

Town of Yountville

Resolution Number 20-3982

Approving a Use Permit for Napa Valley Balloons to conduct hot air balloon launches from an open field within the existing vineyard at 6406 Washington Street, APN 036-090-022

Recitals

- A. Napa Valley Balloons filed an application requesting approval of a Use Permit to allow hot air balloon launches from an unused, open field at 6406 Washington Street.
- B. The project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Class 1 (Existing Facilities) Section 15301 of CEQA Guidelines.
- C. The proposed balloon launch activity does not conflict with the existing use of the site by St. Joan of Arc Church.
- D. The Town Council conducted a duly noticed public hearing on May 5, 2020, to consider the applicant's request.
- E. The Town Council found that the proposed project is consistent with the intent of the General Plan and Zoning Ordinance.
- F. The Town Council hereby finds that the project satisfies the following use permit findings:
 - 1. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with the neighborhood and community;
The same use has been conducted within town from several different launch locations for many years without negative impacts to the community. Prevailing winds tend to carry the balloons south-southwest of the Town limits, which will minimize flight over Town that could impact residents and businesses. A Condition of Approval is included to avoid flying over residential neighborhoods and commercial areas.
 - 2. Such use or feature, as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
The proposed use will have no impact on the existing site and structures and materials associated with launchings will not remain onsite outside of operating hours.
 - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The available parking spaces located at St. Joan of Arc Church will provide ample parking for all Napa Valley Balloon vehicles and equipment. This use will not affect the current Church use, as it will begin prior to normal operating hours.

- c. The safeguards afforded to prevent noxious or offensive emissions such as glare, dust and odor;
This project does not involve materials that create offensive emissions, dust, or odor.
 - d. The proposed use will not result in excessive levels of noise for any period of time;
The inflation fans and balloon burners that are necessary to inflate the balloons have been used for many years at multiple locations in Town without negative impact or complaint. Furthermore, the applicant's experience in launching from a parcel within a couple hundred feet of a residence has not resulted in nuisance noise impacts to the onsite resident. A Condition of Approval has been included to monitor and evaluate the use and possibly revoke the use permit if nuisance noise results from the operation.
 - e. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
This proposal does not include modifications to the existing site.
3. Such use or feature as proposed will comply with the applicable provisions of this Ordinance and will be consistent with the policies and standards of the General Plan.
The proposed the use is consistent with the intent of the General Plan and the applicable policies and ordinances.

Now therefore, the Town Council of the Town of Yountville does resolve as follows:

1. Adopts Resolution Approving the Use Permit for Balloons Above the Valley to conduct hot air balloons launches subject to the following conditions of approval:
 1. Operation of the use shall be substantially as represented on the application materials and as described in the staff report on file with the Planning Department, except as modified by conditions.
 2. The Use Permit granted by this approval allows hot air balloon launches from a one-third acre field within the vineyard adjacent to St. Joan of Arc Church with the limitations described within the staff report and resolution conditions of approval.
 3. Napa Valley Balloons shall launch no more than four (4) hot air balloons per day with no more than 20 launches per month.
 4. Hours of operation for hot air balloon launches shall be limited to the hours of 5:30 a.m. and 9:30 a.m. daily.
 5. This approval is for launching of balloons only. Landing of balloons within the Town limits is prohibited, except as provided below.
 6. Hot air balloons shall take all feasible measures to avoid flying over or landing within the Town limits. If a pilot determines that an unscheduled landing within Town is necessary, the pilot shall comply with the terms of the Hot Air Balloon Incidental Landing Report that requires the pilot make contact with the ground crew so that the crew can contact the Yountville Sheriff.

The Sheriff must be present during the landing. The Report also requires that the pilot complete and submit the form to the Town of Yountville Planning Department as soon as feasible the day of the landing. Failure to submit the report may subject the business to fines and penalties.

7. Town staff shall conduct a 90-day review to evaluate impacts generated by the operation with a special emphasis on noise impacts. If noise or other impacts are demonstrated, the permit may be subject to revocation by the Town Council at a publicly noticed hearing.
8. No changes or alterations to the launch site are allowed or approved by this Use Permit without the prior review and approval by the property owner and Town Council.
9. The Use Permit shall expire two years from date of approval if the use is not commenced.
10. The use shall be subject to the Use Permit Monitoring Fee, invoiced and CPI adjusted annually.
11. The business shall secure and maintain a current Town of Yountville business license.
12. All hot air balloon launching, flying, and landing operations and equipment shall comply with all applicable standards, regulations, codes, and ordinances, including FAA requirements, at time of Use Permit Amendment issuance and throughout use.
13. All site qualities, access requirements, and other applicable conditions of CalFire shall be implement prior to use and continued throughout the term of the use.
14. The applicant shall defend and indemnify and hold the Town, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the Town promptly notifies the applicant of any such claim, action, or proceedings and the Town cooperates fully in the defense of the action or proceedings.

2. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 5th day of May 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John F. Dunbar, Mayor

ATTEST:

Michelle Dahme, CMC
Town Clerk