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County Draft Conditions of Approval
ALUC Specific

PLANNING COMMISSION HEARING – ~~MARCH 4~~MAY 17, 2017
RECOMMENDED CONDITIONS OF APPROVAL
FOR MT. GEORGE ALTERNATIVE TO THE PROJECT

PALMAZ PERSONAL USE HELIPORT
USE PERMIT (#P14-00261)
HAGEN ROAD, NAPA, CALIFORNIA
ASSESSOR'S PARCEL NO. (APN) 033-110-079

1.0 SCOPE

This permit encompasses and shall be limited to:

- 1.1 Approval of a request for a Use Permit to allow construction and operation of a personal use heliport involving the following:
 - a. Construction of an approximately 45-foot long by 45-foot wide helicopter landing pad (helipad) within an approximately 80-foot long by 60-foot wide concrete pad, plus and approximately ~~4,100,700~~ square foot helicopter hangar and storage building;
 - b. A wet draft style hydrant system connected to a 5,000-gallon poly-tank for fire suppression;
 - c. A 375 square foot bioretention basin;
 - d. Improvements to the existing vineyard access road extending north of the heliport and spanning Assessor's Parcel No. (APN) 033-110-074 within a private access easement, to ensure a minimum 10-foot ~~paved width wide,~~ all-weather surface travel lane within a minimum 14-foot wide, horizontal, clear travel way with four feet of shoulder and including intermittent turnouts providing emergency vehicle access in accordance with the Napa County Road and Street Standards (RSS);
- 1.2 Use of the heliport solely for the ~~permittee's~~ helicopter owned by the permittee and heliport facility owner, and which helicopter shall meet or exceed noise level requirements for Stage 3 certification by the Federal Aviation Administration; and
- 1.3 Up to four arrival and four departure flights per week by the permittee's helicopter, for noncommercial use by the aircraft owner and occasional invited guests.

The building addition and site improvements shall be designed in substantial conformance with the submitted site plan, floor plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion or changes in use shall be evaluated in accordance with County Code Section 18.124.130 Code and may be subject to the Use Permit modification process.

2.0 PROJECT CONDITIONS

Should any of the Conditions conflict with any of the other conditions included in this document, the more specific Conditions shall supersede and control.

2.1 Mitigation Measures

The permittee shall comply with the ~~following~~ mitigation measures identified in the adopted Final Environmental Impact Report (FEIR) and Mitigation Monitoring

and Reporting Program prepared for the project, incorporated herein by reference as Exhibit 1.

2.2 No-Fly Zone and Voluntary Compliance Tracking

The applicant shall observe the “no-fly zone” over nearby sensitive receptors. The no-fly zone is roughly bounded by Hagen Road, Vichy Avenue, La Grande Avenue, and Olive Hill Lane, and includes the residences near Mt. George Avenue, as shown on Exhibit 2-5 of the Draft Environmental Impact Report (DEIR) prepared for the proposal. Except as may be necessary during emergencies threatening the safety of the aircraft or its occupants, the permittee shall avoid the no-fly zone during approach to and departure from the helipad. If overflight of the area is necessary (when weather conditions dictate), the helicopter shall remain at least 1,000 feet above ground level over the no-fly zone.

The applicant’s ~~voluntary~~ compliance tracking program, described in the attached Exhibit 2, is incorporated herein as a condition of operation of the heliport, except that determinations of compliance or noncompliance with use permit conditions of approval shall be made by the Planning Director (rather than the Airport Land Use Commission) in consultation with aviation experts, as necessary. The Planning Director is also authorized to require the permittee to submit flight records more often than on a quarterly basis, as frequently as twice per month, at the Planning Director’s reasonable discretion.

2.3 Designation of Aircraft Flight Paths

Except as may be necessary to operate the aircraft safely or in emergency situations threatening the safety of the aircraft or its occupants, as further described on page 3 of Exhibit 2, the permittee shall adhere to the eastern and northwestern flight paths, as depicted on Exhibit 6-4 of the project DEIR and for which the Federal Aviation Administration (FAA) issued a “Conditional No Objection” dated May 16, 2016.

In the event that the permittee requests a FAA airspace analysis determination for any flight path that differs from the eastern and northwestern flight paths depicted on Exhibit 6-4 of the project DEIR, then the permittee shall notify the Planning Director no fewer than 10 days prior to submittal of the request to the FAA. The Planning Director is authorized to review the proposed alternate flight paths to determine whether new environmental impact analysis and modification of the use permit are warranted.

2.4 Airport Land Use Commission Review of Use Permit Modification Requests

An increase in the number of approved flights per week above that specified in COA 1.3 of this permit shall require modification of this use permit and shall require review by the Airport Land Use Commission (ALUC) prior to a decision by the Planning Commission on the use permit modification request. Any change to the approved flight paths, for which the Planning Director has determined that a use permit modification is required, shall also require review by the ALUC prior to a decision by the Planning Commission on the use permit modification request.

2.5 Preservation of Flight Data

Upon receiving a complaint of alleged violations of the conditions of this use permit, the Planning Director or his or her designee shall contact the permittee within 48 hours to notify the permittee of the complaint. The permittee shall then take immediate steps to preserve flight data related to the date and time specified in the complaint and to retain such data throughout the Planning Director's investigation of the complaint and for at least 15 days after the Planning Director's determination of use permit compliance or noncompliance.

2.6 Violation of No-Fly Zone or Designated Flight Paths is Material Breach of Permit
A determination by the Planning Director of violation of the no-fly zone or designated flight paths referenced in COA Nos. 2.2 and 2.3, above, shall be considered a material breach of this permit for which use permit revocation procedures may be initiated.

2.73 Commercial and Non-emergency Training Uses Prohibited

The personal use heliport is restricted to residential purposes only and cannot be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program of the Palmaz Winery located on APN 049-270-019, nor shall the heliport be used for non-emergency training exercises of public safety agencies or their contractors. The aircraft operator shall not receive financial compensation in exchange for transportation of any individual to or from the heliport.

2.84 Routine Aircraft Maintenance and Fueling Prohibited On-site

Storage of aircraft fuel and fueling of the aircraft shall not occur on-site. Significant routine aircraft maintenance activities, including fueling, shall occur only at designated aircraft maintenance facilities and shall not occur on the property.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

3.1 Engineering Services Division as stated in their Memorandum dated January 24, 2017.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

4.0 SIGNS

Prior to installation of any signage, detailed plans for monument (ground mounted), directional and building mounted signage shall be submitted to the PBES Director for administrative review and approval. Building or ground mounted signs may be externally illuminated only. All lighting for wall or ground mounted signs shall be shielded or placed