



FILE# 408-00015

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION
1195 Third Street, Suite 210, Napa, California 94559 • (707) 253-4416
APPLICATION FORM
THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 1-15-08
TYPE OF APPLICATION: Use Permit - Horse Training Date Complete: _____
REQUEST: Horse Training + Boarding Date Published: _____
facility

TO BE COMPLETED BY APPLICANT
(please type or print legibly)

PROJECT NAME: Duncan Horses
Assessor's Parcel #: 034-212-004 Existing Parcel Size: 2.28 acres
Site Address/Location: 1147 Darms Lane Napa CA 94558
No Street City State Zip
Property Owner's Name: Dennis M. Hall
Mailing Address: 1147 Darms Lane Napa CA 94558
No Street City State Zip
Telephone #: () Fax#: () E-Mail: _____
Applicant's Name: Katie Duncan
Mailing Address: 1147 Darms Lane Napa CA 94558
No Street City State Zip
Telephone #: (707) 480-1052 ✓ Fax#: () E-Mail: duncanhorses@earthlink.net
Status of Applicant's Interest in Property: Owner's daughter
Representative Name: Tom Carey, Dickenson, Peatman & Fogarty
Mailing Address: 809 Coombs Street Napa CA 94559
No Street City State Zip
Telephone #: (707) 252-7122 Fax#: (707) 255-6876 E-Mail: tcarey@dpf-law.com

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including with reasonable prior notice the right of access to the property involved.

Dennis M. Hall 1/11/08
Signature of Property Owner Date
Dennis M. Hall
Print Name

Katie Duncan 1/11/08
Signature of Applicant Date
Katie Duncan
Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

*Application Fee Deposit: 66873 Receipt No. _____ Received by: 88 Date: 1-15-08
→ \$1303

INFORMATION SHEET

- I. USE
- A. Description of Proposed Use (including where appropriate product/service provided): Use of existing uncovered outdoor corral for horseback riding lessons. See attached project statement.
- B. Project Phases: N/A [] one [] two [] more than two (please specify) N/A
- C. Estimated Completion Dated for Each Phase: N/A Phase 1: _____ Phase 2: _____
- D. Actual Construction Time Required for Each Phase: N/A [] less than 3 months
[] More than 3 months
- E. Related Necessary On-And Off-Site Concurrent or Subsequent Projects: none
- F. Additional Licenses/Approval Required: none
- District: none Regional: none
- State: none Federal: none

II.

BUILDINGS

- A. Floor Area/impervious area of Project (in square ft): none
Proposed total floor area on site: N/A
Total development area (building, impervious, leach filed, driveway, etc.) N/A
New construction: none
existing structures or portions thereof to be utilized: none
existing structures or portions thereof to be moved: 0
- B. Floor Area Devoted to each separate use (in square ft): N/A
living: 0 storage/warehouse: 0 offices: 0
sales: 0 caves: 0
other: 0 septic/leach field: no change
roads/driveways: no change
- C. Maximum building Height: N/A existing structures: varies new construction: N/A
- D. Type of New Construction (e.g.), wood-frame): N/A
- E. Height of Crane necessary for construction of new buildings (*airport environs*): N/A
- F. Type of Exterior Night Lighting Proposed: none
- G. Viewshed Ordinance Applicable (See County Code Section 18.106): Yes _____ No X

III.

- H. Fire Resistivity (check one; If not checked, Fire Department will assume Type V – non rated):
PARKING

	<u>Existing</u>	<u>Proposed</u>
A. Total On-Site Parking Spaces:	<u>2</u>	<u>2</u>
B. Customer Parking Spaces:	<u>2</u>	<u>2</u>
C. Employee Parking Spaces:	<u>1</u>	<u>1</u>
D. Loading Areas:	<u>0</u>	<u>0</u>

IV.	TYPICAL OPERATION	<u>Existing</u>	<u>Proposed</u>
n/a	A. Days of Operation:	<u>n/a</u>	<u>6</u>
	B. Expected Hours of Operation:	<u>n/a</u>	<u>8:00-8:00</u>
	C. Anticipated Number of Shifts:	<u>n/a</u>	<u>n/a</u>
	D. Expected Number of Full-Time Employees/Shift:	<u>n/a</u>	<u>0</u>
	E. Expected Number of Part-Time Employees/Volunteers/Shift:	<u>n/a</u>	<u>0/1-2</u>
	F. Anticipated Number of Visitors		
	• busiest day:	<u>n/a</u>	<u>12</u>
	• average/week:	<u>n/a</u>	<u>48</u>
	G. Expected Number of Deliveries/Pickups		
	• busiest day:	<u>1</u>	<u>1</u>
	• average/week:	<u>1</u>	<u>1</u>

V. SUPPLEMENTAL INFORMATION FOR SELECTED USES

A.	Commercial Meeting Facilities Food Serving Facilities	<u>n/a</u>	
	• restaurant/deli seating capacity:	<u> </u>	
	• bar seating capacity:	<u> </u>	
	• public meeting room seating capacity:	<u> </u>	
	• assembly capacity:	<u> </u>	
B.	Residential Care Facilities (6 or more residents): Day Care Centers	<u>Existing</u>	<u>Proposed</u>
		<u>n/a</u>	
	• type of care:	<u> </u>	<u> </u>
	• total number of guests/children:	<u> </u>	<u> </u>
	• total number of bedrooms:	<u> </u>	<u> </u>
	• distance to nearest existing/approved: facility/center:	<u> </u>	<u> </u>

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

I.	WATER SUPPLY <i>NO CHANGE</i>	<u>Domestic</u>	<u>Emergency</u>
	A. Proposed source of Water (e.g., spring, well mutual water company, city, district, etc.)	<u>well</u>	<u>tanks</u>
	B. Name of Proposed Water Supplier (if water company, city, district): annexation needed?	<u>n/a</u> Yes ___ No <u>X</u>	<u>n/a</u> Yes ___ No <u>X</u> <u>Winery</u>
	C. Current Water Use (in gallons/day): Current water source:	<u>n/a</u> <u>well</u>	<u>well</u>
	D. Anticipated Future Water Demand (in gallons/day)	<u>no change</u>	<u>n/a</u>
	E. Water Availability (in gallons/minute):	<u>n/a</u>	<u>n/a</u>
	F. Capacity of Water Storage System (gallons):	<u>n/a</u>	<u>n/a</u>
	G. Nature of Storage Facility (e.g. tank, Reservoir, swimming pool, etc.):	<u>tanks</u>	<u>tank</u>
	H. Completed Phase I Analysis Sheet (N/A)		
II.	LIQUID WASTE <i>NO CHANGE</i>	<u>Domestic</u> (sewage)	<u>Other</u> (please specify)
	A. Disposal Method (e.g., on-site septic system On-site ponds, community system, district, etc.)	<u>septic</u>	<u>n/a</u>
	B. Name of Disposal Agency (if sewage district, city, community system): annexation needed?	<u>n/a</u> Yes ___ No <u>X</u>	<u>n/a</u> Yes ___ No <u>X</u>
	C. Current Waste Flows (peak flow in gallons/day):	<u>4 bdrm res</u>	<u>n/a</u>
	D. Anticipated Future Waste Flows (peak flows in gallons/day)	<u>same</u>	<u>n/a</u>
	E. Future Waste Disposal Capacity (in gallons/day):	<u>same</u>	<u>n/a</u>
III.	SOLID WASTE DISPOSAL		
	A. Operational Wastes (on-site, landfill, garbage co., etc)	<u>garbage co.</u>	<u>garbage co.</u>
	B. Grading Spoils (on-site, landfill, construction, etc.)	<u>N/A</u>	<u>N/A</u>
IV.	HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet)		
	A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc)	<u>N/A</u>	<u>N/A</u>
	B. Name of Disposal Agency (if landfill, garbage co private hauler, etc.):	<u>N/A</u>	<u>N/A</u>

Project statement
Use permit for a public boarding and training stable
1147 Darms Lane, Napa
AP# 034-219-004
aw

Applicant and Property owner:
Katie Duncan and Dennis Hall
1147 Darms lane
Napa, CA 94558

Applicant's Representative:
Dickenson, Peatman & Fogarty
Attention: Tom Carey
809 Coombs Street
Napa, CA 94559
252-7122

General Plan & Zoning designation: Agricultural Watershed

Project Description:

This 2.28 acre property has been used for the raising and training of horses for the past 19 years. It is developed with a 100' by 50' arena with permanent total coverage sprinklers for dust control, six stalls, four paddocks, a large hay storage area and a pasture. No new construction is proposed. The horses are maintained by the Applicant, Katie Duncan who is a former educator of children with physical and educational disabilities.

The horses require consistent exercise and human interaction to maintain their physical health and gentle demeanor. The operation also requires maintenance activities such as grooming, mucking and feeding. As with any agricultural operation, this could be accomplished by hiring laborers. As an alternative, the applicant allows local schoolchildren, many of whom are her former disabled students, their siblings and friends, to visit her father's parcel and ride the horses. She supervises and provides guidance to the children. Ms. Duncan provides a safe, nurturing environment that is mutually beneficial to the horses and the children. This activity benefits the horses, which require the exercise and socialization, and the children, who get to partake in an opportunity they would not normally be afforded. The students also assist in feeding the horses, cleaning the stalls and grooming. Manure is collected and removed by a commercial hauler regularly.

County staff has determined that this activity is more closely related to giving private horse riding lessons and the use is therefore defined as a "training stable" requiring the approval of a use permit in the AW zoning district.

Children come to the property on weekdays and Saturday. Approximately 8 children come per day with a maximum of 12. They stay at the property for 4 hours on weekdays and 5 hours on Saturdays. The children are dropped off by their parents in an existing gravel driveway area.

The purpose of this application is to obtain approval to continue to allow children to come to the property and interact with the horses and be given riding lessons and to board up to 6 horses not owned by the applicant.

The horses are housed in the back of the property as they have always been and no changes are proposed to the existing arrangement. The lessons are intended to be for friends and family rather than a commercial operation. The property is a small family stable and the applicant intends to maintain the current status.

122°22.000' W

122°21.000' W

122°20.000' W

WGS84 122°19.000' W

38°23.000' N

38°22.000' N

38°21.000' N

38°20.000' N

38°23.000' N

38°22.000' N

38°21.000' N

38°20.000' N



122°22.000' W

122°21.000' W

122°20.000' W

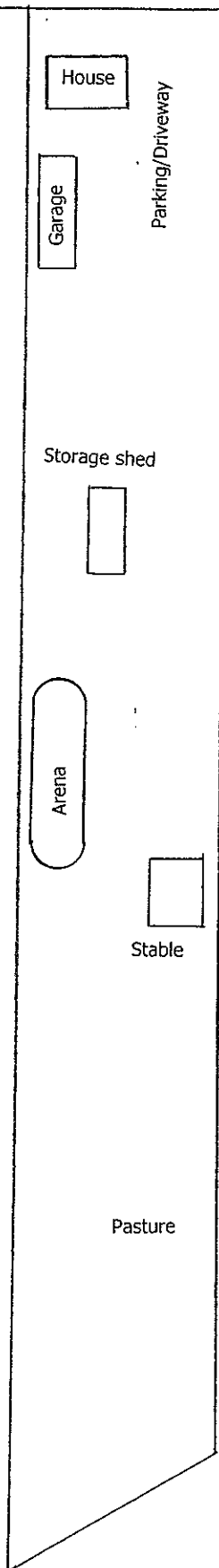
WGS84 122°19.000' W

TN * / MN
15°

0 1000 FEET 0 500 1000 METERS

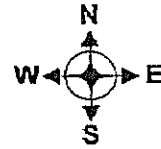
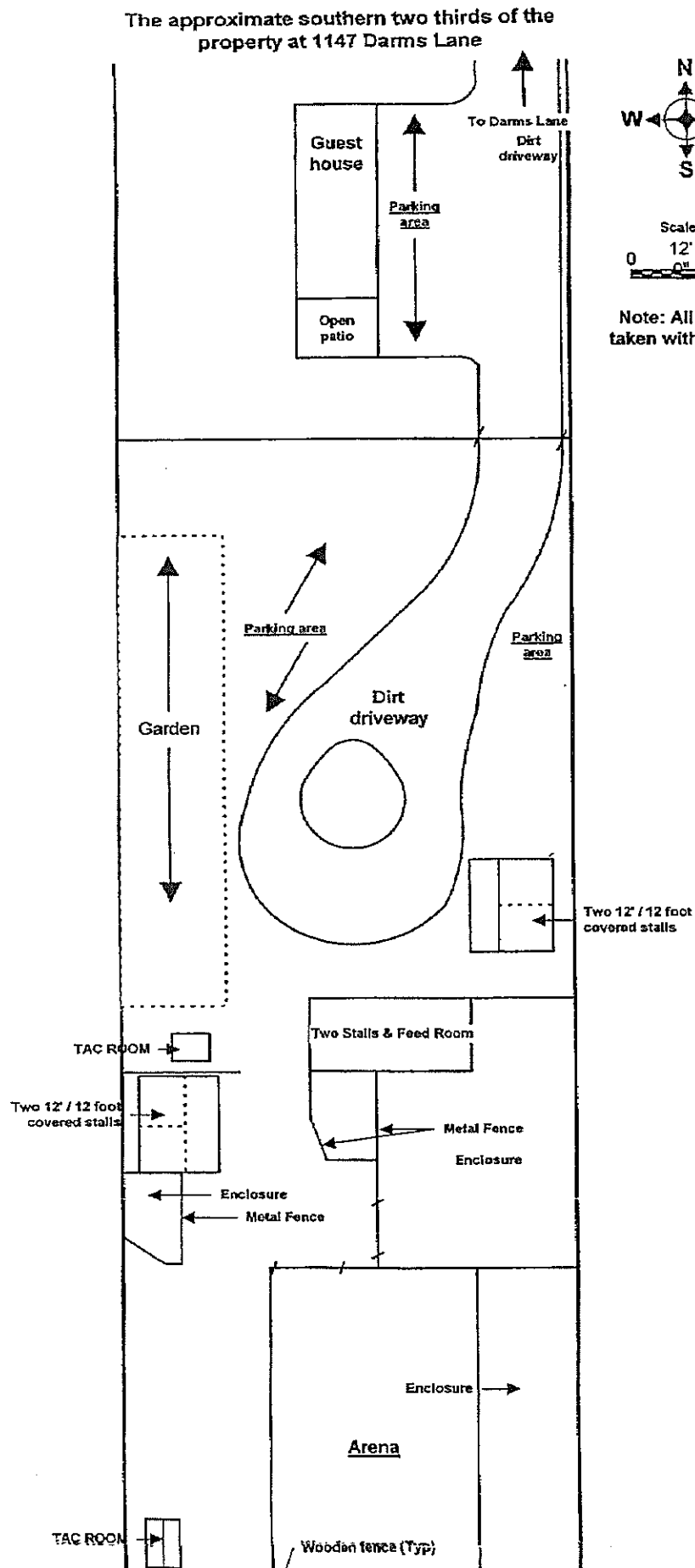


Darms Lane



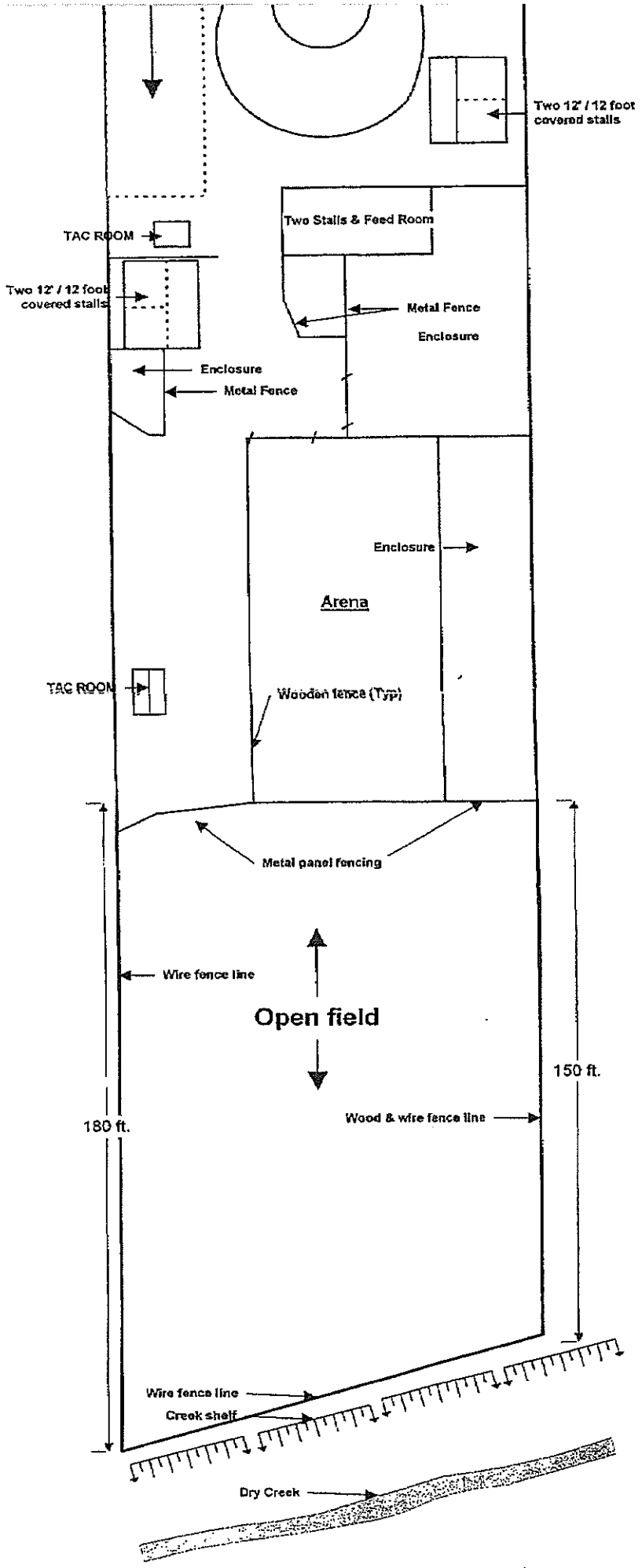
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North

Duncan Horses
1147 Darms Lane
AP# 034-212-004



Scale:
0 12' 24' 0"

Note: All measurements were taken with a steel tape measure



APR 28 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.THOMAS F. CAREY
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A Professional Law Corporation809 Coombs Street
Napa, CA 94559-2977
Tel: 707 252 7122
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April 25, 2008

Chris Cahill, Planner
Napa County Conservation, Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559**Re: Katie Duncan Horseback Riding Lessons**

Dear Chris:

This letter is responsive to your requests for information dated February 15, 2008, and March 11, 2008, regarding the use permit application for horseback riding and boarding of 6 horses within existing facilities at 1147 Darms Lane (APN 034-212-004). We are enclosing the following information in support of this application:

1. Fee waiver request, below.
2. There are 16 horses on property, all owned by Ms. Duncan and her family. No commercial horse boarding, training or riding lessons are occurring on the property at this time.
3. Revised application forms are attached.
4. Revised site plan, showing stream setback and more clearly specifying the existing outdoor corral used for the lessons, the drop-off area for the students and the existing stalls and paddocks used to board the horses, is attached.
5. No floor plans are provided as no new structures are proposed. Lessons will occur in the existing, uncovered outdoor corral. Horse boarding will occur in the existing stalls and paddocks.
6. No elevations are provided as no new construction is proposed. Photos of the existing corral, stalls and paddocks are available upon request or you can take your own during upcoming site visit.
7. Stream setback is shown on revised site plan.
8. Manure is removed to a dumpster on a daily basis and hauled off the property on a weekly basis by Napa Recycling.

NAPA & SANTA ROSA

Charles H. Dickenson
Paul G. Carey
Richard P. Mendelson
James W. Terry
Thomas F. Carey
Matthew J. Eisenberg
Kevin W. Teague
Michael J. Holman
David A. Diamond
J. Scott Gerien
Richard C. Rybicki
Brandon R. Blevans
Kevin D. DeBorde
David Balter
W. Scott Thomas
Gregory J. Walsh
J. Robert Anglin, Jr.
Megan Ferrigan Healy
Julia M. Walk
John N. Heffner
Patrick B. Sutton
Max A. Broome
Deirdre I. Bourdet
Susan L. Schwegman

Of Counsel

Francis J. Collin, Jr.
C. Richard Lemon
David W. Meyers
Cathy A. Roche

Retired

Howard G. Dickenson
Joseph G. Peatman
Walter J. Fogarty, Jr.
(1939-2007)

We are requesting a fee waiver of a portion of the \$8,260 application fee. Part III, Section 80.010A of the Napa County Policy Manual authorizes the Director, or on appeal, the Board of Supervisors, to waive such fee if the following findings are made:

1. The waiver of the fee will advance a public policy; and
2. The waiver of the fee is in the public interest and will promote a public benefit; and
3. The applicant is a non-profit organization.

These findings may be made for the following reasons.

- The zoning for the property, AW Agricultural Watershed, permits “agriculture” as a matter of right, without a use permit. Under its definition in Napa County Code section 18.08.040, “Agriculture” includes the *raising of* livestock, the grazing of livestock, and animal husbandry including, without limitation, the breeding and *raising of* cattle, sheep, *horses*, goats, pigs, rabbits and poultry.
- The Napa County General Plan states that a purpose of reserving land for agriculture is so that farms and ranches can continue to be a vital part of the County’s economy and lifestyle. A goal of the General Plan is to protect the integrity of those areas identified as agricultural. In furtherance of its goal of protecting agriculture, General Plan Agricultural Policy 3.3 mandates the County to develop a plan to promote an agricultural support system including 4-H, FFA and “*agricultural education.*”
- The horses on the property require consistent exercise and human interaction to maintain their physical health and gentle demeanor. The operation also requires maintenance activities such as grooming, mucking and feeding.
- The above could be accomplished by hiring agricultural laborers, but, as an alternative, Ms. Duncan wishes to allow local schoolchildren, many of whom are her former disabled students, to visit her father’s parcel and ride the horses and assist from time to time with grooming, mucking and feeding.
- Ms. Duncan provides the riding lessons for the children in a safe, nurturing environment that is mutually beneficial to the horses and the children. This activity benefits the horses, which require the exercise and socialization, and the children, who get to partake in an educational opportunity they would not normally be afforded given the steady loss of horse riding facilities in the County.

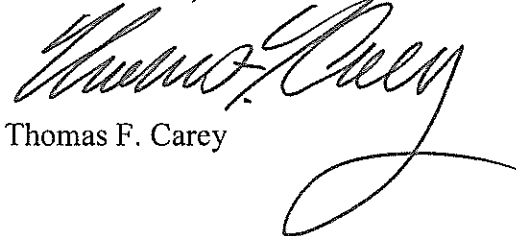
Chris Cahill
April 25, 2008
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- Ms. Duncan wishes to take donations to offsets costs of maintaining the horses and, if this fee waiver and use permit are granted, the costs of establishing her operation as a non-profit organization, estimated to be \$3,000-\$4,000.
- County Counsel has opined that accepting donations in the form of labor or donations in exchange for horse riding lessons is a commercial use in the AP Zoning District requiring a use permit. The standard use permit fee of \$8,260 is cost prohibitive given the marginal economic return of the activities proposed.
- If the use permit is granted, Ms. Duncan will be able to receive donations and use same to become a non-profit organization.

Please call me if you have any questions or need further information.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Thomas F. Carey

TFC:bab

Enclosures

cc: Supervisor Mark Luce
Hillary Gitelman, Planning Director
David Giudice, Supervising Code Enforcement Officer