Road and extending to Rapp Lane within an AW (Agricultural Watershed) District.

Acceptance of the withdrawal by the Board was based on the modification of Mitigation Measure #5 and the addition and modification of Condition #8, both in the Revised Use Permit, to read as follows:

Mitigation Measure #5

No well for purposes of irrigating the expansion area will be drilled without first obtaining an amendment to this Use Permit and complying with applicable provisions of the California Environmental Quality Act.

Use Permit Condition #8

No well water shall be used for irrigation of the expansion area without first obtaining an amendment to this Use Permit and complying with applicable provisions of the California Environmental Quality Act provided, however, in order to allow the initial development of the expansion, the applicant may withdraw up to fifty (50) acre feet of water from existing wells one (1) time only during 1987 or 1988. This shall be done in accordance with the procedures established by the Department of Environmental Health and/or the Flood Control and Water Conservation District.

All other conditions of Use Permit approval identified in the attached Department's May 26, 1987 approval letter to the Napa Valley Country Club remain in force and effect.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Philip E. Crundall".

PHILIP E. CRUNDALL
Senior Planner

PEC:ml:3f

cc: Joseph Peatman, Attorney
Mervin Lernhart, Attorney
Morley Shapiro, 1256 Second Ave., Napa, Ca. 94559
Bill Hall, Building Codes Administrator

~~The Commission agenda for the March 4, 1987 Commission Meeting session would be devoted to consideration of Agenda Item #8 and that the other agenda items would be considered in the afternoon, following with item #7 at 1:30 p.m.~~

NAPA VALLEY COUNTRY CLUB - USE PERMIT REQUEST (#U-58687)
ENVIRONMENTAL DETERMINATION: Negative Declaration prepared and recommended for adoption. REQUEST: Approval to expand the Napa Valley Country Club with a nine-hole golf course on 88.3 acres located southwest of the existing facility on Hagen Road and extending to Rapp Lane within an AW (Agricultural Watershed) District. (Assessor's Parcels #52-170-17, 52-130-35P, 36P and 41 - existing facility). (Agenda Item #8)

CDPC Tape #105881, Track #7:
Public Hearing:

The public hearing was opened at 10:52 a.m.

The Director presented the Staff Report and Recommendation.

RECOMMENDATION:

ENVIRONMENTAL:

1. Adopt a Negative Declaration.
2. Find that the Commission has read and considered the Negative Declaration prior to taking action on the proposed project.

PLANNING:

3. APPROVAL with Findings and subject to the following Conditions of approval:
 1. The permit be limited to the development of an additional nine-hole golf course in accordance with the attached plot plan and all conditions and mitigation measures. Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.
 2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to initiating construction, including grading. Landscaping, fencing and parking to be completed prior to completion and use of the new nine-hole golf course. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
 3. Provisions for a minimum of 144 off-street parking spaces on a dust free all weather surface approved by Public Works.
 4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
 5. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
 6. Compliance with Mitigation Measures #1 through #12 contained in the attached Negative Declaration.
 7. The existing stone wall traversing the nine-hole golf course expansion shall be left intact to the extent possible (Openings for pathways are permissible) and shall be integrated into the golf course design.

Speakers:

Ron Svien
3323 Linda Vista
Napa, CA

Eric Knudsen
3323 Hagen Rd.
Napa, CA



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

USE PERMIT MODIFICATION

August 17, 1993

Harold Halterman
President, Napa Valley Country Club
P.O. Box 3177
Napa, CA 94558

Re: Modification of Use Permit #U-58687 (#93001-MOD)
Assessor's Parcel No. 52-130-41; 52-170-41

Dear Mr. Halterman:

Please be advised that on August 13, 1993, the Napa County Zoning Administrator approved your request to modify use permit #U-58687 to relocate the practice driving range for The Napa Valley Country Club located at 3385 Hagen Road within an AW (Agricultural Watershed) Zoning District. The modification was approved subject to compliance with the attached conditions of approval.

All other conditions of approval and mitigation measures remain as specified by use permit # U-58689 or other permits/modifications issued to the Country Club.

The action of the Zoning Administrator is final unless appealed pursuant to Title XIII of the Napa County Code.

Please contact Robert Nelson, Planner III, if you have any questions on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey R. Redding".
Jeffrey R. Redding
Director

cc: John Tuteur, County Assessor
Gary Brewen, Building Codes Administrator

CONDITIONS OF APPROVAL
Napa Valley Country Club
Use Permit Mod # 93001-MOD (NVCC)

1. The modification of Use Permit U-58687 is limited to the relocation of the practice driving range a proposed consistent with the attached materials.
2. Irrigation of the old driving range area must cease - by capping of all sprinkler heads as a minimum - before irrigation of the new driving range tee area can begin.
3. The tee area of the new driving range is the only area to be irrigated by an inground sprinkler system and well water. The target greens and the remaining turf shall only be irrigated by surface water sources; no well water shall be used to irrigate the target greens and remaining turf area.
4. No lighting shall be installed or night use of the driving range permitted.
5. All existing trees in the new driving range area shall remain and be protected from grading and overwatering from irrigation.
6. The only grading to occur shall be for the tee area which will step down the hill, the three target green areas and the golf cart access and parking area.
7. An erosion control plan shall be submitted and approved before grading commences on the new driving range.
8. All driving range use of the old driving range shall cease prior to the first use of the new driving range.
9. All other Conditions of Approval and Mitigation Measures not in conflict with the above shall remain in effect.



JEFFREY REDDING
Director

NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

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AREA CODE 707/253-4416

August 4, 1995

Assessor's Parcel #52-170-44

Andy Singleton, Manager
Napa Valley Country Club
3385 Hagen Road
Napa, CA 94558

Dear Mr. Singleton,

Please be advised that Use Permit Application Number 94250-UP has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: August 2, 1995

EXPIRATION DATE: August 16, 1996

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date and provided that any modification of the permit has become final. A request for an extension of time is subject to payment of the filing fee in effect at the time the request for extension is made.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Very truly yours,

A handwritten signature in cursive script that reads "Jeffrey Redding".
JEFFREY REDDING
Director

cc: John Tuteur, County Assessor
Gary Brewen, Building Codes Administrator

CONDITIONS OF APPROVAL

Napa Valley Country Club

Use Permit #94250-UP

1. The permit shall be limited to the redesign/realignment of the fairway for the 16th hole, adding a temporary 19th hole, and the addition two water reservoirs consistent with the attached application and related materials.
2. A detailed grading and landscaping plan shall be submitted for Department review and approval prior to the issuance of any building or grading permits being issued. Said plan shall include all existing trees to be removed, all plant material (trees, shrubs and ground cover) to be planted including botanical names, size and quantity. Drought resistant plants shall be utilized to the greatest extent possible. Evergreen screening shall be provided between the new improvements and the residential uses off-site. Landscaping shall be permanently maintained in accordance with the approved landscaping plan.
3. The temporary 19th hole shall be removed and converted to non-irrigated area upon the completion of the renovation work on the front nine holes.
4. The filling of the new reservoirs shall not involve the use of ground water, but shall rely only on surface water diversion, the transfer of surface water stored in other reservoirs or the trucking in of water, possibly reclaimed water.
5. The large oak tree in the vicinity of the 16th fairway shall be preserved; there shall be no disturbance of the ground within the tree's dripline or alteration of the water to the root zone.
6. The applicant shall comply with all applicable building codes, zoning standards and requirements of various County departments and other agencies including but not limited to the following specific conditions:

The Department of Public Works comments dated Mar 13, 1995.

7. All previous use permit conditions not in conflict with the above shall remain in force and effect.
8. Any expansion or changes in use shall be by separate Use Permit submitted for Planning Commission consideration.

Rev. CDPC 8/2/95



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

DATE OF HEARING: April 18, 2007

AGENDA ITEM # 12

SUMMARY FOR: CONSERVATION, DEVELOPMENT & PLANNING COMMISSION

PROJECT: Use Permit # P06-01526-MOD, Aetna Springs Golf Course Clubhouse

LOCATION: The project is located on a 55.44 acre parcel on the north side of Aetna Springs Road, approximately 0.32 mile northeast of the intersection with Pope Canyon Road, (Assessor's Parcel # 018-020-045) 1600 Aetna Springs Road, Pope Valley

PROJECT REQUEST: Approval to modify Use Permit # 96349-UP (9-hole public golf course/driving range/pro shop/snack bar, et al) to 1) demolish and replace an existing golf course club house with a new club house including an office, pro-shop, commercial kitchen with public and private dining area for patrons of the golf and tennis facilities, men's and women's locker rooms, restrooms and two open decks; 2) to construct four new tennis courts; 3) two new golf course maintenance buildings; 4) install five temporary, modular office trailers; and 6) to improve adjacent parking and circulation areas.

OWNER: Aetna Preserve, LLC

APPLICANT/REPRESENTATIVE: Charles Shinnamon, Aetna Preserve, LLC
Kevin Teague, Dickenson Peatman & Fogarty

ZONING: AW (Agricultural Watershed) District

GENERAL PLAN DESIGNATION: AWOS (Agriculture, Watershed and Open Space), Napa County General Plan, March, 2002

SITE AREA: Approximately 55.44 acres

ISSUES: Expansion of accessory structures for existing use.

CASE HISTORY/BACKGROUND:

The historic Aetna Springs Resort contains an existing 9-hole golf course, the first golf course built west of the Mississippi River, dating from the 1890's. The public golf course has operated under a series of earlier Use Permits and Certificates of Legal Nonconformities which eventually expired. The facility was recognized as part of Use Permit # 96349-UP for the New Educational Development System (NEDS)/Aetna Springs Resort to allow, among other uses (see attached sheets):

- B. A 9-hole public golf course, driving range, pro-shop and snack bar, as approved by expired Use Permit # U-147677 (modified by File # U-89-49) within the existing structures and existing facilities for an average 150 golfers per day, not to exceed 250 per day. The golf course facilities shall be limited to golf-related activity and

shall not be used for large gatherings unrelated to golf, such as, but not limited to, weddings;

- C. Recreational activities, associated with overnight retreat accommodations approved by the Zoning Administrator on February 28, 1997 (File # 96348-CLN), including outdoor swimming pool, *tennis*, badminton, volleyball, baseball, softball, football, soccer, lacrosse, field hockey, archery, horseshoes, children's playground, children's games, arts & crafts and other uses of indoor common areas; (emphasis added)

Golf course tees, greens and fairways were recently upgraded as part of Use Permit Minor Modification # P06-01144-MODMIN, approved on October 13, 2006 by the Zoning Administrator.

STAFF RECOMMENDATION: 1) **ADOPT** the attached Negative Declaration, and 2) **APPROVE** amended Use Permit # P06-01526-MOD, as recommended by staff, subject to the attached Conditions of Approval.

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION
USE PERMIT, FILE #P06-01526-MOD**

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of April 18, 2007

APPLICANT/OWNER: Charles Shinnamon / Aetna Preserve, LLC

PROJECT PLANNER: Ronald Gee, Planner III

FILED: 12/21/2006
Application Revised 03/07/2007

PROJECT DESCRIPTION: Approval to modify Use Permit # 96349-UP (9-hole public golf course/ driving range/pro shop/snack bar, et al) to 1) demolish and replace an existing golf course club house with a new club house including an office, pro-shop, commercial kitchen with public and private dining area for patrons of the golf and tennis facilities, men's and women's locker rooms, restrooms and two open decks; 2) to construct four new tennis courts; 3) two new golf course maintenance buildings; 4) install five temporary, modular office trailers; and 6) to improve adjacent parking and circulation areas.

HOURS OF OPERATION: Daylight hours, every day

NUMBER OF EMPLOYEES: 13 full-time and 7 part-time, on a seasonal basis

PARKING: 47 spaces (37 for customers and 10 for employees)

LOCATION: The project is located on a 55.44 acre parcel on the north side of Aetna Springs Road, approximately 0.86 mile northeast of the intersection with Pope Valley Road, (Assessor's Parcel # 018-020-045) 1600 Aetna Springs Road, Pope Valley.

FINDINGS:

BACKGROUND INFORMATION/ DETAILS OF REQUEST

1. The proposal would modify Use Permit # 96349-UP to demolish and replace an existing golf course club house, to construct four new tennis courts, two new golf course maintenance buildings, install five temporary, modular office trailers and to improve adjacent parking and circulation areas.

The existing club house and detached restroom building would be demolished and replaced with a new, 7,665 square foot, split level building and 1,669 square foot unenclosed deck located approximately 150 feet northwest of the former site, adjacent to existing practice greens. The new clubhouse would contain an office, pro-shop, 710 square foot commercial kitchen with separate office, toilet, public and private dining areas for patrons of the gold and tennis facilities, men's and women's locker rooms, restrooms and two open deck areas.

The larger of the two new golf course maintenance buildings, a 2,910 square foot structure, would be located near the original clubhouse and will provide golf cart storage and maintenance facilities; the smaller, 1,380 square foot maintenance building would contain receiving facilities, a loading dock, goods holding area, security office, bulk storage, a trash compactor and grease waste storage. An existing barn, where current maintenance activities take place, would be "retained" but

maintenance activities there would be discontinued. According to the applicant's representative, the barn would be used for temporary storage for accessory agricultural and golf course-related uses on the site.

The five temporary trailers that are proposed would be located between the two new maintenance buildings, to the southwest and northeast; they would be used during project construction as office and staging area space during this and potentially later resort improvements on the property. Given the size and scale of the existing project, however, staff believes that five temporary trailers may be excessive. A single double-wide trailer or combination single-wide trailer for restroom/break facilities with an additional double-wide unit for office and related uses may be more appropriate for the duration of this construction project only.

The existing parking area near the barn is simply graveled with no defined parking spaces. Two new, striped parking lots and a loading area would contain 41 parking spaces in the maintenance area and 6 spaces near the club house; 37 spaces would be designated for customers and 10 for employees. Additional open space is available for unlimited on-site parking, if needed. Access to the maintenance area lot would be from Aetna Springs Lane with four driveways; a separate two-way driveway would extend from Aetna Springs Road, on the west side of the new tennis courts, to the clubhouse building. New golf cart paths would connect the maintenance area, clubhouse and 9-hole golf course. A new garden area would be located on a bluff west of the clubhouse parking lot and south of the practice greens.

The project is located on a 55.44 acre parcel on the northwest corner of the intersection at Aetna Springs Road and Aetna Springs Lane, approximately 0.86 mile west of Pope Valley Road (Assessor's Parcel # 018-020-045) 1600 Aetna Springs Road, Pope Valley.

2. ADJACENT LAND-USE/ZONING/ACREAGE

DIRECTION	LAND-USE	ZONING	ACREAGE
North	Aetna Springs Golf Course (north lot)	AW	50.5 acres
South	Aetna Springs Resort	AW	101.2 acres
East	Agricultural (2 lots)	AW	81.2 acres (40 + 41.2)
West	Rural Residential (2 lots)	AW	160.7 acres (148.5 + 12.2)

- Details of the proposal are contained in the attached supplemental information sheet and accompanying materials.
- Comments and recommendations from various County departments are attached.

ENVIRONMENTAL ANALYSIS

- An Initial Study has been prepared for the project. A biological assessment commencing in March, 2006, the Northwest Biosurvey, *Assessment of Potential Impacts to Biological Resources for the Aetna Springs Gold Course Project*, July 6, 2006, determined that "the proposed golf course modifications should not result in significant adverse impacts to biological resources." The project site is not located in any designated habitat areas of any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

No renovation or alteration is proposed in areas reviewed for the *Aetna Springs Napa County Historic Resources Inventory, 1979*. In 1983, Sally Woodbridge prepared a *National Register Nomination Form for Historic Places*, identifying 40 property features, with 34 of these contributing to the district; the property was entered into the National Register on March 9, 1987. The Juliana Inman, *Historic Resource Evaluation, January 15, 2007*, determined that the existing golf club house is over 50 years old, appears to have been moved to its current location and is identified as a "non-contributing structure" in the 1983 National Register nomination. Of the seven qualities contributing to the integrity of the resource, the existing club house building lacks "integrity of design, setting, materials, workmanship, feeling and association" as required under State Office of Historic Preservation, 2006 guidelines.

The applicant projects that the golf course will have up to 250 visitors on its busiest day with an average of 150 visitors per day, as currently allowed; no increase is proposed or anticipated. Up to 5 pick-ups and deliveries are projected on its busiest day with an average of 15 per week. Employee trips for up to 13 full-time and 7 part-time would result in a maximum average daily traffic (ADT) count of 550 (40 employee and 510 visitor/delivery trips) and a minimum 341 ADT (40 employee and 301 visitor/delivery trips) for golf course operations. The accessory food service offered at the club house is intended for patrons of the golf and tennis facilities. It is not a restaurant that would draw outside customers.

The Initial Study determined that the proposed project development area, including the proposed tennis courts, was not located on a recognized hazardous waste site, will not lead to the loss of heritage trees or scenic resources and will not interfere with the movement of wildlife or the extraction of important rock or mineral resources. No cumulative increase in areas of local off-site stream flows or sediment levels, reductions in groundwater recharge, groundwater levels or available wildlife habitat or changes in other environmental parameters were anticipated. Since the new clubhouse and golf course maintenance facilities would be located in the same, already disturbed areas, a Negative Declaration is recommended as the appropriate environmental document for the project.

PLANNING AND ZONING ANALYSIS

The following findings must be made in order to approve the use permit and for an outdoor recreational facility:

6. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

Analysis: Zoning Ordinance Section 18.124.010, *Use Permits, Granting*, states that a use permit may be granted by the Commission subject to the provisions of that chapter. Section 18.20.030(H), AW (Agricultural Watershed) District regulations, permits a use upon grant of use permit by the Planning Commission.

7. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been filed and notice and public hearing requirements have been met. The hearing notice and intent to adopt a Negative Declaration were posted on February 6, 2006 and copies were forwarded to the appropriate persons on the mailing list and appropriate public agencies. The written comment period was March 23, 2006 through April 13, 2006. As of this report writing, no comments on the Negative Declaration have been submitted.

8. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the Use Permit for accessory golf course improvements as proposed and conditioned will not affect the health, safety or welfare of the County. Various County departments have reviewed the project and commented regarding water, access, parking, building permits, and fire protection. The Environmental Management Department stated that adequate private water and wastewater treatment systems can be provided on-site. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health and safety.

9. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: Compliance with the Zoning Ordinance

Provision	Required	Proposed
Height	<35 feet	35 feet
Setbacks	Front: 20 feet Side: 20 feet Rear: 20 feet	Front: 245 feet Side: 55 feet Rear: 1,755 feet
Lot Coverage	Maximum 25%	0.3%
Lot Size	160.0 acres	55.44 acres (project site) 105.94 acres (golf course)

According to County Code Section 18.110.010, Off-Street Parking and Loading Facilities, Purpose, states that, "... The parking standards in this section do not apply to agricultural (outdoor recreational) and winery uses." The Planning Commission, in its discretion, can establish the required number of parking spaces. The proposal includes 47 total parking spaces, 10 for employees and 37 for guests with one loading area. Additional parking is available on adjacent open areas, if needed.

The project is not subject to Napa County Zoning Ordinance, Chapter 18.106030(A), *Viewshed Protection Ordinance, General Provisions, Applicability* since all proposed new and expanded structures are not located on slopes of 15% or more or on any minor or major ridgeline.

Analysis: Compliance with the General Plan

The County has designated the site for agricultural use, and as proposed, the rehabilitation and minor expansion of outdoor recreational and related maintenance facilities is consistent with the AWOS (Agriculture, Watershed & Open Space) designation of the Napa County General Plan, Land Use Element and with its AW (Agricultural Watershed) District zoning.

10. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080 of this code.

Analysis: Based on the *December 21, 2006 Water Availability Analysis, Phase 1 Study*, the 55.44 acre site has a Valley Floor Allowable Water allotment of 55.44 acre feet/year (af/yr) with an

existing water system permit issued by the Napa County Environmental Management Department. Existing water usage for the golf course totals 0.1 af/yr and projected water use, including club house, golf course and landscaping, will increase annual water demand to 4.2 af/yr. Based on these figures, the project will not result in substantial depletion of groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Outdoor Recreational Facility Findings

County Code Section 18.104.390, *Outdoor Recreation – Findings*, requires the following findings prior to issuance of a use permit for parks or rural recreation facilities or campgrounds:

11. The use is shown by evidence in the record to be appropriately located.

The existing golf course and accessory uses are appropriately located in the open, rural area of Pope Valley. The proposed replacement facilities do not increase the overall number of uses of the facility and do not create long-term impacts over the current use. The existing and proposed club house is accessory to the overall allowed recreation. The location of the proposed structures is on the parcel for which the use permit has been approved and used for decades.

12. There is a demonstrated need for the use within the county.

The existing golf course facility has been in place since the 1890's. The clubhouse and snack bar are over 40 years old and require significant upgrades to meet the current demands of the golf industry.

13. The use does not significantly affect the ability to conduct existing agriculture uses on site or nearby.

The existing golf course facility is located on separate parcels near existing vineyard operations that are physically separated by Aetna Springs Lane and private vineyard access roads. The modification will not alter these nearby agricultural operations.

14. The use does not significantly affect potential agricultural operations on site or nearby.

See above.

15. The use itself would not be adversely affected by adjacent agricultural activities.

Nearby vineyard operations would not adversely affect existing golf course activities.

16. The use is not growth-inducing.

The proposed modification is not growth inducing; it will only upgrade the physical plant of existing accessory golf course facilities and maintain the same level of use that has been approved under previous use permits and Certificates of Legal Nonconformities.

17. The use serves local needs.

The golf course facility has served and will continue to serve local needs as it has since the 1890s. Public access and use to the facility has been and will be maintained.

RECOMMENDATION**ENVIRONMENTAL:**

1. Find that the Planning Commission has read and considered the Negative Declaration prior to taking action on said Mitigated Negative Declaration and the proposed project.
2. Find that the Negative Declaration is based on independent judgment by the Planning Commission.
3. Find that the Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
4. Find that there is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
5. Find that the Secretary of the Planning Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Conservation, Development & Planning Department, 1195 Third Street, Room 210, Napa, California.
6. Find that considering the record as whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
7. Adopt the Negative Declaration.

PLANNING:

8. **APPROVAL** of amended Use Permit # P06-01526-MOD, as recommended by staff, based on findings 6-17 and subject to the attached Conditions of Approval.

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
PLANNING COMMISSION**

CONDITIONS OF APPROVAL

**AETNA PRESERVE, LLC / CHARLES SHINNAMON
USE PERMIT # P06-01526-MOD
APN 018-020-045**

1. **SCOPE:** This permit shall modify Use Permit # 96349-UP (9-hole public golf course/driving range/pro shop/snack bar, et al) and be limited to the following:
 - a) Demolition and replacement of an existing golf course club house with a new, 7,665 square foot, split level building containing an office, pro-shop, commercial kitchen with public and private dining areas for patrons of the golf and tennis facilities only, men's and women's locker rooms, restrooms and two open deck areas, including a 1,669 square foot unenclosed deck;
 - b) Construction of four new lighted tennis courts;
 - c) Installation of one single-wide and one double-wide temporary, modular office trailer during project construction;
 - d) Construction of two new golf course maintenance buildings; a 2,910 square foot structure to provide golf cart storage and maintenance facilities and a 1,380 square foot structure containing receiving facilities, a loading dock, goods holding area, security office, bulk storage, a trash compactor and grease waste storage;
 - e) Improvement of adjacent parking and circulation areas with two new, striped parking lots and a loading area that contains 41 parking spaces in the maintenance area and 6 spaces near the club house; 37 spaces would be designated for customers and 10 for employees. Access to the maintenance area lot would be from Aetna Springs Lane with four driveways; a separate two-way driveway would extend from Aetna Springs Road, on the west side of the new tennis courts, to the clubhouse building; and
 - f) All rights granted under this permit shall be combined with Use Permit # P06-01144-MODMIN and supercedes applicable golf course conditions outlined in Use Permit # 96349-UP.

The golf course clubhouse replacement, new maintenance buildings, tennis courts and parking/circulation area improvements shall be designed in substantial conformance with the site plan, floor plan, elevation drawings, and other submittal materials as part of this permit. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

Club house dining shall be limited to patrons of the golf and tennis facilities only. No advertising or soliciting of outside customers shall be allowed.

Although minor variations may be allowed to this permit, as determined by the Planning Director, separate Use Permit Modification may be required if additional golf course events or other related uses are determined to go beyond the scope of this permit.

2. There shall be no amplified outdoor music or other amplified sounds except where required by applicable law at any time of the day or evening. Outdoor events shall be concluded by not later than 10:00 PM. There shall be no weddings conducted at the site.

3. **BUILDING PLANS:**

Prior to issuance of building permits, building plans, including elevations, materials, color (earth-tones), non-reflective roof materials and lighting shall be submitted to the Planning Department for administrative review and approval:

4. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. Existing landscape improvements shall be upgraded, new plant materials shall be installed along both Aetna Springs Road and Aetna Springs Lane parcel frontage to screen the new parking lot, maintenance buildings and temporary modular office buildings. The plan shall indicate the names and locations of all plant materials to be used along with the method of irrigation and maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

5. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two (2) copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

6. **SIGNS:**

Prior to installation of any identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. All signs shall meet the design standards as set forth on Section 18.116 of the County Code. No individual client identification signs shall be allowed.

7. **ADDRESSING**

All project site addresses shall be determined by the Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to

ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

8. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage shall be screened from the view of adjacent properties by a visual barrier consisting of fencing, dense landscaping or a combination of both, subject to Zoning Administrator review and approval. No item in storage shall exceed the height of the screening.

9. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and other Agencies, including but not limited to:

- a) Department of Environmental Management as stated in their revised letter of January 22, 2007;
- b) Department of Public Works as stated in their letter of February 7, 2007; and
- c) County Fire Department as stated in their letter of January 24, 2007.

10. ARCHEOLOGICAL FINDING:

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98

11. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods

12. INDEMNIFICATION

An indemnification agreement has been signed and returned to the County.

13. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the

time of the monitoring (\$127.00/hour as of January, 2006). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

