



Agenda Date: 12/19/2006
Agenda Placement: 8E
Set Time: 11:00 AM PUBLIC HEARING
Estimated Report Time: 30 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Donald BARRELLA, PLANNER III , 707-299-1338
SUBJECT: Type C Agricultural (Williamson Act) Preserve

RECOMMENDATION

Director of Conservation, Development and Planning requests the following:

1. Adoption of a resolution implementing rules for the establishment and administration of Type "C" Agricultural Preserves on lands zoned AP; and
2. Adoption of a resolution approving a new Agricultural Preserve (Type "C") and authorization for the Chair to execute a Williamson Act agreement for the following real property: Application No. P06-01339-AGK, Assessor's Parcel No. 030-100-004.

ENVIRONMENTAL DETERMINATION: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 17 ("Open Space Contracts or Easements") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15317.]

EXECUTIVE SUMMARY

The proposed resolution will establish new Type "C" preserves and the governing rules for such preserves in the same manner as those preserves and rules are previously established for Type H, Type E and Type A preserves. Governing rules improve efficiency of contract processing, increase the flexibility of preserve management, and make the preserve and contract system more transparent to landowners and the public generally. Under the proposed governing rules, parcels in the AP zoning district containing less than 10 acres must meet the following conditions to qualify for a Type "C" preserve: (a) the subject parcel must be greater than 5 acres and at least 75% of the parcel is in commercial agricultural use; (b) in the Agricultural Commissioner's judgment, the agricultural use is both commercially viable and constitutes a longstanding community resource; and (c) the agricultural use demonstrates a unique commitment to sustainable farming practices and contributes to the diversity of crops raised in Napa County.

Subsequent to the approval of the proposed resolution establishing the new Type "C" Contract and Rules, the

Director of Conservation, Development and Planning requests adoption of a resolution establishing the first Type "C" agricultural preserve contract. Approval of this resolution will result in an increase of 5.78 acres of new contracted land under the Williamson Act.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Conservation, Development & Planning
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Board of Supervisors has the power to accept or deny the request for these contracts. Approval of Type "C" preserves is consistent with county policies to preserve agricultural land.
Is the general fund affected?	Yes
Future fiscal impact:	The application fee (\$125.00 per hour) is assessed to process the requested action. The sufficiency of the application fee amount will be reviewed as part of the department's fee analysis. On average, the fee is estimated at \$1072.00 per application.
	Property taxes for properties bound by a Williamson Act contract are assessed at lower level than those properties not enforceably restricted. The County will realize a reduction in revenues due to the lower assessments.
Consequences if not approved:	Possibility of not keeping land in agricultural production which is the intent of the General Plan.
Additional Information:	None

ENVIRONMENTAL IMPACT

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BACKGROUND AND DISCUSSION

The Board has previously approved Rules as required by the California Land Conservation Act of 1965 (also known as the Williamson Act). These Rules govern the establishment, administration, and uses of agricultural preserves and the terms and conditions for corresponding agricultural preserve contracts. Type "H" preserves and contracts apply to lands within the unincorporated territory of the County of Napa which are not zoned Agricultural Preserve (AP). Type "E" preserves and contracts apply to such lands involving commercial mineral extraction. Type "A" preserves and contracts only apply to parcels at least 10 acres in size and located within the AP zoning district.

Type "A" preserves and contracts mandate that no Type "A" preserve shall be less than 10 acres in size if comprised solely of prime agricultural land nor less than 40 acres in size if composed of land containing less than 10 acres of prime agricultural land.

The proposed resolution will permit those parcels in the AP zoning district containing less than 10 acres to qualify for a Type "C" preserve provided it meets the following conditions: (a) the subject parcel is greater than 5 acres and at least 75% of the parcel is in commercial agricultural use; (b) in the Agricultural Commissioner's judgment, the agricultural use is both commercially viable and constitutes a longstanding community resource; and (c) the agricultural use demonstrates a unique commitment to sustainable farming practices and contributes to the diversity of crops raised in Napa County. Allowing Type "C" preserves would be consistent with longstanding County goals regarding agricultural preservation, and by establishing stringent conditions, the proposed resolution would balance these goals with the County's interest in maintaining a strong tax base. It is expected that few parcels would qualify for the Type "C" preserve, but those few parcels would be deserving of special recognition due to their extraordinary agricultural use and value to the community.

Subsequent to the approval of the resolution establishing the new Type "C" Contract and Rules, the Director of Conservation, Development and Planning recommends the adoption of the resolution establishing a certain agricultural preserve (Type "C") and the approval of the following new Type "C" agricultural preserve contract with the resulting preserve.

One new Type "C" contract for year 2006

Requester: Long Meadow Ranch Partners, LP

Type: C

APN: 030-100-004

Acres: 5.78

General Location: Whitehall Lane

SUPPORTING DOCUMENTS

A . Resolution Adopting New Type "C" Preserve Rules

B . Resolution (Hall Type "C" Contract)

CEO Recommendation: Approve

Reviewed By: Andrew Carey