

- A. County of Napa Environmental Clearance
For 28,000 Square Foot Arena & Stables, Dated May 28,
1982
- B. County of Napa Construction Application & Permit For
28,000 Square Foot Arena & Stall Barn, Dated Jun 1, 1982
- C. County of Napa Environmental Clearance For 2,241 Stable
Office & Lab, Dated August 2, 1982
- D. Communication from James Hickey, Director Napa County
Conservation, Development & Planning Department
Regarding Board of Supervisor Approval of Rezoning
Dated August 18, 1982
- E. Rapps Quarterhorse Ranch Correspondence to Trent Cave,
Director Napa County Environmental Health Referencing
cutting horses, reined cow horses, reining horses, and
mares and foals, Dated January 17, 1983
- F. Napa County Department of Environmental Management
Application for Groundwater Permit Final Decision / Approval
No. 2003-00003 Dated June 4, 2002 (Referencing Rapp
Horse Ranch boarding facilities)
- G. Napa County Department of Environmental Management
Application for Groundwater Permit Final Decision / Approval
No. 2003-00004 Dated September 26, 2003 (Referencing
Rapp Horse Ranch boarding facilities)
- H. County of Napa Conservation, Development & Planning
Approval Letter for Conditional Use Permit #P06-01095-UP
10 Chateau Lane, Napa, CA, APN 052-170-019 Dated June
7, 2007 (Referencing: "... application to modify the
applicable horse-boarding facility use permit...)

A

County of Napa
Environmental Clearance
For 28,000 Square Foot Arena & Stables

Dated May 28, 1982

COUNTY OF NAPA
INTERDEPARTMENTAL CLEARANCE

DATE: 5-28-82 RE: A.P. FILE NO. 52-170-18
FROM: Bldg. DEPARTMENT NAME Small Reps
TO: E. Health DEPARTMENT ADDRESS 20 Chateau Dr.
FORM BY: [Signature]

TYPE OF DEVELOPMENT 28,000 sq ft Arena & Stables

FLOOD PRONE AREA YES NO

REMARKS

Sumner Water Location

RECEIVED

MAY 28 1982

DIVISION OF ENVIRONMENTAL HEALTH

SITE only

5-6-1-82
Ken Williams

APPROVED BY:

B

County of Napa
Construction Application & Permit
For 28,000 Square Foot Arena & Stall Barn

Dated Jun 1, 1982



NAPA COUNTY
 CONSERVATION-DEVELOPMENT
 AND PLANNING DEPARTMENT - DIRECTOR
 BUILDING DIVISION
 DONALD W. JONAS
 BUILDING CODES ADMINISTRATOR

CONSTRUCTION AND PERMIT APPLICATION

Building Address #20 Chateau Lane
 Owner RAPP: Gerald Phone 255-7650
 Mailing Address _____
 General Address _____ L.I.C. NO. _____
 CONTRACTORS Self
 Electrical _____
 Plumbing _____
 Mechanical _____
 Architect Designer _____
 Address _____
 Engineer _____
 Address _____

ISSUE CLEARANCE
 Public Works _____ Date _____
 Planning _____ Date _____
 Fire Marshal _____ Date _____
 Environmental Health/Sanitation _____ Date _____
 Environ. Health: 6-1-82
 VARIANCE NO YES No.
 USE PERMIT NO YES No.
DESCRIPTION OF WORK
 NEW ADD. REPAIR CONVERT
 Size Sq. Ft. 28,000 No. of Stories 1
 Zoning R-1:A:B-1 Building Height
 Proposed Use Arena and Stall Barn

LICENSED CONTRACTORS DECLARATION
 I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.
 License Class _____ Lic. Number _____ Contractor _____
 Date _____

OWNER-BUILDER DECLARATION
 I hereby affirm that I am exempt from the Contractor's License Law for the following reason:
 () I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.
 (X) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.
 () I am exempt under Sec. _____ of the Business and Professions Code for this reason:
 - Sec. 7048 Minor Work - Sec. 7053 Employee Working Under \$100 for Wage Only
 Date 6-1-82 Owner [Signature]

WORKERS' COMPENSATION DECLARATION
 I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.
 Policy No. _____ Company _____
 () Certified copy is hereby furnished.
 () Certified copy is filed with the county building inspection department or county _____ department.
 Date: _____ Applicant: _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE
 (This section need not be completed if the permit is for one hundred dollars (\$100) or less).
 I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation Laws of California.
 Date 6-1-82 Applicant [Signature]
NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.
 I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue against said County in consequence of the granting of this permit.
 Signature of Applicant [Signature]
 Date 6-1-82
NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced.

DEPARTMENT USE ONLY									
PERMIT NO.	30442								
PARCEL NO.	52-170-18								
DATE ISSUED	June 1, 1982								
B	E	X	P	X	M	G	D	Others	
PROCEDURE									
Plans not Required									
Plans Received									
Site Checked									
Plans Checked									
Application Approved									
Validated By [Signature] Date 6-1-82									
FEES									
Valuation	\$ 308,900								
AMOUNT									
Building Permit	703 00								
Plan Check	527 25								
Electrical Permit	60 00								
Plumbing Permit	32 50								
Mechanical Permit									
Grading Permit									
Certification Permit									
Strong Motion Tax	21 56								
Plan Retention	40 80								
Investigation Fees									
Late Fees									
TOTAL 1385 11									

C

County of Napa
Environmental Clearance
For 2,241 Stable Office & Lab

Dated August 2, 1982



NAPA COUNTY
 CONSERVATION-DEVELOPMENT AND PLANNING DEPARTMENT
 BUILDING DIVISION
 DONALD W. JONAS
 BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. **30742**
 PARCEL NO. **52-176-19**
 DATE ISSUED **August 2, 1982**

B	E	P	M	G	D	Others

PROCEDURE BY DATE
 Plans not Required
 Plans Received **JL 7-2-82**
 Site Checked
 Plans Checked **CE 7-30-82**
 Application Approved
 Validated By *[Signature]*
 Date **8-2-82**

Building Address **20 Chateau Lane, 100 Rapp Lane**
 Owner **RAPP, Gerald** Phone _____
 Mailing Address _____
 Address _____

CONTRACTORS	LIC. NO.	PHONE
General Self		
Address _____		
Electrical _____		
Plumbing _____		
Mechanical _____		
Architect/Designer _____		
Address _____		
Engineer _____		
Address _____		

ISSUE CLEARANCE

Public Works _____ Date _____
 Planning _____ Date _____
 Fire Marshal _____ Date _____
 Environmental Health/Sanitation _____ Date _____

VARIANCE NO YES No
 USE PERMIT NO YES No

DESCRIPTION OF WORK

NEW ADD REPAIR CONVERT

Size Sq. Ft. **2,261** No. of Stories _____
 Zoning **R-1:1A:1-1** Building Height _____
 Proposed Use **Stable Offices & Lab**

LICENSED CONTRACTORS DECLARATION
 I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.
 License Class _____ Lic. Number _____
 Date _____ Contractor _____

OWNER BUILDER DECLARATION
 I hereby affirm that I am exempt from the Contractor's License Law for the following reason:
 I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.
 I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.
 I am exempt under Sec. _____ of the Business and Professions Code for this reason:
 _____ Sec. 7048 Minor Work Under \$100 _____ Sec. 7053 Employee Working for Wage Only.
 Date _____ Owner _____

WORKERS' COMPENSATION DECLARATION
 I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.
 Policy No. _____ Company _____
 Certified copy is hereby furnished.
 Certified copy is filed with the county building inspection department or county _____ department.
 Date _____ Applicant _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE
 (This section need not be completed if the permit is for one hundred dollars (\$100) or less).
 I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation Laws of California.
 Date _____ Applicant _____

CONSTRUCTION LENDING AGENCY
 I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.
 Lender's Name _____
 Lender's Address _____

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue against said County in consequence of the granting of this permit.
 Signature of Applicant _____ Date _____
 NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced.

FEES

Valuation	\$	AMOUNT
Building Permit		343 00
Plan Check		257 25
Electrical Permit		37 34
Plumbing Permit		60 00
Mechanical Permit		67 50
Grading Permit		
Certification Permit		
Strong Motion Tax		6 90
Plan Retention		5 00
Investigation Fees		
Late Fees		
TOTAL		734 99

D

Communication from
James Hickey, Director
Napa County
Conservation, Development & Planning Department
Regarding Board of Supervisor Approval of Rezoning

Dated August 18, 1982



NAPA COUNTY

CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559
AREA CODE 707/253-4416

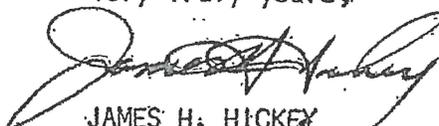
August 18, 1982

Gerald R. Rapp
20 Chateau Lane
Napa, CA 94558

Dear Mr. Rapp:

Please be advised that on August 17, 1982 the Board of Supervisors Approved your Rezoning Request (#R-58182) to **rezone three (3) parcels** of land totalling 70.5 acres from R-1:A:B-1 (Single-family Residence with Special Agricultural Combining District) to an AW (Agricultural Watershed) District located approximately 1,600 feet northwest of the Second Avenue/North Avenue Intersection. (Assessor's Parcels #52-170-08, 18 and 19)

⁰⁴¹²
Very truly yours,


JAMES H. HICKEY
Director

JHH:pm

Enclosure

E

Rapps Quarterhorse Ranch
Correspondence to Trent Cave, Director
Napa County
Environmental Health

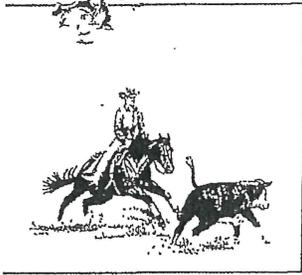
Referencing cutting horses, reined cow horses, reining horses,
And mares and foals

Dated January 17, 1983

SD
CCV

**Rapps
Quarterhorse
Ranch**

100 Rapp Lane, Napa, CA 94558 • (707) 253-2600



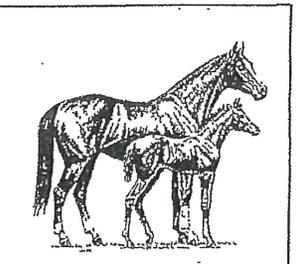
Cutting Horses



Reined Cow Horses



Reining Horses



Mares and Foals

**Rapp's
Quarter
Horses
Do It All!**

January 17, 1983

Trent Cave, R. S.
Director, Environmental Health

Dear Mr. Cave,

Due to weather conditions, completion of the septic tank system at this time is impossible. We are requesting occupancy on the building.

In addition during the interim use I will agree:

- 1) That the entire sanitary system shall be completed, as soon as possible, but in all events no later than July 1, 1983.
- 2) That the County of Napa, through its Division of Environmental Health, has my permission to enter the property at any time to inspect, sample, and monitor the interim use of the septic tank in order to determine my compliance with these conditions.
- 3) That I shall confine all waste to the septic/holding tank, and there will be no escape of waste from the tank.
- 4) That the holding tank be checked weekly and pumped as needed by a licensed septic tank pumping company. Written reports of each inspection, level of tank, date of inspection and when the tank is pumped. The septic tank pumping company must send your office a letter agreeing to submit such monitoring reports and to notify your office immediately if their services are terminated.
- 5) That if I fail for any cause to comply with all conditions I agree to immediately take all remedial action as directed by the County including, if necessary, my vacating the dwelling.



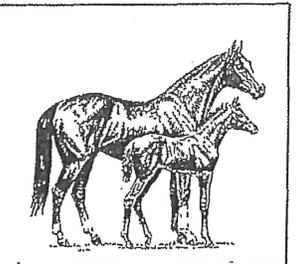
Cutting Horses



Reined Cow Horses



Reining Horses



Mares and Foals

**Rapp's
Quarter
Horses
Do It All!**

***Rapps
Quarterhorse
Ranch***

100 Rapp Lane, Napa, CA 94558 ◦ (707) 253-2600

January 17, 1983

Page 2

- 6) That I agree to be responsible for all costs as may be incurred by the County of Napa, which may result from any legal or administrative action that may be initiated to resolve any failure to perform any of these conditions.

Thank-you for assistance,
Sincerely,

Gerald R. Rapp
Gerald R. Rapp

GRR:ls

F

Napa County Department of Environmental Management
Application for Groundwater Permit

Final Decision / Approval
No. 2003-00003

Dated June 4, 2002

(Referencing Rapp Horse Ranch boarding facilities)

NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
APPLICATION NO. 90-00051 FOR GROUNDWATER PERMIT
(MILLIKEN-SARCO-TULOCAY GROUNDWATER BASIN)

In the matter of:)
)
Application of Frank D'Ambrosio, Jr. for the issuance of a) **FINAL DECISION**
Groundwater Permit to provide water to that parcel located in) NO. 2003-00003
the unincorporated area of the County of Napa at 20 Chateau)
Lane, Napa, California (APN 52-170-18))

RECITALS

1. On March 14, 2003, Jered Sneesby, Engineer on behalf Frank D'Ambrosio ("the Applicant") completed a revised application to the Napa County Department of Environmental Management ("the Department") for a groundwater permit for the parcel of land bearing Napa County Assessor's Parcel Number 52-170-18 and located at 20 Chateau Lane, Napa, California. On April 16, 2003 additional supplemental information was provided at the Department's request.
2. The application indicates the purpose of the groundwater permit ("permit") is for two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to the existing primary residence, secondary residence, 5.09 acres of vineyard and half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses. This is a parcel of land consisting of 11.97 acres.
3. On or about April 28, 2003 the Application was submitted to the Department of Public Works. On or about June 10, 2003 the Department of Public Works submitted the application along with their written appraisal of the application, to the Conservation Development and Planning Department for review.
4. On or about July 29, 2003 in accordance with the Napa County Groundwater Conservation Ordinance, Napa County Code Chapter 13.15 ("Ordinance"), the Director conducted a review of the Applicant's application for a groundwater permit, including a review of Applicants' declaration, the environmental determination of the Conservation, Development and Planning Department, the water availability analysis and written appraisal of the Department of Public Works ("the record").
5. The water usage threshold for the area within the basin affected by the subject application has been established by the Department of Public Works at 0.30 acre feet per acre, per year. The applicant's property is 11.97 acres in size which results in a threshold of 3.59 acre feet of water usage. The application outlined estimates historic water use to be 5.4 acre feet per year based on the Rapp Horse Ranch boarding facilities, irrigated pasture and residential uses.

The application indicates a proposed water usage of 5.4 acre feet per year, a use above the threshold for the parcel, but not exceeding existing use.

6. The conclusions made by the Department of Public Works are based on two factors. First, minimum thresholds for water use have been established by the Department of Public Works using reports by the U.S. Geologic Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Since this project results in no net increase in groundwater usage, it was determined that it will not have a significant effect on groundwater levels in the MST basin. Second, in forming its opinion, the Department of Public Works draws upon its knowledge and experience in the field of groundwater usage in general as well as its familiarity with the MST basin in particular. Facts and measurements obtained by the Department of Public Works and information provided by County Planning Department, and City of Napa are used to increase their knowledge, as well as results of independent studies conducted by hydrogeologic testing firms which are submitted pursuant to various development plans. Records are routinely analyzed to provide the Department of Public Works with an awareness specific to this region and to support rule-of-thumb estimates. This knowledge enables the Department of Public Works to offer an assessment based on their informed conclusions in addition to objective, factual findings.
7. The Director has reviewed the record for this application for compliance with the requirements of the Ordinance and any other applicable provisions of law. The environmental determination of the Conservation, Development and Planning Department is based on the Department of Public Works determination that the water use for the proposed project will not have a significant impact on groundwater levels or agriculture within the MST basin. It was determined that due to the fact that there is no proposed increase in groundwater extraction, no significant environmental effects are expected in the groundwater basin. The Director has considered the environmental determination of the Conservation, Development and Planning Department that the project is Categorical Exempt from CEQA pursuant to Section 15301 of the State CWQA Guidelines (Class 3- "construction of small facilities"); He has further considered the affect of the new water system or improvement as proposed in the permit application upon the impacted groundwater basin in Napa County, including: the impact on the affected groundwater table, negative impact on agriculture in the affected groundwater basin, degradation of water quality, adverse effects on the reasonable and beneficial uses of groundwater, and interference with surface water flows.
8. The Director finds that the application is in compliance with the requirements of the Ordinance. Based upon his review of the record, he further finds that the groundwater use proposed in the application will not adversely impact the affected groundwater table, will not have a negative impact on agriculture in the affected groundwater basin, will not degrade water quality, has no adverse effects on the reasonable and beneficial uses of groundwater, will not interfere with surface water flows, and will not adversely change the physical environment.

9. On July 29, 2003 the Director issued his tentative decision that the Application for the Permit should be granted. Notice of the Tentative Decision was sent in the manner required by section 13.15.060(G) of the Napa County Code (the "County Code"), including but not limited to the neighbors within three hundred feet of Napa County Assessor's Parcel Number 52-170-18 (the common street address being 20 Chateau Lane, Napa, California). A public hearing was requested in a timely manner by several of the neighboring property owners..
10. On August 25, 2003 a public hearing was held pursuant to section 13.15.070 of the County Code. That hearing was continued to September 22, 2003 to allow the applicant the opportunity to respond to staff questions regarding historic water use numbers. At that hearing the Director conducted a review of the Application for a Permit, including a review of the Applicant's declaration, the environmental determination of the CDPD, the Phase I water availability study and the written appraisal of the Department of Public Works. At the public hearing the Director also took oral testimony from the applicants and those neighbors whom wished to speak.
11. At the conclusion of the testimony from the Applicant and the neighbors, the Director closed the public hearing.

FINDINGS

After taking into consideration the Record and all the testimony at the public hearing, the Director finds as follows:

1. *The forgoing recitals are true and correct.*
2. *The Permit is not subject to CEQA*
The CDPD, after completing an initial review of the Application and based on the Department of Public Works determination that the water use for the proposed project will not have a significant impact on groundwater levels or agriculture within the MST basin, determined that due to the fact that there is no proposed increase in groundwater extraction, no significant environmental effects are expected in the groundwater basin. The Director has considered the environmental determination of the Conservation, Development and Planning Department that the project is Categorical Exempt from CEQA pursuant to Section 15301 of the State CWQA Guidelines (Class 3-"construction of small facilities"). A review of the documents submitted by the applicant and the written appraisal of the Department of Public Works is consistent with that determination.
3. *The application has fully complied with the procedural requirements relating to the approval of a Permit.*
The Application was submitted to the CDPD and the Department of Public Works for their review. County Code provides that the Director of Public Works or his designee shall submit its comments in the form of a written appraisal of the application to the director of environmental management. That appraisal shall assess any impact on the affected groundwater basin, and assess the degradation of water quality, adverse effects on reasonable

and beneficial uses of groundwater, interference with surface water flows or other adverse changes to the environment. Each of these requirements has been met as is more fully set forth in the Recitals.

4. *On March 14, 2003, Jered Sneesby, Engineer on behalf Frank D' Ambrosio ("the Applicant") completed a revised application to the Napa County Department of Environmental Management ("the Department") for a groundwater permit for the parcel of land bearing Napa County Assessor's Parcel Number 52-170-18 and located at 20 Chateau Lane, Napa, California.*

An application is on file with the Department and no evidence has been presented that any portion of the application is incomplete.

5. *The Permit is for the two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to the existing primary residence, secondary residence, 5.09 acres of vineyard and half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses.*

An application is on file with the Department, and no evidence has been presented that any other water use is requested with the revised application.

6. *The application process has demonstrated that the requested Permit would not significantly affect the Milliken-Sarco-Tulocay groundwater basin.*

Public Works has established thresholds for water usage. The threshold for properties in the MST basin has been established at .30 acre feet per acre. The applicant's property is 11.97 acres in size which results in a threshold of 3.59 acre feet of water usage. The application outlined estimated the historic water use to be 5.4 acre feet per year based on the Rapp Horse Ranch boarding facilities associated with this parcel, irrigated pasture, and residential uses. The application further indicates a proposed water usage of 5.4 acre feet per year, a use above the threshold for the parcel, but not exceeding existing use. The 5.4 acre feet of water per year proposed was determined by the applicant based on the following:

Primary Residence =	0.75 AF/YR
Second Dwelling =	0.33 AF/YR
Vineyard =	2.54 AF/YR (based on 5.09 acres of vineyard using 0.5 acre feet of water per acre)
Horse Facility =	1.8 AF/YR

The Director, upon review of the record and consideration of testimony presented at the hearings, has determined that the residential and horse facility uses have been ongoing, however the record reflects the fact that since 2001 the horse operation was highly reduced to stabling and indoor and outdoor arena use, with no continuation of pasture irrigation.

Additionally, no evidence was presented that the applicant has an ongoing need for pasture irrigation nor was any testimony or evidence presented that the applicant has intentions to resume pasture irrigation. Testimony was presented regarding the applicant's intention to continue with irrigation of 5.09 acres of vineyard.

Based on the above considerations and testimony the following has been determined:

Water Using Activity	Applicant's requested water allotment (AF/YR) as submitted on application	Director's allowed water allotment (AF/YR)
Primary Residence	0.75	0.5*
Secondary Residence	0.33	0.33
Rapp Ranch Horse Facility	1.8	1.8
Vineyard-5.09 acres	2.54**	1.53***
Total	5.42	4.16

* Subsequent information submitted by the applicant's representative after the initial application submittal indicated the amount of water allotted to this house was estimated at 0.5 acre feet per year, as such, this number is being used in the final decision

** Application requested 0.5 acre-feet of water per acre of vineyard

*** Director allowed 0.3 acre-feet of water per acre of vineyard; a number reported by the Department of Public Works to be a reasonable number for vineyard irrigation in the area.

With the changes noted above, and the Permit being granted for a total of 4.16 acre feet of water per year, a number less than the existing water use, the application process has demonstrated that the requested Permit, as modified in this final decision, would not significantly affect the Milliken-Sarco-Tulocay groundwater basin.

7. *The groundwater use will not have a negative impact on agriculture in the Milliken-Sarco-Tulocay groundwater basin.*

The area in which the D'Ambrosio parcel is located is composed of agricultural lands most of which is planted in vineyard with scattered low density residential housing. The application proposes to install two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a primary residence, second dwelling unit, 5.09 acres of vineyard, and one half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses. The application does not propose to use any additional water, and for the reasons set forth in Finding 6, this Permit (as modified from the original application request) will not have a negative impact on agriculture in the Milliken-Sarco-Tulocay groundwater basin.

8. *The groundwater use will not degrade water quality in the area.*

No credible evidence has been presented that the issuance of this Permit will result in a degradation of water quality.

9. *The groundwater use will have no adverse effects on the reasonable and beneficial uses of groundwater.*

See Findings 6, 7, and 8 above regarding the issuance of a Permit (as modified from the original application request).

10. *The groundwater use will not interfere with surface water flows.*

The requested Permit will result in two new ten thousand gallon water storage tanks. The infrastructure that will deliver the water will be underground and when completed will not have affected the slope of the land sufficiently to change the direction or magnitude of surface water flows existing in the area. No credible evidence has been presented that the issuance of the requested permit will interfere with normal surface flows.

11. *The groundwater use will not cause any other adverse changes in the physical environment.*

No credible evidence was presented identifying any other adverse changes in the physical environment that might occur as a result of the approval of the requested Permit.

CONDITIONS OF APPROVAL

1. The applicant shall utilize best available technology and best management water conservation practices throughout the parcel. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation, avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping.
2. The applicant shall install a meter on the well serving the parcel to measure all groundwater used on the parcel and to verify groundwater usage at or below 4.16 AF per year. The configuration of the installation shall conform to a drawing prepared by the applicant and reviewed and approved by the Public Works Director.
3. On or near the first day of each month the owner shall read the water meter and provide this data to the Public Works Director during the first weeks of April and October. The applicant shall also convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels.
4. Permit Application #02008-ECPS must be modified to reflect the proposed change in the placement of the new water storage tank if the new location is within an "erosion hazard area". Applicant to consult with the Conservation Development and Planning Department on this matter.
5. Any supplemental water hauled in to this property must originate from a property or source outside the Milliken-Sacro-Tulocay groundwater basin. No water originating from this property may be hauled off site to any other property.
6. If the monitoring demonstrates that groundwater usage exceeds the fair share of 4.16 acre feet per year, this Permit may be subject to modification or revocation. Modification or revocation of the Permit shall not occur unless and until a hearing has been set for the purpose of determining whether the additional water usage is

adversely affecting the Milliken-Sarco-Tulocay groundwater basin or the static water level of neighboring wells and, if so, whether the conditions of the Permit should be modified or the Permit revoked. Notice of that hearing shall be given in the same manner, and to the same individuals, that received notice of the issuance of the Director's Tentative Decision. Notice shall also be personally served on the Applicant or their succor in interest.

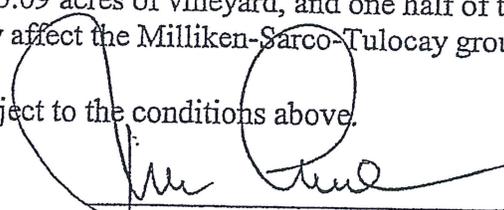
7. In the event that changed circumstances or significant new information, including but not limited to new hydrological studies of the groundwater basin, provide substantial evidence that the water system or improvement referenced in this permit would significantly affect the impacted groundwater basin in Napa County, the permit shall be subject to additional reasonable conditions to meet the requirements of the Napa County Groundwater Ordinance to protect public health, safety and welfare. The imposition of additional conditions shall not become final until the Director has provided notice and opportunity for hearing in compliance with Napa County Code section 13.15.070.G-K. Any final decision to impose additional permit conditions shall be subject to the exceptions noted in Napa County Code section 13.15.080 and the opportunity for appeal as noted in Napa County Code section 13.15.090.

FINAL DECISION

For all the above reasons, it is concluded that:

1. A fair argument has not been presented that the approval of the Permit (as modified from the original application request) as conditioned may have a significant effect on the environment.
2. The issuance of the Permit (as modified from the original application request) as described in the findings and as conditioned, for two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a single family dwelling, a second dwelling unit, 5.09 acres of vineyard, and one half of the Rapp Ranch horse facility will not significantly affect the Milliken-Sarco-Tulocay groundwater basin.
3. The Permit shall be issued subject to the conditions above.

Date: June 4, 2002


Trent Cave, Director
Department of Environmental Management

H

County of Napa
Conservation, Development & Planning
Approval Letter for

Conditional Use Permit #P06-01095-UP
10 Chateau Lane, Napa, CA, APN 052-170-019

Dated June 7, 2007

(Referencing: "... application to modify the applicable
horse-boarding facility use permit...)

G

Napa County Department of Environmental Management
Application for Groundwater Permit

Final Decision / Approval
No. 2003-00004

Dated September 26, 2003

(Referencing Rapp Horse Ranch boarding facilities)

NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
APPLICATION NO. 90-00069 FOR GROUNDWATER PERMIT
(MILLIKEN-SARCO-TULOCAY GROUNDWATER BASIN)

In the matter of:

Application of Frank D'Ambrosio for the issuance of a
Groundwater Permit to provide water to that parcel located in
the unincorporated area of the County of Napa at 10 Chateau
Lane, Napa, California (APN 52-170-19)

)
)
) FINAL DECISION
) NO. 2003-00004
)
)

RECITALS

1. On March 14, 2003, Jered Sneesby, Engineer on behalf of Frank D'Ambrosio ("the Applicant") completed an application to the Napa County Department of Environmental Management ("the Department") for a groundwater permit for the parcel of land bearing Napa County Assessor's Parcel Number 52-170-19 and located at 10 Chateau Lane, Napa, California. On April 16, 2003 additional supplemental information was provided at the Department's request
2. The application indicates the purpose of the groundwater permit ("Permit") is for two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a single family dwelling, 6.74 acres of vineyard, and one half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses. This is a parcel of land consisting of 11.37 acres.
3. On or about April 28, 2003 the Application was submitted to the Department of Public Works. On or about June 10, 2003 the Department of Public Works submitted the application along with their written appraisal of the application, to the Conservation Development and Planning Department for review.
4. On or about July 29, 2003 in accordance with the Napa County Groundwater Conservation Ordinance, Napa County Code Chapter 13.15 ("Ordinance"), the Director conducted a review of the Applicant's application for a groundwater permit, including a review of Applicants' declaration, the environmental determination of the Conservation, Development and Planning Department, the water availability analysis and written appraisal of the Department of Public Works ("the record").
5. The water usage threshold for the area within the basin affected by the subject application has been established by the Department of Public Works at 0.30 acre feet per acre, per year. The applicant's property is 11.37 acres in size which results in a threshold of 3.41 acre feet of water usage per year. The application outlined estimates historic water use to be 5.9 acre feet per year based on the Rapp Horse Ranch boarding facilities, irrigated pasture and residential

uses. The application indicates a proposed water usage of 5.9 acre feet per year, a use above the threshold for the parcel, but not exceeding existing use.

6. The conclusions made by the Department of Public Works are based on two factors. First, minimum thresholds for water use have been established by the Department of Public Works using reports by the U.S. Geologic Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Since this project results in no net increase in groundwater usage, it was determined that it will not have a significant effect on groundwater levels in the MST basin. Second, in forming its opinion, the Department of Public Works draws upon its knowledge and experience in the field of groundwater usage in general as well as its familiarity with the MST basin in particular. Facts and measurements obtained by the Department of Public Works and information provided by County Planning Department, and City of Napa are used to increase their knowledge, as well as results of independent studies conducted by hydrogeologic testing firms which are submitted pursuant to various development plans. Records are routinely analyzed to provide the Department of Public Works with an awareness specific to this region and to support rule-of-thumb estimates. This knowledge enables the Department of Public Works to offer an assessment based on their informed conclusions in addition to objective, factual findings.
7. The Director has reviewed the record for this application for compliance with the requirements of the Ordinance and any other applicable provisions of law. The environmental determination of the Conservation, Development and Planning Department is based on the Department of Public Works determination that the water use for the proposed project will not have a significant impact on groundwater levels or agriculture within the MST basin. It was determined that due to the fact that there is no proposed increase in groundwater extraction, no significant environmental effects are expected in the groundwater basin. The Director has considered the environmental determination of the Conservation, Development and Planning Department that the project is Categorical Exempt from CEQA pursuant to Section 15301 of the State CWQA Guidelines (Class 3- "construction of small facilities"). He has further considered the affect of the new water system or improvement as proposed in the permit application upon the impacted groundwater basin in Napa County, including: the impact on the affected groundwater table, negative impact on agriculture in the affected groundwater basin, degradation of water quality, adverse effects on the reasonable and beneficial uses of groundwater, and interference with surface water flows.
8. The Director finds that the application is in compliance with the requirements of the Ordinance. Based upon his review of the record, he further finds that the groundwater use proposed in the application will not adversely impact the affected groundwater table, will not have a negative impact on agriculture in the affected groundwater basin, will not degrade water quality, has no adverse effects on the reasonable and beneficial uses of groundwater, will not interfere with surface water flows, and will not adversely change the physical environment.

9. On July 29, 2003 the Director issued his tentative decision that the Application for the Permit should be granted. Notice of the Tentative Decision was sent in the manner required by section 13.15.060(G) of the Napa County Code (the "County Code"), including but not limited to the neighbors within three hundred feet of Napa County Assessor's Parcel Number 52-170-19 (the common street address being 10 Chateau Lane, Napa, California). A public hearing was requested in a timely manner by several of the neighboring property owners.
10. On August 25, 2003 a public hearing was held pursuant to section 13.15.070 of the County Code. That hearing was continued to September 22, 2003 to allow the applicant the opportunity to respond to staff questions regarding historic water use numbers. At that hearing the Director conducted a review of the Application for a Permit, including a review of the Applicant's declaration, the environmental determination of the CDPD, the Phase I water availability study and the written appraisal of the Department of Public Works. At the public hearing the Director also took oral testimony from the applicants and those neighbors whom wished to speak.
11. At the conclusion of the testimony from the Applicant and the neighbors, the Director closed the public hearing.

FINDINGS

After taking into consideration the Record and all the testimony at the public hearing, the Director finds as follows:

1. *The forgoing recitals are true and correct.*
2. *The Permit is not subject to CEQA*
The CDPD, after completing an initial review of the Application and based on the Department of Public Works determination that the water use for the proposed project will not have a significant impact on groundwater levels or agriculture within the MST basin, determined that due to the fact that there is no proposed increase in groundwater extraction, no significant environmental effects are expected in the groundwater basin. The Director has considered the environmental determination of the Conservation, Development and Planning Department that the project is Categorically Exempt from CEQA pursuant to Section 15301 of the State CWQA Guidelines (Class 3-"construction of small facilities"). A review of the documents submitted by the applicant and the written appraisal of the Department of Public Works is consistent with that determination.
3. *The application has fully complied with the procedural requirements relating to the approval of a Permit.*
The Application was submitted to the CDPD and the Department of Public Works for their review. County Code provides that the Director of Public Works or his designee shall submit its comments in the form of a written appraisal of the application to the director of environmental management. That appraisal shall assess any impact on the affected groundwater basin, and assess the degradation of water quality, adverse effects on reasonable

and beneficial uses of groundwater, interference with surface water flows or other adverse changes to the environment. Each of these requirements has been met as is more fully set forth in the Recitals.

4. On March 14, 2003, Jered Sneesby, Engineer on behalf of Frank D' Ambrosio ("the Applicant") completed an application to the Napa County Department of Environmental Management ("the Department") for a groundwater permit for the parcel of land bearing Napa County Assessor's Parcel Number 52-170-19 and located at 10 Chateau Lane, Napa, California.

An application (#90-00069) is on file with the Department and no evidence has been presented that any portion of the application is incomplete.

5. The Permit is for two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a single family dwelling, 6.74 acres of vineyard, and one half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses.

An application is on file with the Department, and no evidence has been presented that any other water use is requested with the application.

6. The application process has demonstrated that the requested Permit would not significantly affect the Milliken-Sarco-Tulocay groundwater basin.

Public Works has established thresholds for water usage. The threshold for properties in the MST basin has been established at 30 acre feet per acre. The applicant's property is 11.37 acres in size which results in a threshold of 3.41 acre feet of water usage. The application outlined estimated the historic water use to be 5.9 acre feet per year based on the Rapp Horse Ranch boarding facilities associated with this parcel, irrigated pasture, and residential uses. The application further indicates a proposed water usage of 5.9 acre feet per year, a use above the threshold for the parcel, but not exceeding existing use. The 5.9 acre feet of water per year proposed was determined by the applicant based on the following:

Primary Residence =	0.75 AF/YR
Vineyard =	3.37 AF/YR (based on 6.74 acres of vineyard using 0.5 acre feet of water per acre)
Horse Facility =	1.8 AF/YR

The Director, upon review of the record and consideration of testimony presented at the hearings, has determined that the residential and horse facility uses have been ongoing; however the record reflects the fact that since 2001 the horse operation was highly reduced to stabling and indoor and outdoor arena use, with no continuation of pasture irrigation. Additionally, no evidence was presented that the applicant has an ongoing need for pasture irrigation nor was any testimony or evidence presented that the applicant has intentions to resume pasture irrigation. Testimony was presented regarding the applicant's intention to continue with irrigation of 6.74 acres of vineyard.

Based on the above considerations and testimony the following has been determined:

Water Using Activity	Applicant's requested water allotment (AF/YR) as submitted on application	Director's allowed water allotment (AF/YR)
Primary Residence	0.75	0.5*
Rapp Ranch Horse Facility	1.8	.1.8
Vineyard-6.74 acres	3.37**	2.02***
Total	5.92	4.32

* Subsequent information submitted by the applicant's representative after the initial application submittal indicated the amount of water allotted to this house was estimated at 0.5 acre feet per year, as such, this number is being used in the final decision

** Application requested 0.5 acre-feet of water per acre of vineyard

*** Director allowed 0.3 acre-feet of water per acre of vineyard, a number reported by the Department of Public Works to be a reasonable number for vineyard irrigation in the area.

With the changes noted above, and the Permit being granted for a total of 4.32 acre feet of water per year, a number less than the existing water use, the application process has demonstrated that the requested Permit, as modified in this final decision, would not significantly affect the Milliken-Sarco-Tulocay groundwater basin.

7. *The groundwater use will not have a negative impact on agriculture in the Milliken-Sarco-Tulocay groundwater basin.*

The area in which the D' Ambrosio parcel is located is composed of agricultural lands most of which is planted in vineyard with scattered low density residential housing. The application proposes to install two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a single family dwelling, 6.74 acres of vineyard, and one half of the Rapp Ranch horse facility which includes boarding of approximately 30 horses. The application does not propose to use any additional water, and for the reasons set forth in Finding 6, this Permit (as modified from the original application request) will not have a negative impact on agriculture in the Milliken-Sarco-Tulocay groundwater basin.

8. *The groundwater use will not degrade water quality in the area.*

No credible evidence has been presented that the issuance of this Permit will result in a degradation of water quality.

9. *The groundwater use will have no adverse effects on the reasonable and beneficial uses of groundwater.*

See Findings 6, 7, and 8 above regarding the issuance of a Permit (as modified from the original application request).

10. *The groundwater use will not interfere with surface water flows.*

The requested Permit will result in two new ten thousand gallon water storage tanks. The infrastructure that will deliver the water will be underground and when completed will not have affected the slope of the land sufficiently to change the direction or magnitude of surface water flows existing in the area. No credible evidence has been presented that the issuance of the requested permit will interfere with normal surface flows.

11. *The groundwater use will not cause any other adverse changes in the physical environment.*

No credible evidence was presented identifying any other adverse changes in the physical environment that might occur as a result of the approval of the requested Permit.

CONDITIONS OF APPROVAL

1. The applicant shall utilize best available technology and best management water conservation practices throughout the parcel. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation, avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping.
2. The applicant shall install a meter on the well serving the parcel to measure all groundwater used on the parcel and to verify groundwater usage at or below 4.32 AF per year. The configuration of the installation shall conform to a drawing prepared by the applicant and reviewed and approved by the Public Works Director.
3. On or near the first day of each month the owner shall read the water meter and provide this data to the Public Works Director during the first weeks of April and October. The applicant shall also convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels.
4. Permit Application #02008-ECPS must be modified to reflect the proposed change in the placement of the new water storage tank if the new location is within an "erosion hazard area". Applicant to consult with the Conservation Development and Planning Department on this matter.
5. Any supplemental water hauled in to this property must originate from a property or source outside the Milliken-Sacro-Tulocay groundwater basin. No water originating from this property may be hauled off site to any other property.

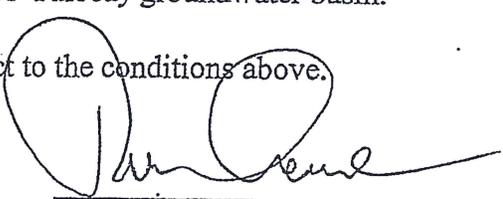
6. If the monitoring demonstrates that groundwater usage exceeds the permitted amount of 4.32 acre feet per year, this Permit may be subject to modification or revocation. Modification or revocation of the Permit shall not occur unless and until a hearing has been set for the purpose of determining whether the additional water usage is adversely affecting the Milliken-Sarco-Tulocay groundwater basin or the static water level of neighboring wells and, if so, whether the conditions of the Permit should be modified or the Permit revoked. Notice of that hearing shall be given in the same manner, and to the same individuals, that received notice of the issuance of the Director's Tentative Decision. Notice shall also be personally served on the Applicant or their succor in interest
7. In the event that changed circumstances or significant new information, including but not limited to new hydrological studies of the groundwater basin, provide substantial evidence that the water system or improvement referenced in this permit would significantly affect the impacted groundwater basin in Napa County, the permit shall be subject to additional reasonable conditions to meet the requirements of the Napa County Groundwater Ordinance to protect public health, safety and welfare. The imposition of additional conditions shall not become final until the Director has provided notice and opportunity for hearing in compliance with Napa County Code section 13.15.070.G-K. Any final decision to impose additional permit conditions shall be subject to the exceptions noted in Napa County Code section 13.15.080 and the opportunity for appeal as noted in Napa County Code section 13.15.090.

FINAL DECISION

For all the above reasons, it is concluded that:

1. A fair argument has not been presented that the approval of the Permit (as modified from the original application request) as conditioned may have a significant effect on the environment.
2. The issuance of the Permit (as modified from the original application request) as described in the findings and as conditioned, for two-ten thousand gallon water storage tanks associated with Erosion Control Plan 02008-ECP to provide water to a single family dwelling, 6.74 acres of vineyard, and one half of the Rapp Ranch horse facility will not significantly affect the Milliken-Sarco-Tulocay groundwater basin.
3. The Permit shall be issued subject to the conditions above.

Date: September 26, 2003



Trent Cave, Director
Department of Environmental Management



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

June 7, 2007

Mr. Frank D'Ambrosio
D'Ambrosio Brothers Investment Company (DBIC)
100 Rapp Lane
Napa, CA 94558

Conditional Use Permit # P06-01095-UP
10 Chateau Lane, Napa, CA, APN 052-170-019

Dear Mr. D'Ambrosio,

Please be advised that your application for Use Permit # P06-01095-UP, to convert an existing barn into a 30,000 gallon per year winery, located at the above address, has been **APPROVED** with amended conditions by the Planning Commission on June 6, 2007 based on the information provided and applicable County regulations, subject to the attached conditions of approval. The use permit becomes effective ten business (10) days (June 20, 2007) from the approval date.

The amended use permit allows establishment of a new winery with: 1) 1,645 square feet of offices, 1,332 square feet of storage / warehouse and 7,571 square feet of production for a winery totaling 10,548 square feet; 2) two full-time and one part-time employee; 3) nine on-site parking spaces; 4) tours and tasting by appointment only for up to 21 visitors per day for a maximum of 147 visitors per week; and, 5) a marketing plan consisting of eight catered food and wine events per year with a maximum of 30 persons per event and one Wine Auction event per year with a maximum of 30 people. No cave, tasting room or general public access was proposed.

Please note that at the Planning Commission hearing, the following changes to recommended permit conditions of approval were made:

- 1) Nine on-site parking spaces shall be provided;
- 2) Winery operations are allowed from Monday-Sunday; and
- 3) Prior to issuance of Building Permits, the operator shall submit application to modify the applicable horse-boarding facility use permit to eliminate such operations from the project site, APN 052-170-019.

Good luck on your project. Should you have any questions, please contact Ronald Gee, the Project Planner, at 707-253-4417 or by e-mail: rgee@co.napa.ca.us.

Sincerely,

John McDowell
Deputy Planning Director

cc: Aaron DeBeers, Manager, Vineyard Operations, DBIC
Public Works Dept. Dept. of Environmental Management John Tuteur, County Assessor

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION**

**CONDITIONS OF APPROVAL
D'AMBROSIO WINERY
USE PERMIT # P06-01095-UP
APN # 052-170-019**

1. **SCOPE:** The permit shall be limited to:

- Wine production of no more than 30,000 gallons per year (consistent with the Napa County Winery Production Process);
- Conversion of an existing barn with 1,645 square feet of offices, 1,332 square feet of storage / warehouse and 7,571 square feet of production for a winery totaling 10,548 square feet;
- Hours of operation for the winery shall be limited to 9:00 AM to 5:00 PM, Monday-Sunday (except during crush);
- Two full-time and one part-time employees
- Removal of the existing domestic sewage disposal system on-site and replacement with an Orenco Advantex pre-treatment and surface drip irrigation system for disposal of process wastewater;
- Maximum Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area annual fair share water use of 3.41 acre feet/year, superceding previous Groundwater Permit # 90-00069 water use limits;
- On-site improvement of an existing vineyard avenue from Rapp Lane to the converted winery building for on-site access to County standards;
- Five on-site parking spaces;
- Located on Assessor's Parcel Number 052-170-019:

The winery 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. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. **MARKETING:** Marketing events shall be limited as follows:

a. **Catered Food and Wine**

Frequency: Eight (8) times per year
Number of persons: 30 maximum
Time of Day: Between 11:00 AM to 10:00 PM

b. **Wine Auction**

Frequency: One (1) time per year
Number of persons: 30 maximum
Time of Day: Between 11:00 AM to 10:00 PM

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990; prior code § 12071). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM.

3. TOURS AND TASTING:

Tours and tastings are limited to a maximum of 21 persons/day with a maximum of 147 persons/week by invitation only. No open public tours and tastings shall be allowed.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990; prior code § 12070). Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c). A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

4. GRAPE SOURCE:

At least 75% of the grapes used to make the winery's wine shall be grown within the County of Napa. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Conservation, Development and Planning Department upon request, but shall be considered proprietary information not available to the public.

5. SIGNS:

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code. At

least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

6. **GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance shall be reviewed by the Conservation, Development and Planning Department, Public Works Department and the Napa County Fire Department to assure that it is designed to allow 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 according to the County Code. 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 use permit approval.

7. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. Prior to issuance of any building permit for construction of the winery, 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 Department review and approval. All lighting shall comply with Uniform Building Code (UBC).

8. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view these areas. Parking shall be limited to approved parking spaces only and

shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

9. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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. New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than persons producing and/or storing wine at the on-site winery, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Chapter 5.36).

11. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Environmental Management as stated in their letter of May 15, 2007;
Department of Public Works as stated in their letters of August 11, 2006 and May 18, 2007;
County Fire Department as stated in their letter of August 8, 2006; and
Building Division as stated in their letter of August 10, 2006.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

12. GRADING AND SPOILS:

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

13. WELLS:

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Environmental Management determines that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the County Code section 13.15.070.G-K.

14. NOISE:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition 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 shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

15. COLORS:

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain written approval by the Conservation, Development and Planning Department prior to painting the building. Highly reflective surfaces shall be prohibited.

16. 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 during windy periods.

17. 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 Conservation, Development and Planning 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 the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

18. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4:00 PM-6:00 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

19. ADDRESSING

All project site addresses shall be determined by the Conservation, Development and Planning Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The Conservation, Development and Planning 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.

20. STORM WATER CONTROL

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

21. INDEMNIFICATION

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

22. 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 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. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$125.00/hour as of July, 2006). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant'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 it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

27. TEMPORARY AND FINAL OCCUPANCY:

All project improvements, including compliance with all applicable codes, conditions and requirements from all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing, Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions can be requested due to extenuating circumstances and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Conservation, Development and Planning. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

28. CESSATION OF HORSE BOARDING USE:

Prior to issuance of Building Permits, the operator shall submit application to modify the applicable horse-boarding facility use permit to eliminate such operations from the project site, APN 052-170-019.

Planning Commission Mtg.
OCTOBER 02 2019
Agenda Item # 7D & 7E

25 Chateau Lane
Napa, California 94558
December 3, 2019

Charlene Gallina, Supervising Planner

Napa County Planning Dept.

1195 Third Street, Suite 210

Napa, California

Dear Charlene,

We are writing to express our concerns about the expansion of Rapp Equestrian Center and Rapp Ranch.

We have lived on Chateau Lane since 1979. We have seen the parcels owned by first the Rapps, then by Dambrosias, and now by the Alkossers. With each new owner building and other codes have been constantly violated. After each violation, they are always "Grandfathered" in.

It came as quite a shock to us to get your letter on November 23, 2019. We had very little time to read and study it since it came before the Thanksgiving holiday.

Our major concern is the use of water. As you are very much aware Coombsville has seen the water table drop considerably since more vineyards and wineries have been permitted. We have had to drill a new well in 1987 when we originally started with 100 GPM in 1970. Now we see our neighbors have to truck water in just to meet everyday needs.

Adding 40,000 gallons to a permit that currently allows Shadybrook only 30,000 gallons for a total of 70,000 gallons will surely impact the water table. You can

use reclaimed water to grow the grapes, but not to make wine or provide drinking water for 60 horses. We understand the wells were metered in 2015, but are they routinely checked by the county?

Our understanding of the use of Chateau Lane, is that the Rapp Ranch property at the west end of Chateau Lane has the only easement. The current owners have cut a second easement off Chateau where in the past they have directed staff to park (marked by a sign) when they are having events. This illegal easement has been used by various construction trucks on occasion.

The horses walk along the edge of Chateau Lane and sometimes onto Chateau making cars stop until they pass. We would like to see a continuation of the present partial fence to prevent a spooked horse from suddenly running in front of a car.

As for the parties, we have never had a problem with them. However we have not had a chance to study the full proposal. We feel the county should not approve both the permits at this time. We ask that they correct all existing violations to both Shadybrook Winery and the Equestrian Center before the Planning Commission approves any expansion. Any decision made in haste will have an impact, not only on us as neighbors but all of Coombsville. We recommend a continuance at time until all of our concerns are addressed.

Sincerely,

Beverly and Larry Thompson