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Agenda Date: 4/18/2018

Agenda Placement: 7A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Vincent Smith for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: Emily Hedge, Planner III - 259-8226

SUBJECT: Blossom Creek Horse Boarding and Training Facility Use Permit P17-00140

RECOMMENDATION

BLOSSOM CREEK HORSE BOARDING AND TRAINING FACILITY / ROBERT FISH / USE PERMIT #P17-00140-UP

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a use permit to operate a commercial facility for the board and care of horses to include: 1) the boarding of a maximum of 12 horses (property owner's horses and horses boarded by outside owners); 2) horse training and lessons for horse owners and visitors; 3) a summer camp consisting of three (3) one-week training sessions (approximately 8 students, Monday-Friday); 4) two employees; 5) use of the existing barn, arena, and round pen; 6) use of eight existing parking stalls; 7) construction of an accessible restroom in the existing barn; and 8) daily hours of operation: boarding 24 hours a day; employees 8:00 a.m.- sunset; non-residence boarder access 8:00 a.m.-sunset; training Monday through Saturday 8:00 a.m. – 6 p.m. The project is located on a 6.85-acre parcel on the west of State Highway 128, northwest of the city of Calistoga. 3547 State Highway 128, Calistoga, CA. APN: 017-110-052. The parcel has a split General Plan designation of Agricultural Resource (AR) and Agriculture, Watershed, and Open Space (AWOS), and a Zoning designation of Agricultural Watershed (AW).

Staff Recommendation: Adopt the proposed Negative Declaration and approve the Use Permit, as conditioned.

Staff Contact: Emily Hedge, Planner III; (707) 259-8226; emily.hedge@countyofnapa.org

Applicant Representative: Robert Fish, General Manager, 3417 St. Helena Hwy North, St. Helena, CA 94574; (707) 260-4694; vbfish @msn.com

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

1. Adopt the proposed Negative Declaration based on recommended Findings 1-7 in Attachment A; and
2. Approve Use Permit No. P17-00140 based on recommended Findings 8-12 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

Discussion:

The project consists of approval of a commercial facility for the board and care of horses. The facility would accommodate the property owner's horses and horses boarded by outside owners. Training and lessons for horse owners and visitors would be permitted. Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. The proposed project would result in less than significant potential environmental impacts. The facilities are existing and currently used by the property owner for their personal horses. Necessary site improvements and construction are limited to improvements to an existing restroom in the barn. Approval of the project would allow the expansion of an existing agricultural use. Based on these reasons, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/Applicant: Blossom Creek LLC, Robert Fish, General Manager, 3417 St. Helena Hwy North, St. Helena, CA 94574; (707) 260-4694; vbfish @msn.com

Zoning District: Agricultural Watershed (AW)

General Plan Designation: Split designation Agricultural Resource (AR) and Agriculture, Watershed, and Open Space (AWOS).

Filed: Filed: April 6, 2017; **Resubmittals:** August 17, 2017; November 22, 2017; and January 17, 2018; **Complete:** February 14, 2018.

Parcel Size: 6.85 acres

Existing Development: The parcel is currently developed with a residence, garage, barn, covered arena, and round

pen. There are approximately four acres of pastures.

Proposed Development: The only proposed site improvement is to the existing barn restroom to bring it into compliance with current California Building Code.

Existing Uses: The residence is used by the property manager and the four horses boarded on site belong to the property manager and the property owner.

Proposed Uses: The addition of a commercial facility to allow for the boarding of horses and visitation by outside owners. The project proposes individual and group training sessions for owners and visitors and a summer camp consisting of three (3) one-week training sessions (approximately 8 students, Monday-Saturday).

Horses Boarded On Site (Current): Four. The property has had up to 14 horses on site in the past.

Horses Boarded On Site (Proposed): 12 maximum.

Number of Employees: Two.

Daily Hours of Operation: Boarding 24 hours a day; employees 8:00 a.m. - sunset; non-residence boarder access 8:00 a.m. - sunset; training Monday through Saturday 8:00 a.m. – 6 p.m.

Parking (Proposed): 8 spaces in an existing paved area.

Setbacks (Required): 20 feet from all property lines.

Setbacks (Existing): All existing structures meet the required setbacks. The barn is approximately 350 feet from the front (east) property line, over 700 feet from the centerline of Highway 128, and approximately 120 feet from the closest side property line (north). The residence is approximately 24 feet and the garage is approximately 60 feet from the closest side property line (north). The arena is approximately 21.5 feet from the closest side property line (south) and is the closest structure to the rear property line (west) at approximately 350 feet. The only proposed improvement is located within the existing barn.

Adjacent General Plan Designation/Zoning District/Land Use:

North and East: Agricultural Resource (AR) General Plan Designation; AW Zoning; with rural residential and agricultural uses.

South and West: Split Agriculture, Watershed, and Open Space (AWOS) and AR General Plan Designation; Agricultural Watershed (AW) Zoning; with rural residential, agricultural uses, and undeveloped properties.

Code Compliance History:

In 2016, Code Enforcement case #CE16-00294 was opened when it was discovered that the owner was conducting commercial horse boarding and providing training lessons without benefit of a Use Permit. The property owner has stopped all commercial boarding and training and is in the process of obtaining the necessary permits and resolving the case.

Property History:

The parcel has been used for residential and agricultural uses. Additionally, two Home occupation permits have been issued on the property.

P10-00013 – On May 20, 2010, the Director approved a Home Occupation permit to conduct a wholesale wine

business from a home office.

P17-00138 – On April 4, 2017, the Director approved a Home Occupation permit for mobile consulting to golf courses, including providing fertilizer programs, training, and related product sales, from a home office.

Discussion Points:

Setting - The a 6.85-acre parcel is located on the west of State Highway 128, northwest of the city of Calistoga. The parcel is currently developed with a residence, garage, two sheds, barn, covered arena, and round pen. There are approximately four acres of pastures. Blossom Creek runs adjacent to the west side of the property, more than 200 feet west of the existing development. The property is accessed via a driveway off of Highway 128. The driveway also provides access to one of the residential units on the property east of the parcel.

Project Proposal - The project site is zoned Agricultural Watershed (AW), which allows horse boarding and/or training stables upon grant of a use permit. The project consists of approval of a commercial facility for the board and care of horses. The facility would accommodate the property owner's horses and horses boarded by outside owners. Training and lessons for horse owners and visitors would be permitted. Additionally, an annual summer camp program of three (3) one-week training sessions would be permitted.

Water Use - The project is located in an area denoted as "All Other Areas" as described in the Napa County Water Availability Analysis, requiring a Tier 1 and Tier 2 analysis. For this project a Water Availability Analysis was prepared by Stitt Engineering (Initial submittal: January 2, 2017; Revision #1: May 11, 2017; Revision #2: November 6, 2017; Revision #3-Final: January 16, 2018) to determine the estimated water use of the existing development and proposed project. The property is served by one well and has a 7,500 gallon storage tank. Existing water usage consists of a main residence with landscaping and a residential garden, pasture irrigation, storage for fire protection, and the current horses boarded on site (four horses). The residential uses on the property (estimated at 0.57 acre-feet of water per year), the pasture irrigation (estimated at 1.69 acre-feet of water per year), and the fire protection (estimated at 0.03 acre-feet of water per year) will not change as a result of the proposed project. Water uses associated with the horse boarding (estimated at 0.40 acre-feet of water per year) would increase with the proposed increase in number of horses proposed to be boarded (up to 12 horses). Additional water use for employees, visitors, and students would also increase the overall water use. According to the analysis, the project would create an increase in annual water demand, from 2.70 acre-feet per year to 3.53 acre-feet per year, totaling an approximate increase of 0.83 acre-feet per year. The Water Use Analysis prepared a groundwater recharge calculation based on the "Soil Water Balance" Method, which considers local precipitation, local evaporation transpiration, change in soil water storage, and run-off. The calculation totaled 15.4 inches per year; which over the 6.85-acre parcel, results in 8.8 acre-feet of recharge per year. The estimated total water usage is less than the calculated parcel recharge rate; therefore, the project complies with the Napa County Water Availability Analysis requirements. The report initially noted that there may be offsite, non-project wells located within 500 feet of the project well. Further review concluded that no adjacent property wells were within 500 feet of the project well; therefore, a Tier 3 analysis is not required. The proposed project would not result in a substantial increase in the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level. Potential impacts from the project would be less than significant.

Traffic and Parking - Traffic calculations were prepared for the proposed weekday and weekend operations. Trip calculations included employees, horse owner visits, weekday lessons (4 per day) and weekend lessons (6 per day), and veterinary/hay delivery/farrier visits (not scheduled on weekends). The forecasted daily trips are estimated at approximately 18 trips on a weekday and 11 trips on a weekend. The ITE generally recognizes 10 daily trips for a single family residence. The higher end of the estimated trips are less than the number of trips generally associated with two single-family residences and therefore are not anticipated to significantly increase traffic. Napa County Public Works Department staff reviewed the project and determined that based on the project description, location, access, and anticipated trip generation, a traffic study was not required and the project is not expected to

create any significant impacts related to transportation. The main parking spaces area would be on the north side of the existing barn, which is situated between the parking area and the nearest residence.

Lighting - There are existing light fixtures on the exterior of the barn, including four light fixtures under the eaves at each corner and one downward shielded light on each gable end of the barn. No lights are installed or proposed to be installed at the round pen. The project does not propose the installation of any additional lighting fixtures on the property. To ensure any future or replacement lighting will not have an impact, the proposed Conditions of Approval include the standard condition regarding submittal and review of a lighting plan.

Noise - The primary on-site activity of horse boarding would continue; any increases in noise levels would generally be limited to people visiting their horses and attending training sessions. Daily hours of operation: boarding 24 hours a day; employees 8:00 a.m.- sunset; non-residence boarder access 8:00 a.m.-sunset; training Monday through Saturday 8:00 a.m. – 6:00 p.m.; with project related activity starting after and ending well before the noise sensitive nighttime hours (10:00 p.m. to 7:00 a.m.) identified in Napa County Code sections 8.16.060 and 8.16.070.

Manure - The owner currently collects the manure in a trailer and removes it from the site approximately once per week. Prior to removal, it is stored on site in a trailer located near the south east corner of the barn; more than 500 feet from Blossom Creek. No manure is spread on site. Condition of approval No. 4.12.c. has been added to require the permittee to continue to remove the manure from the site. Any future request to keep or compost manure on site will require further environmental review and may require a Use Permit modification or permitting from other divisions.

Public Comments - Staff received a phone call regarding manure use and removal. They were informed of the information provided by the applicant and that a condition of approval would be included. At the time of staff report preparation, staff did not receive any written comments on the project.

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below.

Option 1 - Approve Applicant's Proposal (Staff Recommendation)

Discussion - This would result in the approval of a commercial facility to allow for the board and care of horses by outside owners and permit training sessions. The facilities are existing and currently used by the property owner. Site improvements are limited to improvements to an existing structure in order to meet California Building Code accessibility requirements. Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. Approval of the project would allow the expansion of an existing agricultural use and is not expected to have any potential environmental impacts. Based on these reasons, staff recommends approval of the project subject to the recommended conditions of approval.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant. Staff recommends this option based upon the reasons discussed above.

Option 2 - Reduced Number of Horses Boarded or Training Activities

Discussion - Based on review of the application and preparation of the CEQA document, which did not identify any potential impacts, staff is not recommending a reduction of the scope of the project as proposed.

Action Required - If the Commission would like to modify the project, they should follow the proposed actions listed in the Executive Summary with an amended scope and conditions of approval to place limits on use. If major revisions of conditions of approval are required, the item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Discussion - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of a Use Permit. Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Use Permit is not being approved. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required finding to return to the Commission on specified date.

Option 4 - Continuance Option

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

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Initial Study/Negative Declaration
- D . Notice of Violation
- E . Use Permit Application Packet
- F . Water Availability Analysis
- G . Graphics Packet

Napa County Planning Commission: Approve

Reviewed By: Vincent Smith