



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/5/2017
Agenda Placement: 9B
Set Time: 9:10 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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 2017

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 Chair to execute the following Williamson Act related contracts:

1. Rescind ten (10) existing contracts and replace with thirteen (13) new contracts with the following applicants:
 - a. Rogers LPRP Legacy Trust, in the general location of Conn Valley Road and Rossi Road (rescinding 2 contracts and replacing with 2 contracts).
 - b. Hudsonia LLC., in the general location of State Highway 12 and Henry Road (rescinding 2 contracts and replacing with 2 contracts).
 - c. Duckhorn Wine Company, in the general location of Silverado Trail and Lodi Lane (rescinding 1 contract and replacing with 1 contract).
 - d. Hudsonia LLC., in the general location of Henry Road and Lovall Valley Road (rescinding 2 contracts and replacing with 2 contracts).
 - e. SPP Napa Vineyards LLC. and AVR 2016 LLC., in the general location of Silverado Trail and the terminus of Big Ranch Road (rescinding 1 contract and replacing with 2 contracts).
 - f. SPP Napa Vineyards LLC., Big Ranch Road Investors LP, and Jaeger Family Trust, in the general location of Silverado Trail and the terminus of Big Ranch Road (rescinding 2 contracts and replacing with 4 contracts).
2. Approving nine (9) new contracts with the following applicants:
 - a. Raymond Vineyard & Cellar Inc., in the general location of State Highway 29 and Zinfandel Lane.
 - b. Ste. Michelle Wine Estates Ltd., in the general location of Wooden Valley Road and Wooden Valley Cross Road.
 - c. FN Land LLC., in the general location of 3rd Avenue and Blue Oak Lane.
 - d. FN Land LLC., in the general location of 3rd Avenue and Barrow Lane.
 - e. FN Land LLC., in the general location of 3rd Avenue and Hagen Road.

- f. FN Land LLC., in the general location of State Highway 29 and South Whitehall Lane.
- g. FN Land LLC., in the general vicinity of State Highway 29 and Oakville Cross Road.
- h. FN Land LLC., in the general vicinity of Acacia Drive and Oakville Grade.
- i. Tadaima Inc., in the general vicinity of Dry Creek Road and Orchard 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 470.8 acres of new contracted land under Williamson Act brought about by the requested action. In addition to the nine new contracts, ten existing contracts are proposed for rescission which will be replaced with thirteen 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 680 Williamson Act Contracts within the County covering approximately 75,671 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:

9 new contract for year 2017

Requester	Type	APN	Acres	General Location
Raymond Vineyard & Cellar Inc.	A	030-260-007	54.7	Highway 29 and Zinfandel Lane
Ste. Michelle Wine Estates Ltd.	H	033-340-015	69.9	Wooden Valley Road and Wooden Valley Cross Road
FN Land LLC.	H	052-130-064	53.9	3rd. Avenue and Blue Oak Lane
FN Land LLC.	H	052-130-046	16.6	3rd. Avenue and Barrow Lane
FN Land LLC.	H	052-130-049	53.6	3rd. Avenue and Hagen Road
FN Land LLC.	A	027-470-025	60.5	Highway 29 and South Whitehall Lane
FN Land LLC.	A	031-020-001	11.7	Highway 29 and Oakville Cross Road
FN Land LLC.	H	027-480-030	67.7	Acacia Drive and Oakville Grade
Tadaima Inc.	A	035-031-016	22.3	Dry Creek Road and Orchard Avenue

Rescinding 10 existing contracts and replacement with 13 new contracts

1. Contract #P09-00503 is being rescinded and replaced by one new contract due to a lot line adjustment, Conn Valley Road and Rossi Road, Rogers LPRP Legacy Trust.
2. Contract #P09-00504 is being rescinded and replaced by one new contract due to a lot line adjustment, Conn Valley Road and Rossi Road, Rogers LPRP Legacy Trust.

3. Contract #395/82 is being rescinded and replaced by one new contract due to a lot line adjustment, Highway 12 and Henry Road, Hudsonia LLC.
4. Contract #399/82 is being rescinded and replaced by one new contract due to a lot line adjustment, Highway 12 and Henry Road, Hudsonia LLC.
5. Contract #P13-00294 is being rescinded and replaced by one new contract due to a lot line adjustment, Silverado Trail and Lodi Lane, Duckhorn Wine Company.
6. Contract #398/82 is being rescinded and replaced by one new contract due to a lot line adjustment, Henry Road and Lovall Valley Road, Hudsonia LLC.
7. Contract #396/82 is being rescinded and replaced by one new contract due to a lot line adjustment, Henry Road and Lovall Valley Road, Hudsonia LLC.
8. Contract #16/69 is being rescinded and replaced by two contracts due to a lot line adjustment, Silverado Trail and the terminus of Big Ranch Road, SPP Napa Vineyards LLC., and AVR 2016 LLC.
9. Contract #P04-0452 is being rescinded and replaced by one contract due to a lot line adjustment, Silverado Trail and the terminus of Big Ranch Road, Jaeger Family Trust.
10. Contract #94163 is being rescinded and replaced by three contracts due to a lot line adjustment, Silverado Trail and the terminus of Big Ranch Road, SPP Napa Vineyards LLC., and Big Ranch Road Investors LP.

New contracts being entered into due to the rescission of the contracts identified in 1 through 10 above:

Requester	Type	APN(s)	Acres	General Location
Rogers LPRP Legacy Trust	H	025-180-066 & Ptn. 025-180-069	98.1	Conn Valley Road and Rossi Road
Rogers LPRP Legacy Trust	H	Ptn. 025-180-069	52.7	Conn Valley Road and Rossi Road
Hudsonia LLC.	H	Ptn. 047-060-007	196.9	Highway 12 and Henry Road
Hudsonia LLC.	H	047-070-016 & Ptn. 047-060-007	213.9	Highway 12 and Henry Road
Duckhorn Wine Company	A	022-130-010 SFAP with 022-100-033 SFAP	30.5	Silverado Trail and Lodi Lane
Hudsonia LLC.	H	047-010-025	379.4	Henry Road and Lovall Valley Road
Hudsonia LLC.	H	047-010-024	65.6	Henry Road and Lovall Valley Road
Big Ranch Road Investors LP.	A	036-140-076	10.1	Silverado Trail and terminus of Big Ranch Road
SPP Napa Vineyards LLC.	A	036-120-089 SFAP with 039-051-035 SFAP	41.8	Silverado Trail and terminus of Big Ranch Road
SPP Napa Vineyards LLC.	A	Ptns. 036-120-063, 036-120-073 & 036-120-088	67.6	Silverado Trail and terminus of Big Ranch Road
AVR 2016 LLC.	A	Ptns. 036-120-063 & 036-120-073	40.1	Silverado Trail and terminus of Big Ranch Road
SPP Napa Vineyards LLC	A	036-140-075 SFAP with 039-051-036 SFAP	40.5	Silverado Trail and terminus of Big Ranch Road
Jaeger Family Trusts	A	036-140-073	40.9	Silverado Trail and terminus of Big Ranch Road

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 . Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi