



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 12/20/2016  
Agenda Placement: 9K  
Set Time: 11:30 AM PUBLIC HEARING  
Estimated Report Time: 10 minutes

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Donald Barrella, Planner III - 707-299-1338  
**SUBJECT:** Williamson Act Agricultural Preserves and Contracts 2016

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### **RECOMMENDATION**

Director of Planning, Building and Environmental Services requests adoption of a resolution establishing certain Agricultural Preserves (Types A & H), and approval of and authorization for the Chairman to execute the following Williamson Act related contracts:

1. Rescind five (5) existing contracts and replace with six (6) new contracts with the following applicants:
  - a. Promise Wines LLC, in the general location of Sage Canyon Road and Chiles Pope Valley Road (2 new contracts).
  - b. Blue Oak Ranch LLC, in the general location of Conn Valley Road and Howell Mountain Road (1 new contract).
  - c. Kenneth E. Laird and Gail Laird Revocable Trust, in the general location of Big Ranch Road and Salvador Avenue (1 new contract).
  - d. Robert P. Losey and Margaret R. Losey, Trustees of the Losey Family 2006 Trust, in the general location of Big Ranch Road and Salvador Avenue (2 new contracts).
2. Approving two (2) new contracts with the following applicants:
  - a. 1520 Acquisition LLC, in the general location of Diamond Mountain Road and Highway 29.
  - b. Gajendra Singh Sareen and Rewa Manmohan Singh Sareen, in the general location of Big Ranch Road and Salvador Avenue.

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption Class 17: Open Space Contracts or Easements. It has been determined that this type of project does not have a significant effect on the environment and is exempt for 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 Title 14 CCR Section 15317.]

**EXECUTIVE SUMMARY**

In total, there will be an increase of approximately 109 acres of new contracted land under Williamson Act brought about by the requested action. In addition to the two new contracts, five existing contracts are proposed for rescission which will be replaced with six new contracts.

**Procedural Requirements**

1. Open Public Hearing.
2. Staff reports.
3. Public Comment.
4. Close Public Hearing.
5. Motion, second, discussion and vote on the requested actions.

**FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Potential fiscal impacts would derive from lower property tax revenues following execution of Williamson Act contracts. No alternate source of revenue has been identified.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Williamson Act program in general, and these contracts specifically, contribute to the preservation of agriculture in Napa County.
Is the general fund affected?	Yes
Future fiscal impact:	Property taxes for properties covered by a Williamson Act contract may be assessed at a lower level than other properties. To the extent properties are assessed at a lower level, the County will receive reduced tax revenue.
Consequences if not approved:	The County would not be providing an incentive for keeping land in agricultural production, which is the intent of the County's approved General Plan.
Additional Information:	

**ENVIRONMENTAL IMPACT**

**Consideration and possible adoption of:** Categorical Exemption Class 17: Open Space Contracts or Easements. It has been determined that this type of project does not have a significant effect on the environment and is exempt for 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 Title 14 CCR Section 15317.

**BACKGROUND AND DISCUSSION**

The California Land Conservation Act of 1965, which is commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are lower than normal because they are based upon farming and open space uses as opposed to full market value. Agricultural preserve contracts have a rolling 10 year term: each year the contract is automatically renewed for an additional year, unless a notice of non-renewal is given. Pursuant to California Government Code (CGC) Section 51230, the County -- by resolution and after a public hearing -- may establish agricultural preserves and subsequently enter into agricultural preserve contracts pursuant to Section 51240 of the CGC. There are currently 677 Williamson Act Contracts within the County covering approximately 75,563 acres.

The Director of Planning, Building and Environmental Services requests that the Board open the public hearing, hear public testimony, close the public hearing, and adopt a resolution establishing certain Agricultural Preserves (Types A & H), and approving the following new, Type "A" and "H" agricultural preserve contracts within the resulting preserves:

### **2 new contract for year 2016**

<b>Requester</b>	<b>Type</b>	<b>APN</b>	<b>Acres</b>	<b>General Location</b>
1520 Acquisition LLC.	H	020-440-005	39.83	Diamond Mountain Road and Highway 29
Gajendra Singh Sareen and Rewa Manmohan Singh	H	052-130-059	42.15	3rd. Avenue and Blue Oak Lane

### **Rescinding 5 existing contracts and replacement with 6 new contracts**

1. Contract #93245-AGK is being rescinded and replaced by one new contract due to a lot line adjustment, Sage Canyon Road and Chiles Pope Valley Road, Promise Wines LLC.,
2. Contract #93244-AGK is being rescinded and replaced by one new contract due to a lot line adjustment, Sage Canyon Road and Chiles Pope Valley Road, Promise Wines LLC.,
3. Contract #274/81/F is being rescinded and replaced by one new contract due to a lot line adjustment, Conn Valley Road and Howell Mountain Road, Blue Oak Ranch LLC.,
4. Contract #98171-AGK is being rescinded and replaced by one new contract due to a lot line adjustment, Big Ranch Road and Salvador Avenue, Kenneth E. Laird and Gail Laird Revocable Trust,
5. Contract #01169-AGK is being rescinded and replaced by two new contracts due to a lot line adjustment, Robert P. Losey and Margaret R. Losey, Trustees of the Lousy Family 2006 Trust.

New contracts being entered into due to the rescission of the contracts identified in 1 through 5 above:

<b>Requester</b>	<b>Type</b>	<b>APN</b>	<b>Acres</b>	<b>General Location</b>
Promise Wines LLC.	H	Ptn. 032-520-007 and 032-520-002	61.28	Sage Canyon Road and Chiles Pope Valley Road
Promise Wines LLC.	H	Ptn. 032-520-002 and 032-520-007	40.17	Sage Canyon Road and Chiles Pope Valley Road
Blue Oak Ranch LLC.	H	Ptn. 025-070-015 and 025-070-056	100	Conn Valley Road and Howell Mountain Road
Kenneth E. Laird and Gail Laird Revocable Trust Robert P. Losey and Margaret R.	A	036-120-087	40.3	Big Ranch Road and Vineyard Lane

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Losey, Trustees of the Lousy Family 2006 Trust	A	036-190-031	10.81	Big Ranch Road and Salvador Avenue
Robert P. Losey and Margaret R. Losey, Trustees of the Lousy Family 2006 Trust	A	036-190-030	13.61	Big Ranch Road and Salvador Avenue

**Subvention Payments**

Early in 2011 the Board elected to continue Napa County's participation in the Williamson Act program, as currently administered, in spite of the uncertainty of future subvention payments from the State.

**SUPPORTING DOCUMENTS**

A . 2016 Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi