

Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559



Agenda

Wednesday, June 21, 2023

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559**

Planning Commission

*Kara Brunzell, District 1
Dave Whitmer, District 2
Heather Phillips, District 3
Andrew Mazotti, District 4
Megan Dameron, District 5*

*Brian Bordona, Interim Director
Laura Anderson, County Counsel
Michael Parker, Planning Manager
Alexandria Quackenbush, Commission Clerk
Aime Ramos, Commission Clerk
Jason Hall, Commission Clerk*

How to Watch or Listen to the Napa County Planning Commission Meetings

The Napa County Planning Commission will continue to meet pursuant to the adopted calendar located at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/28334/2023-Planning-Commission--Airport-Land-Use-Commission-Meeting-Calendar?bidId=>

The Napa County Planning Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Planning Commission reserves the right to conduct the meeting without remote access.

Please watch or listen to the Planning Commission meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa, Third Floor.
2. Watch online at <https://napa.legistar.com/calendar.aspx> (click the "In Progress" link in the "Video" column).
3. Watch on your TV - Napa Valley TV Channel 28.
4. Watch on Zoom using the attendee link: <https://countyofnapa.zoom.us/j/99141906645>. Make sure the browser is up-to-date.
5. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 99141906645).

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Email your comment to planningcommissionclerk@countyofnapa.org. Emails will not be read aloud but will still become part of the public record and shared with the Planning Commission.
2. Use the Zoom attendee link: <https://Countyofnapa.zoom.us/j/99141906645>. Make sure the browser is up-to-date. When the Chair calls for the item on which you wish to speak, click "raise hand". Please limit your remarks to three minutes.
3. Call the Zoom phone number: 1-669-900-6833. (Meeting ID: 991-4190-6645). When the Chair calls for the item on which you wish to speak, press *9 to raise hand. Please limit your remarks to three minutes.

****Please note that phone numbers in their entirety will be visible online while speakers are speaking****

For more information, please contact us via telephone at (707) 253-4417 or send an email to planningcommissionclerk@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL

- 2. PLEDGE OF ALLEGIANCE**
- 3. CITIZEN COMMENTS AND RECOMMENDATIONS**
- 4. APPROVAL OF MINUTES**

**The Clerk of the Commission request approval of Minutes for the meeting held on:
June 7, 2023 (Commissioners Mazotti and Phillips were excused).**

- 5. AGENDA REVIEW**
- 6. DISCLOSURES**
- 7. PUBLIC HEARING ITEMS**

MARKO B. ZANINOVICH AND THEO ZANINOVICH /
RUTHERFORD RANCH WINERY / USE PERMIT MAJOR
MODIFICATION NO. P19-00126 AND USE PERMIT EXCEPTION TO
THE CONSERVATION REGULATIONS NO. P23-00145

[23-1159](#)

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. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: This application was submitted to participate in the County's Code Compliance Program as described in Resolution No. 2018-164 adopted by the Napa County Board of Supervisors on December 4, 2018. The proposal is to modify an existing winery Use Permit to recognize and approve the following items that are out of compliance with the permitted entitlements: increased number of employees and weekly visitation, holding marketing events, on-premises consumption and food pairings, days and hours of operation, and additional parking spaces. In addition, the application also seeks to expand its entitlements to further increase employees and daily and weekly visitation, set up an annual marketing plan, convert portions of an existing residence to winery use, install a commercial kitchen in the winery building, increase parking, install wastewater system improvements, and implement a Travel Demand Management Plan.

The project also includes an Exception to the Conservation Regulations in the form of a Use Permit due to winery improvements located directly adjacent to an unnamed blue line stream on the property. The Exception would recognize and approve existing improvements installed without benefit of permits, remove other unpermitted items, and implement a restoration plan for areas where unpermitted improvements are proposed to be removed from the stream setback.

The project site is located on a 17.37-acre parcel at 1680 Silverado Trail South, St. Helena, CA 94574. The General Plan designation is Agriculture, Watershed, and Open Space (AWOS) the Zoning is Agricultural Watershed (AW). APN: 030-300-030

STAFF RECOMMENDATION: Adopt the Negative Declaration, approve the Use Permit Exception to the Conservation Regulations as recommended by staff and described in Decision Making Option 10 of the Background and Discussion, and approve the Use Permit Major Modification as recommended by staff and described in Option 5, subject

to the recommended conditions of approval.

STAFF CONTACT: Emily Hedge, Planner III, (707) 259-8226 or
emily.hedge@countyofnapa.org

APPLICANT REPRESENTATIVE CONTACT:
Marko B. Zaninovich and Theo Zaninovich, Round Hill Cellars; 1680
Silverado Trail South; (661) 792-3151;
mbzaninovich@sunviewvineyards.com

APPLICANT AGENT CONTACT: Katherine Philippakis, Farella Braun
+ Martel LLP; (707) 967-4000; kp@fbm.com

- Attachments:** [A. Recommended Findings](#)
[B. Recommended Conditions of Approval and Final Agency Approval Memos](#)
[C. Previous Project Conditions](#)
[C.1 Existing Improvements Within the Stream Setback Prior to the Conservation Regulations](#)
[D. Initial Study Negative Declaration](#)
[.E. Use Permit Major Modification Application & Use Permit Exception to the Conservation Regulations Application Packet](#)
[F. Biological Report and Restoration Plan - P19-00126-P23-00145 Biological Report and Preliminary Restoration Plan](#)
[G. Water Availability Analysis](#)
[H. Water System Feasibility Report](#)
[I. Wastewater Feasibility Study](#)
[J. Traffic Impact Study](#)
[K. Graphics](#)
[L. Winery Comparison Analysis and Summary of Changes](#)
[M. Conservation Regulations Summary Table and Graphics](#)
[.N. Public Comments.pdf](#)
[P19-00126 Rutherford - Memo to Planning Commissioners 6-20-23.pdf](#)
[P19-00126 Rutherford - Additional Public Comments.pdf](#)
[Item 7A - Additional Public Comment.pdf](#)
[Rutherford Ranch TDM Program PDF.pdf](#)

8. ADMINISTRATIVE ITEMS - NONE.

9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT

- DISCUSSION OF ITEMS FOR THE JULY 19, 2023 REGULAR MEETING
- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS/COMMITTEE REPORTS

11. PROJECTS REQUIRING COMMISSION FOLLOW-UP REVIEW

Refer to "PBES Current Projects" Web Page <https://www.countyofnapa.org/591/Current-Projects>

12. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 6/14/2023 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ALEXANDRIA QUACKENBUSH(By e-signature)

Alexandria Quackenbush, Clerk of the Commission