



Agenda Date: 12/6/2005  
Agenda Placement: 8C  
Set Time: 10:30 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:** Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Carly Aubrey, Planner III, 265-2325  
**SUBJECT:** Public Hearing - Williamson Act Agreements

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### **RECOMMENDATION**

Director of Conservation, Development and Planning requests adoption of a resolution amending or establishing certain Agricultural Preserves (Types A & H), and approval of and authorization for the Chair to execute the following Williamson Act related amendments and contracts:

1. Thirteen new contracts for 2005 with the following applicants:
  - a. Two with John Fisher, in the general location of Partrick Road;
  - b. Four with Bruce Cowan, in the general location of Partrick Road;
  - c. Charles and Colette Abernethy, in the general location of Wooden Valley Road;
  - d. William and Betty Ballentine, in the general location of Silverado Trail and Dutch Henry Canyon Road;
  - e. Four with Pope Valley Ranching Company, in the general location of Aetna Springs Road;
  - f. Gary Branham, in the general location of Silverado Trail and Bale Lane;
2. Five amendments to existing contracts with the following applicants:
  - a. Bruce Cowan and John J Fisher, in the general location of Partrick Road;
  - b. 199 Rutherford Associates, Ltd., in the general location of Rutherford Hill Road;
  - c. John & Barbara Craig Revocable Trust, in the general location of Rutherford Hill Road;
  - d. Ted and Ladislav Hall, in the general location of Whitehall Lane;
  - e. Round Pond, Inc., in the general location of Rutherford Cross Road.

### **EXECUTIVE SUMMARY**

In total, there will be an increase of 159.05 acres of new contracted land under the Williamson Act brought about by the requested actions. There is one new contract proposed for a total of 10.05 acres. Four existing contracts are proposed for rescission and replacement with twelve new contracts for an increase of 149 acres of new contracted land. Five existing contracts are to be amended with no additional contracted land.

**FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	General Fund
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Board of Supervisors have the power to accept or deny the request for these contracts.
Is the general fund affected?	Yes
Future fiscal impact:	CDPD collects an application fee for for each new contract or contract modification based on an estimate of the costs associated with processing time and materials. On average, the fee is estimated at \$1,072.00 per application.  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 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 General Plan.
Additional Information:	None

**ENVIRONMENTAL IMPACT**

**Categorical Exemption Class 17:** 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.]

**BACKGROUND AND DISCUSSION**

Director of Conservation, Development and Planning recommends the adoption of a resolution amending or establishing certain Agricultural Preserves (Types A & H), and the approval of the following new, replacement or amended Type "A" and "H" agricultural preserve contracts within the resulting preserves.

**One new contract for year 2005**

Requester	Type	APN	Acres	General Location
Charles and Colette Abernethy	A	033-070-048	10.05	Wooden Valley Road

**Amendment of five existing contracts**

Contract 326/82/H is being amended to remove lands in Sonoma County that were erroneously placed under

Napa County Agricultural Preserve Contract. The remaining four contracts are being amended due to lot lines adjustments.

Requester	Type	APN	Acreage	General Location
Bruce Cowan & John Fisher	H	050-010-024 050-010-030 050-010-031 050-010-032 050-010-033 050-010-034	±1,800	Partrick Road
199 Rutherford Associates, Ltd	H	030-300-039	40.05	Rutherford Hill Road
John & Barbara Craig Revocable Trust	H	030-300-026 SFAP 030-300-040 SFAP	40.45	Rutherford Hill Road
Ted and Ladislav Hall	H	024-430-029	47.00	Whitehall Lane
Round Pond, Inc.	A	030-140-020	41.86	Rutherford Cross Rd

#### **Rescinding of four existing contracts and replacement with twelve new contracts**

1. Contract 136/77/A is being partially rescinded and replaced with one new contract due to a lot line adjustment, William & Betty Ballentine.
2. Contract 326/82/H is being rescinded and replaced with six new contracts due to certificates of compliances and a lot line adjustment, two for John Fisher and four for Bruce Cowan.
3. Contract 586/90/H is being rescinded and replaced with four new contracts due to a lot line adjustment, Pope Valley Ranching Company.
4. Contract 606/91/A is being rescinded and replaced with one new contract due to a lot line adjustment, Gary Branham.

Requester	Type	APN	Acres	General Location
William & Betty Ballentine	A	020-380-011	42.44	Silverado Tr/Dutch Henry Cyn
John Fisher	H	050-010-030	428.20	Partrick Road
John Fisher	H	050-010-034	234.69	Partrick Road
Bruce Cowan	H	050-010-024	322.00	Partrick Road
Bruce Cowan	H	050-010-031	391.79	Partrick Road
Bruce Cowan	H	050-010-032	232.46	Partrick Road
Bruce Cowan	H	050-010-033	205.54	Partrick Road
Pope Valley Ranching Co	H	PTN 016-040-035	52.47	Aetna Springs Lane
Pope Valley Ranching Co	H	PTN 016-040-003 &-035	80.00	Aetna Springs Lane
Pope Valley Ranching Co	H	PTN 016-040-035	56.75	Aetna Springs Lane
Pope Valley Ranching Co	H	PTN 016-040-003, -006, -007, -013 & -035	250.78	Aetna Springs Lane
Gary Branham	A	021-030-016	12.56	Silverado Trail/Bale Lane

**SUPPORTING DOCUMENTS**

A . 2005 Williamson Act Preserves Resolution

CEO Recommendation: Approve

Reviewed By: Andrew Carey