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A Commitment to Service

## Napa County Department of Conservation, Development & Planning

### *Historic Preservation Ordinance Update -- Summary*

Consistent with goals, policies, and action items adopted as part of the Napa County General Plan Update in June 2008, the Department of Conservation, Development & Planning is proposing an update to the County's Landmark Preservation Ordinance (Napa County Code Chapter 15.52). The proposed update is presented in three pieces:

1. Ordinance 1 would update criteria and procedures for landmark designation and provide a variety of incentives for designation and reuse of certain types of resources, including historic residences, barns, and grange halls.
2. Ordinance 2 would provide an incentive for designation and reuse of historic commercial and resort buildings.
3. An accompanying resolution would create a "Mills Act" tax incentive program, allowing property owners of qualified properties to achieve tax savings by entering into a maintenance agreement with the County.

#### **Landmark Designation Criteria & Considerations**

To bring Napa County's ordinance into conformance with State and federal programs, Ordinance 1 proposes to update landmark designation criteria so they resemble criteria for the California Register of Historic Resources, and to memorialize the concept of "integrity." This means that buildings must be at least 50 years old, must meet at least one of the four criteria for designation, and must retain sufficient historic building fabric and features to qualify for designation as a landmark.

#### **Preservation Incentives**

An important premise of the Landmark Preservation Ordinance is that unincorporated Napa County has historic resources that deserve recognition and preservation.

Another premise is that different types of historic resources warrant different incentives to encourage their designation as landmarks and their preservation and rehabilitation/reuse, as shown below.

**Table 1.**  
**Different Building Types Warrant Different Incentives\***

Historic Building Type	Incentive Offered
Residences & residentially-scaled buildings such as churches, schools & carriage houses	Landmark owners may request Mills Act tax incentives
Barns & agricultural buildings other than wineries	Landmark owners may request Mills Act or Williamson Act tax incentives
Wineries	Owner may apply for a use permit w/parcel size & setback adjustments for "ghost wineries"***
Farm centers & grange halls	Building may be reused as event facilities including non-commercial food service
Commercial buildings & resorts	Landmark owners may apply for a use permit to reuse buildings for their historic use or a new use that is allowed in either the Commercial Limited (CL) or Commercial Neighborhood (CN) zoning districts, whichever use is less intense.
Historic sites which do not include historic buildings (e.g. gardens, geysers, trails, etc.)	None
<p>*All historic resources qualify for one important incentive -- use of the State Historic Building Code.  **Existing ghost winery provisions in Napa County Code are not proposed for change.</p>	

Source: Napa County CDPD, July 6, 2011

The incentive proposed for historic commercial buildings and resorts has been placed in a separate ordinance because it is potentially the most controversial. Some stakeholders have argued that allowing commercial uses to be (re)established in these buildings would require voter approval pursuant to Measure P (2008). Planning staff believes that a vote is not required because:

- no re-designation of land, no rezoning, and no general plan amendment are required;
- historic uses that are re-established may not exceed the historic intensity of use or the intensity currently allowed in the CL and CN zoning districts, whichever is less intense;
- new uses that are established are only those allowed in the CL and CN districts, which have coexisted within agricultural land use designations throughout the county for some time (See General Plan Figure AG/LU-2);
- the resulting facilities would constitute a form of legal non-conforming use, and legal non-conforming uses are already permitted in agricultural areas;
- affected buildings already exist and may not be expanded more than 500 square feet; and
- reuse may not be approved unless it is affirmatively found to be compatible with agriculture.

*In addition, only a small number of potential landmarks are involved, as shown in Table 3, and site-specific environmental review and analysis would be required before any proposal could proceed. In most cases, this analysis will highlight physical site constraints such as parking, water supply, and waste water treatment issues that will limit the potential intensity of use.*

Ultimately, the decision whether Ordinance 2 requires voter approval will be up to the Board of Supervisors.

### Farm Centers & Grange Halls



Photo courtesy of [www.facebook.com/rutherfordgrangehall](http://www.facebook.com/rutherfordgrangehall) July 6, 2011

The following historic farm centers and grange halls would be recognized by Ordinance 1 and could be reused as special event venues with non-commercial food service:

- ***Pope Valley Farm Center***
- ***Rutherford Grange***
- ***Tucker Farm Center***
- ***Carneros Community Center***
- ***Welcome Grange***



Photo courtesy of [www.tuckerfarmcenter.com/history.htm](http://www.tuckerfarmcenter.com/history.htm), July 6, 2011

While it is not possible for the County to require that the farm centers and grange halls be owned and operated by non-profit organizations, that is their current ownership status. The size of the existing buildings and site constraints related to parking, water, and septic limit the number and size of events, and all activities would have to comply with local ordinances like the County's noise ordinance.

### **Why Bother?**

Napa County's Agricultural Preserve was the first of its kind when it was established beginning in 1968. An unintended consequence of the Agricultural Preserve's success has been the preservation of buildings, structures, and landscape features from the early days of Napa County, including homes, barns, wineries, school houses, resorts, bridges, roads, and vineyards.



Photo courtesy of Linda St. Claire, April 14, 2011

Nonetheless, only a few of the County's older buildings have been designated as local landmarks, indicating the need for improvement to the County's procedures and incentives for landmark designation. In addition, some

of the County's most prominent historic buildings, like the Pope Valley Store and the Rutherford Depot, are vacant and in danger of being lost unless a feasible reuse strategy can be identified. The Historic Preservation Ordinance Update is intended to address these challenges and ensure that Napa County's historic resources complement the now historic Agricultural Preserve for generations to come.



Photo courtesy of Linda St. Claire, January 23, 2010

**Table 2.**

**Uses Permitted in the CL and CN Zoning Districts\***

<b>Commercial Limited (CL) Zoning District</b>	<b>Commercial Neighborhood (CN) Zoning District</b>
Agriculture	Agriculture
Gasoline service stations	Retail stores (2,500 sq ft)
Hotels, etc. (50 rooms)	Food markets (2,800 sq ft)
Restaurants & bars (100 seats)	Services (barber, laundry, etc.)
Retail stores (5,000 sq ft)	Child care
Child care	Medical, dental offices
Private schools	Post offices
Art studios and galleries	Swimming pools
Accessory dwelling units	Gasoline service stations
	Nurseries and garden stores
	Branch banks and ATMs
	Professional offices

\*Most uses require a use permit. This is a summary only; please consult NCC Chapter 18.28 and 18.32 for specifics.

Source: Napa County CDPD July 6, 2011



**Table 3. Commercial & Resort Buildings\***

<b>Pope Valley Store</b>	The proposed ordinance would authorize a use permit to establish a restaurant, overnight accommodations, and retail use if historic buildings on this site in Pope Valley are designated as a landmark and rehabilitated. The intensity of the use(s) would be limited by the size and configuration of the buildings and other site constraints (e.g. parking, water, septic). The use permit application would have to specify how these constraints would be addressed and could also memorialize the existing garage use and associated tow yard. Site-specific environmental review would be required.
<b>Rutherford Depot</b>	Napa County Code Section 18.120.010(B)(15) (Exceptions) currently authorizes uses of the depot (including “retail or wholesale food sale establishments”) relating to the transport of passengers if a use permit is obtained. The proposed ordinance would permit a use permit to establish a restaurant of up to 100 seats without requiring that patrons be transport passengers if the historic building is designated as a landmark and rehabilitated. Significant site constraints (e.g. access, parking, septic) would have to be addressed and could limit the size of the facility. Site-specific environmental review would be required.
<b>Oakville Grocery</b>	The Oakville Grocery is already zoned CL.
<b>Aetna Springs</b>	Use Permit #96346-UP currently authorize a church and private recreational/ educational/religious retreat uses for up to 200 guests on weekends and 100 guests on weekends. The proposed ordinance would also permit establishment of a restaurant of up to 100 seats if historic resort buildings are rehabilitated. Site-specific environmental review would be required.
<b>Walters Springs</b>	The proposed ordinance would authorize a use permit to establish overnight accommodations and other uses of this historic building in the middle of Pope Valley if the building is designated as a landmark and rehabilitated. The intensity of the use(s) would be less than the maximum permitted in the CL and CN zoning districts because the size of the building is limited. The use permit application would have to specify how water, septic, and other site requirements could be met. Site-specific environmental review would be required.
<b>Pope Valley Motel</b>	The proposed ordinance would authorize a use permit to establish overnight accommodations and other uses of this historic building in Pope Valley if the building is designated as a landmark and rehabilitated. The intensity of the use(s) would be less than the maximum permitted in the CL and CN zoning districts because the size of the building is limited. The use permit application would have to specify how water, septic, and other site requirements could be met. Site-specific environmental review would be required.
<b>3431 N. St Helena Hwy</b>	The proposed ordinance would authorize a use permit to establish a restaurant, overnight accommodations, and/or retail use if this building north of St. Helena is designated as a landmark and rehabilitated. The intensity of the use(s) would be limited by the size of the building and site constraints (e.g. parking, water, septic). The use permit application would have to specify how these constraints would be addressed. Site-specific environmental review would be required.
<b>Napa Soda Springs</b>	The proposed ordinance would authorize a use permit to re-establish a resort on this site in buildings that are found to have sufficient integrity to be designated as a landmark. Based on an initial review, only three buildings appear to be eligible and the mix and intensity of uses would be determined by site constraints (e.g. traffic, parking, water, septic). The use permit would be subject to environmental review.
<b>Rutherford Post Office</b>	The Rutherford Post Office is already zoned CL.
<b>Red Hen</b>	The Red Hen is already zoned CL.

\*In a focused historic resources survey conducted in May and June of 2011, staff and consultants concluded that the buildings and sites listed are potentially eligible for Napa County landmark status based on the proposed ordinance. Several other potential resources (White Sulphur Springs Resort, the Rutherford Olive Oil company building, and White Cottage Springs Resort) were evaluated and considered ineligible due to modifications that have been made to the buildings over time.

Source: Napa County CDPD July 6, 2011