



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/8/2015
Agenda Placement: 9E
Set Time: 1:30 PM PUBLIC HEARING
Estimated Report Time: 10 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 2015

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. Rescinding two (2) existing contracts and replacing with two (2) new contracts both with the following applicant:
 - a. Nichelini vineyards LLC, in the general location of Lower Chiles Valley Road and Sage Canyon Road (2 new contracts).
2. Approving five (5) new contracts with the following applicants:
 - a. KT Wineco, Limited Liability Company, in the general location of Oakville Grade and Acacia Drive.
 - b. Treasury Wine Estates Americas Company, in the general location of Big Ranch Road and Salvador Avenue.
 - c. Sori Bricco Vineyards, Limited Liability Company, in the general location of Kortum Canyon Road and the City of Calistoga.
 - d. St. Supery, Inc., (formerly known as Skalli Corporation) in the general location of State highway 29 and Manley Lane.
 - e. St. Supery, Inc., (formerly known as Skalli Corporation) in the general location of Dollarhide Road and Hardin Road.

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 1,821 acres of new contracted land under Williamson Act brought about by the requested action. In addition to the five new contracts, two existing contracts proposed for rescission which will be replaced with 2 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 668 parcels with Williamson Act Contracts within the County covering approximately 72,696 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:

5 new contract for year 2015

Requester	Type	APN	Acres	General Location
KT Wineco, Limited Liability Corporation	H	027-360-018	40	Oakville Grade and Acacia Drive
Treasury Wine Estates Americas Company	A	038-010-004	62.17	Big Ranch Road and Salvador Avenue
Sori Bricco Vineyards, Limited Liability Company	H	020-360-017	187	Kortum Canyon Road and The City of Calistoga
St. Supery, Inc., (formerly known as Skalli Corporation)	A	030-190-019	54.34	State Highway 29 and Manley Lane
St. Supery, Inc., (formerly known as Skalli Corporation)	H	018-160-034, -002, -003	1,477.08	Dollarhide Road and Hardin Road

Rescinding 2 existing contracts and replacement with 2 new contracts

1. Contract 431/84 is being rescinded and replaced by one new contract due to a lot line adjustment, Lower Chiles Valley Road and Sage Canyon Road, Nichelini Vineyards, LLC.,
2. Contract 432/84 is being rescinded and replaced by one new contract due to a lot line adjustment, Lower Chiles Valley Road and Sage Canyon Road, Nichelini Vineyards, LLC.,

New contracts being entered into due to the rescission of the contracts identified in 1 through 2 above:

Requester	Type	APN	Acres	General Location
Nichelini Vineyards, LLC A	A	025-400-006	59.66	Lower Chiles Valley Road and Sage Canyon Road
Nichelini Vineyards, LLC A	A	025-400-007	55.99	Lower Chiles Valley Road and Sage Canyon 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: Liz Habkirk