



A Tradition of Stewardship  
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Conservation Development and Planning

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Pete Parkinson  
Interim Director

March 24, 2014

Mr. Brian Cunat  
Materra Winery  
5400 W. Elm St, #110  
McHenry, Illinois 60050

Re: Materra Winery - Use Permit #P13-00283-Very Minor Modification  
4326 Big Ranch Road, Napa (APN: 036-160-003)

Dear Mr. Cunat,

Please be advised that Use Permit Very Minor Modification #P13-00283 VMM, an amendment to Use Permit #P08-00428 Very Minor Modification has been **APPROVED** through an administrative decision on March 24, 2014, based on the attached conditions, Napa County Department comments, and applicable County regulations.

This very minor modification will allow for:

- an increase in the production facility from the previously approved 15,371 square feet to 22,850 square feet;
- a decrease in the tasting/hospitality area from the previously approved 5,094 square feet to 3,268 square feet;
- the relocation and construction of the main winery entrance on Big Ranch Road to 200 feet south of the T-intersection of Big Ranch Road and Oak Knoll Ave (west); and
- On-site consumption of wine produced on site.
- The design/style of the winery facilities will change to a French farmhouse chateau style.

No other changes are being requested. There will be no increase in employees, visitors, marketing activities or production capacity.

The facility is located on a 50-acre parcel within the AP (Agricultural Preserve) zoning district, at 4326 Big Ranch Road, Napa.

The proposed project is **Categorically Exempt** from the provisions of the California Environmental Quality Act (CEQA), which exempts minor expansions to existing structures,

Use Permit #P13-00283 VMM

Materra Winery

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pursuant to CEQA Section 15303, Class 1, Existing Facilities and Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B, Class 1: minor modification of an existing use permit in conformance with Section 18.124.130 of the County Code.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Government Code Sec.66020 (d)(1), you are hereby further notified that the ninety day period in which to protest imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval has begun.

**EXPIRATION DATE:**            **March 24, 2016**

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 10-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Should you have any questions, please contact Mary Doyle, Project Planner at (707) 299-1350 or by e-mail [mary.doyle@countyofnapa.org](mailto:mary.doyle@countyofnapa.org).

Regards,

Pete Parkinson,  
Interim Director



BY: Mary Doyle, Project Planner

Attachments

cc:     PBES  
        Napa County Assessor  
        Chron/File



**Materra Winery  
Use Permit Minor Modification P13-00238 VMM  
4324 Big Ranch Road  
APN 036-160-003**

**1. SCOPE**

The permit modification shall be limited to:

1. Construction of a 11,543 square feet production facility to include approximately:
  - a. 9,866 square foot production area,
  - b. 184 square foot laboratory,
  - c. 133 square foot restroom,
  - d. 710 square foot office area, and
  - e. 152 square foot employee break area
2. Construction of a 15,738 square feet barrel storage and tasting area facility to include approximately:
  - a. 12,087 square foot barrel storage area, and
  - b. 3,641 square foot tasting/hospitality area including approximately:
    - i. 1,390 square foot tasting area,
    - ii. 92 square foot kitchen area,
    - iii. 316 square foot wine library,
    - iv. 234 square foot office area,
    - v. 316 square foot wine library,
    - vi. 208 square foot storage area,
    - vii. 482 square foot entry hallway, and
    - viii. 546 square foot restroom.
3. Construction of a new winery main entrance to be location on Big Ranch Road approximately 200 feet south of its T-intersection with Oak Knoll Ave (west);
4. Construction of an entry gate structure to include a winery identification sign; and
5. On-premise wine consumption of wine purchased at the winery consistent with Assembly Bill 2004 (Evans) may occur solely in the tasting room/hospitality and barrel storage facility and adjacent landscaped area.

No other changes are being requested, no change in annual production, no change in hours of operation, no change in visitation or marketing program, and no change in marketing program. NOTE: The design/style of the winery facilities will change to a French farmhouse chateau style.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

**2. PROJECT SPECIFIC CONDITIONS**

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

**A. Evans Consumption**

Consistent with Assembly Bill 2004 (Evans) and the Planning, Building, and Environmental Services Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premise consumption of wine purchased from the winery may occur solely in the tasting room/hospitality and barrel storage facility and adjacent landscaped area. Any and all visitation associated with on-premise consumption shall be subject to the **18** person maximum daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan.

**B. Entry/gate structure and sign**

The entry/gate structure and sign will be in substantial conformance with the application submittal dimensions. The entry structure shall be 80 feet in length, 42 inch high wing walls with two 3-foot square high by 6 foot high pillars supporting an wrought iron gate 6 foot high with a 20 foot wide clear opening, On the wing walls will be the winery identification sign with raised dark bronze letter with LED back lighting. The lettering shall be approximately 12 inches in height.

**3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

A. Engineering Services Division as stated in their Memorandum dated February 26, 2014.

B. Environmental Health Division as stated in their Memorandum dated September 29, 2008 (remain applicable).

C. Fire Department as stated in their Inter-Office Memo dated September 18, 2013.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

**4. VISITATION**

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, marketing and tours and tastings may occur at a winery only where such activities are accessory



and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility." Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained which documents the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (Ord. 1340, 2010; Ord. 947 § 9 (part), 1990; prior code § 12070).

5. **RENTAL/LEASING**

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the on-site winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Napa County Code Chapter 5.36).

6. **SIGNS**

Installation of the winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be in substantial conformance with the submitted application materials to the Planning, Building, and Environmental Services Department. All signs shall meet the design standards as set forth in Chapter 18.116 of the Napa County Code. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

7. **LANDSCAPING**

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the Building Permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated

with this approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas.

Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the landscaping plan.

**8. OUTDOOR STORAGE/SCREENING/UTILITIES**

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and Chapter 18.106 of the Napa County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

**9. COLORS**

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation, and shall be in substantial conformance with the submitted application materials to the Planning, Building, and Environmental Services Department. Highly reflective surfaces are prohibited.

**10. SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS**

Please contact (707) 253-4417 with any questions regarding the following.

**A. GRADING AND SPOILS**

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to final occupancy.



**B. TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

**C. DUST CONTROL**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

**D. STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board (SRWQCB).

**E. PARKING**

The location of employee and visitor parking and truck loading zone areas shall be in substantial conformance with the submitted application material identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include but, shall not necessarily be limited to, valet service or off-site parking and shuttle service to the winery.

**F. GATES/ENTRY STRUCTURES**

Any gate installed at the winery entrance shall be reviewed by the Planning, Building & Environmental Services Department, Public Works Department, and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the Napa County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is in substantial conformance with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

**11 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS**

Please contact (707) 253-4471 with any questions regarding the following.

**A. WELLS**

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

**B. NOISE**

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

**12. ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building and Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted



to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

**13. ADDRESSING**

All project site addresses shall be determined by the Planning, Building and Environmental Services Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

**14. INDEMNIFICATION**

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the Planning, Building and Environmental Services Department's standard form.

**15. AFFORDABLE HOUSING MITIGATION**

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of Napa County Code Chapter 18.107 or as may be amended by the Board of Supervisors.

**16. PREVIOUS CONDITIONS**

As applicable, the permittee shall comply with previous conditions of approval (#P08-00428 UP, #P09-00159 VMM and #P12-00131 UD) for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

**17. MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning

Commission may also use the data, if so warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.

**18. TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exists and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements. Consistent with Board of Supervisors Resolution № 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."





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Planning, Building & Environmental Services

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Pete Parkinson  
Interim Director

## MEMORANDUM

To: Mary Doyle, Planning Division	From: Peter Corelis, Engineering and Conservation Division
Date: February 26 <sup>th</sup> , 2014	Re: Materra Winery Use Permit P13-00283 Minor Mod APN: 036-160-003

The Engineering Division received a submittal of a proposal for a use permit generally requesting the following:

*To approve a winery with a tasting room and barrel storage building, a production building with adjacent covered outdoor work area and crush pad for a maximum production of 50,000 gallons per year, an uncovered racking loading/unloading work area, other ancillary mechanical and operational support structures, 7 employee parking spaces, 17 visitor parking spaces, demolition of several existing vineyard operation structures, abandonment of two driveway entrances near the existing residence, creation of a new main winery entrance beginning 200 feet south of the intersection of Oak Knoll Avenue West and Big Ranch Road, and further development of an existing entrance to the south, all connecting to the County maintained road. The proposed project is located at 4326 Big Ranch Road in the County of Napa.*

After careful review of the Materra Winery Use Permit application package the Engineering Division recommends the following conditions for approval.

### RECOMMENDED CONDITIONS FOR APPROVAL:

#### DRIVEWAY IMPROVEMENTS

1. The main winery access road must be paved to meet the Napa County Road and Street Standards requirement of a commercial common drive. Design criteria shall include a typical section consisting of 18 feet of travelway and 2 feet of shoulder. The structural section shall be capable of supporting H20 live loading.
2. The main winery entry gate/structure must provide a minimum 20 feet of clear inside distance to accommodate two-way traffic.

3. All entrances off the County road frontage must be paved to prevent gravel and sediment tracking onto the road and degradation of the edge pavement along Big Ranch Road.
4. Vehicle turnaround areas between the County road and the entrance structure must remain clear at all times. 'No Parking' signage shall be provided to prevent parking in the hammerhead turnaround provided. Low profile signs may be utilized.

#### POST-CONSTRUCTION RUNOFF MANAGMENT

5. Any increase in impervious surface and re-development which exceeds 10,000 square feet in area will require the applicant to comply with Napa County Post-Construction storm water runoff regulations over the entire site. Improvement plans shall address the retention of increased runoff as required.
6. The application for a construction permit shall incorporate all applicable Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) to comply with County and State water quality standards.
7. The trench drain located in the uncovered racking, work and loading area must be fitted with an automated diversion valve to divert the first flush resulting from a storm event to the process waste system. Manual diversion valves are not an acceptable Source Control to prevent shock loading of the stormwater treatment facilities by constituents intended to be treated by the process waste system.
8. Trash enclosures must be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers. This shall include pomace bin enclosures.
9. Processing areas shall be paved and performed indoors or under a cover to keep rainwater out of the processing area. If the processing area is outdoors, grade or berm the processing area to prevent run-on from surrounding areas. Installation of storm drains in processing areas is prohibited. For processing areas that generate liquid waste slope the area to drain to the process waste system.

#### CONSTRUCTION SITE RUNOFF

10. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.
11. Project must remain compliant with County stormwater runoff construction management regulations during all phases of construction.
12. Final occupancy and closure of the applicable construction permits will only be granted once the site disturbance associated with the project is shown to be stabilized either via the landscaping in the



improvement plans, or, quasi-permanent stabilization including mulching, seeding, and other erosion control BMPs.

## **PARKING**

13. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.
14. Direct runoff from paved surfaces to appropriate landscaping to infiltrate and treat stormwater.

## **SITE IMPROVEMENTS**

15. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
16. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards".
17. All changes to the Civil site improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. Improvement plans and the related storm water management plans shall be submitted with the building permit. A plan check fee will apply.
18. All other necessary permits from other agencies having jurisdiction over the project must be obtained.

Should you have any questions please feel free to contact me at (707) 259-8757 or [peter.corelis@countyofnapa.org](mailto:peter.corelis@countyofnapa.org)



**COUNTY of NAPA**  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

STEVEN LEDERER  
Director

CHRISTINE M. SECHELI, R.E.H.S.  
Assistant Director

**TO:** Napa County Planning Department  
Hillary Gitelman, Planning Director

**FROM:** Napa County Environmental Management Department  
Christine Secheli, R.E.H.S., Assistant Director

**SUBJECT:** Use Permit Application for Mattered Winery  
Located at 4324 Big Ranch Road  
Assessor Parcel 036-160-003  
File # P08-00428

**DATE:** September 29, 2008

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We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Pursuant to Chapter 6.5 & 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall file a Hazardous Waste Generator Application and/or Hazardous Materials Business Plan with the Department of Environmental Management within 30 days of said activities. All businesses must submit the required Business Activities Form which can be obtained from the Department of Environmental Management
2. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4.5, of the California Code of Regulations.
3. Discharges of wastewater or wash water from activities including (but not limited to) equipment washing, vehicle washing, auto body related activities, parking lot washing and mobile detailing that may contain oil, grease, metals, or other deleterious materials must be properly disposed of. Contact your local sewer agency for discharge requirements. If sanitary sewer is not available and sewage disposal is via an on-site septic system, all such wastewater must be characterized and properly disposed of off site or by an on-site closed loop treatment system. If the waste stream is determined to be a hazardous waste, the waste must be stored and disposed of in accordance with the requirements of Division 20, Chapter 6.5 of the California Health and Safety Code and Title 22, Division 4, Chapter 30 of the California Code of Regulations.

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4. Plans for the proposed private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be granted until such plans are approved by the Department of Environmental Management.
5. A permit for the installation of the combined sanitary and process wastewater system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a scaled plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.
6. An annual sewage permit must be obtained for the engineered/private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
7. If any uncovered outdoor processing areas are proposed, prior to the issuance of a sewage permit for the process wastewater system the applicant must submit a proposal from their engineer that addresses the proper diversion and direction of storm water and process wastewater. The proposal must include a detail on the diversion valve and must clearly show that the valve and both the stormwater and the process wastewater lines are clearly labeled.
8. The use of the drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
9. Because the proposed facility will have a kitchen that will be used for food preparation for marketing events, this kitchen must be regulated and permitted by this department. As such, complete plans and specifications containing equipment layout, finish schedule and plumbing plans for the food preparation/food service area and the employee restrooms, must be submitted for review and approval by the County Department of Environmental Management prior to issuance of any building permit for said areas. Additionally, as a condition of approval and permitting of this food facility, the owner will have to comply with water system sampling and reporting as required. Owner shall apply for and obtain an annual food permit prior to issuance of a final on this project.
10. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
11. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the

applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

12. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.

13. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address diatomaceous earth/ bentonite disposal.

cc: Doug Calhoun, Environmental Health Supervisor  
Mary Doyle, CDPD  
Chris Zock, Cumat Premium Vineyards, LLC, Materra Winery, 5400 W. Elm St.,  
McHenry, IL 60050  
Michael R. Muelrath, Applied Civil Engineering Inc., 2074 West Lincoln Ave., Napa,  
CA 94558





A Tradition of Stewardship  
A Commitment to Service

Napa County Fire Department  
Fire Marshal's Office  
Hall of Justice, 2<sup>nd</sup> Floor  
1195 3<sup>rd</sup> Street  
Napa, CA 94559

Office: (707) 299-1461

Pete Muñoa  
Fire Marshal

## INTER-OFFICE MEMORANDUM

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TO: Charlene Gallina  
Planning, Building and Environmental Services

FROM: Pete Muñoa  
Fire Department

DATE: September 18, 2013

Subject: P13-00283                      APN# 036-160-003

SITE ADDRESS: 4324 Big Ranch Road, Napa CA 94558  
Materra Winery

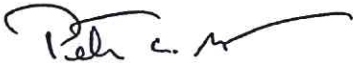
The Napa County Fire Marshal's Office has reviewed the Use Permit Modification application for the project listed above. I am requesting that the comments below be incorporated into the project conditions should the Planning Commission approve this request.

1. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. **All fire department access roads and driveways shall comply with the Napa County Public Works Road and Street Standards.**
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2010 edition with water flow monitoring to a Central Receiving Station.
5. The required minimum fire flow for this project is 400 GPM for a 60 minute duration with 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2010 edition may be required to meet or exceed the required fire flow for the project.

6. Provide a minimum of 12,000 gallons of water dedicated for fire protection. Water storage for fire sprinkler systems shall be in addition to the water storage requirement for your fire flows and domestic use.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 14 foot clear vertical clearance.
8. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants.
9. All fire hydrants shall be painted chrome/safety yellow.
10. Approved steamer fire hydrants shall be installed a maximum distance of 250 feet from any point on approved fire apparatus access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2010 edition.
11. Currently serviced and tagged 2A 10BC fire extinguishers, at a minimum, shall be mounted 3.5 to 5 feet from the top of all extinguishers to the finished floor and be reachable within 75 feet of travel distance from any portion of all buildings.
12. All exit doors shall open without the use of a key or any special knowledge or effort.
13. Install illuminated exit signs throughout the buildings per the California Building Code 2010 edition.
14. Install emergency back-up lighting throughout the buildings per the California Building Code 2010 edition.
15. Install laminated 11" x 17" site plans and building drawings in NCFD specified KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET. A PDF file shall be sent to the Napa County fire Marshal's Office.
16. Beneficial occupancy **will not be granted** until all fire department fire and life safety items have been installed, tested and finalized.
17. Provide 100 feet of defensible space around all structures.
18. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
19. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
20. Designated fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.
21. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.



22. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
23. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2010 edition.
24. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.

A handwritten signature in black ink, appearing to read "Pete Muñoa", with a long horizontal flourish extending to the right.

Pete Muñoa  
Fire Marshal



FILE # P13-00283-MOD

**COUNTY OF NAPA**  
**PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**  
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

A Tradition of Stewardship  
A Commitment to Service

**MINOR MODIFICATION APPLICATION FORM**

1.28.14

FOR OFFICE USE ONLY

ZONING DISTRICT: \_\_\_\_\_

Date Submitted: 9/4/2013

TYPE OF APPLICATION: \_\_\_\_\_

Date Published: \_\_\_\_\_

REQUEST: \_\_\_\_\_

Date Complete: \_\_\_\_\_

**TO BE COMPLETED BY APPLICANT**

(Please type or print legibly)

PROJECT NAME: Materra Winery

Assessor's Parcel #: 036-160-003

Existing Parcel Size: 50 AC

Site Address/Location: 4324 Big Ranch Road      Napa      CA      94558  
No. Street City State ZIP

Property Owner's Name: Cunat Premium Vinyards, LLC.

Mailing Address: 5400 Elm Street, Suite 110      McHenry      IL      60050  
No. Street City State ZIP

Telephone #: (815) 759-8522      Fax #: (815) 385-2068      E-Mail: \_\_\_\_\_

Applicant's Name: Johnny Darosa

Mailing Address: 475 El Camino Real, Suite 308      Millbrae      CA      94030  
No. Street City State ZIP

Telephone #: (650) 692-4072      Fax #: (650) 692-4073      E-Mail: johnnydarosa@sbcglobal.net

Status of Applicant's Interest in Property: Architect

Representative Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
No. Street City State ZIP

Telephone #: ( )      Fax #: ( )      E-Mail: \_\_\_\_\_

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Brian G. Cunat      8-30-13  
Signature of Property Owner      Date  
Brian G. Cunat  
Print Name

Johnny Darosa      9-3-2013  
Signature of Applicant      Date  
Johnny Darosa  
Print Name

**TO BE COMPLETED BY PLANNING, BUILDING AND ENVIRONMENTAL SERVICES**

Application Fee \$5146.02

Receipt No. 97981

Received by: JA

Date: 9/4/13



### INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

<u>Brian Cunniff</u>	<u>[Signature]</u>
Applicant	Property Owner (if other than Applicant)
<u>8-30-13</u>	<u>Vineyard, LLC.</u>
Date	Project Identification

# darosa and associates

## Use Permit Modifications

January 29, 2014

Project: Materra Winery, 4324 Big Ranch Road, Napa, CA

### Project Narrative

Cunat Premium Vineyards is applying to modify existing use permit, #P08-00428 UP. The previously approved use permit included a winery building with tasting room, production, storage and offices built in two phases. The revised project will include the above facilities, but will be expanded and built in one phase. The new design incorporates elements of French farmhouse and chateau design. The tasting room and barrel storage building consists of the main tasting room with a bar and table seating, private tasting room with separate entrance, wine library, and accessory use spaces. Barrel storage is located south of the private tasting room. The north side of the building has an outdoor patio leading to the landscaped area. The production building contains the fermentation room, bottling facility, storage and wine production offices. Wine production will not change and remain at 50,000 gallons per year. The winery entry and drive is reconfigured to accommodate the new building and site placement. Trees will be planted along the main winery access road and screening trees will be planted along the service road. Landscaping is also be expanded around the facility. The main entrance will be relocated 200' south of the intersection of Big Rand Road and Oak Knoll Avenue. The entry features an entry gate structure, and signage mounted to the entry structure. The applicant is also requesting an onsite wine sale and consumption permit per AB 2004. Wine sales and consumption will be limited to the tasting room, barrel storage, terrace 001, patio 002, patio 003, and landscaped areas adjacent to aforementioned exterior areas. Total building square footage will increase by 5447 square feet (25% increase).

The existing residence will remain. The two driveways serving the residence will be removed. The winery entry serves as the residence's main entrance with a driveway connected to the winery entry drive.

The existing use permit was approved to allow the following per Exhibit B; Scope and Conditions of Approval Modification are listed beneath each item.

- I. Scope
  - A. Wine production of no more than 50,000 gallons per year.
    1. No change

475 el camino real, #308

millbrae, ca. 94030

tel: 650-692-4072

fax: 650-692-4073



# darosa and associates

- B. Construction of a 15, 371 sq. ft. winery building with production, storage, office and a 5,094 sq. ft. tasting room facility.
    - 1. Construction of 22915 sq. ft. winery building with production, storage and office
    - 2. Construction of 3262 sq. ft. tasting room.
  
  - C. Three full-time, three part-time employees and 2-4 seasonal employees.
    - 1. No change
  
  - D. 24 parking spaces including 1 ADA accessible space
    - 1. No change
  
  - E. Construction of new winery access road on Big Ranch Road
    - 1. Winery entry structure and access road has been relocated 200' south of the intersection Big Ranch Road and Oak Knoll Avenue.
  
  - F. Installation of three 10,000 gallon fire flow and domestic water tanks
    - 1. (1) 72,000 gallon fire flow and domestic water tank, per Napa County Fire Dept. requirements.
  
  - G. Treated process wastewater system
    - 1. No change
  
  - H. Hours of operation between 7AM to 5PM, Monday through Friday. During harvest and crush season, days of operation will include Saturday and Sunday.
    - 1. No change
- II. Marketing
- A. 12 marketing events annually with a maximum of 25 persons per event
    - 1. No change
  
  - B. 12 marketing events annually with a maximum of 50 persons per event

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1. No change

C. 2 Harvest events with a maximum of 100 persons.

1. No change

### III. Tours and Tasting

A. Tours and tastings by appointment only with a maximum of 18 visitors per day

1. No change

### IV. Mitigation Measures

A. Prior to issuance of building permit, an encroachment permit/grading permit, the permit applicant shall submit plans for the main winery entrance on Big Ranch Road to be located minimally 200 feet south from the T-intersection on Big Ranch Road and Oak Knoll Ave.

1. No change

### V. Grape Source

A. No change

### VI. Signs & VII. Gates/Entry Structure

A. No winery signage is approved at this time

1. Winery signage shall be integral with gate/entry structural.

### VII. Lighting

A. All exterior lighting shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety or operations and shall incorporate motion detection sensors. No flood lighting or sodium lighting is permitted. Low level lighting shall be utilized in parking areas.

1. No change

### VIII. Landscaping/Parking

A. Plant materials shall be purchased locally when practical

1. No change

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- B. Location of employee and visitor parking and truck loading zone areas shall be identified. Landscaping and parking shall be completed prior to occupancy and permanently maintained in accordance with the landscaping plan.
  - 1. The parking areas and landscaping have been modified to conform to the new layout. All other conditions shall remain the same.
  
- C. No trees greater than 6" DBH shall be removed except for those identified on the site plan submitted with the pervious use permit.
  - 1. No change
  
- D. Evergreen screening shall be installed between the industrial portions of the operation and off-site residences that can view such areas.
  - 1. No change
  
- E. Parking shall be limited to approved parking spaces only. Parking shall not occur in other areas except during harvest and approved marketing events. Emergency vehicle access, public roads, private roads providing access to other properties shall not be blocked. If any event where there is insufficient on-site parking, off-site parking and shuttle service to the winery shall be arranged.
  - 1. No change
  
- IX. Outdoor Storage/Screening/Utilities
  - A. No change
  
- X. Rental/Leasing
  - A. No winery facilities of portions thereof, shall be rented, leased or used by entities other than the persons producing and/or storing wine at the on-site winery.
    - 1. No change
  
- XI. To XXVI.
  - A. No change