



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Planning Commission	From: Dana Ayers, Project Planner
Date: February 27, 2017	Re: Item 8A – Palmaz Personal Use Heliport, Use Permit #P14-00261; Supplemental General Plan Consistency Analysis

As noted on page 10 of the Staff Report for the March 1, 2017, public hearing on the request for Use Permit #P14-00261, Chapter 3 of the Draft Environmental Impact Report (DEIR) prepared for the Palmaz Personal Use Heliport Project (Project) included a discussion of the Project in the context of relevant policies of the Napa County General Plan. Chapter 6 of the DEIR also evaluated the potential environmental impacts of an alternative to the Project, the Mt. George Alternative, and included a similar discussion of the Mt. George Alternative relative to applicable General Plan policies (DEIR Section 6.3.2).

The table attached to this memorandum includes a supplemental General Plan analysis of both the Project and Mt. George Alternative, including preliminary assessment of whether the Project and Mt. George Alternative are consistent or inconsistent with the respective General Plan policy. The table is being provided to the Commission to assist the Commission in understanding the General Plan policies that are relevant to the requested use permit and making a determination of whether the Commission can make the necessary finding of consistency of the Project or Mt. George Alternative with the policies and standards of the General Plan.

**Supplemental General Plan Consistency Analysis
Palmaz Personal Use Heliport, Use Permit Application #P14-00261**

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-3: <i>The County’s planning concepts and zoning standards shall be designed to minimize conflicts arising from encroachment of urban uses into agricultural areas. Land in proximity to existing urbanized areas currently in mixed agricultural and rural residential uses will be treated as buffer areas, and further parcelization of these areas will be discouraged.</i></p> <p>AG/LU-27: <i>For purposes of this General Plan, the terms “urbanized” or “urbanizing” shall include the subdivision, use, or development of any parcel of land for non-agricultural purposes. Engaging in nature-based recreation or agriculturally compatible uses that are permitted in the applicable zoning district without the issuance of a use permit, such as development of one single-family house and/or second unit on an existing legal lot, shall not be considered urbanizing.</i></p>	<p>Substantially Consistent with Mitigation: The Project would include construction of a personal use heliport on land zoned for agricultural development. While the heliport would not be the primary development on the parcel (primary land uses would remain single-family residential and three acres of vineyards), it would represent a secondary, conditionally permitted use that is non-agricultural. General Plan Policy AG/LU-3 promotes implementation of planning concepts that “minimize conflicts” between agricultural and non-agricultural uses in agricultural areas. The use permit, a requirement for the Project, provides one mechanism for allowing the County to adopt conditions of approval that would be specific to the unique circumstances of the subject use permit request, and that would reduce or eliminate potential land use conflicts. For the Project, such conditions would include the voluntary measures proposed by the applicant (limitations on weekly number of flights, establishment of a No-Fly Zone), as well as EIR mitigation measures (restrictions on flight paths and hours of operation) that would primarily serve to reduce noise impacts of helicopter operations on the rural residential environment surrounding the Project site.</p>	<p>Substantially Consistent: As with the Project, the Mt. George Alternative would include construction of a personal use heliport on land zoned for agricultural development. Also like the Project, the heliport would not be a primary use on the site, in that it would occupy less than an acre of the 46-acre parcel, roughly one-third of which is planted with vineyards as the primary land use. The Mt. George Alternative scenario would also require approval of a conditional use permit; however, because the Alternative site is more remote and is a greater distance from sensitive receptors (compared to the Project), noise mitigation restricting hours and flight paths required for the Project would not be imposed on the Alternative. The applicant’s voluntary measures (limitations on the weekly number of flights, establishment of a No-Fly Zone) would be conditions of approval of the Mt. George Alternative as components of the scope of the use permit request.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-4: <i>The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.</i></p>	<p>Potentially Inconsistent: The Project would result in conversion of 0.53 acre of existing vineyards to a non-agricultural, personal use heliport. The EIR recommends a mitigation measure that would require the applicant to permanently preserve equivalent farmland acreage to that converted; however, that small area of land converted to the heliport would result in agricultural land not being reserved for agricultural use. See discussion of Policy AG/LU-9, below.</p>	<p>Substantially Consistent: The Mt. George Alternative site is located on agricultural land but it is not designated as farmland of state-wide or local importance. Rather, it is mapped as “Other Lands.” Construction of the heliport at the Mt. George Alternative site would utilize approximately one acre of land that was previously disturbed as a cave spoils deposition site for the applicant’s winery on an adjacent parcel. None of the existing vineyard plantings on the Mt. George Alternative site would be removed to accommodate construction and operation of the heliport at this location.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-9: <i>The County shall evaluate discretionary development projects, re-zonings, and public projects to determine their potential for impacts on farmlands mapped by the State Farmland Mapping and Monitoring Program [FMMP], while recognizing that the state’s farmland terminology and definitions are not always the most relevant to Napa County, and shall avoid converting farmland where feasible. Where conversion of farmlands mapped by the state cannot be avoided, the County shall require long-term preservation of one acre of existing farm land of equal or higher quality for each acre of state-designated farmland that would be converted to nonagricultural uses. This protection may consist of establishment of farmland easements or other similar mechanism, and the farmland to be preserved shall be located within the County and preserved prior to the proposed conversion. The County shall recommend this measure for implementation by the cities and town and Local Agency Formation Commission of Napa County (LAFCO) as part of annexations involving state-designated farmlands.</i></p>	<p>Consistent with Mitigation: Portions of the Project are mapped by the State as Prime Farmland or Farmland of Local Importance. Construction of the Project would result in removal of existing agricultural plantings (grape vines) to provide area for the heliport, resulting in 0.53 acres of state-mapped farmlands to non-agricultural use. As recommended in the EIR analysis of the Project, and consistent with the General Plan Policy, the Project would be conditioned to require the applicant to permanently preserve an equivalent area of mapped farmland to that removed to accommodate the Project.</p>	<p>Consistent: The Mt. George Alternative site is not designated farmland; rather, it is mapped as “Other Land” in the State FMMP. Construction of the heliport on the Mt. George Alternative site would not require removal or relocation of existing agricultural land use nor convert any existing, productive farmland acreage to a non-agricultural use.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-12: <i>No new non-agricultural use or development of a parcel located in an agricultural area shall be permitted unless it is needed for the agricultural use of the parcel, except as provided in Policies AG/LU-2, AG/LU-5, AG/LU-26, AG/LU-44, AG/LU-45 and ROS-1.</i></p>	<p>Substantially Consistent: The Project would introduce a personal use heliport onto a 220.4-acre parcel that currently has permitted uses (single-family residence and vineyards). While the heliport is a new non-agricultural use and would not be used in support of the agricultural activities on the property, it would be subordinate to the permitted uses on the property and would occupy a smaller footprint on the parcel than do the permitted uses on-site. The residential and agricultural uses on the property would be maintained with the Project and would remain the predominant and primary development and use of the property. Operations under the Project would be exclusively for the property owner's personal aircraft.</p>	<p>Potentially Inconsistent: The Mt. George Alternative scenario would introduce the personal use heliport onto a smaller, 46-acre parcel that also currently has a use (approximately 15-acre vineyard) that is permitted by and consistent with the property's zoning. While the heliport is a new non-agricultural use and would not be used in support of the agricultural activities on the property, it would be subordinate to the existing permitted use on the property and would occupy a smaller footprint on the parcel than does the permitted use on-site, such that the agricultural use on the property would remain the predominant and primary development of the site. As with the Project, operations under the Mt. George Alternative would be exclusively for the property owner's personal aircraft.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-20: <i>The following standards shall apply to lands designated as Agriculture, Watershed, and Open Space on the Land Use Map of this General Plan:</i></p> <ul style="list-style-type: none"> - <i>Intent: To provide areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety and welfare.</i> - <i>General Uses: Agriculture, processing of agricultural products, single-family dwellings.</i> 	<p>Substantially Consistent: The Project would construct a personal use heliport on approximately one acre of a 220.4-acre parcel. The existing single-family residence, ornamental landscaping adjacent to the residence, and three acres of vineyards would remain the primary land uses of the parcel and would occupy a larger area on-site than the proposed heliport. Accessory elements to the Project would include bioretention areas for water quality preservation, and improvement of the existing vineyard access road to meet current standards for emergency response access. All site construction associated with the Project would comply with designated stream setbacks established in the County’s Conservation Regulations (County Code Chapter 18.108).</p>	<p>Substantially Consistent: The Mt. George Alternative would construct a personal use heliport on approximately one acre of a 46-acre parcel. The existing, approximately 15 acres of vineyards would remain the primary land use of the parcel and would occupy a larger area on-site than the proposed heliport. Accessory elements to the Mt. George Alternative would include bioretention areas for water quality preservation, and improvement of the existing vineyard access roads to meet current standards for emergency response access. All site construction associated with the Mt. George Alternative would comply with designated stream setbacks established in the County’s Conservation Regulations (County Code Chapter 18.108).</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>AG/LU-26: <i>The County will discourage proposed urban developments which require urban services outside of existing urbanized areas. However, nothing in this Agricultural Preservation and Land Use Element is intended to preclude the construction of a single-family residence, on an existing, vacant, legal parcel of land in compliance with adopted County ordinances and other applicable regulations, except on designated park land. Pursuant to State law, small child care centers are considered residential uses. Where maximum dwelling unit densities are specified in this General Plan, the population density is determined by multiplying the allowable number of dwelling units times the average persons per household in the unincorporated County as determined by the most recent U.S. Census.</i></p>	<p>Substantially Consistent: The Project is a conditionally-permitted, non-agricultural use on property located outside of a municipal boundary. Water demand would be limited to water storage for emergency fire response; the Project would not have any other water needs nor result in wastewater generation because it would not be plumbed with restroom facilities nor be occupied by any person. As a non-residential use that would not increase population in the area, there would be no impacts to schools or parks. As it includes a new structure, the Project might require responsive services from Cal-Fire in the event of a fire emergency. However, as noted, the Project includes a tank for storage of water for fire suppression and other road improvements (fire truck turnaround at the helipad location, heliport access road improvements that include paving and a mid-road turnout) that were designed in conformance with Napa County Road and Street Standards, the intent of which is to ensure adequate emergency access to and around project sites. If the Project is approved, the associated hangar building would also be subject to review by Cal-Fire staff for conformance with requirements of the Fire Code.</p>	<p>Substantially Consistent: The Mt. George Alternative consists of a conditionally-permitted, non-agricultural use on property located outside of a municipal boundary. Water demand would be limited to water storage for emergency fire response; the Alternative scenario would not have any other water needs nor result in wastewater generation because it would not be plumbed with restroom facilities nor be occupied by any person. As a non-residential use that would not increase population in the area, there would be no impacts to schools or parks. As it includes a new structure, the Mt. George Alternative might require responsive services from Cal-Fire in the event of a fire emergency. However, as noted, the Mt. George Alternative includes tanks for storage of water for fire suppression and other road improvements (fire truck turnaround at the helipad location, heliport access road improvements that include paving and intermittent road turnouts) that were designed in conformance with Napa County Road and Street Standards, the intent of which is to ensure adequate emergency access to and around project sites. If the Mt. George Alternative is approved, the associated hangar building would also be subject to review by Cal-Fire staff for conformance with requirements of the Fire Code.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>CIR-4: <i>The County supports a coordinated approach to land use and circulation planning to promote a healthier community by encouraging walking, bicycling, and other forms of transportation which decrease motor vehicle use.</i></p>	<p>Potentially Consistent: The Project would locate a heliport adjacent to the applicant's residence, significantly reducing driving distance compared to the length of the vehicle trip to the Napa County Airport, where the applicant currently stores his aircraft. The intent of the policy being to promote alternative transportation modes that require greater activity and produce fewer carbon emissions, the Project would include use of a helicopter for personal transportation and would result in carbon emissions from burning of fuel by the aircraft. The Project has the potential to limit carbon emissions compared to current conditions, in that the use permit, if approved, would include a restriction on the number of helicopter flights to eight (inbound or outbound) per week. In the existing condition, flights are unrestricted and could include more than eight trips in any given week without penalty to the operator, resulting in a greater quantity of aircraft emissions relative to the Project. For either the Project or continuance of the existing condition, carbon emissions would be generated from the operation of the helicopter.</p>	<p>Potentially Consistent: The Mt. George Alternative would locate a heliport approximately one mile east and uphill of the applicant's residence, reducing driving distance compared to the length of the vehicle trip on surface streets to the Napa County Airport, where the applicant currently stores his aircraft. The intent of the policy being to promote alternative transportation modes that require greater activity and produce fewer carbon emissions, the Mt. George Alternative would include use of a helicopter for personal transportation and would result in carbon emissions from burning of fuel by the aircraft. The Project has the potential to limit carbon emissions compared to current conditions, in that the use permit, if approved, would include a restriction on the number of helicopter flights to eight (inbound or outbound) per week. In the existing condition, flights are unrestricted and could include more than eight trips in any given week without penalty to the operator, resulting in a greater quantity of aircraft emissions relative to the Mt. George Alternative. For either the Mt. George Alternative or continuance of the existing condition, carbon emissions would be generated from the operation of the helicopter.</p>
<p>CC-46: <i>Noise created by the construction of new transportation noise sources (such as new roadways or new rail service) shall be mitigated so as not to exceed maximum acceptable outdoor or indoor noise levels for existing noise-sensitive land uses [specified in policies CC-38 and CC-39 and County Code Chapter 8.16]. Mitigation may include the retrofitting of existing buildings with noise insulation to maintain interior quiet.</i></p>	<p>Consistent with Mitigation: EIR analysis of the Project concluded that the Project has potential to generate noise levels that exceed acceptable County thresholds identified in the General Plan and County Code. Restriction of helicopter approaches and departures to a southeastern flight path, during daytime hours (7:00 a.m. to 10:00 p.m.) only, would reduce the impact to less than significant and avoid exceedances of specified County noise thresholds.</p>	<p>Consistent: The analysis in the EIR did not identify any potentially significant noise impacts of the Mt. George Alternative. Thus, no mitigation is required for heliport operations at the Mt. George Alternative site.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>CON-6: <i>The County shall impose conditions on discretionary projects which limit development in environmentally sensitive areas such as those adjacent to rivers or streamside areas and physically hazardous areas such as floodplains, steep slopes, high fire risk areas and geologically hazardous areas.</i></p>	<p>Consistent: The heliport and related facilities of the Project would comply with stream setback standards of the County’s Conservation Regulations (County Code Chapter 18.108) and would be outside of a floodplain. The Project site is in an area identified by the state as having a moderate fire hazard potential. The Project would incorporate elements (water storage and building fire suppression systems, access roads and turnarounds for emergency response vehicles) to facilitate emergency responders’ access during a fire emergency. No aircraft fueling would occur on-site.</p>	<p>Consistent: The heliport and related facilities of the Mt. George Alternative would comply with stream setback standards of the County’s Conservation Regulations (County Code Chapter 18.108) and would be outside of a floodplain. The Mt. George Alternative site is in an area identified by the state as having a very high fire hazard potential. The Alternative would incorporate elements (water storage and building fire suppression systems, access roads and turnarounds for emergency response vehicles) to facilitate emergency responders’ access during a fire emergency. No aircraft fueling would occur on-site.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>CON-13: <i>The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to [provide protection of habitats through buffering, replacement of habitats of like quantity and quality, and enhance existing habitat values].</i></p> <p>CON-24: <i>Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures include one or more of the following:</i></p> <p>(a) <i>Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.</i></p>	<p>Consistent with Mitigation: The EIR's analysis of the Project identified potentially significant impacts to holly-leaved ceanothus and Napa bluecurls, two special-status plants that were found or that have the potential to occur on the Project site. The EIR also identifies potential impacts to oak woodlands as a result of Project construction. Mitigation measures recommended to reduce the potential biological impacts of the Project include pre-construction surveys, avoidance wherever possible, consultation with California Department of Fish and Wildlife (CDFW), relocation of specimens (if required by CDFW), and protection of mature oak trees during construction.</p>	<p>Consistent with Mitigation: The EIR's analysis of the Mt. George Alternative identified potentially significant impacts to holly-leaved ceanothus and Napa bluecurls that were found or that have the potential to occur on the Alternative site. The EIR also identifies potential impacts to oak woodlands as a result of construction of the Alternative. Mitigation measures recommended to reduce the potential biological impacts of the Mt. George Alternative include pre-construction surveys, avoidance wherever possible, consultation with California Department of Fish and Wildlife (CDFW), relocation of specimens (if required by CDFW), and protection of mature oak trees during construction.</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>CON-18: <i>To reduce impacts on habitat conservation and connectivity, the County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.</i></p>	<p>Consistent with Mitigation: As discussed in relation to policies CON-13 and AG/LU-20, above, the Project would be conditioned to comply with mitigation measures requiring protection or avoidance of special-status plants and mature oak trees that have potential to provide habitat for wildlife. Construction of Project improvements would comply with minimum stream setbacks designated in County Code (Chapter 18.108).</p>	<p>Consistent with Mitigation: As discussed in relation to policies CON-13 and AG/LU-20, above, the Mt. George Alternative would be conditioned to comply with mitigation measures requiring protection or avoidance of special-status plants and mature oak trees that have potential to provide habitat for wildlife. Construction of improvements associated with the Mt. George Alternative would comply with minimum stream setbacks designated in County Code (Chapter 18.108).</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>CON-45: <i>Protect the County’s domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with state regulations and guidelines. Continue implementation of current Conservation Regulations relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses.</i></p> <p>CON-48: <i>Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain pre-development sediment erosion conditions or at a minimum comply with the state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County’s sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil and hydrologic conditions and how the proposed measure will function.</i></p>	<p>Consistent: The Project includes a bioretention facility for stormwater quality, and all proposed site improvements necessary for the heliport would be compliant with the stream setback standards in the County’s Conservation Regulations (County Code Chapter 18.108).</p>	<p>Consistent: The Mt. George Alternative includes a bioretention facility for stormwater quality, and all proposed site improvements necessary for the heliport would be compliant with the stream setback standards in the County’s Conservation Regulations (County Code Chapter 18.108).</p>

General Plan Policy	Project Site	Mt. George Alternative Site
<p>SAF-20: <i>All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to: 1) adequacy of water supply; 2) site design for fire department access in and around structures; 3) ability for a safe and efficient fire department response; 4) traffic flow and ingress/egress for residents and emergency vehicles; 5) site-specific built-in fire protection; 6) potential impacts to emergency services and fire department response.</i></p>	<p>Consistent: Improvements proposed with the Project include tanks for storage of water for fire suppression, as well as a fire truck turnaround at the helipad location and heliport access road improvements that include paving and a mid-road turnout in compliance with Napa County Road and Street Standards.</p>	<p>Consistent: Improvements proposed with the Mt. George Alternative include a tank for storage of water for fire suppression, as well as a fire truck turnaround at the helipad location and access road improvements that include paving and intermittent turnouts along the length of private roadway to the heliport, in compliance with Napa County Road and Street Standards.</p>

General Plan Policy Abbreviations:
AG/LU – Agriculture and Land Use Element
CC – Community Character Element
CON – Conservation Element
SAF – Safety Element