

“A”

## Recommended Findings

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

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

**ENVIRONMENTAL:**

The Planning Commission (Commission) has received and reviewed the proposed Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. Because of the minimal construction and recognition of existing operations, it has been determined that this project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act pursuant to 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.
2. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.
3. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California

**USE PERMIT:**

The Commission has reviewed the Use Permit request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

4. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

Analysis: The project is consistent with the Agricultural Watershed (AW) zoning district regulations. The definition of agriculture (NCC Section 18.08.040) means the raising of crops or livestock and includes animal husbandry, including, without limitation, the breeding and raising of cattle, sheep, horses, etc. However, in the AW zoning district, commercial boarding and training horse stables are only allowed upon grant of a use permit (NCC Section 18.20.030(D)). The proposed project is a Use Permit request to recognize and remedy existing building code violations associated with an existing commercial horse boarding, riding, and lessons facility with existing employees and horse related events and to authorize the construction of a new 1,800 sf ADA compliant office/tack room and bathroom.

5. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been appropriately filed, noticed, and public hearing requirements have been met. The hearing notice and intent to find the project categorically exempt from CEQA was posted on November 22, 2019, and copies were forwarded to property owners within 1,000 feet of the subject property and all other interested parties. The public comment period ran from November 22, 2019 through December 3, 2019.

6. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Various County divisions and departments have reviewed and commented on the project. Conditions are recommended which will incorporate these comments into the project to ensure the protection of the public health, safety, and welfare.

7. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan and any applicable specific plan.

Analysis: Compliance with the Zoning Ordinance

The project is consistent with the Agricultural Watershed (AW) zoning district regulations. The definition of agriculture (NCC Section 18.08.040) means the raising of crops or livestock and includes animal husbandry, including, without limitation, the breeding and raising of cattle, sheep, horses, etc. However, in the AW zoning district, commercial boarding and training horse stables are only allowed upon grant of a Use Permit (NCC Section 18.20.030(D)). The proposed project is a Use Permit request to continue existing ranch and horse boarding activities with the addition of commercial activity for the board and care of horses, training sessions and horse-related events.

The existing and proposed site improvements currently comply with the development regulation of the AW District, including the road and property line setbacks for residential and agricultural accessory structures, maximum parcel coverage, the 35-foot maximum building height as prescribed in County Code Sections 18.104.230.A.1, 18.104.220, and 18.104.010, and all other requirements of the Zoning Code as applicable.

Analysis: Compliance with the General Plan

The project parcel's General Plan designation is Agriculture, Watershed, and Open Space (AWOS). As proposed and as conditioned, the requested Use Permit is consistent with the overall goals and objectives of the General Plan (2008).

Animal husbandry is an agricultural use and is consistent with the General Plan goals and policies to retain agricultural uses on agricultural lands. General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guide the County to "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." In Policy AG/LU-2 "Agriculture" is defined in part as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses." General Plan Agricultural Preservation and Land Use Goal AG/LU-3 states the County should, "support the economic viability of agriculture, including grape growing, winemaking, other types of

agriculture, and supporting industries to ensure the preservation of agricultural lands.”

The project proposes a “public stable”, defined in the County Code as a facility for the commercial boarding of horses or for the housing of horses for rental, or both. The project proposes to use the existing English-style barn with an indoor arena, stalls with outdoor paddocks, five outdoor paddocks, and an outdoor arena with lighting; a Western-style barn and 12 outdoor paddocks; and the existing nine parking spaces located on-site. The proposed site improvement is limited to the construction of a new 1,800 sf office/tack room and an ADA compliance bathroom. The project would not remove the land from or prevent the continuation of agriculture.

The “Right to Farm” is recognized throughout the General Plan and is specifically called out in Policy AG/LU-15 and in the County Code. “Right to Farm” provisions ensure that agriculture remains the primary land use in Napa County and is not threatened by potentially competing uses or neighbor complaints. Napa County’s adopted General Plan reinforces the County’s long-standing commitment to agricultural preservation, urban centered growth, and resource conservation.

8. That in the case of groundwater basins identified as “groundwater deficient areas” under Section 13.15.010, the proposed use would not require a new water system or improvement, or utilized an existing water system causing significant adverse effects, either individually or cumulatively, on an affected said groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Sections 13.15.070 or 13.15.080 of the County Code.

Analysis: The project is consistent with General Plan Conservation Policies CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove that adequate water supplies are available to serve the proposed use without causing significant negative impacts to shared groundwater resources.

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 consolidation of the required public water system and a wastewater 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 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 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 at 1.83 af/yr. The applicant is concurrently seeking authorization of the Winery’s Major Modification (P18-00450) by the Planning Commission, which will also result in no change in the use of groundwater.

For the Rapp Equestrian Center, the subject property 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 (a 1,800 sf office/tack room and bathroom) will result in no change in the use of groundwater.

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 the 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. As requested, the proposed project is consistent with General Plan Goals CON-10 and CON-11, as well as, the policies mentioned above that support reservation and sustainable use of groundwater for agricultural and related purposes. The project will not require a new water system or other improvements and will not have a negative impact on local groundwater.