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Staff Report of December 4, 2019
(Abbreviated)

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Agenda Date: 12/4/2019

Agenda Placement: 7E

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Brian Bordona for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: Charlene Gallina, SUPERVISING PLANNER - 299-1355

SUBJECT: Rapp Equestrian Center

RECOMMENDATION

RAPP RANCH ESTATES / RAPP EQUESTRIAN CENTER / USE PERMIT P18-00197-UP

CEQA STATUS: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3 and Class 4. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities, Section 15303, Class 3 New Construction or Conversion of Small Structures and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15303, and §15304.] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: Approval of a Use Permit to recognize and remedy existing building code violations associated with a commercial horse boarding, riding, and lessons facility with existing employees and horse related events as follows: **A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:** 1) Recognition of the use of an existing English-style barn with an indoor arena, stalls with outdoor paddocks, five outdoor paddocks, and an outdoor arena with lighting; 2) Recognition of the use of an existing Western-style barn and 12 outdoor paddocks; 3) Recognition of a maximum of 60 horses on the property at any one time; 4) Recognition of a daily visitation of 50 guests per day with a maximum of 350 per week; 5) Recognition of events including horse shows and equestrian training sessions consisting of six events per year with 30 guests maximum; six events per year with 50 guests maximum; and six events per year with 100 guests maximum; 6) Recognition of seven full-time and two part-time existing employees; 7) Recognition of daily (Monday-Sunday) hours of operation from 8:00 am to 8:00 pm for guests. Stable hands (two-three employees) to arrive at 6:30 am for feeding and stall cleaning before guests arrive; 8) Recognition and reconfiguration of the existing nine parking spaces; and 9) Recognition and installation of Equestrian Center/Shadybrook Winery signage. **B. EXPANSION BEYOND EXISTING ENTITLEMENTS:** 1) Construction of a 1,800 American with Disabilities Act (ADA) compliant office/tack room and bathroom. The project is located on an approximately 11.97 acre site accessed via Rapp Lane, which is a gated private road located on

the north end of Second Avenue at the intersection with Chateau Lane within the AW (Agricultural Watershed) zoning district; 100 Rapp Lane, Napa, CA 94558; APN 052-170-018.

Staff Contact: Charlene Gallina, Supervising Planner, phone 707-299-1355 or email Charlene.Gallina@countyofnapa.org

Applicant: Rapp Ranch Estates, LLC, David & Sue Alkossler; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; dalkossler@gmail.com

Applicant's Representative: David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; dbgilbreth@gmail.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Hear the staff report, open the public hearing and take public comment; and
2. Continue the item to a date certain to address remaining outstanding items identified in the staff report below. The continuance date will be identified at the hearing.

Discussion:

This application was submitted under the County's code compliance program established by the Board of Supervisors on December 4, 2018, by Resolution No. 2018-164 which allows property owners to voluntarily apply for approval to remedy existing violations. The applicant requests approval of a Use Permit to: (1) recognize an existing commercial horse boarding and lesson facility with existing employees and horse related events; (2) remedy existing building code violations; and (3) construct a new ADA compliant 1,800 sf office/tack and restroom. Staff has reviewed both the components necessary to remedy existing violations, as well as, the requested minor expansion, and found these to be consistent with the Zoning Ordinance and applicable General Plan policies.

As required by Board of Supervisors Resolution No. 2018-164, the subject application was filed and found to be substantially conforming prior to the March 29, 2019, deadline for participation in the program. Accordingly, the County may use the existing, noncompliant operations as the environmental baseline for CEQA analysis of the proposal. Because the majority of the improvements and operations are already existing and because the new construction is minor, staff found the project to be categorically exempt from CEQA. Application materials, including water availability, wastewater feasibility, and a traffic impact study were submitted in support of the Categorical Exemptions. The CEQA analysis concluded that there would be no significant environmental impacts associated with the existing facility as currently operating and with the new minor building expansion. Any minor improvements made over the years would be subject to building or other permits to ensure compliance with County requirements.

After the public hearing notice was released, staff became aware of neighbor issues concerning access to the facility from Chateau Lane (a private road) rather than Rapp Lane and the use of Chateau Lane as parking for the equestrian center operations. Because daily visitation levels and visitation for horse related events are tied to the provision of adequate parking, these issues need to be resolved before the Commission takes final action on the project. After receiving public comment, staff requests that this item be continued to a date certain to allow time for resolving these issues with the applicant.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of Categorical Exemptions Class 1, Class 3 and Class 4. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities, Section 15303, Class 3 New Construction or Conversion of Small Structures and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15303, and §15304.] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Property Owner: Rapp Ranch Estates, LLC, David & Sue Alkosser

Project Sponsor's Name and Address: Rapp Ranch Estates, LLC, David & Sue Alkosser; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; dalkosser@gmail.com

Representative: David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; dbgilbreth@gmail.com

Zoning: AW (Agricultural Watershed) District

General Plan Designation: Agriculture, Watershed and Open Space (AWOS)

Application Filed: May 18, 2018; **Resubmittals:** September 21, 2018, December 4, 2018, December 19, 2018, August 19, 2018, September 13, 2019, November 20, 2019; **Deemed Complete:** October 31, 2019

Parcel Size: 11.97 acres

Existing Development: The site is developed with a single-family residence, a garage and a swimming pool; the Rapp Equestrian Center which includes an existing 29,114 sf English-style barn with an indoor arena, stalls with outdoor paddocks, outdoor paddocks, and an outdoor arena with lighting; and an existing 2,811 sf Western-style barn and outdoor paddocks, nine parking spaces; a well; and 5.1 acres of vineyards. The property is accessed via Rapp Lane, which is a gated private road and also used by the adjacent Shadybrook Estate Winery.

Project Characteristics:

Existing Size of Equestrian Facility: 29,114 sf English-style barn with an indoor arena, stalls with outdoor paddocks, outdoor paddocks, and an outdoor arena with lighting; and an existing 2,811 sf Western-style barn and outdoor paddocks

Proposed Size of Equestrian Facility: Recognition of existing facility plus new construction of a 1,800 sf ADA compliant office/tack room and bathroom

Existing Number of Horses: A maximum of 60 horses on the property at any one time

Proposed Number of Horses: Recognition of existing condition

Existing Visitation: 50 daily guests with a weekly maximum of 350 guests

Proposed Visitation: Recognition of existing condition

Existing Horse-Related Events: Events including horse shows and equestrian training sessions consisting of six events per year with 30 guests maximum; six events per year with 50 guests maximum; and six events per year with 100 guests maximum

Proposed Horse-Related Events: Recognition of existing condition

Existing Number of Employees: Seven full-time and two part-time existing employees

Proposed Number of Employees: Recognition of existing condition

Existing Hours of Operation: Daily (Monday-Sunday) hours of operation from 8:00 am to 8:00 pm for guests. Stable hands (two-three employees) to arrive at 6:30 am for feeding and stall cleaning before guests arrive

Proposed Hours of Operation: Recognition of existing condition

Existing Parking: Nine parking spaces; use overflow areas on the property will be utilized for event parking and horse trailers

Proposed Parking: Recognition of existing condition

Adjacent General Plan Designations, Zoning Districts and Land Uses:

All surrounding properties have a General Plan designation of Agriculture, Watershed, and Open Space (AWOS) and a Zoning designation of Agricultural Watershed (AW). Surrounding land uses include rural residential, agriculture, vineyards, the Napa Country Club and Golf Course, wineries (Shadybrook, Italics, and Covert Estate Wineries). The closest off-site residence to the horse facility (outdoor arena) is approximately 1,000 feet.

Project History:

Staff review of County building permit records for the parcel revealed that the existing single-family residence and garage was constructed in June 1978 along with a 2,292 sf barn. In August 1980, a 1,280 sf barn was also constructed. In June 1982, a 28,000 sf arena and stall barn was constructed. It should be noted that the property was located in the R-1:A:B-1 (Single-Family Residence with Special Agricultural Combining District) during this period.

On August 17, 1982, the Board of Supervisors approved a rezoning request to rezone three parcels of land totaling 70.5 acres (Assessor's Parcels 052-170-008, -018 and -019) from R-1:A:B-1 (Single-Family Residence with Special Agricultural Combining District) to AW (Agricultural Watershed) District approximately 1,600 feet northwest of Second Avenue/North Avenue intersection.

Personal use of an equestrian facility is an allowed use in the AW Zoning District; however, commercial horse boarding and training facilities require issuance of a use permit. (County Code Section 18.20.030 (D).) After the property was rezoned to AW, staff was unable to find any records found concerning the formal establishment, through the issuance of a use permit, for a commercial horse boarding and lesson facility until 2007. The use permit (P06-00195-UP) for the adjacent Shadybrook Winery (formerly named D'Ambrosio Vineyards) was approved in June 2007 with a condition of approval that required the operator to submit an application to modify the horse

boarding facility use permit to eliminate such operations from the winery project site (APN 052-0170-019). It appears that the horse boarding facility was ultimately transferred by the prior owner (Mr. D'Ambrosia) to APN 052-170-0018 (the subject parcel). Staff found no record of use permit authorization for this transfer or compliance with the condition of approval.

In June 2016, the Rapp Ranch Equestrian Center was purchased by the Alkossers. The Winery located on the adjacent parcel (APN 052-170-019) was also purchased by the Alkossers and renamed Shadybrook Estate at Rapp Ranch. The Winery is currently requesting a major modification from the County (P18-00450-MOD) under the compliance program for recognition of construction activities and uses in excess of the use permit conducted on the property since new ownership, and to expand winery operations. A Major Modification Application was submitted for the Winery on December 27, 2018.

Code Compliance History:

A Notice of Violation was issued by the County's Code Compliance Division on January 10, 2018, for the commercial horse boarding and/or training stables in the AW Zoning District without approval of a use permit. In addition, the applicant was notified of the following unpermitted activities and code violations: 1) The indoor horse riding arena had new insulation installed and had been reroofed; and 2) horse stalls connected to the riding arena had been rebuilt, new insulation had been installed and the structure had been reroofed. (Attachment C). The property owners met with Code Compliance Division staff, and discussed submission of a use permit (Attachment A). The property is located in the AW Zoning District. Napa County Code Section 18.20.030 provides that "horse boarding and/or training stables" may be permitted within the AW district, but only upon grant of a use permit. On May 18, 2018, the use permit application was filed.

Discussion Points:

Project Proposal – The facility currently boards up to 60 horses at any one time, has seven full-time and two part-time employees, accommodates up to 50 guests per day, and conducts horse related events (shows and training sessions) six times each per year at a maximum of 30, 50, and 100 guests. The number of existing parking spaces on-site is nine. The applicant is also requesting the construction of a new 1,800 sf office/tack room and restroom (Attachments A and B).

Groundwater Availability – The project site is located in the designated Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area. The applicant, who also owns the Shadybrook Estate Winery on the adjacent parcel (APN 052-170-018), has requested the consolidation of the required public water system for Shadybrook Estate Winery with Rapp Equestrian Center. The Winery parcel is also participating in the MST recycled water community facilities district in which irrigation demand is met with recycled water. A Water Availability Analysis (Attachment D) for both projects was completed by RSA+, dated September 18, 2018 (Rapp Equestrian Center) and July 9, 2018 (Shadybrook Estate Winery). The Rapp Equestrian Center has an area of 11.97 acres and the benefit of a groundwater usage of 4.16 af/yr per Napa County Groundwater Permit 90-00051. The Rapp Equestrian Center currently irrigates with the existing well water on the property. Groundwater demand is as follows: residential – domestic (2 units) – 0.83 af/yr, equestrian center – employees, visitors, events, horses, and landscaping 1.80 af/yr, and vineyard irrigation 1.53 af/yr for a total of 4.16 af/yr. The proposed modifications to the Rapp Equestrian Center will result in no change in the use of groundwater. The Shadybrook Estate Winery parcel has an area of 11.37 acres and there is an existing well on the property. A Groundwater Permit #90-00069 was granted in 2003 and was revised pursuant to Use Permit P06-01095-UP to 3.41 af/yr. The winery also has an approved Domestic Water Supply Permit for a Public Water System with State ID# 28-00046 and participates in the MST recycled water community facilities district for irrigation of their vineyard. Currently, the applicant is seeking authorization of the Winery's Major Modification (P18-00450) by the Planning Commission. Water demand for the Winery revealed a 1.00 af/yr reduction in groundwater due to the use of MST recycled water for vineyard irrigation, which results in a total groundwater use of 2.41 af/yr.

The resultant groundwater demand for both parcels will be less than the associated ground water permits and use permit allocation and would not result in a substantial increase in demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level in the MST. The equestrian center and winery, as part of their entitlements would include a groundwater condition of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use. Furthermore, the Public Works Department has reviewed the proposed project for compliance with the parcel's groundwater permit and has recommended a condition to ensure use of best available technology and best management water conservation practices, as well as, continued metering of groundwater usage, and to limit the parcel for all groundwater consuming activities to 4.16 acre-feet per year.

Wastewater - With respect to wastewater generated by the equestrian center and the winery, process wastewater and sanitary wastewater would be treated on-site using the existing treatment systems with minor improvements located on the winery property. With water and wastewater treatment facilities provided on-site, the proposed project requires no determination of service or will-serve letters from water or wastewater treatment service providers. The equestrian center and winery is proposed to include self-treating and self-retaining areas, as well as, bioretention areas that in combination would serve as both stormwater quality and runoff management measures (Attachment E).

Outdoor Arena Lighting - On the north end of the property, there is a circular outdoor arena with lighting poles and lights for use of the arena in the evenings. The closest residence is approximately 1,022 feet. The lighting was installed by the prior owner and there have been no complaints received to date on their use. Staff has been unable to locate any building permit for this installation. The applicant is requesting recognition of this arena and use of lighting until to 8 pm. Although the project is in an area that has a certain amount of existing nighttime lighting, use of such lighting may affect nighttime views. Pursuant to standard Napa County conditions of approval for discretionary uses, all existing outdoor lighting are required to be shielded and directed downward, with only low-level lighting allowed in parking areas. Any additional lighting or new lighting, if needed would be subject to the County's standard lighting condition. Staff is recommending that such lighting be shut off by 8 pm or after last use of the outdoor arena (whichever occurs first) and would request Commission discussion as to whether this lighting should be removed and replaced with more modern lights that are shielded and directed downward to comply with the County's standard condition on lighting.

Manure – At any one time, the Equestrian Center accommodates up to 60 horses. As a result, horse manure is collected and stored in two containers for a total of 10 cubic yards each. Approximately four bins are hauled off-site to Napa Valley Recycling each month for use as compost.

Traffic - The applicant submitted a Traffic Impact Study (TIS) prepared by W-Trans, dated September 11, 2019. (Attachment F) This study was prepared for both the Shadybrook Estate Winery and the Rapp Equestrian Center. The study area for this TIS analyzed the intersections of First Avenue and Second Avenue and North Avenue and Coombsville Road. The study revealed that all four intersections currently operate at acceptable service levels overall (LOS A or B) and on the minor street approaches during peak hours and would be expected to continue doing so with the proposed project. Under anticipated future volumes with and without project-generated traffic, the intersections are expected to operate acceptably at LOS A and B overall and on the stop-controlled approaches during both peaks. Access to the site occurs via Rapp Lane. Sight lines along Second Avenue from the project access roadway have been determined adequate. Left-turn lanes have been determined not warranted, and therefore, not recommended at the project's access on Second Avenue. The Rapp Equestrian Center currently generates 64 daily trips, with 24 trips during the p.m. peak hour and 36 trips during the weekend peak hour.

Parking - The equestrian center has only nine (9) existing parking spaces accommodating seven full-time and two part-time employees and up to 50 guests per day. Existing horse related events consist of six events per year at 30, 50 and 100 guests. The applicant's representative has indicated that there are overflow areas for parking near the Western Barn and has advised staff that the facility has never received any complaints or concerns with

accommodating parking for employees, daily guests or horse related events. In addition, the applicant has suggested that shuttle service be provided for horse related events. The use of shuttle service may be appropriate depending on the type of event. However, staff still has concerns as to whether or not there is sufficient parking located on the project site to accommodate the requested activities (e.g., spectators, horse trailers, catering services, and other horse related services required at events) and would request that the Planning Commission discuss this issue and consider whether a reduction in daily visitors and/or horse-related events is needed. Although the adjacent Shadybrook Winery has requested recognition of 26 parking spaces, the equestrian facility's use of the winery's parking on the winery property through a reciprocal parking agreement should not be utilized because the winery property could be sold in the future which could leave the equestrian center without adequate parking. Also, winery related guests could arrive during the same period of time that guests utilizing the horse boarding or riding lesson services arrive which again could result in parking issues. Recent public comments received from the neighbors have also expressed concerns that insufficient parking has been provided in the past during horse related events and areas located to the south of the facility have been used for parking of horse-trailers and overflow parking for employees and guests via use of Chateau Lane. Staff has contacted the applicant's representative to provide additional information regarding this issue. The project plans do not identify any other areas for parking besides the existing nine spaces.

Access - As proposed the equestrian center would continue to be accessed via the existing Rapp Lane, which is a gated paved private road commencing at the north end of Second Avenue and Chateau Lane. Existing site access, the minor parking improvements and access between Shadybrook Winery was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department. After release of the public hearing notice, neighbors contacted County staff and expressed concerns that Chateau Lane has been utilized for vehicular access by guests and employees during horse related events and other related activities at the horse facility. Staff has contacted the applicant's representative and requested the applicant provide additional information regarding access.

Greenhouse Gas Reduction Strategies - The applicant has implemented the following GHG reduction strategies at the equestrian center: vehicle miles traveled reduction plan – bus transportation for large horse related events; energy conserving lighting (LED lighting throughout property. Low voltage landscape lighting with timers), energy star/living roof/cool roof (insulated arena roof); all fixtures are water efficient; water efficient landscaping (mulch and drip irrigation throughout. Water probes in vineyard to manage water retention in soil); recycle 75% of all waste; compost 75% food and garden material – all manure is converted to compost; insulated stalls and arena roof and skylights in the arena to optimize conditions for natural heating, cooling and day lighting of interior spaces; limit the amount of grading and tree removal – improvements proposed are in already developed areas; use of recycled materials; local food production – all food service items are locally sourced; education to staff and visitors on sustainable practices; use of 70-80% cover crop; retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site; and horse manure is off-hauled to Napa Valley Recycling for use in compost.

Public Comment - Staff has received several public comments in support of the project and comments opposing the project and expressing concern regarding potential traffic increases in the surrounding area associated with expansion of the winery operations (Attachment H).

Summary of Outstanding Issues:

Staff has been concerned that nine existing parking spaces on-site is insufficient to accommodate employees (nine), the visitors (50 per day) and horse related events (six events per year for 30, 50 and 100 guests) and has expressed concern to the applicant's representative who has assured staff that parking is sufficient and there have been no complaints regarding parking. However, after release of the public hearing notice and on the eve of release of this report, staff was contacted by a neighbor who complained that horse trailers, trucks and visitors to the facility park along Chateau Lane (a private road) and impede use of the Lane. No additional areas for parking

have been identified on the project plans besides the nine exiting spaces and parking along a private road is prohibited.

Because the visitation and events are tied to adequate parking, these two outstanding and interrelated issues need to be resolved before the Commission can take final action. Because the hearing has been noticed and members of the public may be planning to attend, staff recommends that the Commission hear the report, take public comment, provide any direction to staff and then continue the hearing to a date certain so that the parking issue can be resolved and final conditions of approval prepared regarding visitation and events. At the meeting, staff will recommend a date for the rehearing of this item.

SUPPORTING DOCUMENTS

- A . Use Permit Application Packet
- B . Proposed Project Plans
- C . Notice of Violations
- D . Water Availability Analysis
- E . Wastewater Feasibility Study
- F . Traffic Study
- G . Graphics
- H . Public Comments
- I . 7E Public Comments (Added after initial agenda posting)
- J . 7E Comments (Added after meeting)
- K . Additional Public Comment (Added after meeting)

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona