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Agenda Date: 1/15/2020
Agenda Placement: 7D
Continued From: 12/4/19

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina 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, LLC / 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 OPERATIONS:** 1) Construction of an 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

CONTINUED FROM THE DECEMBER 4, 2019 COMMISSION MEETING.

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Find the project Categorically Exempt based on the CEQA Memorandum and Findings 1-3 in Attachment A; and
2. Approve Use Permit Application No. P18-000197-UP, based on Findings 4 through 8 of Attachment A, and subject to the recommended Conditions of Approval (Attachment B).

Discussion:

On December 4, 2019, the Planning Commission held a public hearing to consider 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 and to allow construction of a new ADA compliant 1,800 sf office/tack and restroom. The December 4, 2019 Staff Report is available at: <http://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=5740>.

At this meeting, staff presented to the Commission both the components necessary to remedy the existing violations, as well as, the applicant's request for expansion. Staff requested direction from the Commission regarding whether nine existing parking spaces on-site was sufficient to accommodate employees (nine), the visitors (50 per day) and horse related events (six events per year for 30, 50 and 100 guests). Staff had expressed concern to the applicant's representative who had 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 the staff report and the meeting, 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 had been identified on the project plans besides the nine existing spaces and parking along a private road is prohibited. Because the levels of visitation and events are tied to adequate parking, these two outstanding and interrelated issues needed to be resolved before the Commission could take final action on the project. Based upon Commission discussion and public comments solicited, this item was continued to January 15, 2020 to allow the applicant to respond to issues discussed at the Commission Meeting and for staff to return with findings and conditions of approval.

As previously stated in the December 4, 2019 Staff Report, staff continues to recommend approval of the project (components necessary to remedy existing violations and the requested expansion beyond the existing entitlements), subject to the recommended conditions of approval.

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

On December 4, 2019, a public hearing was held on the Rapp Equestrian Center to introduce the project, solicit public comment, and receive Commission direction before preparing findings and conditions of approval. Staff had concerns that the nine existing parking spaces on-site were 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 had informed the applicant's representative who had assured staff that parking is sufficient and there have been no parking complaints. However, after release of the public hearing notice and on the eve of release of the staff report and the meeting, 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 had been identified on the project plans besides the nine existing spaces and parking along a private road is prohibited. Because the levels of visitation and events are tied to adequate parking, these two outstanding and interrelated issues needed to be resolved before the Commission could take final action on the project. The item was continued to January 15, 2020 to allow the applicant to respond to issues discussed at the Commission Meeting. Identified below is a reassessment of these issues, Commission and public comments received, and applicant's and staff's response to comments.

Project Proposal – The project site is zoned Agricultural Watershed (AW), which allows commercial horse boarding facilities and/or training stables upon grant of a use permit. The project proposes approval of a Use Permit to recognize an existing commercial horse boarding, riding, and lessons facility with existing employees and horse related marketing events to remedy existing violations. 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 six horse related events per year for a maximum of 30, 50, and 100 guests per event. 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.

In response to Commission concerns expressed that proposed visitation and horse-related events maybe on the high side, and desire to understand the historic uses on the site, the applicant provided a Declaration from the applicant that provides a historical accounting of activities associated with the Rapp Equestrian Center upon purchase of the property in February 2016. There is also a Declaration from the original owners of the facility dating back to the 70s and 80s. In addition, the applicant has provided a list of the specific types horse related events

proposed to be held. The Declaration, the applicant has stated that at present they have seven full-time employees and two part-time employees and there are approximately 50 daily visitors consisting of a combination of up to 24 riders daily and up to a combination of 26 horse owners and trainers as needed.

To address concerns that the combined number of visitors and events held at both the Rapp Equestrian Center and the adjacent Shadybrook Estate Winery maybe high for the neighborhood, the applicant provided sanitary wastewater would be treated on-site using the existing treatment systems with minor improvements located on the winery property. As designed, the wastewater system cannot exceed the capacity of 1,165 gallons per day between both facilities meaning that the maximum combination of visitors and employees for both projects cannot exceed 111 persons. Given this, a project specific condition (COA #4.12(e)) has been added to both projects restricting the maximum number of combined employees to 11 a maximum of 100 visitors combined between the winery and the equestrian center to ensure the maximum wastewater approved daily capacity is not exceeded. Furthermore, staff has added project specific condition (COA #4.12(b)(5)) that prohibits daily visitation during horse-related events.

Parking - The equestrian center has only nine (9) parking spaces accommodating seven full-time and two part-time employees and up to 50 guests per day. Furthermore, proposed horse related events consist of six events per year at 30, 50 and 100 guests. There are no County standards for a horse facility. Shadybrook Winery has requested recognition of 26 parking spaces and the Rapp Equestrian Center proposes use of the winery's property through a reciprocal parking agreement. Staff also recommends shuttle service to the Equestrian Center for horse related events through a condition of approval, since guests are likely to arrive at the same time versus guests utilizing horse boarding or riding lesson services, which are typically set by an appointment.

In response to Commission and staff concerns, the project plans have been revised to identify a horse trailer drop-off and pick-up zone as well as a shuttle drop-off and pick-up zone. However, both these areas are located on the winery parcel (APN 052-170-019). The applicant is also requesting and will prepare and record a standard easement agreement between Rapp Equestrian Center and Shadybrook Estate Winery for reciprocal parking, shuttle and horse trailer drop-off and pick-up. Staff has added a project specific condition (COA #4.12(k)) to ensure this easement is executed and recorded within 30 days of project approval. As identified above staff has added a project specific condition (COA #4.12(b)(5)) restricting daily use of the equestrian center when horse related events are scheduled, as well as, maximum visitation restrictions between the winery and equestrian center as identified above associated with wastewater generation on the property (COA #4.12(e)).

Traffic - 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 (weekly evening 4:00 pm - 6:00 pm; weekend 1:45 pm - 2:45 pm) 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; this would not change as result of the Use Permit being requested at this time.

In response to the final TIS assessment, public comments were received that traffic was a problem in the vicinity of the Rapp Equestrian Center and Shadybrook Winery and that drivers were speeding on Second Avenue heading into Rapp Lane. Furthermore, concerns were expressed that visitors were using Chateau Lane to access both properties, including using this Lane for parking.

Although the TIS prepared for the project did not reveal any significant impacts in traffic generation as a result of increased winery activity nor the existing operation of the Rapp Equestrian Center, it was recommended for the

winery that the applicant incorporate a Traffic Demand Management Plan which includes the following: when reservations are made for a group, staff should encourage the guests to carpool or use a shuttle or van, reduce peak-hour vehicle trips by promoting employee carpooling, implementing Guaranteed Ride Home (GHR) program and potentially providing lunch on-site. To address traffic concerns in this area, staff has added a project specific condition (COA #4.12(f)) to ensure that a TDM plan is also implemented at the Equestrian Center especially during horse related events. Staff has also added a project specific condition (COA #4.12(i)) that restricts all visitors and employees to take access via the Rapp Lane access road and that no equestrian center access or parking is authorized on Chateau Lane. Staff has also added a project specific condition (COA #6.16(d)) that vehicular driveway signage for the Rapp Equestrian Center shall be installed at the intersection of Chateau Lane and Rapp Lane to ensure compliance with COA 4.12(i).

Outdoor Arena Lighting - On the north end of the property, there is a circular outdoor arena with four light poles that are 25 feet high with two lights each 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 has 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 up 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 (COA #6.3). Staff is also recommending a condition of approval that such lighting be shut off by 8 pm or after last use of the outdoor arena, whichever occurs first (COA #4.12(l)) unless the Commission directs this lighting should be removed and replaced with more modern lights that are shielded and directed downward consistent with the County's standard condition on lighting.

Public Comment - At the time of staff report preparation, staff did not receive any additional public comments.

Decision-making Options Regarding Remediating Existing Violation:

As noted in the Executive Summary above, staff recommends approval of the components of the project necessary to remedy the existing violation with conditions of approval as described in Option 1, below. Decision-making options also include a no project alternative and a reduced project alternative.

Option 1: Approve Applicant's Proposal (Staff recommended option).

Disposition - This action would recognize and remedy existing building code violations associated with the issuance of a use permit for the operation of a commercial horse boarding, riding, and lessons facility with existing employees and horse related events. Specifically, it would authorize the use of existing horse facilities on the property Monday through Sunday 8:00 am to 8:00 pm with stable hands arriving at 6:30 am for care of horses and required cleaning activities; recognition of existing employees; a maximum of 60 horses at any one time, daily visitation of 50 guests per day with a maximum of 350 per week and horse related events six times per year at 30, 50, and 100 maximum guests. As analyzed by staff, such improvements and increase in employees will have minimal impacts to the environment and the surrounding area. To address parking needs for daily visitation and horse related events, the applicant has proposed a drop-off and pick-up shuttle and horse trailer zones on the Shadybrook property (APN 052-170-019). In addition, the shared wastewater system restricts the combined number of daily operations to 111 persons (up to 11 employees and 100 guests) between the winery and the equestrian center. Lastly, the applicant has proposed to record a reciprocal parking agreement with Shadybrook Winery resulting in access to 26 additional parking spaces. Given these measures, staff recommends this option, as it would be consistent with the Zoning Ordinance and applicable General Plan policies, as presented in the Recommended Findings (Attachment A).

Action Required - Follow the proposed action listed in the Summary section of this staff report.

Option 2: Modify the Applicant's Proposal to Reduce Daily/Weekly Visitation and Horse-Related Events to a Lesser Level.

Disposition - This option would result in a reduction in the daily/weekly visitation and events to address the limited number of existing parking spaces provided on the property. This action would recognize existing commercial operations with the exception of a reduction in visitation and horse related events. As proposed, the equestrian center has only nine (9) parking spaces accommodating seven full-time and two part-time employees and up to 50 guests per day. Furthermore, proposed horse related events consist of six events per year at 30, 50 and 100 guests. Based upon the applicant proposal to add a drop-off and pick-up shuttle and horse trailer zones, a restriction in the number of daily operations to 110 persons (up to 11 employees and 100 guests) pursuant to the proposed shared wastewater system, as well as, a reciprocal parking agreement with Shadybrook Winery resulting in access to 26 additional parking spaces this issues should be address. If the Commission still has concerns, then this option would allow a reduction in activities.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project-specific conditions of approval to reduce the scope of the project. This option would have proportionately fewer environmental impacts, since less groundwater and wastewater generation would be reduced and would result in less traffic trips during horse related events compared to those discussed in the staff report, and thus, no new analysis beyond that already discussed above would be necessary. The item would need to be continued to a future date if significant revisions to the recommended conditions of approval or desired.

Option 3: Deny the Applicant's Proposal.

Disposition – This action would result in the equestrian center to revert back to a non-commercial facility to be utilized by the property owners only.

Action Required - In the event that the Commission determines that the proposed Use Permit does not or cannot meet the required findings for grant of a Use Permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial on a specified date.

Option 4: Continuance Option.

The Commission may continue an item to a future hearing date, at its discretion.

Decision-making Options Regarding Expansion Beyond Existing Operations:

As noted above in the Executive Summary, staff also recommends approval of the construction of a new ADA compliant office/tack room and restroom for employee use and guest check-in services. This request is not the subject of the code compliance matter. Decision-making options here also include a no project alternative and a reduced project alternative.

Option 1: Approve Applicant's Proposal (Staff recommended option).

Disposition - This action would authorize the construction of an ADA compliant office/tack room and restroom for employee use and guest check-in services. As with the proposed project, the CEQA analysis prepared for the project concluded that there would be no significant environmental impacts associated with construction of this small office. Furthermore, it was determined that groundwater demands would fall below the existing groundwater permit levels established for the property. Based on the reasons stated above, staff recommends this option would be consistent with the Zoning Ordinance and applicable General Plan policies and would support this small

expansion to the existing facility.

Action Required - Follow the proposed action listed in the Summary section of this staff report.

Option 2: Modify the Applicant's Proposal to Reduce the Size of the Proposed Office/Tack Room Building.

Disposition - As with Option 1, this option would allow a designated office area for existing staff, guest check-in and restroom facilities, but less in size than what the applicant is requesting. As with Option 1, automobile trips associated with this proposal would not result in any changes, as well as, projected use of groundwater and wastewater given a reduced building size. Additional office and tack functions and bathroom use may need to be relocated to another location on the property as currently accomplished to date.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project-specific conditions of approval to reduce the size of the proposed building to a specified maximum. This option would have proportionately fewer transportation impacts as compared to those discussed in the CEQA Memo prepared for the project, and thus, no new analysis beyond what was addressed would be necessary. The item would need to be continued to a future date if significant revisions to the recommended conditions of approval or desired.

Option 3: Deny the Applicant's Proposal.

Disposition – This action would deny the request to construct a new office/tack room and bathroom. As with Option 2, above, this option would result in maintenance of the existing condition and result in fewer daily trips, less groundwater use and less wastewater generation as compared to the proposed project, and no physical changes to the facilities or utilities infrastructure would be necessary.

Action Required - In the event that the Commission determines that the proposed Use Permit does not or cannot meet the required findings for grant of a use permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial on a specified date.

Option 4: Continuance Option.

The Commission may continue an item to a future hearing date, at its discretion.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval & Agency Memos
- C . CEQA Memorandum
- D . Applicant Response to Comments
- E . Revised Proposed Project Plans
- F . Comparison Summary - Rapp Lane & Chateau Lane Wineries & Equestrian Center
- G . Staff Report of December 4, 2019
- H . Updated Graphics

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona