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Recommended Conditions of Approval and Final Agency Approval Memos

**PLANNING COMMISSION HEARING – JANUARY 15, 2020
RECOMMENDED FINDINGS**

**RAPP EQUESTRIAN CENTER
USE PERMIT APPLICATION #P18-00197-UP
100 RAPP LANE, NAPA
APN 052-170-018**

This Permit encompasses and shall be limited to the project commonly known as Rapp Equestrian Center, located at 100 Rapp Lane, Napa. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee 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.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This Permit encompasses and shall be limited to:

- 1.1** Approval of a Use Permit to recognize and remedy existing building code violations associated with a commercial horse boarding, riding, and lessons facility with existing employees and horse related events as follows:
- a. Use of an existing 29,144 sf English-style barn with an indoor arena, stalls with outdoor paddocks, five outdoor paddocks, and an outdoor arena with lighting;
 - b. Use of an existing 2,811 sf Western-style barn, an outdoor arena, and 12 outdoor paddocks;
 - c. A maximum of 60 horses on the property at any one time;
 - d. Visitation and horse-related events as set forth in Conditions of Approval (COA) Nos. 4.12(b) through 4.12(e);
 - e. Seven full-time and two part-time existing employees;
 - f. Daily (Monday-Sunday) hours of operation from 8:00 am to 8:00 pm for guests. Stable hands (two-three employees) to arrive at 6:30 am for feeding and stall cleaning before guests arrive;
 - g. Use of and reconfiguration of the existing nine parking spaces; and
 - h. Construction of a 1,800 sf American with Disabilities Act (ADA) compliant

office/tack room and bathroom.

The horse facility shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee 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 of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

All Staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the project:

4.1 GROUND WATER MANAGEMENT – WELLS [RESERVED]

4.2 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, buildings.

4.3 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and

from the site for employees and deliveries shall not occur during peak travel times (4:00 p.m. – 6:00 p.m. weekdays and 1:45 p.m. – 2:45 p.m. on weekends). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.4 PARKING [RESERVED]

4.5 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use or occupancy of an existing building unless the building is made to comply with requirements of the current CBC as for a new building.

4.6 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized events allowed per COA No.1.0 above.

4.7 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM [RESERVED]

4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.
- b. All landscaping shall be permanently maintained in accordance with the landscaping approved by the County.
- c. All outdoor screening, storage, mechanical equipment and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- d. The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint color that differs from the approved building permit. Highly reflective surfaces are prohibited.
- e. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.9 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs are prohibited.

4.10 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated November 14, 2019.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated December 27, 2019 (as Revised).
- c. Fire Department operational conditions as stated in their Inter-Office Memo dated May 30, 2019.
- d. Building Inspection Division plan operational conditions as stated in their Memorandum dated June 4, 2018.
- e. Public Works (Groundwater) operation conditions as stated in their Memorandum dated January 22, 2019.
- f. Public Works (Traffic) operation conditions as stated in their Memorandum dated December 4, 2019.

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 County 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 this permit.

4.11 OPERATIONAL MITIGATION MEASURES [RESERVED]

4.12 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. The parcel shall be limited to a maximum of 4.16 acre-feet of groundwater per year for all water consuming activities on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to

meet the requirements of the County Code and to protect public health, safety, and welfare.

- b. Daily and Weekly Visitation
 1. Frequency: 7 days per week, Monday through Sunday
 2. Maximum number of persons per day: 50
 3. Maximum number of persons per week: 350
 4. Hours of visitation: 8 a.m. to 8 p.m.
 5. Daily visitation shall not occur on days when horse related events are held.

- c. Horse Related Events including horse shows and equestrian training sessions as set forth in Exhibit A below.
 1. Event Type: (Demonstration and Interactive Participation)
Frequency: six (6) events per year
Maximum number of persons: 30

 2. Event Type: (Demonstration and Interactive Participation)
Frequency: six (6) events per year
Maximum number of persons: 50

 3. Event Type: (Demonstration and Interactive Participation)
Frequency: six (6) events per year
Maximum number of persons: 100

 4. Time of Day: 8 a.m. to 8 p.m.
All event activity, excluding quiet clean-up, shall cease by 8 p.m.

- d. No winery related event activities shall occur on this parcel or in conjunction with any winery operations or marketing events for Shadybrook Winery as set forth in Major Modification P18-00450-MOD.

- e. Rapp Equestrian Center (APN 057-170-018) visitation and horse-related events combined with the Shadybrook Estate Winery (APN 057-170-019) visitation, tours and tastings and marketing, and all employees from both parcels shall be managed so the wastewater generated from both the Rapp Equestrian Center and the Shadybrook Estate Winery parcels does not exceed the combined wastewater capacity of 1,165 gallons per day or a maximum 100 visitors and 11 employees (Rapp Equestrian Center Wastewater Feasibility Report dated December 4, 2018, Shadybrook Estate Winery Wastewater Feasibility Report dated December 26, 2018, and Supplemental Letter dated December 13, 2019).

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

- f. Within 30 days of permit approval, the permittee shall submit a Traffic Demand Management Plan to the Planning Division and the Public Works Department for review and approval which includes, but not limited to, the following measures that will reduce peak-hour vehicle trips program such as encouraging guests to carpool or use a shuttle or van measures, promoting employee carpooling, implementing a Guaranteed Ride Home (GHR) program, and providing lunch on-site. Such plan shall be implemented upon County authorization and may be subject to submittal of annual reporting requirements upon request in response to the County development of a Vehicle Mile Traveled (VMT) Reduction Program.
- g. The permittee shall continue to remove manure from the site (at least two times per month). Any future request to keep or compost manure on site may require further environmental review and may require a Use Permit modification or permitting from other divisions.
- h. The location of visitor parking, horse trailer, truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Parking shall be limited to approved parking spaces only and shall not occur along access or public roads. In no case shall parking impede emergency vehicle access or public roads.
- i. All visitors and employees shall take access via the Rapp Lane access road as depicted on the project plans, dated November 20, 2019. No equestrian center access or parking is authorized on Chateau Lane.
- j. **Residence Structures**
Unless specifically authorized by this permit or a previously approved permit, the single-family and second residence and garage shall not be used for commercial purposes or in conjunction with the operation and/or visitation/event program for the equestrian center. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.
- k. **Reciprocal Parking Agreement**
Within 30 days of permit approval, the permittee shall submit for review review and approval by the Planning, Building and Environmental Services Department an agreement to grant a reciprocal parking easement between Rapp Equestrian Center and Shadybrook Estate Winery for reciprocal parking, shuttle and horse trailer drop-off and pick-up. The signed agreement shall be filed with the Department with 30 days after authorization.
- l. **Outdoor Arena**
All lighting associated with the outdoor arena located adjacent to the English-Style barn shall be shut off by 8 p.m. or after last use of the outdoor arena whichever occurs first. Any new, replaced or additional light fixtures shall comply with COA# 6.3 below.

4.13 PREVIOUS CONDITIONS [RESERVED]

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' 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:

- a. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 14, 2019.
- b. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated December 27, 2019 (as revised).
- c. Fire Department plan review/construction/preoccupancy conditions as stated in their Inter-Office Memo dated May 30, 2019.
- d. Building Inspection Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated June 4, 2018.
- e. Public Works (Groundwater) review/construction/preoccupancy conditions as stated in their Memorandum dated January 22, 2019.
- f. Public Works (Traffic) operation conditions as stated in their Memorandum dated December 4, 2019.

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 County 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 permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

Please contact the Building Division with any questions regarding the following:

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the CBC or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and or site improvements must comply with the CBC accessibility requirements, as well as, American with Disabilities Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division’s review and approval prior to the issuance of any building permit associated with this permit. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

- b. Plant materials shall be purchased locally when practical, and, to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with project development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g., tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.
- e. All landscaped areas and sidewalks shall be separated from parking and drive aisle areas by a minimum 6-inch raised concrete curb.

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the equestrian facility shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or be made virtually invisible from the subject roadway.

6.7 MECHANICAL EQUIPMENT

- a. Roof mounted equipment shall be screened by a parapet wall of equal or greater height than the highest piece of roof mounted equipment or vent. Equipment may be screened by a separate roof screen that is architecturally integrated with the building if screening by a parapet wall is not feasible or is architecturally undesirable. When separate roof screens are used, roof equipment should be organized into major groups

screening a smaller number of units rather than multiple areas. The PBES Director may approve exceptions for solar equipment. All screening is subject to review and approval by the PBES Director. Any skylights shall be subject to review and approval by the PBES Director prior to the issuance of building permits.

- b. The term "equipment" includes roof mounted equipment or vents, electrical equipment, gas meter, communication antennas, irrigation valves, storage tanks, or other mechanical equipment. The manner of screening shall be as follows: Communications equipment, including microwave equipment, may remain unscreened if visually integrated with the building design through color, location, and construction; all building mounted equipment, including but not limited to louvers, pipes, overhead doors or service doors, access ladders, downspouts, conduit, and electrical/service boxes, shall be painted consistent with the color scheme of the building.
- c. Ground mounted equipment shall be screened by walls or landscaping to the satisfaction of the PBES Director.
- d. Exterior equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.8 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.9 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.10 HISTORIC RESOURCES [RESERVED]

6.11 DEMOLITION ACTIVITIES [RESERVED]

6.12 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]

6.13 PERMIT PREREQUISITE MITIGATION MEASURES [RESERVED]

6.14 PARCEL CHANGE REQUIREMENTS [RESERVED]

6.15 FINAL MAPS [RESERVED]

6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Groundwater Demand Management Program
1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the equestrian use or any operations as approved under this permit, the permittee shall submit for review and approval by the Director of Public Works a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.
 2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
 3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
 4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the county within 120 days of approval of this modification.
 5. For the first twelve months of operation under the Use Permit, the applicant shall read the meters at the beginning of each month and provide the data to the Public Works Director monthly. If the water usage on the property exceeds, or is on track to exceed, 4.16 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the Public Works Director and the PBES Director for review and action.
 6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
 7. At the completion of the reporting period per 6.16(a)(5) above, and so long as the water usage is within the acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the Public Works Director during the first weeks of April and October. The Public Works Director, or his designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

- b. Within 90 days of this permit approval, the permittee shall submit properties for processing by the Public Works Department a Lot Line Adjustment application between the Shadybrook Winery (APN 052-170-019) and Rapp Equestrian Center (APN 052-170-018) to address access issues between the two properties.
- c. All improvements required by other divisions shall be completed prior to execution of any new entitlement approved under this Use Permit.
- d. Within 30 days of permit approval, vehicular driveway signage for the Rapp Equestrian Center shall be installed at the intersection of Chateau Lane and Rapp Lane to ensure compliance with COA 4.12(i) above.
- e. Within 30 days of permit approval, project addressing of structures on the parcel shall be corrected in response to COA 4.12(i) above to ensure adequate response to emergency management services for the Rapp Equestrian Center and existing residences.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENT

Please contact Engineering Services with any questions regarding the following:

- a. **GRADING & SPOILS**
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.
- b. **DUST CONTROL**
Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.
- c. **AIR QUALITY**
During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:
 - 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
 - 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.

3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM to 5:00 PM.

7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL [RESERVED]

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow specific limited use of the project (barn/bathroom) prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. In special circumstances, Departments and/or Agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence:

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any project identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if the signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATE/ENTRY STRUCTURES

Any gate installed at the project entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING [RESERVED]

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS [RESERVED]

9.6 DEMOLITION ACTIVITIES [RESERVED]

9.7 GRADING SPOILS

All spoils piles shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY [RESERVED]

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.12(a) and 6.16(a) shall commence prior to final occupancy.

EXHIBIT A

Events for the Rapp Equestrian Center Use Permit

Six events for up to 30 people:

Demonstrations and Interactive Participation:

- a. Dressage: A 30 minute riding expose' on the art of Dressage. How to refine your riding skills and bring balance to any horse and rider. Spectator only.
- b. Relaxation on horseback: How to engage your mind and body with your horse and learn from a master trainer who can help you reap the benefits of advanced riding skills. Spectator only.
- c. Confidence Training: Part 1, basic level. How to overcome fear and worry with your horse. Watch and learn how to build your training levels with potentially scary situations with you and your horse. Interactive participation.
- d. Relationships and Trust clinic: Part 2, advanced level. Teaching your horse how to conquer obstacles and situations where trust in one another is crucial. Includes demonstrations with other live animals, common objects that can cause fright or flight response in your horse. Interactive participation.
- e. Starting a young horse. Part 1. Basic level. Teaching a young horse how to accept handling and crucial life long foundational training. Interactive participation.
- f. Starting a young horse. Part 2. Advanced level. Teaching a young horse how to accept the saddle and a rider. Spectator only.
- g. Basic horsemanship for the beginner rider. Learning safety tips, husbandry advise, health and nutrition guidelines. Guest speakers to include veterinarians and barn managers. Spectator only.

Six events for up to 50 people:

Demonstrations and Interactive Participation:

- a. Dressage Clinic. Reap the benefits of learning from a master teacher and take advantage of one of the country's newest premier training facilities that includes spectacular outdoor and indoor arenas. Enjoy the views of picturesque Coombsville vineyards while watching an incredible demonstration of the finest art of horsemanship in the world. Spectator only.
- b. Expo: Horse expos are popular ways to view a variety of horse breeds and sports, see a diverse group of clinicians, and connect with people in your equestrian community. Spectator only.
- c. Equine Extravaganza. Highlights include a Western trainers challenge, cowboy dressage demonstrations and gaited horse clinics, plus special canine events and demos. Spectator only.
- d. Equine Acupressure and Massage: Learn the essential skills of many rapidly growing professionals. Clinicians will demonstrate and instruct students for those who want to provide

massage therapy to their horses, want to practice equine massage as a profession or learn how to apply relief aid for their own horses. Interactive participation.

e. Tellington TTouch Training Clinic: Linda Tellington-Jones teaches students her unique TTouch training philosophy. The 40-year-old training method blends animal training, healing, and communication. Spectator only.

f. Saddlery & Leather Work Clinic: Master the basics in a variety of Western arts and crafts, for personal fulfillment or professional employment. Interactive participation.

Six events for up to 100 people:

g. Disaster Response: How to manage your barn, prepare your facilities and rescue your horses in the event of an emergency. Learn evacuation techniques, rescue remedies and how to safely save the life of your horses in the event of a fire, flood, earthquake or other natural disaster. Guest speakers to include fire authorities, veterinarians and other personnel trained in disaster response. Interactive participation.

h. Parelli Professional Instructor Certification Program. Parellinaturalhorsetraining.com; Pat Parelli is a pioneer of the comprehensive approach to natural horsemanship training instruction. His course offerings come in four levels, with the goal of teaching amateur and professional riders to use the programs. His focus is the central principles of love, language, and leadership between a horse and handler. High profile clinician. Spectator only

i. Mustangs: A Living Legacy. Learn from professional trackers and handlers of wild horses. Listen to stories, watch documentaries, see stunning photography of several different wild mustang herds across America. Learn their social patterns and their 21st century struggles. Spectator only.

j. Napa Equestrian Expo: Premier horse fair, the event features English and Western clinicians, an art show and contest, plus vendors from throughout the region. Spectator only.

k. Farrier clinic: Learn from the very best farriers in the country. Clinic will show the rider how a properly fitted shoe and care of the hoof affects the bio dynamics of the horses stride, wellness and safety. Learn about how different diets, disciplines and behaviors affect the horse's soundness and overall health. Learn how to recognize proper fitted shoes, common hoof ailments and solutions, basic care for thrush and other issues that can arise with your horse's hooves. Interactive participation.

l. Reis Ranch Universal Horsemanship Clinic with Dennis Reis. This seminar offers hands-on instruction throughout the summer and fall. His resistance-free training methods put the horse first and help students better understand their equines. High profile clinician. Spectator only.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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David Morrison
Director

MEMORANDUM

To: Charlene Gallina, Planning	From: Jeannette Doss, Engineering JD
Date: November 14, 2019	Re: Rapp Equestrian Center Use Permit – Engineering CoA 20 Chateau Lane, Napa, CA 94558 P18-00197 APN: 052-170-018-000

The Engineering Division received a referral for comment on a new use permit. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS: OPERATIONAL CHARACTERISTICS

1. All roadway, access drive, and parking area improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas serving the project either currently meet the requirements and/or how they will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of approval of this application. The property owner shall obtain a permit for all proposed roadway improvements.
3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and grading permit documents at the time of permit application. A plan check fee will apply.

P18-00197

Rapp Equestrian Center Use Permit

Engineering Division – Recommended Conditions of Approval

Page 2 of 2

4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. **Prior to issuance of a building permit and/or grading permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December
6. **Prior to issuance of a building or grading permit** the owner shall prepare a Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.
10. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Jeannette Doss from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707) 259-8179 or by email at Jeannette.Doss@countyofnapa.org



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David Morrison
Director

MEMORANDUM

To: Charlene Gallina, Project Planner	From: Kim Withrow, Environmental Health Supervisor <i>KW</i>
Date: November 21, 2019 Revised – December 27, 2019	Re: Rapp Equestrian Center 20 Chateau Lane Assessor Parcel # 052-170-018 Permit# P18-00197

Environmental Health staff has reviewed revised applications requesting approval to recognize and authorize existing employees and marketing events for a commercial operation offering horse boarding, riding and lessons as described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to issuance of building permit(s) or within 60 days of use permit approval:

1. Plans for the proposed modification of the alternative sewage treatment system as identified in the Wastewater Feasibility Report dated December 4, 2018 shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. A permit to modify the existing wastewater system and connect the Equestrian Center to the system on the neighboring parcel must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
3. Since all or part of the proposed wastewater disposal system is to be installed on a separate parcel from the facility it is to serve, an agreement to grant a sewage easement or an approved sewage easement must be filed with this Division prior to issuance of the construction permit required in condition #2.
4. The small public water system serving Shadybrook Winery will be expanded to accommodate the horse boarding facility according to application materials. This will require the water supply and related components to comply with the California Safe

Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits or within 60 days of use permit approval. The technical report must be completed by a licensed engineer with experience in designing water systems. The preliminary technical report must be submitted to the Regional Water Quality Control Board staff a minimum of six (6) months prior to beginning any water-related improvement in accordance with the California Health and Safety Code, Section 116527. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The applicant must comply with all required monitoring and reporting.

5. Since the proposed water system exists on a separate parcel from the facility it is to serve, an agreement to grant a water easement or an approved water easement must be filed with this Division prior to approval of a building permit.

Upon final occupancy and thereafter:

6. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
7. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
8. The marketing events, visitation and employees must be managed so the wastewater generated from both the Equestrian Center and the Winery does not exceed the wastewater system capacity of 1165 gallons per day in accordance with the Wastewater Feasibility Report by RSA+ dated December 4, 2018 and Planning Division conditions of approval.
9. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
10. The applicant has indicated manure will be hauled to Napa Recycling and Waste for composting. Manure being stored prior to hauling must be kept so it doesn't create a nuisance or odors or impact the storm water conveyance system. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
11. Adequate area must be provided for collection of recyclables and compostables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The designated area shall remain available and be properly maintained for its intended use.



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Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

MEMORANDUM

TO:	Planning Department	DATE:	5/30/19
FROM:	Adam Mone, Plans Examiner	PERMIT #	P18-00197
SUBJECT:	Rapp Equestrian Center	APN:	052-170-018-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. **NOTE:** The "equestrian center" building is currently exempt from the fire sprinkler requirements because it is exclusively a Group U agricultural building as defined in Appendix C of the Building Code (see of Napa County Municipal Code Section 15.32.090 exception 2).

The "proposed catering area" is not Group U use. The equestrian center will therefore no longer be exclusively Group U and an approved NFPA 13 **fire sprinkler system will be required throughout the structure**. This is also true if the building is used for any "assembly" purposes (such as banquets or spectator equestrian exhibitions), even if only as a temporary event.

Note that in order for the NFPA 13 sprinkler system to be approved, the water storage system will need to be upgraded to provide the volumes required by 2016 California Fire Code Appendix B section B105.3.

The tack room does not trigger this requirement, provided that the Building Division is satisfied that the proposed fire separation would classifies it as a separate building (building).

2. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
3. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finaled.
4. The permittee and/or designee shall obtain a permit from the Fire Department for any temporary structures/canopies/tents utilized for authorized events.



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Garrett Veyna
Fire Marshal

MEMORANDUM

5. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
6. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
7. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards.
8. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
9. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
10. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
11. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
12. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.
13. Turnarounds are required on driveways and dead end roadways.
14. Grades for all roadways and driveways shall not exceed 16 percent.
15. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.



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Garrett Veyna
Fire Marshal

MEMORANDUM

16. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
17. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2013 edition.
18. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
19. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2013 edition for the installation of Underground Fire Protection Mains
20. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
21. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
22. Provide 100 feet of defensible space around all structures.
23. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

Please note that the comments noted above are based on a Fire Marshal's Office review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.



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David Morrison
Director

To: Charlene Gallina, Project Planner	From: Marie Taylor, Building Inspector
Date: June 4, 2018	Re: Use Permit – Rapp Equestrian Center File # P18-00197 Address: 100 Rapp Lane Napa, Ca. 94558 APN: 052-170-018

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P18-00197 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

Any existing structures and/or buildings on the property that will be demolished require a separate demolition permit issued by The Napa County Building Division prior to demolition. The applicant will be required to provide a J number form Bay Area Air Quality Management District at the time of application for the permit.

The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to, parking, accessible path of travel from parking to all buildings and areas on site that are available to employees and the public. Plans must also include all accessibility features for the interior work. An Accessible Upgrade Worksheet must be submitted with plans as a part of the permit process.

Occupant load will determine occupancy types, exiting requirements, and restroom facilities.

Any change in occupancy or use will require building to comply with the requirements of the California Building Code for a new occupancy or use.

Should you have any questions, please contact Marie Taylor at (707) 299-1359

Standards (Revised September 26, 2017 (Resolution 2017-156)). Please include the dimensions on the plans.

6. Please illustrate the access drive from the nearest public access road to the site.
7. The emergency vehicle turnaround areas shown on the plans appear to be partially located on the adjacent parcel. Please clarify how the internal circulation for the site works and if there is overlap with the winery access. Please verify that the emergency turnaround areas are within 50 feet of the structures and that they are less than 5% cross slope in all directions.
8. Please include information on any gated entries on the plans. Please include an elevation plan view of the gate and note the height, width, direction of swing, setback from the publicly maintained road, etc.
9. Please provide additional information on the dumpsters. Are they newly proposed? Are they covered? Is there a drain inlet in the bin area? If so, please identify where the drain is plumbed to.
10. Please provide drainage information for the site on the plans?

- **Other Information as Required**

Please be advised that once we receive the above information issues may arise requiring further submittal items that have not yet been identified or specified above.

If you have any questions or need additional information, please contact Jeannette Doss at (707) 259-8179 or jeannette.doss@countyofnapa.org



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Department of Public Works

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Steve Lederer
Director

GROUNDWATER MEMORANDUM

DATE: January 22, 2019

TO: Planning, Building, and Environmental Services

FROM: Phillip M. Miller, PE, Deputy Director
Phone: 707-259-8620
Email: phillip.miller@countyofnapa.org

SUBJECT: Rapp Equestrian Center, APN# 052-170-018, P18-052-170-018

The applicant requests recognition and authorization of existing employees, horses, visitors and events. The project is located on Rapp Lane in Napa, CA. The project parcel is located in the groundwater deficient Milliken-Sarco-Tulocay (MST) region and is not currently participating in the MST recycled water community facilities district. All water demands are proposed to be met with groundwater which indicates the need for caution, and for best management practices, to be implemented on this project. The applicant has also proposed to consolidate the public water system with the adjacent Shadybrook Estate Winery (P18-00450-MOD).

COMMENTS:

1. The existing use on the 11.97 acre parcel is estimated to consume 4.16 acre-feet of groundwater per year, based on estimates from the applicant's engineer. Estimates are used because the well water usage on the property is not currently being reported as required.
2. The parcel currently contains a residence, equestrian center and a vineyard.
3. We have reviewed the water availability analysis (RSA+—September 18 2018) for the project parcel. The parcel is located in the MST groundwater deficiency area, so designated because of concerns over potential groundwater depletion. In order to ensure "a no significant impact" under CEQA the project must demonstrate a "no net increase" in groundwater usage.

The existing usage has been estimated at 4.16 AF/Year, and the project as proposed estimates groundwater use will remain at 4.16 AF/year.

4. We believe that it is possible for the proposed project to not have a significant impact on groundwater levels or agriculture in the groundwater basin, since the project proposes no increase groundwater use on the property. Given that the current water use amount is based on estimates (due to the applicant's delinquency in reporting groundwater use), Public Works is recommending that a buffer be established between the current use estimates and the planned use after approval, and that actions be implemented to ensure compliance with all conditions.

RECOMMENDED CONDITIONS:

1. We believe it is possible to keep groundwater use at a minimum, and below that proposed by the applicant, with the use of best available technology and best management water conservation practices. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation, and avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping. Best management practices also require that the applicant utilize water efficient appliances and fixtures throughout the existing residence and winery. With these best management practices in place and with the use of best available technology, we believe that it will be possible to accomplish the project, and stay at a reasonable threshold for the parcel.
 - a. The applicant should join the MST Recycled Water community facilities district and use recycled water for irrigation.
 - b. The applicant shall apply best available technology and best management water conservation practices throughout the parcel.
 - c. The applicant shall apply best management water conservation practices where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
 - d. The parcel shall be limited to the projected use for all groundwater consuming activities on the parcel listed in the application: **4.16 acre-feet per year**.
 - e. If not present already, the applicant shall install a meter on ALL wells serving the parcel. The meters shall be placed in a location that will allow for the measurement of ALL groundwater used on the project parcel. The location and the configuration of the installation of the meter shall conform to a drawing prepared by the applicant and reviewed and approved by the Director of Public Works ***prior*** to installation.
 - f. As a groundwater consuming activity already exists on the property, meter installation, monitoring and reporting shall begin immediately.
 - g. For the first twelve months of operation under the use permit, the applicant shall read the meters at the beginning of each month and provide the data to the Public Works Director monthly. If the water usage on the property exceeds, or is on track to exceed, 4.16 acre ft. per year, or if the applicant fails to report, additional reviews and analysis at the applicant's expense shall be required.

- h. The applicant's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the wells suitable.
- i. At the completion of the reporting period per f. above, and so long as the groundwater usage is within the 4.16 acre-ft limited as specified above, the applicant may begin the following meter reading schedule:
 - i. On or near the first day of each month the owner shall read the water meter, and provide the data to the Public Works Director during the first weeks of April and October. The Public Works Director, or his designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.



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Steven Lederer
Director

Planning Commission Mtg.

DEC 04 2019

Agenda Item # 7D

MEMORANDUM

To: PBES Staff	From: Janice Spuller Traffic Engineering Staff Consultant
Date: December 4, 2019	Re: Shadybrook Winery (P18-00450) Conditions of Approval

This memorandum is prepared as a follow up to the comments the Department of Public Works (DPW) sent to the project applicant dated November 22, 2019, in regards to the *Draft Traffic Impact Study* (TIS) Report prepared by W-Trans, for the Shadybrook Estate Winery and Rapp Equestrian Center, located at 10 Chateau Lane and 100 Rapp Lane.

A response to comments by W-Trans was received dated November 27, 2019 with revised Traffic Impact Study. DPW has determined there is no significant impact as shown in the TIS Report, and has established the following conditions for approvals related to the Use Permit Application Number P18-00450:

I. Encroachment Permit Required

An encroachment permit will be required for any improvements in the County's Right-of-Way. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

II. Marketing Events

The applicant shall not exceed the number of annual events at the Shadybrook Estate Winery as requested in the Use Permit Modification.

III. Daily Guests

No more than 50 daily winery guests and 60 horses on site (per the TIS Report).

IV. Transportation Demand Management Plan (TDM)

A comprehensive TDM shall be submitted for review prior issuance of an encroachment permit. The TDM shall be implemented for the life of the project.

V. Landscaping Maintenance

Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on the public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 4 feet in height up kept once the tree is established.

Please contact me at Ahsan.Kazmi@countyofnapa.org or call (707) 259-8370 or jspuller@tjkm.com or call (925) 264-5021 if you have questions or need additional information.