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Agenda Date: 8/2/2017

Agenda Placement: 8A

## Airport Land Use Commission Board Agenda Letter

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**TO:** Airport Land Use Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** John McDowell, Principal Planner - 299-1354

**SUBJECT:** Palmaz Heliport Consistency Determination (P17-00037-ALUC)

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### **RECOMMENDATION**

#### **AMALIA PALMAZ LIVING TRUST - COUNTY OF NAPA / PALMAZ PERSONAL USE HELIPORT, AIRPORT LAND USE CONSISTENCY DETERMINATION #P17-00037-ALUC**

**CEQA Status:** The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with airport compatibility regulations and is not responsible for approving or undertaking the project. The County of Napa is the Lead Agency responsible for carrying out the project and has prepared an Environmental Impact Report (EIR).

**Request:** Airport Land Use Compatibility Plan Consistency Determination regarding County of Napa Use Permit (P14-00261-UP) to allow construction and operation of a personal-use heliport on one of the following two projects sites: 1) Proposed Project (Project) site is located on approximately 0.5 acres of a 220.4-acre parcel located at 4031 Hagen Road, east of the intersection of Hagen Road and Olive Hill Lane (Assessor's Parcel No. 033-110-080); or alternatively, 2) Mt. George Alternative site is located on approximately 0.5 acres of a 46-acre parcel (Assessor's Parcel No. 033-110-079) located approximately 1.5 miles south of Monticello Road (State Route 121) and approximately one mile northeast of the proposed location of the heliport on the Project site. The heliport would include construction of a helicopter landing pad (helipad) measuring 60 feet long and wide on the Project site and 45 feet long and wide on the Mt. George Alternative site, plus an approximately 4,000 square foot hangar and storage building. The heliport is proposed for the personal use (non-commercial) of the resident owners of the property for up to a maximum of four arrival and four departure flights per week. The sites are located approximately 7.5 miles north by northeast of the Napa County Airport.

***(CONTINUED FROM THE MAY 17, 2017 SPECIAL MEETING)***

***(TO BE CONTINUED TO SPECIAL MEETING OF SEPTEMBER 6, 2017)***

**Staff Recommendation:** That the Commission disapproves the May 17, 2017 deadlocked motion (3-3 vote) to find the project consistent, and continues the project to September 6, 2017 for participation of the full 7-member Commission.

**Staff Contact:** John McDowell, 707-299-1354, [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**Applicant's Representative:** Brian Russell, Abbott & Kindermann, LLP, phone 707-294-2775 or email [brussell@aklandlaw.com](mailto:brussell@aklandlaw.com)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Airport Land Use Commission

1. Disapprove the May 17, 2017 deadlocked motion to find the project consistent with the Airport Land Use Compatibility Plan; and
2. Continue the project to a Special Meeting of the Airport Land Use Commission at 9:00 a.m. on September 6, 2017.

### **Discussion:**

On May 17, 2017, the ALUC conducted a duly noticed public hearing to consider the proposed Palmaz heliport project located on approximately 0.5 acres of a 220.4-acre parcel located at 4031 Hagen Road, east of the intersection of Hagen Road and Olive Hill Lane (Assessor's Parcel No. 033-110-080); or alternatively, the Mt. George Alternative site, located on approximately 0.5 acres of a 46-acre parcel (Assessor's Parcel No. 033-110-079) located approximately 1.5 miles south of Monticello Road (State Route 121) and approximately one mile northeast of the proposed location of the heliport on the Project site. Six members of the Commission were present and participated in the hearing. After closing the public hearing, a motion was made and seconded to find the Mt. George Alternative project consistent with the ALUCP, however, the Commission was deadlocked with three Commissioners in support and three opposed, and consequently the motion failed to pass.

Consistent with ALUC bylaws, the Chair directed the item to be placed on the next regular Commission meeting to provide an opportunity for the 7th Commissioner to participate and break the deadlock. August 2, 2017 is the next regular meeting, and although the 7th Commissioner is eligible to participate (i.e. - does not have a conflict of interest), the Commissioner cannot attend this meeting. Therefore, in accordance with ALUC bylaws, Staff is requesting that the Commission disapprove the deadlocked motion made on May 17, 2017, and continue the item to the special meeting set for 9 a.m. on September 6, 2017 in which all 7 Commissioners are scheduled to be present.

It is requested that no testimony be presented at the August 2, 2017 meeting, and that additional testimony occur at the September 6, 2017 special meeting.

## **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with airport compatibility regulations and is not responsible for approving or undertaking the project. The County of Napa is the Lead Agency responsible for carrying out the project and has prepared an Environmental Impact Report (EIR).

**BACKGROUND AND DISCUSSION**

The May 17, 2017 ALUC Staff Report, attachments and correspondence, and hearing video is available on the ALUC's Agenda and Minutes webpage at <http://services.countyofnapa.org/AgendaNet/MeetingSummary.aspx?TID=18>.

All projects plan, correspondence, technical documents and the project EIR are available on the County's webpage for the Palmaz Heliport located at <http://www.countyofnapa.org/Pages/DepartmentContent.aspx?id=4294985262>. County Planning Commission staff reports and attachments are available at [http://napa.granicus.com/ViewPublisher.php?view\\_id=21](http://napa.granicus.com/ViewPublisher.php?view_id=21).

**SUPPORTING DOCUMENTS**

None

Airport Land Use Commission: Approve

Reviewed By: Charlene Gallina