



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/15/2011
Agenda Placement: 10A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Hillary Gitelman, Director - 253-4805
SUBJECT: Historic Preservation Ordinance Update

RECOMMENDATION

HISTORIC PRESERVATION ORDINANCE UPDATE

CEQA Status: No action is proposed at this time, so this agenda item is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. CEQA review will be completed before the proposal is brought to the Commission for action.

Request: Presentation and discussion regarding the proposed update to the County's historic preservation ordinance. This is a status report only, and no action is requested.

Staff Recommendation: Receive the staff presentation and public input; provide direction to staff. No formal action is requested at this time.

Staff Contact: Linda St. Claire 299-1348 or linda.stclaire@countyofnapa.org

EXECUTIVE SUMMARY

On March 2, 2011, planning staff presented a proposed ordinance to the Planning Commission that was intended to update the County's criteria and procedures for landmark designation, allow the continued use of historic grange halls and farm centers, and provide incentives for the rehabilitation and reuse of two significant resources that were considered "at risk." At that time, the Commission directed staff to revise the proposal so as to provide incentives for a wider range of historic resources. Staff has been working on revisions to the ordinance and has met twice with interested stakeholders (once on April 25th and once on June 9th). This agenda item provides an opportunity for the Commission to discuss the current status of the proposal and provide input. The current proposal consists of two ordinances and one resolution that would collectively:

- 1 update the criteria and procedures for property-owner initiated landmark designation;

- | allow for the use of historic grange halls and farm centers as meeting facilities;
- | reference without modification incentives for "ghost wineries" contained elsewhere in County Code;
- | create a "Mills Act" program to provide tax incentives for the designation, rehabilitation, and maintenance of historic residences, barns, and similar buildings; and
- | allow owners of historic commercial/resort buildings that are designated as landmarks to apply for uses permitted in the Commercial Limited (CL) zoning district.

All of these actions would be consistent with the County's General Plan and are intended to implement policies and action items contained in the General Plan's Community Character Element. Staff believes that all of the actions can be taken without triggering a vote of the people pursuant to Measure P (2008) because no changes are proposed to General Plan land use designations, and the ordinance regarding commercial/resort buildings would essentially allow reuse of existing buildings only if the Commission (or the Board on appeal) could make a finding that reuse was not incompatible with agriculture. Nonetheless, provisions regarding the reuse of commercial/resort buildings have been placed in a separate ordinance in the event that the Board of Supervisors elects to place those provisions on the ballot for consideration by County voters.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

No action is proposed at this time, so this agenda item is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. CEQA review will be completed before the proposal is brought to the Commission for action.

BACKGROUND AND DISCUSSION

Action Item CC-19.2, in the Community Character Element of the Napa County General Plan calls on the County to improve the procedures and standards that provide for the preservation and appropriate rehabilitation of significant historic resources, to incorporate incentives for historic preservation, and to establish a discretionary process so that owners of historic structures may apply for permission to reuse their buildings for the historic use or a compatible use as long as it is rehabilitated and maintained in conformance with the U.S. Secretary of the Interior's Standards.

County planning staff developed a draft ordinance implementing these policies of the general plan and presented the draft ordinance to the Planning Commission on March 2, 2011. At that time, the Commission directed staff to broaden the scope of the ordinance, making preservation incentives available to a wider range of historic resources. The Commission also asked for more information about the number and type of historic resources in unincorporated Napa County.

Progress Since the March 2nd Hearing

Since the March 2, 2011 Planning Commission meeting, planning staff has meet twice with interested stakeholders, engaged a couple of local consultants to assist with the identification of eligible resources, and has revised the draft ordinance, dividing it into two separate ordinances: one that would improve procedures and

standards for Napa County landmarks and provide preservation incentives to a variety of historic building types, and one that would provide a preservation incentive to historic commercial/resort buildings that are designated as Napa County Landmarks and rehabilitated in accordance with the Secretary of the Interior's Standards.

The premise behind the two ordinances is that different types of resources require different incentives to spur landmark designation and rehabilitation/reuse. Historic residences and resources that are generally residential in scale (e.g. school houses, churches) can be reused as residences and can benefit from tax incentives. Historic wineries can be reused as wineries and benefit from existing "ghost winery" provisions of Napa County Code. Historic barns and other agricultural buildings can be reused as agricultural buildings and can benefit from tax incentives. Historic commercial/resort buildings can benefit from flexibility regarding the uses allowed with a use permit.

Since March 2, 2011, staff has also worked with County Counsel to develop a draft resolution that would create a "Mills Act" program. The Mills Act is like the Williamson Act in that it offers land owners the possibility of entering into contracts with the County to lower their taxes. The Williamson Act offers this incentive for the preservation and use of farmland, and the Mills Act offers this incentive for the preservation and maintenance of historic resources.

Napa County's Historic Resources

Napa County was a leader statewide in the use of agricultural preserves, which not only protected agriculture from encroachment by urban uses but also retained the open, agricultural character of the county. In the course of preserving agricultural land and open space, historic and cultural resources have also been retained. Outside of its urban centers, Napa County's built environment contains historic remnants of its agricultural past such as farmsteads, barns, wineries, grange halls, water tanks, and walls. In addition, there are historic spas and resorts, mines and mine roads, and picturesque stone bridges and landscapes (including historic vineyards).

While the historic significance of many of these features cannot be denied, the only inventory of historic resources in unincorporated Napa County dates from 1978, when a county-wide visual survey cataloged historic resources throughout the County. This inventory contains valuable information even though it is somewhat dated. The listing contained in the County's General Plan is considered incomplete, as are State and federal registers. As a result, the County's General Plan acknowledges the need for a new, updated inventory:

- I "In partnership with interested historic preservation organizations, seek funding to undertake a comprehensive inventory of the County's significant cultural and historic resources using the highest standard of professional practices" (Action Item CC-19.1).

As suggested by this action item, undertaking a comprehensive, updated inventory would be potentially costly. It would also be time consuming and could significantly delay the Historic Preservation Ordinance Update being considered by the Commission if it were viewed as a prerequisite. Nonetheless, County staff and consultants have undertaken a focused review of the historic commercial/resort buildings that are likely to qualify for the incentive program proposed in the second draft ordinance before the Commission. It is believed that there are about a dozen such resources, and a list and analysis will be available when the Commission conducts a formal hearing on the proposed ordinances. A more comprehensive update to the 1978 survey will be programmed in the future.

SUPPORTING DOCUMENTS

- A . First Draft Ordinance
- B . Second Draft Ordinance

C . Draft Resolution

Napa County Planning Commission: Approve

Reviewed By: John McDowell