



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/3/2008

Agenda Placement: 10A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Robert Nelson, Supervising Planner - 253-4417
SUBJECT: Del Dotto Winery Status Report after One Year

RECOMMENDATION

DEL DOTTO WINERY ONE YEAR STATUS REPORT - USE PERMIT MAJOR MODIFICATION P07-00278-MOD
Use Permit compliance review for winery located at State Highway 29 at Zinfandel Lane.

Staff Contact: Robert Nelson 299-1355

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission direct the applicant to correct violations and submit any associated use permit modification application prior to January 1, 2009.

Discussion:

This is a one year status report regarding the Del Dotto Winery operation on State Highway 29 at Zinfandel Lane and Use Permit compliance. The Commission, after reviewing this Status Report and hearing from staff, the owner or his representative, and any interested members of the public, shall determine if further review is warranted. There are remaining funds from original deposit to cover staff time spent monitoring compliance. The project continues to have compliance issues identified during the 6-month status report consisting of signage meeting the condition intent, use of an interior area designated for production (barrels) as marketing event space (recently corrected), and unauthorized outdoor tanks remaining in the crush pad area.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The winery was granted temporary occupancy in July 2007 and finalized in October 2007.

After the six month review in June, 2008, the Commission's concerns focused on the outdoor tanks that were never approved, the visitor by appointment signs being difficult to see due to their placement, and also at the same time, the Department became concerned that the production to accessory ratio was possibly being exceeded.

Regarding the outdoor tanks in the crush pad area, the first feedback received was that the tanks were temporary and would be removed. We were later told that they would be kept there, and a Modification to construct an addition to the winery to enclose them would be submitted. The application forms were picked up, but to date, no application has been filed. The outdoor tanks continue to be out of compliance with - or a violation of - the Use Permit. A recent e-mail dated November 17th states that the tanks are covered by the temporary tent until after harvest and the tent is to be removed in December, and the tanks are then to be moved. Further, a design for a cover for the crush pad area is still being worked on.

The signs reading 'tours and tasting by appointment' are still located by the winery signs and are not legible from the driveway. The intent is that these signs be clearly legible to people in their cars arriving at the winery. The November 17th e-mail asks that another sign at the entrance to the winery be approved reading: Del Dotto

Cave Tours & Barrel Tastings
By Appointment Only

1445 St. Helena Hwy.

This sign would include the address.

Regarding the production/accessory ratio, it was explained to staff that the barrel cave could handle all the barrels presently and as the number increased, they would extend into the main building as indicated on the plans, and thus the production/accessory ratio would not be exceeded. The Nov 17th e-mail states that there are clay pots outside the cave entry in the area referred to and more barrels will be put in that area when harvest is over. In addition, if the Modification for enclosing the crush pad area was approved and built, the production area would be increased and eliminate any concern regarding the ratio compliance.

Another issue arose since the six month status report. It involves the location of the rear property line and how the rear winery setback at just over 20 feet could be affected. The issue has not been resolved and the courts may be involved in that. The November 17th e-mail states the property line issue is being worked on with their neighbor and will be work out by the surveyors and County staff will be kept informed.

Also, elected officials received calls regarding the tents that have been installed on the property. One covers the entire crush pad area. The Napa County Fire Department has issued permits for the two temporary tents on this parcel. This is consistent with the practice as it relates to other winery properties.

SUPPORTING DOCUMENTS

A . Del Dotto Attachments

Napa County Planning Commission: Approve

Reviewed By: John McDowell