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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Gladys Coil, Staff Services Analyst II, 259-8603
SUBJECT: Discussion and update regarding balloon launching facility

RECOMMENDATION

Director of Public Works and Director of Conservation, Development and Planning request the following:

1. Direction regarding whether to continue operation of the temporary balloon launch facility at the Yountville Corporation Yard for another one year beyond the initial six month period; and
2. Approval of revisions to the "Code of Conduct for Balloon Operations in Napa County" designed to address issues identified by the Board in May 2006.

EXECUTIVE SUMMARY

At the November 15, 2005 Board of Supervisors meeting it was recommended that the establishment of a balloon launching facility on County owned property adjacent to the Roads Division Corporation Yard on Silverado Trail near Yountville be limited to a six month evaluation period. Although no formal action was taken by the Board regarding the precise time period, it was understood that the County site would be used for a limited time period for purposes of a test period, and to afford time for the Board to consider amendments to the zoning ordinance that would allow hot air balloon launches in any zoning district upon grant of a use permit. On May 2, 2006, the Board amended the zoning ordinance to permit establishment of hot air balloon launching sites in any zoning district, subject to certain conditions. To date, no one has filed an application under the new rules.

On March 7, 2006, Balloons Above the Valley entered into a nonexclusive license agreement with the County of Napa to utilize this site for use as a hot air balloon launching facility. On April 6, 2006, Balloons Above the Valley conducted its first balloon launch from the County Corporate Yard. The six month trial period will end on October 5, 2006. To date, no other balloon companies have entered into a nonexclusive license agreement with the County to utilize the Corporation Yard for hot air balloon launches. Balloons Above the Valley has initiated a request to continue use of the launch facilities for one more year until October 5, 2007. If the time period is extended, other balloon companies will also be able to utilize this site based upon entering the nonexclusive license agreement. Board direction on this issue is requested.

In addition, at their May 2, 2006 hearing, the Board requested that staff of the Department of Conservation, Development and Planning prepare revisions to the "Code of Conduct" governing balloon operations in Napa County. The requested revisions were:

1. To address the risk of spreading vine mealybug to the extent feasible; and
2. To require notification of the Agricultural Commissioner when unauthorized vine contact by balloonists occurs.

A revised version of the "Code of Conduct" first adopted by the Board in 2005 is attached for the Board's review and approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

BACKGROUND AND DISCUSSION

On November 15, 2005, the Board adopted Resolution No. 05-212, which authorized the Director of Public Works, or the Director's designee, to execute on behalf of the County non exclusive license agreements to allow for balloon launches at the County Corporate Yard on Silverado Trail. Prior to that date, the Board had adopted a "Code of Conduct" intended to govern activities by balloon operators using the Corporate Yard.

On March 7, 2006, Balloons Above the Valley entered into an agreement with the County of Napa to utilize a suitable portion of the Roads Division Corporation Yard for use as a hot air balloon launching facility on a nonexclusive basis. On April 6, 2006, Balloons Above the Valley conducted its first balloon launch from the County Corporate Yard.

On a weekly basis, Balloons Above the Valley submits a manifest of passengers signed waivers along with payment to Public Works for any Balloons launched from the County Corporate yard as per the agreement. Public Works staff reviews the submittal for accuracy. Balloons above the Valley has been cooperative and promptly responded to any concerns that have arisen from launch documentation. Balloons Above the Valley management has maintained open communication with Public Works staff in order to assure harmonious relations. A total of over 160 balloons have launched from this facility to date. Balloons Above the Valley has initiated a request to continue use of the launch facilities for another one year until October 5, 2007. Its representation will be present to discuss why a one year extension is needed.

On May 2, 2006, the Board adopted changes to the County Zoning Ordinance permitting balloon launching sites in any zoning district subject to certain conditions. No applications for balloon launching sites (administrative permits

or use permits) have been received to date.

At the same hearing in May 2006, the Board requested that the adopted "Code of Conduct" be updated to address the vine mealybug and notification of the Agricultural Commissioner of unauthorized vine contact by balloonists. A proposed revision to the Code of Conduct, which addresses these issues, is attached for the Board's consideration.

SUPPORTING DOCUMENTS

A . Proposed Revisions to the Code of Conduct

CEO Recommendation: Approve

Reviewed By: Andrew Carey