



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/9/2014
Agenda Placement: 9G
Set Time: 11:15 AM 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: KELLI CAHILL, PLANNER III - 265-2325
SUBJECT: Williamson Act Agricultural Preserves and Contracts 2014

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. Rescinding nine (9) existing contracts and replacing with eleven (11) new contracts with the following applicants:
 - a. C.P. Family Partnership, L.P., in the general location of Highway 12 & Cuttings Wharf Road (2 new contracts);
 - b. Bonnie E. Storm, Trustee of the Bonnie E. Storm Revocable Trust, dated May 30, 2000, in the general location of the Chiles Pope Valley Road (2 new contracts);
 - c. Trefethen Family Vineyards, LTD, in the general direction of Oak Knoll Avenue & State Route 29 (7 new contracts);
2. Approving one (1) new contract with the following applicant:
 - a. Jennifer Roycelynn Thomson, an unmarried woman as her sole and separate property, in the general direction of Los Carneros Avenue & McKinnon 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.]

(CONTINUED FROM DECEMBER 2, 2014)

EXECUTIVE SUMMARY

In total, there will be an increase of approximately 58 acres of new contracted land under Williamson Act brought about by the requested action. In addition to the one new contract, nine existing contracts proposed for rescission which will be replaced with 11 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. However, because the requested actions today would result in minor changes in the total amount of land under Williamson Act contract by 8 acres more or less, there is no further potential negative impact to the County. 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 665 parcels with Williamson Act Contracts within the County covering approximately 72,666 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:

1 new contract for year 2014

Requester	Type	APN	Acres	General Location
Jennifer Roycelynn Thomson, an unmarried woman as her sole and separate property	H	047-170-001	30.20	Los Carneros Ave & McKinnon Road

Rescinding 9 existing contracts and replacement with 11 new contracts

- Contract P11-00378 is being rescinded and replaced by one new contract due to a lot line adjustment, Hwy 12 & Cuttings Wharf Road, C.P. Family Partnership, L.P.,
- Contract P11-00379 is being rescinded and replaced by one new contract due to a lot line adjustment, Hwy 12 & Cuttings Wharf Road, C.P. Family Partnership, L.P.
- Contract 98181 is being rescinded and replaced by two new contracts due to a lot line adjustment, Chiles Pope Valley Road, Bonnie E. Storm, Trustee of the Bonnie E. Storm Revocable Trust, dated May 30, 2000,
- Contract 96328 is being rescinded and replaced by two new contracts due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD,
- Contract 96329 is being rescinded and replaced by one new contract due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD,
- Contract 96335 is being rescinded and replaced by one new contract due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD,
- Contract 96336 is being rescinded and replaced by one new contract due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD,
- Contract 96337 is being rescinded and replaced by one new contract due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD,
- Contract 97179 is being rescinded and replaced by one new contract due to a lot line adjustment, Oak Knoll Avenue & SR 29, Trefethen Family Vineyard, LTD.

New contracts being entered into due to the rescission of the contracts identified in 1 through 9 above:

Requester	Type	APN	Acres	General Location
C.P. Family Partnership, L.P.	H	047-220-013, 047-220-010 & ptn 047-220-014	12.27	Hwy 12 & Cuttings Wharf Road

C.P. Family Partnership, L.P.	H	ptn 047-220-014	12.23	Hwy 12 & Cuttings Wharf Road
Bonnie E. Storm, Trustee of the Bonnie E. Storm Revocable Trust, dated May 30, 2000	H	025-010-016	84.90	Chiles Pope Valley Road
Bonnie E. Storm, Trustee of the Bonnie E. Storm Revocable Trust, dated May 30, 2000	H	025-010-017 & ptn 025-010-016	150.57	Chiles Pope Valley Road
Trefethen Family Vineyards, LTD	A	036-150-066	40.62	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-140-070	41.27	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-140-071	41.22	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-140-068	40.10	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-150-065	24.58	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-150-067	40.28	Oak Knoll Avenue & SR 29
Trefethen Family Vineyards, LTD	A	036-150-062	41.15	Oak Knoll Avenue & SR 29

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 and the adoption of legislation which would have permitted counties to unilaterally reduce the term of contracts and give contract holders the choice of non-renewing their contract or paying a surcharge of approximately 10% of their restricted property tax savings.

SUPPORTING DOCUMENTS

A . Agricultural Preserve Resolution

CEO Recommendation: Approve

Reviewed By: Molly Rattigan