

BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING AGENDA

Thursday, July 22, 2010

6:30 P.M.

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

C. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. ADOPTION OF AGENDA

III. OPPORTUNITY FOR PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Historic Preservation Review Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN COMMENT

B. PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Historic Preservation Review Commission or a member of the public by submitting a speaker slip for that item.

*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Public Works & Community Development Staff either prior to, or at the Historic Preservation Review Commission meeting, prior to the reading of the Consent Calendar.

V. REGULAR AGENDA ITEMS

A. 146 WEST E STREET – DESIGN REVIEW

10PLN-43 Design Review

146 West E Street; APN: 089-174-020

PROPOSAL:

The applicant requests design review approval for exterior modifications to the residence of the existing non-contributing stucco building located within the boundaries of the Downtown Historic District. The zoning designation is Town Core-Open (TC-O). The proposed modifications include a new roof, new windows, new door, new stucco finish on exterior walls, exterior wall lighting, and replacing the existing six-foot tall wood fence.

Recommendation:

Approve design review request for exterior modifications to the residence of the existing non-contributing stucco building located within the boundaries of the Downtown Historic District, based on the findings and conditions of approval set forth in the proposed resolution.

B. DESIGN REVIEW – LOW IMPACT PARKING LOT AT BENICIA CITY HALL

(Chevron Energy Solutions)
Design Review

250 East L Street, APN: 88-141-060

PROPOSAL:

The project includes the following:

1. Installation of carports with solar photovoltaic panels, for energy and cost-savings, and as a demonstration of renewable energy projects for the City of Benicia.
2. Removal of a non-historic retaining wall and non-historic structures (quonset huts) in the existing parking lot.
3. Low-impact development, landscaping in parking lot and along East L Street frontage.

The project will not touch the existing historic resource, nor will it affect the historic integrity of the existing City Landmark. The project will not affect the property's potential to be historically designated on the State or Federal level.

Recommendation: Approve design review request for modifications to the City Hall parking lot located at 250 East L Street, based on the findings and conditions of approval set forth in the proposed resolution.

- C. [MILLS ACT PROGRAM GUIDELINES \(Continued from June 24, 2010\)](#)— Discussion of overall program to ensure guidelines meet the intent of the program.

Recommendation: Review the Mills Act Program Guidelines, and make recommendations, if any, to the City Council for updates to the program.

- D. [PRIORITY LIST OF DISCUSSION ITEMS](#)

Staff and Commission will discuss and review the Commission's discussion items, including ranking of topics.

VI. COMMUNICATIONS FROM STAFF

- A. [ANNUAL STATUS OF CITY-OWNED HISTORIC STRUCTURES](#)

The Parks and Community Services Department has prepared a maintenance update of City-owned historic structures. This includes information on the Commanding Officer's Quarters Standards of Use, as requested by the Commission.

VII. COMMUNICATIONS FROM COMMISSIONERS

VIII. ADJOURNMENT

Public Participation

The Benicia Historic Preservation Review Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Historic Preservation Review Commission allows speakers to speak on agendized and non-agendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Historic Preservation Review Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the ADA Coordinator at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Historic Preservation Review Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Historic Preservation Review Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Historic Preservation Review Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Historic Preservation Review Commission decisions that are final actions, not recommendations, are considered by the Planning Commission. Appeals must be filed in the Public Works & Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Public Works & Community Development Department during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Public Works & Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Commission Room. If you wish to submit written information on an agenda item, please submit to Gina Eleccion, Management Analyst, as soon as possible so that it may be distributed to the Historic Preservation Review Commission.

**AGENDA ITEM
HISTORIC PRESERVATION REVIEW COMMISSION
REGULAR MEETING: JULY 22, 2010
REGULAR AGENDA ITEMS**

DATE : July 15, 2010

TO : Historic Preservation Review Commission

FROM : Sharon Williams, Development Services Technician

SUBJECT : **DESIGN REVIEW FOR EXTERIOR MODIFICATIONS TO 146 WEST E STREET**

PROJECT : 146 West E Street
10PLN-00043 Design Review
APN: 089-174-020

RECOMMENDATION:

Approve design review request for exterior modifications of the existing single-family residential building located at 146 West E Street, based on the findings and conditions of approval set forth in the proposed resolution.

EXECUTIVE SUMMARY:

The applicant requests design review approval for exterior modifications to the existing non-contributing building located within the boundaries of the Downtown Historic District. The zoning designation is Town Core-Open (TC-O). The proposed modifications include a new roof, new windows, new door, new stucco finish on exterior walls, exterior wall lighting, and replacing the existing six-foot tall wood fence.

BUDGET INFORMATION:

No budget impacts are anticipated as part of this project.

ENVIRONMENTAL ANALYSIS:

Staff has reviewed the project and determined that it is Categorically Exempt under Section 15301 of the CEQA Guidelines. This exemption includes minor alterations to existing structures involving negligible or no expansion of use.

BACKGROUND:

Applicant/Owner: James Dunlop
General Plan designation/Zoning: Town Core-Open (TC-O)

Existing use: Single-Family Residential

Proposed use: Single-Family Residential

Adjacent zoning and uses:

North: Neighborhood General (NG), Residential

East: Town-Core (TC), Mixed Use

South: Town-Core Open (TC-O), Residential

West: Town-Core Open (TC-O), Vacant Lot/Carquinez Strait

SUMMARY:

A. Project Description

The subject parcel is approximately 18,750 square feet and is developed with two buildings. A commercial building (Peregrine Landing) is located on the northeast section of the parcel and a 737 square foot single-family dwelling is located on the southwest portion of the parcel, which consists of a bedroom, bath, kitchen, and living area.

The proposed project involves exterior modifications to the single-family dwelling. The property owner started work without first obtaining the necessary approvals from the City. The Building Official placed a stop work order dated March 17, 2010 on the project pending design review approval from Historic Preservation Review Commission (HPRC) and then obtaining the necessary building permits from the Building Division. The roof and west wall were removed along with the interior being gutted. The applicant proposes to install a new roof, new windows and trim, a new door, repair and stucco the exterior walls, new exterior wall lighting, and replace the existing six-foot wood fence.

The proposed modifications to the single-family dwelling are consistent with the Downtown Historic Conservation Plan guidelines for Mediterranean Revival, which is slanted toward Spanish and Mexican styles in the Historic District due to the Hispanic colonial history in California. Please refer to Section B. Project Analysis for analysis.

Roof: The original roof consisted of asphalt shingles with clay tiles around the perimeter of the roof, which have been removed. The applicant proposes to re-roof using terracotta roof tiles. The color choice is Redland, Old Sedona Blend, which is a red color that has a weathered look. The gutter, downspouts, and soffits will be painted Oxford Brown to match the trim on the house.

Door: The proposal includes replacing the front entrance door with a solid wood door painted/stained Oxford Brown with metal hinges and accents.

Windows: The applicant proposes to replace the original aluminum frame windows with new aluminum anodized frame windows, which will be bronze in color. A new 17'4" x 6'8" sliding glass door is proposed on the west elevation of the house to replace the two windows and sliding glass door. The window on the east elevation is proposed to be removed. The wall will be patched, stuccoed, and painted. On the south elevation, the window on the west side will be replaced with a smaller sliding window and a new one-by-one square foot window with metal bars is proposed in the upper center of the same wall.

Stucco Work: Due to dry rot, several of the exterior walls needed repair down to the plywood. This work has already been started. The proposal includes replacing the dry rotted areas with new plywood and new Portland cement stucco finish on all exterior walls. The walls will be painted Oyster, which is a light beige color and the trim will be Oxford Brown, which is a dark brown color.

Courtyard Fence: Currently there is a six-foot tall wood fence that surrounds three sides of the house creating a courtyard. The west side (water view side) will remain open. The applicant proposes to replace the wood fence with a new six-foot tall wood fence. The gate and trellis will also be replaced.

Exterior Lighting: Wall-mounted lanterns are proposed at the entry gate, front door, and west elevation patio area. The lighting is consistent with the style and scale of the building. Refer to "Exhibit B" material and color samples for picture of lanterns.

B. Project Analysis

1. General Plan Consistency

Benicia General Plan Goal 3.1 is to *Maintain and enhance Benicia's historic character*. That goal can be achieved by *permitting new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan (Policy 3.1.5)*.

This project is consistent with General Plan Goal 3.1 in that it allows for building modifications that are compatible with the downtown historic district.

2. Zoning Ordinance Consistency

The subject property is located in the Town Core-Open (TC-O) zoning district under the Downtown Mixed Use Master Plan (DMUMP), and is primarily surrounded by residential and commercial uses, with First Street just east of the site. The building meets all of the setback requirements for the zoning district. No expansion to the subject building is proposed.

3. Downtown Historic Conservation Plan Consistency (DHCP)

According to the DHCP design guidelines, specifically for residential building types:

- *Mission style clay tiles or other decorative roofing materials are appropriate only where authentic for the particular architectural style of the building. (Guideline 5.11)*
- *Paint colors and color schemes should be appropriate to the style and design intent of the building. Mediterranean – White, off-white or light beige; contrasting painted, trim similar in color to dark stained wood. (Guideline 4.5)*
- *The design and style of period light fixtures shall be consistent with that of the building and for the site on which they are placed. (Guideline 2.2)*

4. Findings

The Historic Preservation Review Commission finds that:

- a) This project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA). This exemption includes minor alterations to existing structures involving negligible or no expansion of use.
- b) The project is consistent with the Downtown Historic Conservation Plan policies and design guidelines.
- c) The design of the project is consistent with the purposes of Title 17 of the Benicia Municipal Code and the purposes of the Downtown Mixed Use Master Plan, Town Core-Open zoning district.

C. Conclusion

The subject building is not listed as a historic resource; however, any exterior work is evaluated for its overall consistency with the Historic District and the DHCP. Staff finds that the work proposed will not diminish the historic integrity of the Historic District and the proposed exterior changes are consistent with the DHCP, DMUMP, and City of Benicia Zoning Ordinance.

FURTHER ACTION:

The Historic Preservation Review Commission's action will be final unless appealed to the Planning Commission within ten business days.

Attachments:

- Draft Resolution
- Project Plans
- Photographs

PROPOSED RESOLUTION

RESOLUTION NO. 10- (HPRC)

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION
OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR EXTERIOR
MODIFICATIONS TO 146 WEST E STREET**

WHEREAS, James Dunlop has requested Design Review approval for exterior modifications to 146 West E Street; and

WHEREAS, the Historic Preservation Review Commission at a regular meeting on July 22, 2010, conducted a public hearing and reviewed the proposed project.

NOW, THEREFORE, BE IT RESOLVED THAT the Historic Preservation Review Commission of the City of Benicia hereby finds that:

- a) This project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA). This exemption includes minor alterations to existing structures involving negligible or no expansion of use.
- b) The project is consistent with the Downtown Historic Conservation Plan policies and design guidelines.
- c) The design of the project is consistent with the purposes of Title 17 of the Benicia Municipal Code and the purposes of the Downtown Mixed Use Master Plan, Town Core-Open zoning district.

BE IT FURTHER RESOLVED THAT the Historic Preservation Review Commission of the City of Benicia hereby approves the proposed project subject to the following conditions:

1. This approval shall expire two years from the date of approval, unless made permanent by the issuance of a building permit and the commencement of work that is diligently pursued to completion. Alternatively, the time period may be extended by the Public Works & Community Development Director if the application for time extension is received prior to the end of the initial two year deadline and there has been no change in the City's development policies, which affect the site, and there has been no change in the physical circumstances nor new information about the project site, which would warrant reconsideration of the approval.
2. The plans and maps submitted for approval, except as modified by these conditions of approval, shall be in substantial compliance with the plans dated received "July 13, 2010" marked Exhibit "A" and consisting of two (2) sheets on file in the Public Works & Community Development Department.
3. Any alterations of the approved plans, including substitution of materials or changes in paint colors, shall be requested in writing and approved by the Historic Preservation Review Commission or designee prior to changes being made in the field.

4. The applicant shall obtain building permits for all work including any work that was started prior to the stop work order dated March 17, 2010. The applicant shall also be responsible for meeting all requirements of the Building Division and shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
5. Prior to issuance of a building permit, the applicant shall obtain the necessary encroachment permits to replace approximately 30 linear feet of curb and gutter and approximately 10 linear feet of sidewalk located on the property frontage on West E Street as conditioned by the Engineering Division. This work shall be completed prior to building final.
6. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Historic Preservation Review Commission, Planning Commission, City Council, Public Works & Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

* * * * *

On motion of Commissioner _____, seconded by Commissioner _____, the above Resolution was adopted by the Historic Preservation Review Commission of the City of Benicia at a regular meeting of said Commission held on July 22, 2010 by the following vote:

Ayes:
Noes:
Absent:

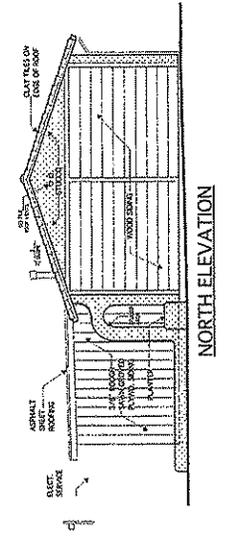
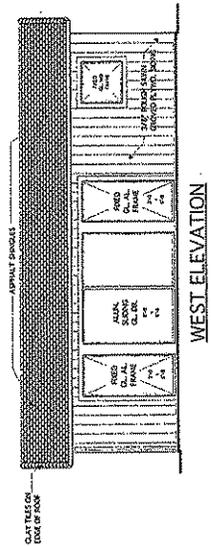
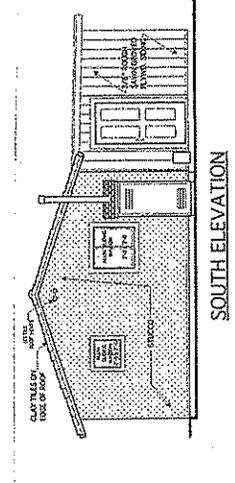
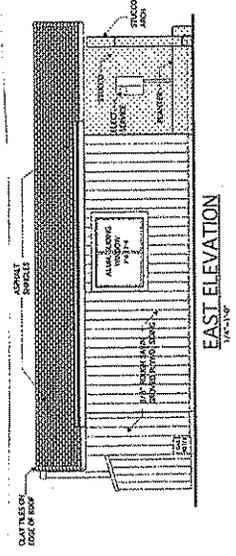
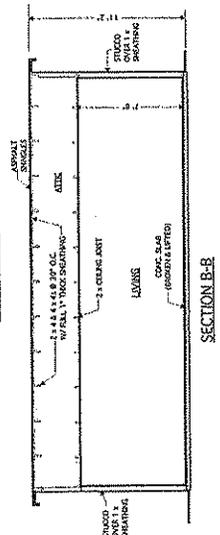
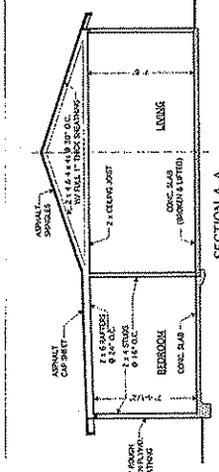
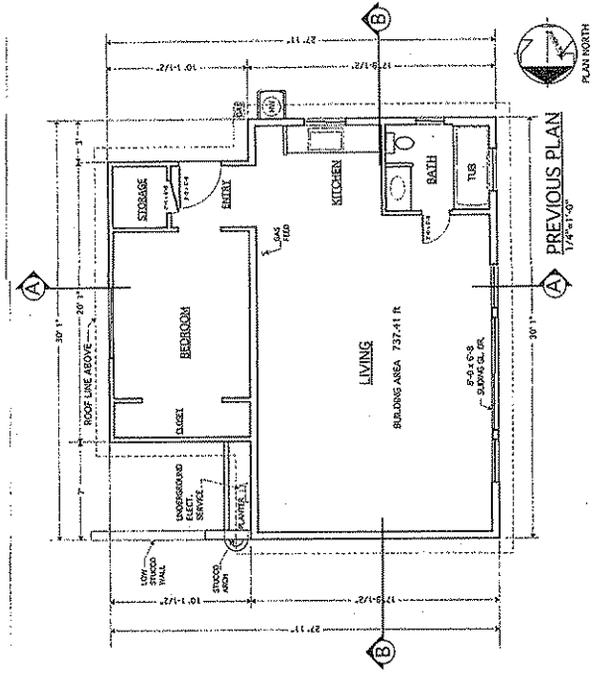
Toni Haughey, Historic Preservation Review Commission Chair

PROJECT PLANS

- FLOOR PLAN
- SECTIONS
- EXTERIOR ELEVATIONS

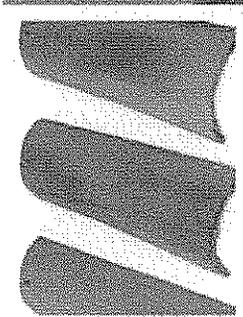
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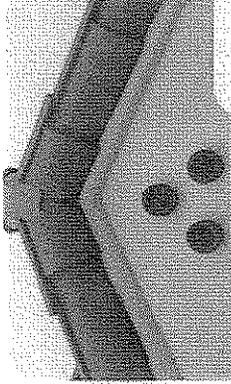
PHOTOGRAPHS

MATERIALS AND COLORS

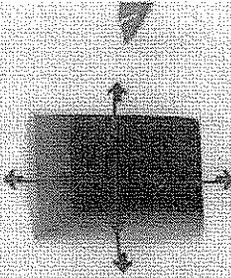


TILE ROOF COLOR
REDLAND: OLD SEDONA
BLEND

MEDITERRANEAN REVIVAL
STYLE WHICH INCLUDES
MEXICAN STYLE



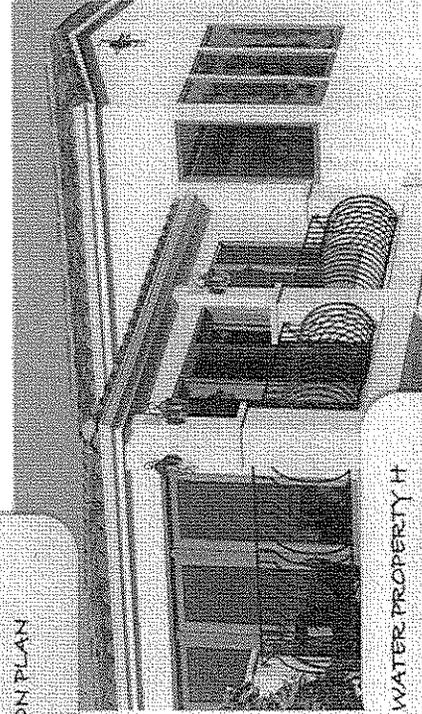
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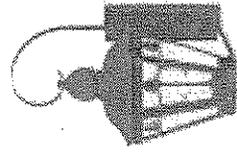
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AS SHOWN IN THE
DOWNTOWN HISTORIC
CONSERVATION PLAN



10 Oyster

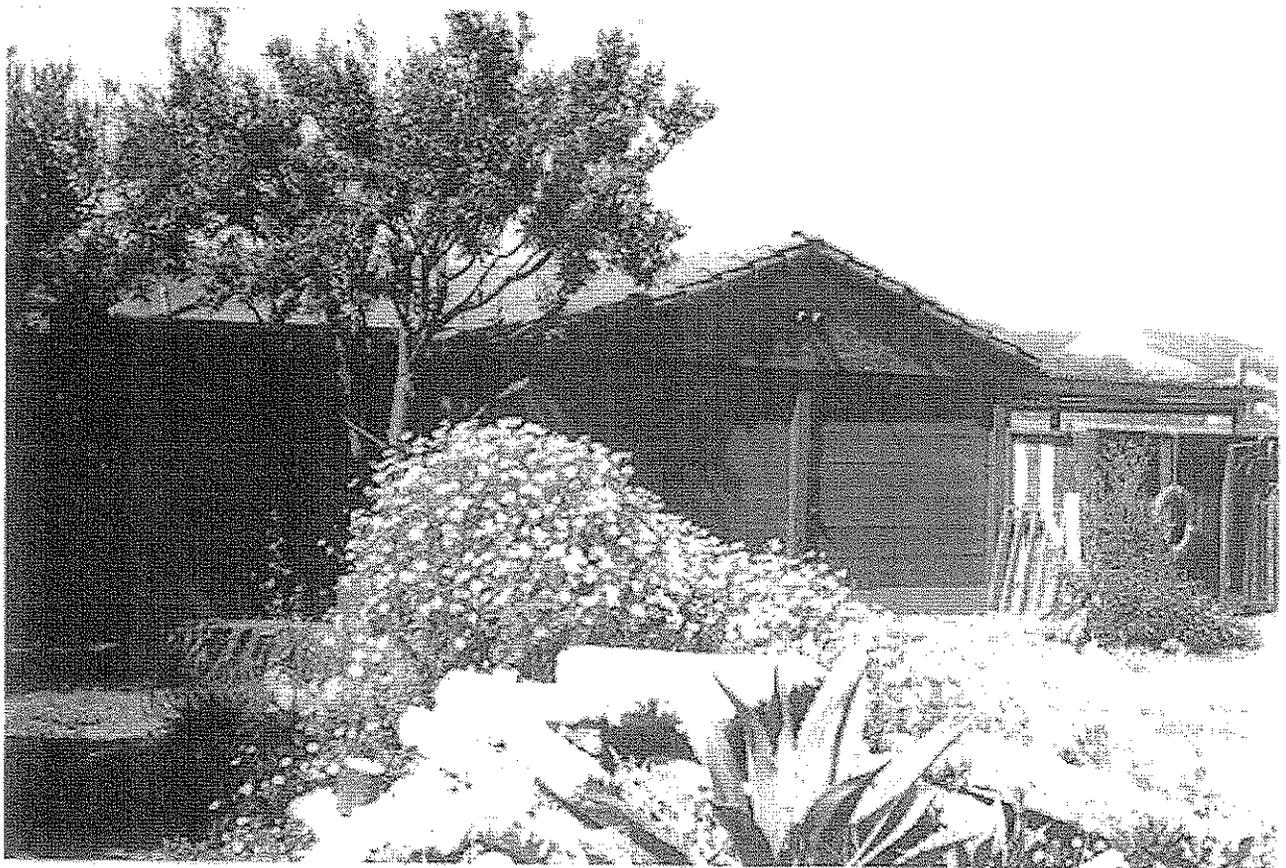
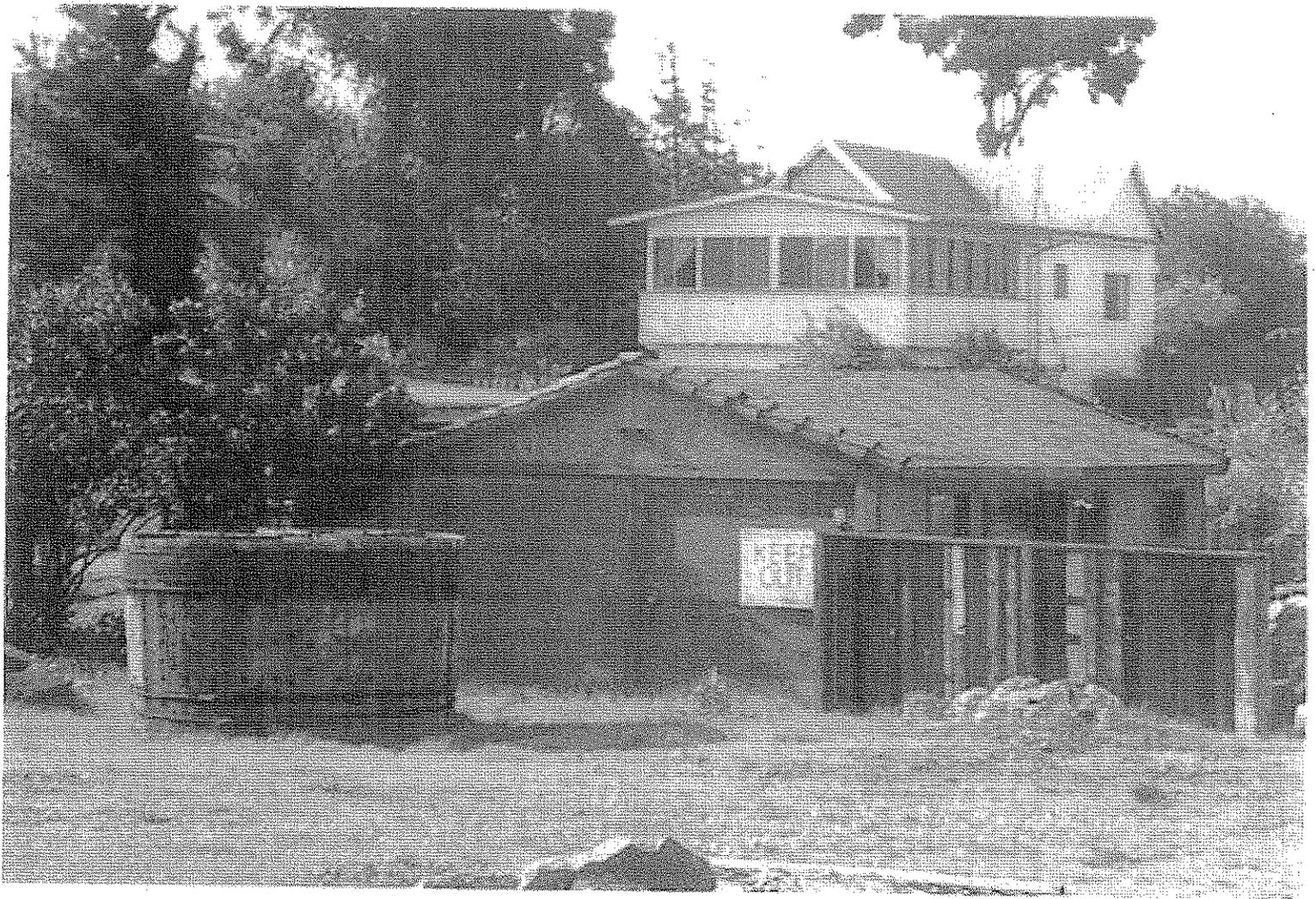


WATER PROPERTY H
STREET METAL FRAME
WINDOWS



WALNUT CREEK
LIGHTING CO.
EXTERIOR LIGHT FIXTURE

KELLY-MOORE EXTERIOR COLORS:
TRIM: 417 OXFORD BROWN,
WALLS: 26 OYSTER



**AGENDA ITEM
HISTORIC PRESERVATION REVIEW COMMISSION
REGULAR MEETING: JULY 22, 2010
PUBLIC HEARING**

DATE : July 13, 2010

TO : Historic Preservation Review Commission

FROM : Mark Rhoades, AICP, Land Use & Engineering Division

SUBJECT : **SOLAR CITY HALL AND SUSTAINABLE PARKING LOT
LANDSCAPE IMPROVEMENTS**

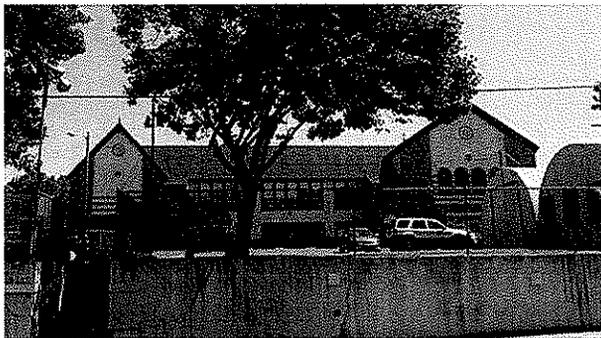
PROJECT : Design Review for Parking Area Improvements at City Hall, 250 East L Street, APN: 88-141-060

RECOMMENDATION:

Consider the attached staff report and information, receive and consider comment from the public, consider the environmental determination, and if appropriate approve the design review request for modifications to the City Hall parking lot located at 250 East L Street, based on the findings and conditions of approval set forth in the proposed resolution.

EXECUTIVE SUMMARY:

This project is a public/private partnership between the City of Benicia and Chevron Corporation. Chevron has proposed to install renewable energy infrastructure for the Benicia City Hall. The infrastructure includes the construction of an environmentally sustainable parking area that will improve City Hall's "K" Street frontage and overall neighborhood connectivity.



The proposed project will improve City Hall's "K" Street parking area to include low profile photovoltaic paneled carports and the environmentally sustainable redesign of the existing parking area. The redesigned parking area includes the elimination of the failing six-foot high retaining wall along the "K" Street frontage, removal of the non-historic Quonset huts, removal

of significant amounts of water run-off generating paving, and installation of new local and drought-tolerant landscaping and permeable paving sections. The project does not include any disturbance or alteration of the former Benicia High School/City Hall structure. The proposed project results in the addition of three parking spaces than currently exist.

City Hall is a locally designated historic resource (formerly Benicia High School). It is also one of the most important resources of the Downtown Historic District. The attached historic evaluation (DPR 523 A/B) form provides an overview of the important historic resource information. The former Benicia High School is a good example of Tudor Revival architecture and is the largest public building in Benicia. The period of significance for Benicia High School was 1847 to 1940. The DPR form indicates that the subject of the historic designation is the building, and not the site. The proposed project will not alter the building in any way.

ENVIRONMENTAL ANALYSIS:

The proposed project involves alterations to a site that includes a locally designated historic building. Staff has reviewed the proposed project plans and the modifications that will be made to the site. Staff has also reviewed the Secretary of the Interior's Standards. No modifications to the building are proposed, therefore no negative effects are anticipated to occur.

The proposed project will provide several environmental benefits. Installation of the photovoltaic panels will provide 172 kilowatts of electricity, or enough to provide 80% of the electricity needed for City Hall. In addition, the proposed parking lot improvements will significantly decrease the rate of site surface water runoff, and provide increased on-site bio-filtration for parking lot contaminants.

Staff has determined (See attached Categorical Exemption) that this project is Categorically Exempt under Section 15303(e), New Construction or Conversion of Small Structures, of the State of California Environmental Quality Act (CEQA). This exemption includes construction or conversion of accessory structures, including garages, carports, patios, swimming pools and fences.

GENERAL PLAN:

The proposed project addresses a number of General Plan Goals and Policies including:

- ❑ Goal 2.23: Ensure adequate parking while maintaining aesthetic landscape features
 - Policy 2.23.1: Provide adequate on-street and off-street parking
- ❑ Goal 2.28: Improve and maintain public facilities and services
- ❑ Goal 3.1: Maintain and enhance Benicia's historic character
 - Policy 3.1.5: Permit new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan.
- ❑ Goal 3.27: Improve energy efficiency.

STRATEGIC PLAN:

The proposed project addresses a number of Strategic Plan Issues and Strategies:

- Strategic Issue #2: Protecting and Enhancing the Environment
 - Strategy #1: Reduce greenhouse gas emissions and energy consumption
 - Strategy #3: Pursue and adopt sustainable practices

BUDGET INFORMATION:

The proposed project is budget neutral for the City of Benicia. With the implementation of this project the City will create a renewable energy resource. Over time, the City of Benicia will experience a significant reduction in the use and cost of electricity that is currently utilized by City Hall. That reduction equates to significant long-term cash savings and greenhouse gas reductions.

SUMMARY:

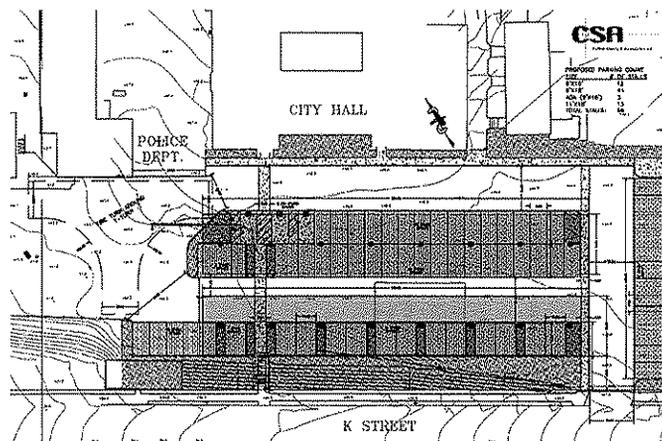
Project Description

The project includes the following:

1. Installation of carports with solar photovoltaic panels, for energy and cost-savings, and as a demonstration of renewable energy projects for the City of Benicia.
2. Removal of a non-historic retaining wall and non-historic structures (Quonset huts) in the existing parking lot.
3. Low-impact development, landscaping in parking lot and along East K Street frontage.

The proposed carports will support photovoltaic panels to provide solar generated electricity for City Hall. Each carport will be 209' long, and 32.5' wide. The parking area currently supports 66 parking spaces. The project will provide 69 parking spaces. The parking space areas below the solar panels will be paved with a pervious surface such as turf block. Turf block is a pervious paving material that allows water to be absorbed through the soil while providing for an all-weather driving surface above.

The solar panels will be supported by a minimal framework that consists of painted steel poles that are placed 20' on center. The minimal number of supports helps to increase the views to the lower portions of City Hall's K Street elevation, a perspective that has not historically been as prominent. This increased visibility will serve to reinforce the



architectural importance of the Tudor Revival historic structure.

The proposed project will not alter the existing historic resource. The solar panel structures are located more than 20' away from the City Hall building. It will improve the historic integrity of the existing City Landmark by making portions of it more publicly visible. The project will not negatively affect the property's potential to be historically designated at the State or Federal level.



CLIMATE ACTION PLAN:

The proposed project provides significant climate action benefits to the Benicia community. The benefits include:

- Photovoltaic panels that will provide 172 kilowatts of renewable solar energy, providing 80% of the electricity needed for City Hall,
- Shading for large portions of the existing parking area reducing the heat gain generated by the asphalt paving,
- Increased landscaped areas with drought tolerant and native species,
- Increased on-site storm water infiltration capacity with reduced paving area,
- Improved neighborhood access and connectivity,
- A civic demonstration project that reduces greenhouse gases and improves the environment.

This project complies with the following Climate Action Plan Objectives and Strategies:

- Objective B-1: Increase Building and Energy Efficiency in Municipal Buildings by 10% by 2020
 - Strategy B-2.2. Promote Local Green Building Projects
 - Strategy B-4.6. Energy Efficiency Demonstration Projects at City Hall
- Objective B-4: Green 30% of Historic Structures by 2020
 - Strategy B-4.6: Energy Efficiency Demonstration Projects at City Hall
- Objective E-2: Increase Amount of Renewable Energy in Benicia

- Strategy E-2.3. Renewable Energy For City Facilities
- Objective E-3: Increase Amount of Solar Energy Production in Benicia
 - Strategy E-3.1: Encourage Parking Lot Solar Photovoltaic Arrays

Zoning Ordinance Consistency

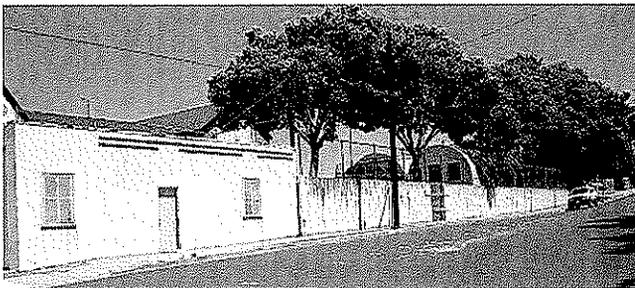
The project is consistent with the Zoning Ordinance requirements. The project will decrease the site's overall lot coverage by removing the non-historic Quonset huts. The project will provide three more parking spaces than exist currently. The proposed carports are well below the district's height limits. The locations of the proposed carports also exceed the district's setback requirements.

Downtown Historic Conservation Plan Consistency

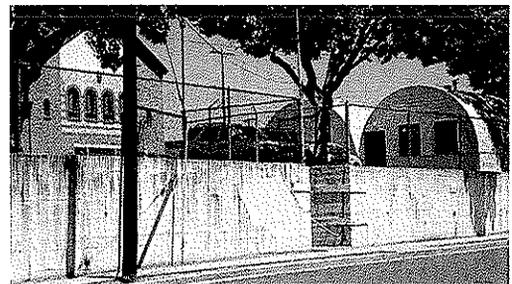
The purpose of the Downtown Historic Conservation Plan (DHCP) is to:

1. Implement the city's general plan,
2. Deter demolition, destruction, alteration, misuse, or neglect of historic or architecturally significant buildings that form an important link to Benicia's past,
3. Promote the conservation, preservation, protection, and enhancement of each historic district,
4. Stimulate the economic health and residential quality of the community and stabilize and enhance the value of property, and
5. Encourage development tailored to the character and significant of each historic district.

The portion of the former Benicia High School site that will be altered currently supports an almost completely paved parking area, two non-historic Quonset huts currently used for storage, and a six-foot high retaining wall that separates the site from the adjacent sidewalk and the rest of the downtown area.



None of these structures is listed on the DPR record. This indicates that they are not considered historically significant to the former Benicia High School structure. In fact, most of the record of the building's significance is either directly related to its architectural design or materials, or its "front yard" on "L" Street. The rear of the site has been used for a variety of purposes historically. Alterations have been made over time with greater and lesser sensitivity.



The “K” Street frontage has never been considered the building’s front yard, and the variety of existing treatments and structures are consistent with that. Indeed, the “K” Street side has been the building’s service entrance. The removal of the accessory structures and the wall will open short distance and medium views to the historic resource. The proposed photovoltaic arrays will be mounted on a minimal horizontal rack that will double as carports. The arrays will be visible from the right of way, but their minimal design will not have a detrimental effect on the historic resource when balanced with the removal of the other structures.



The project will also create connectivity with the downtown area and the immediate neighborhood that has never been provided. The proposal includes replacement of the retaining wall that is hanging over the sidewalk with a vegetated slope (2:1), low decorative walls and new stairs that provide access to “K” Street. The vegetated slopes will replace a significant amount of asphaltic concrete paving area. Reducing the parking lot’s paving allows for on-site water infiltration. It allows for the natural filtration of contaminants that are generated by the parking area. In addition, the areas that constitute the actual parking spaces will be paved with turf blocks that will allow for additional water percolation and filtration.

Secretary of the Interior’s Standards for Treatment of Historic Properties

As a designated contributing historic structure, all exterior changes must comply with the Secretary of the Interior’s Standards. According to the Standard, Rehabilitation is defined as:

“...the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values “

The proposed project is consistent with the Secretary of the Interior’s standards. The proposed site alterations will make the existing site more consistent with the original site design, and will not affect the architectural quality of the historic building. The proposed carports are distinct from the historic building’s architecture and could be removed in the future. For additional information see the attached discussion in the Class 3 Categorical Exemption.

FURTHER ACTION:

The Historic Preservation Review Commission's action will be final unless appealed to the Planning Commission within ten business days by filing the appropriate form and paying the appropriate fee.

Attachments:

- Proposed Resolution
- Exhibit "A" – Site Plan
- Class 3 Categorical Exemption from CEQA Guidelines
- Historic Resource Evaluation Form (DPR 523 A/B)
- Project Plans and Graphics

PROPOSED RESOLUTION

RESOLUTION NO. 10- (HPRC)

A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR MODIFICATIONS TO THE CITY HALL PARKING LOT LOCATED AT 250 EAST L STREET

WHEREAS, the City of Benicia has requested design review approval to modify the City Hall parking lot located at 250 East L Street; and

WHEREAS, the Historic Preservation Review Commission at a regular meeting on July 22, 2010 conducted a public hearing and reviewed the proposed project.

NOW, THEREFORE BE IT RESOLVED that the Historic Preservation Review Commission of the City of Benicia hereby finds that:

- a) This project is Categorically Exempt under Section 15303 (e), New Construction or Conversion of Small Structures, of the State of California Environmental Quality Act (CEQA). This exemption includes construction or conversion of accessory structures, including garages, carports, patios, swimming pools and fences.
- b) This project is consistent with the Federal Secretary of the Interior's Standards for the Treatment of Historic Properties. Although the proposed carports are not historic resources, they are located on a property with buildings that contribute to the Downtown Historic District. The proposed modifications to the parking lot and the effects of the proposed carports on this historic resource are evaluated under these standards.
- c) The project is consistent with the Downtown Historic Conservation Plan policies and design guidelines.
- d) The design of the project is consistent with the purposes of Title 17 of the Benicia Municipal Code.

BE IT FURTHER RESOLVED that the Historic Preservation Review Commission of the City of Benicia hereby approves the proposed project subject to the following conditions:

1. This approval shall expire two years from the date of approval, unless made permanent by the issuance of a building permit.
2. The plans and maps submitted for approval and development of the site shall be in substantial compliance with the plans dated received "July 13, 2010" marked Exhibit "A" and consisting of 2 sheets on file with the Public Works & Community Development Department.
3. Any alteration of the approved plans, including substitution of materials or changes in paint colors, shall be requested in writing and approved by the Public Works and

Community Development Director or designee prior to changes being made in the field. Any changes that may involve disturbance of the designated historic resource shall be reviewed and approved by the HPRC prior to implementation.

4. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
5. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Public Works and Community Development Director's, Historic Preservation Review Commission or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

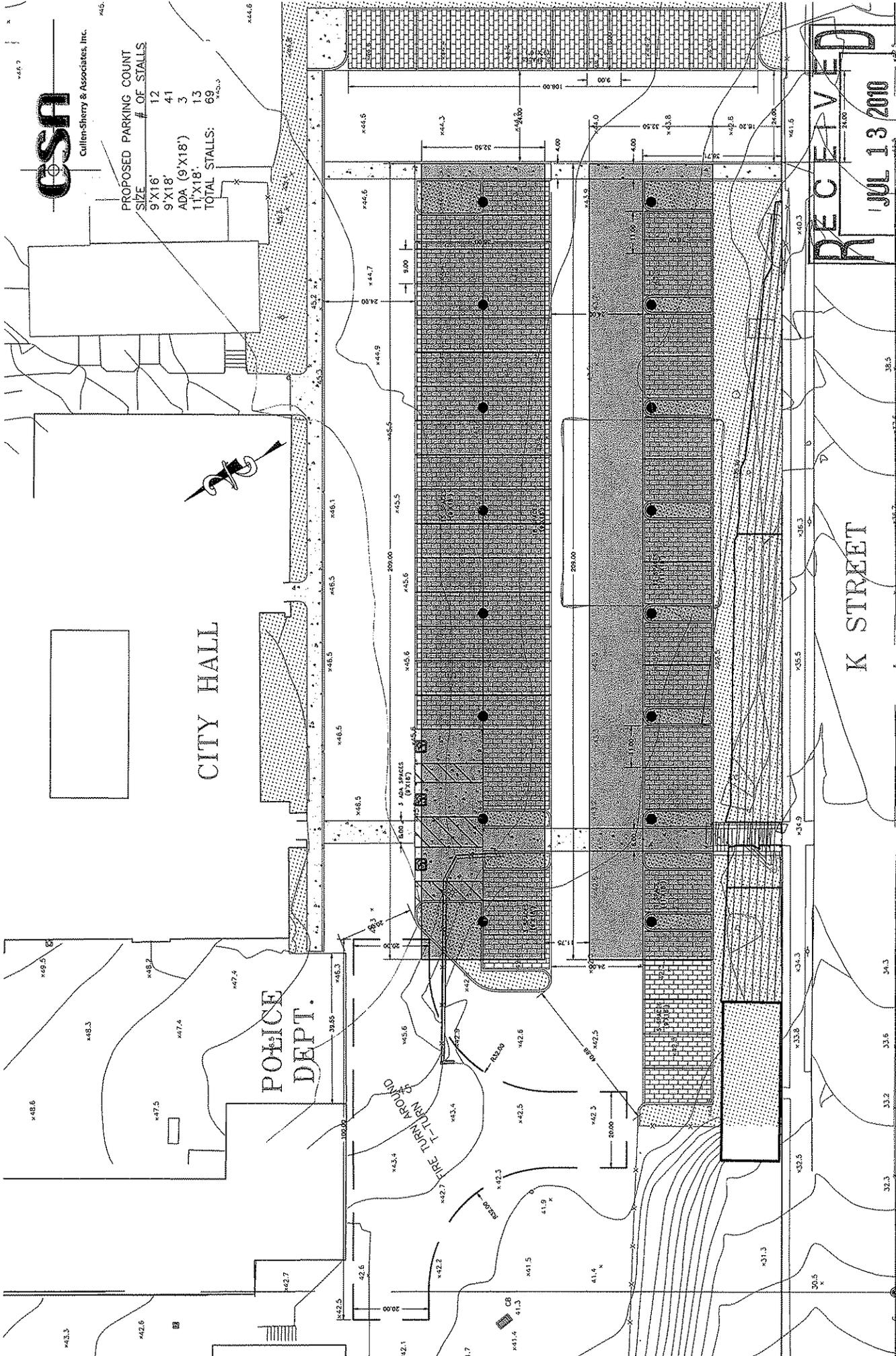
* * * * *

On motion of Commissioner _____, seconded by Commissioner _____, the above Resolution was adopted at a regular meeting of the Historic Preservation Review Commission on July 22, 2010 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Toni Haughey, Historic Preservation Review Commission Chair

EXHIBIT "A" – SITE PLAN



Callens-Sherry & Associates, Inc.

PROPOSED PARKING COUNT
 SIZE # OF STALLS
 9'X16' 12
 9'X18' 41
 ADA (9'X18') 3
 11'X18' 13
 TOTAL STALLS: 69

CITY HALL

POLICE DEPT.

FIRE TURN-AROUND

K STREET

RECEIVED

JUL 13 2010

CITY OF BENICIA
 COMMUNITY DEVELOPMENT



RECEIVED
JUL 13 2010
CITY OF DENVER
COMMUNITY DEVELOPMENT

Solar City Hall/Sustainable Parking Improvements

Class 3 Categorical Exemption

Solar City Hall and Sustainable Parking Lot Improvements

Class 3 Categorical Exemption from CEQA Guidelines

Prepared by the City of Benicia

July 2010

Introduction

The proposed request to approve parking lot improvements for City Hall (formerly Benicia High School) is a Class 3 Categorical Exemption from the CEQA Guidelines pursuant to Section 15303(e) of the CEQA Guidelines where it can be seen with certainty that no other potential environmental effects may occur.

Class 3 is reserved for new construction or conversion of small structures. This exemption includes construction or conversion of accessory structures, including garages, carports, patios, swimming pools and fences. The proposed project does not have the potential to result in any negative effects on the existing historic resource.



Project Description

The proposed project will alter the southeastern portion of the City Hall parking lot. The City Hall buildings are the former Benicia High School. The buildings are a locally designated historic resource and may be eligible for inclusion on the National Register of Historic Places. The project includes:

1. Installation of carports with solar photovoltaic panels, for energy and cost-savings, and as a demonstration of renewable energy projects for the City of Benicia.
2. Removal of a non-historic retaining wall and non-historic structures (Quonset huts) in the existing parking lot.
3. Low-impact development, landscaping in parking lot and along East K Street frontage.

The project will not touch the existing historic resource, nor will it affect the historic integrity of the existing City of Benicia historic resource. The project will increase the property's potential to be historically designated on the State or Federal level as a result of removing non-historic structures and increasing visibility to the site from the public right of way.

The proposed project will improve City Hall's "K" Street parking area to include low profile photovoltaic paneled carports and the environmentally sustainable redesign of the existing parking area. The redesigned parking area will eliminate the failing six-foot high retaining wall along the "K" Street frontage, removal of the non-historic Quonset huts, removal of significant amounts of water run-off generating paving, and installing new local and drought-tolerant landscaping and permeable paving sections. The project does not include any disturbance or alteration of the former Benicia High School/City Hall structure.



Quonset huts to be removed

City Hall is a locally designated historic resource (formerly Benicia High School). It is also the most important element of the Downtown Historic District. The attached DPR form provides an overview of the important historic resource information. The former Benicia High School is a good example of Tudor Revival architecture and is the largest public building in Benicia. Its period of significance was 1847 to 1940. The DPR form indicates that the subject of the historic designation is the building, and not the site. The proposed project will not alter the historic building in any way.

In addition, the proposal includes removal of the two Quonset huts that are located in the parking area. The Quonset huts are storage buildings that are not included on the DPR form and that are not consistent with the architectural style or period of the designated former high school. Removal of the structures will make the K Street frontage and surrounds more historically accurate relevant to the main structure's period of significance and architectural style.

The request for design approval is a discretionary project pursuant to Section 21065(c) of the CEQA statutes, and Section 15002(i)(1) of the Guidelines (*Italics added*):

§ 21065. PROJECT

"Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:

- (a) An activity directly undertaken by any public agency.
- (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- (c) *An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.*

§15002. GENERAL CONCEPTS

(i) Discretionary Action. CEQA applies in situations where a governmental agency can use its judgment in deciding whether and how to carry out or approve a project. A project subject to such judgmental controls is called a "discretionary project." (See: Section 15357.)

(1) Where the law requires a governmental agency to act on a project in a set way without allowing the agency to use its own judgment, the project is called "ministerial," and CEQA does not apply. (See: Section 15369.)

Secretary of the Interior Standards

In order to further assess the potential for negative effects on the historic resource the Secretary of the Interior's standards were analyzed relevant to the proposed project.

The Secretary of the Interior defines rehabilitation as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The proposed City Hall parking lot project is not a rehabilitation of the existing historic resource. Rather, it is a project that will provide new renewable energy resources in the form of photovoltaic panels and environmentally sustainable parking lot improvements. The site of the former Benicia High School is not a historic resource, but the building itself is.

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, rehabilitation may be considered as a treatment.

The bold text is the applicable Secretary of Interior's Standard for Rehabilitation guideline. The regular text is staff's response about how the particular guideline or policy relates to the proposed project.

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

The existing public/semi-public use will not change. The building ceased its original use as Benicia High School in 1940. The DPR form that is the record of the building's historic significance indicates that the change of use from school to City offices did not compromise the historic integrity of the building.

- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

The City Hall, formerly the Benicia High School building, is a Tudor Revival institutional building constructed on a U-shape plan. The principal character-defining features of this

style of building as exhibited on the subject property include the cross-gabled rooflines, arched windows, brick finish and connected corridors.

These character-defining features are still present and will be retained and preserved. The proposal does not involve the removal of these distinctive materials or alteration of features, spaces and spatial relationship that characterizes the property.

The proposed carports will not remove any of the distinctive materials or impair the features, spaces or spatial relationships that characterize the property. The resources in the District are defined through the buildings; their age and architectural feature. The new carports will respect the historic resource through physical separation and design compatibility without matching distinctive characteristics. Implementation of the project will actually improve the site's relationship to the neighborhood, and remove structures that obscure the visibility of the historic building.

- 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.**

In 2004, the property was surveyed by Carol Roland. Her analysis of the property states that it is the building and not the site that is important.

The proposed materials and design of the carports are compatible with the existing historic resource, but do not duplicate the character defining features. Details such as the materials and roof form are compatible without creating a false sense of historic development. The proposed carports will appear as new construction. No features or elements from other historic property will be added.

- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.**

The proposed project will remove the six foot high retaining wall along K Street. It will also remove the two non-historic Quonset huts. The Quonset huts are not a part of the original Benicia High School. Their removal will make the building more consistent with its original design and construction.

- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.**

No distinctive materials, features, finishes and construction techniques will be altered or removed.

- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will**

match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

No deteriorated historic features will be repaired or replaced.

- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**

No chemical or physical treatments are proposed to be undertaken in the project that may cause damage to the historic resource. In addition, the proposed carports are in the rear of the property away from the historic buildings.

- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**

The proposed construction is on a pre-developed parcel and requires minimal site work; therefore the possibility of disturbing archeological resources is unlikely. However, should such a resource be discovered, mitigation measures will be undertaken through the building inspection process. Generally, this standard does not apply to this project.

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property.**
- 10. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

The proposed project will not disturb or alter the designated historic resource. According to the DHCP, the resources in the Downtown Historic District are defined through the buildings, their age, and architectural features. The new carports, removal of non-historic retaining wall and non-historic structures, and landscaping will respect the historic resource on the property through physical separation and compatibility of design and materials without matching.

- 11. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

If the new carports were to be removed in the future, the essential form and integrity of the historic property would not be impaired. No other additions are proposed and therefore the essential form and integrity of the historic property would not be impaired by future removal.

Environmental Determination

The proposed project is a Class 3 Categorical Exemption because, based on the proposal, the project

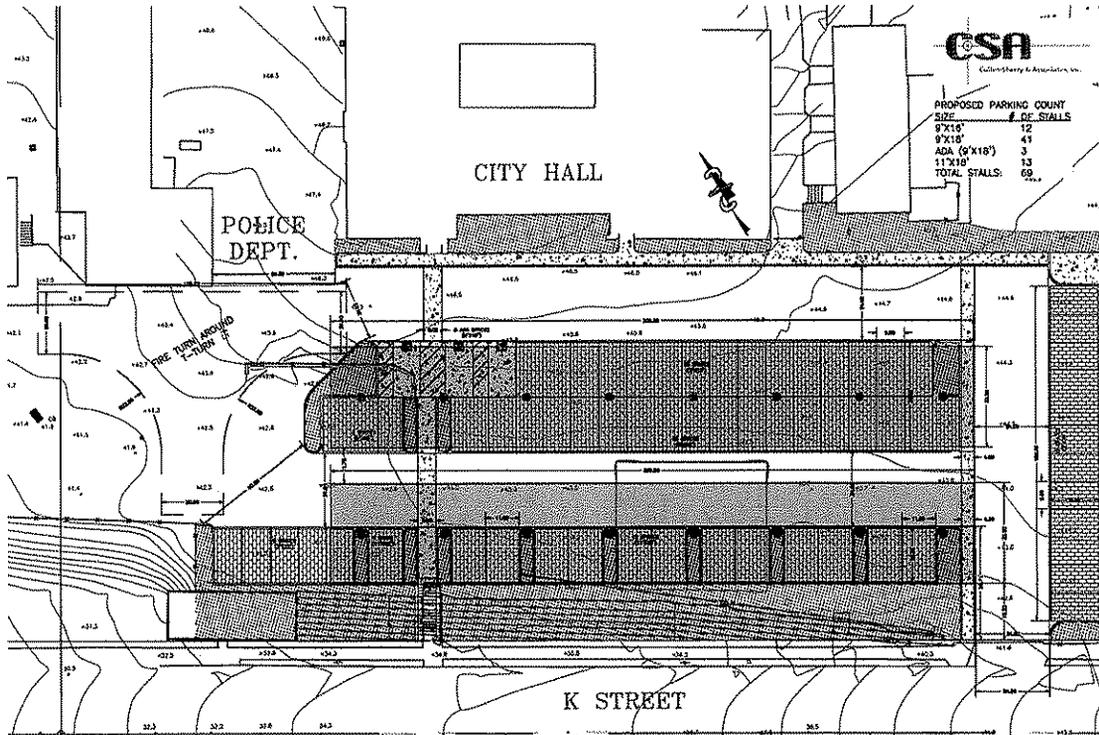


description, plans and the analysis in the staff report the project will does not have the potential to have a detrimental effect on the environment or the neighborhood, or on the designated historic resource building.

Implementation of the project will provide substantial public benefits and improve the visibility and access to the K Street frontage of the former Benicia High School now City Hall complex of buildings. The project will remove the two non-historic Quonset huts making the site more architecturally consistent with its original design and layout.



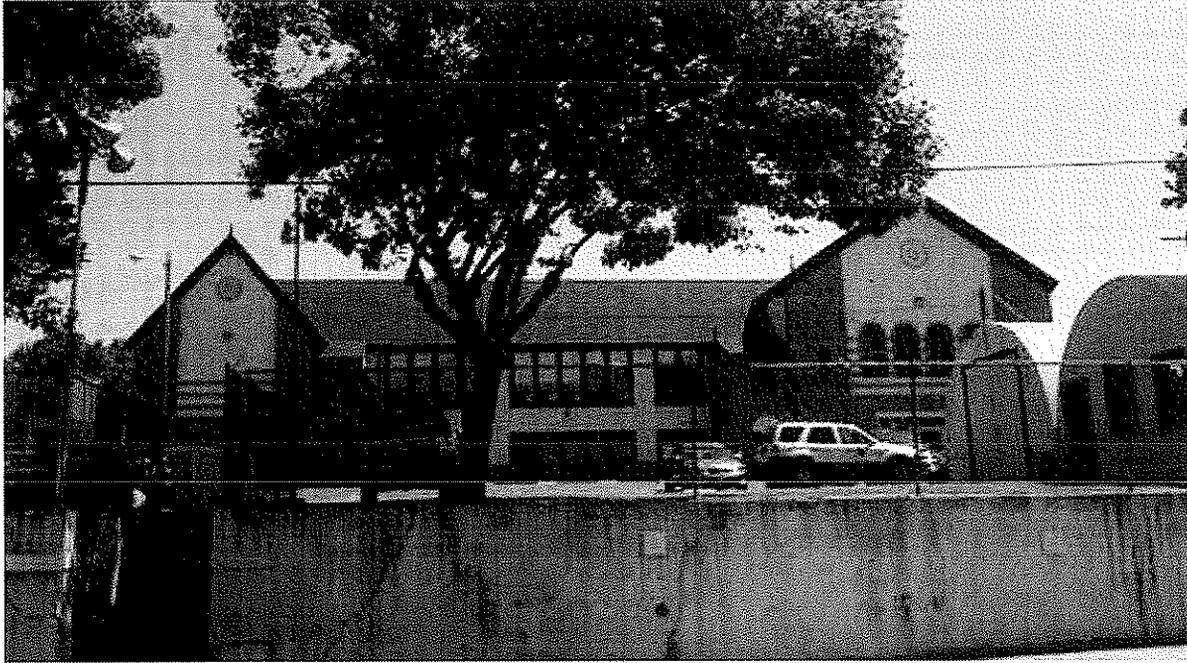
Proposed Site Plan for City Hall Parking Area Improvements



Existing Parking Area



City Hall
Existing and Proposed K Street Elevations



EXISTING



PROPOSED

City Hall Vicinity



Historic Resource Information (DPR Form)

City Hall (formerly Benicia High School)

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #: _____
 HRI # _____
 Trinomial _____
 NRHP Status Code: _____
 Other Listings _____
 Review Code _____ Reviewer _____ Date _____

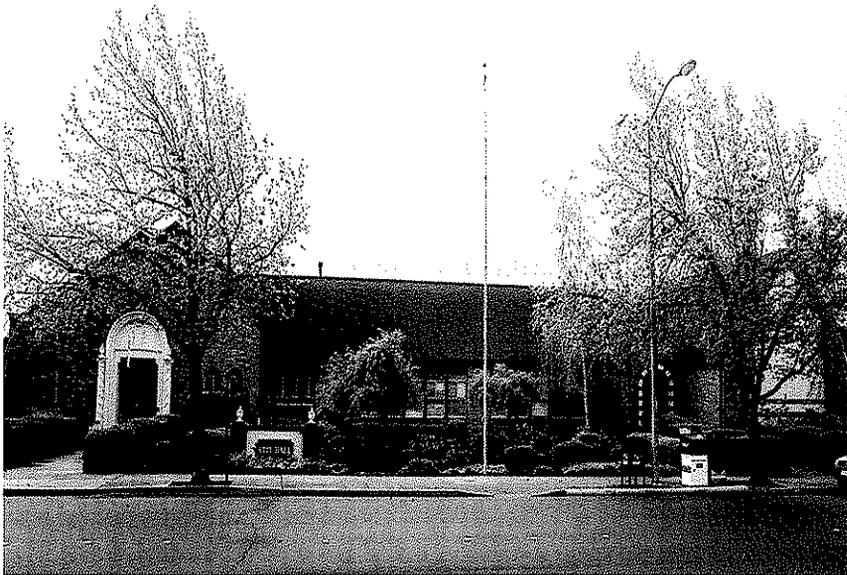
*Resource Name or #: 250 East L Street

- P1. Other Identifier: City Hall
- *P2. .Location: *a. County Solano
- b. Address: 250 East L Street
- *c. City: Benicia Zip 94510
- d. UTM: N/A
- e. USGS Quad: Benicia T2N R3W MDM
- *f. Other Locational Data (APN #): 88-141-06

*P3a. **Description** The City Hall, formerly the Benicia High School building, is a Tudor Revival institutional building constructed on a U-shape plan. Sited on a sloped lot, it is one-story on the L Street elevation and two-story at the rear. The building has cross gable roofs of varying heights with slight eave overhangs and gables finished with a central pediment trimmed with a coping. Primary entries are located at the gable ends with a prominent centered double door on the east wing. This entry is highlighted with terra cotta pilasters and an arched pediment. The white color of the terra cotta provides a vivid contrast to the brick walls. Small paired arched windows flank this entry. On the west side of the front elevation the entry is recessed into the L formed by the conjuncture of the main cross wing and the projecting gable wing. It has a gabled roof and an arched entry voussoir of alternating terra cotta and brick. Fenestration along the front of the cross wing consists of long ribbons of tripartite windows, originally multi-light, but now with replacement glazing. The west projecting gable end has a contrasting concrete inset wall which is trimmed at the bottom with brick bands. Fenestration on the side walls consists of large arched windows set into terra cotta casings that are trimmed with a brick banding motif. The building is brick masonry of variegated hue which gives the wall a strong visual interest. The interior of the building is organized around a central courtyard which is a character defining feature.

*P3b. **Resource Attributes:** HP14

P5. **Photograph or Drawing** (Photograph required for buildings, structures, and objects.)



*P4. **Resources Present:** Building Structure Object Site District Element of District

P5b. **Description of Photo:**

Front façade, view southwest

*P6. **Date Constructed/Age:** 1925
 Prehistoric Historic Both

*P7. **Owner and Address:**
 City of Benicia
 250 East L Street
 Benicia, CA 94510

*P8. **Recorded by:**
 Carol Roland
 Roland-Nawi Associates
 4829 Crestwood Way
 Sacramento, CA 95822

*P9. **Date Recorded:** 11-20-04

*P10. **Type of Survey:** Intensive
 Reconnaissance Other

Describe Eligibility Evaluation

*P11. **Report Citation:** none
***Attachments:** NONE Map Sheet Continuation Sheet Building, Structure, and Object Record Linear Resource Record Archaeological Record District Record

Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Identifier: 250 East L Street

*NRHP Status Code: 3S/3D

B1. Historic Name: Benicia High School

B2. Common Name: City Hall

B3. Original Use: secondary school

B4. Present Use: government offices

*B5. Architectural Style: Tudor Revival

B7. Moved? No Yes Unknown

Date: N/A Original Location: same

*B8. Related Features: None

B9a. Architect: George C Sellon, Sacramento

B9b. Builder: W.H Richardson, Sacramento

*B10. Significance: Theme: Benicia Downtown District

Period of Significance: 1847-1940

Property Type: Government Building

Applicable Criteria: A / C

This is the largest and most architecturally distinguished public building in the city. It was designed by architect George Sellon of Sacramento in 1925. Sellon was the first State Architect. The building follows many of the conventions developed for school architecture in the period, including U-shape plan, extensive fenestration, and classical decoration. The building is a good example of its type and has been converted to office use without significant impact to its exterior historic appearance. It is also a good example of Tudor Revival architecture, which was very popular in the period of construction, and was frequently used in school design. The building is also noteworthy as an important educational institution in the history of the city. The building is a City Landmark and should continue in this status. It is also eligible for listing in the National Register of Historic Places.

B11. Additional Resource Attributes: N/A

B12. References: McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred Knopf (1986); Bruegmann, Robert. *Benicia Portrait of an Early California Town: An Architectural History* (San Francisco: 101 Productions (1980); Woodbridge, Sally and Cannon Design Group. *Benicia, California: Downtown Historic Conservation Plan*. City of Benicia, 1990; Sanborn Map Benicia, CA. 1886; 1986 Benicia Historic Inventory form.

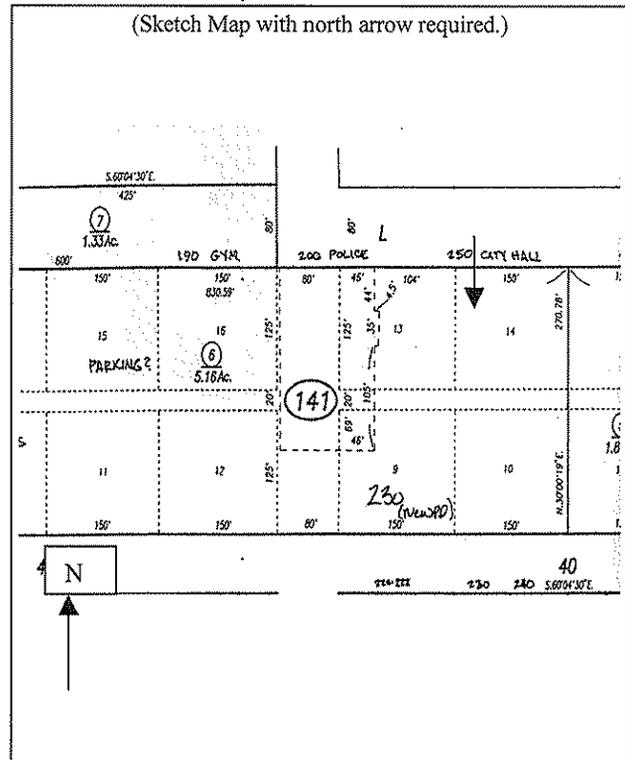
BUILDING, STRUCTURE, AND OBJECT RECORD

Remarks: N/A

B14. Evaluator: Carol Roland, Ph.D.

Roland-Nawi Associates: Preservation Consultants
4829 Crestwood Way
Sacramento, CA 95822

B 15. Date of Evaluation: 11-22-04

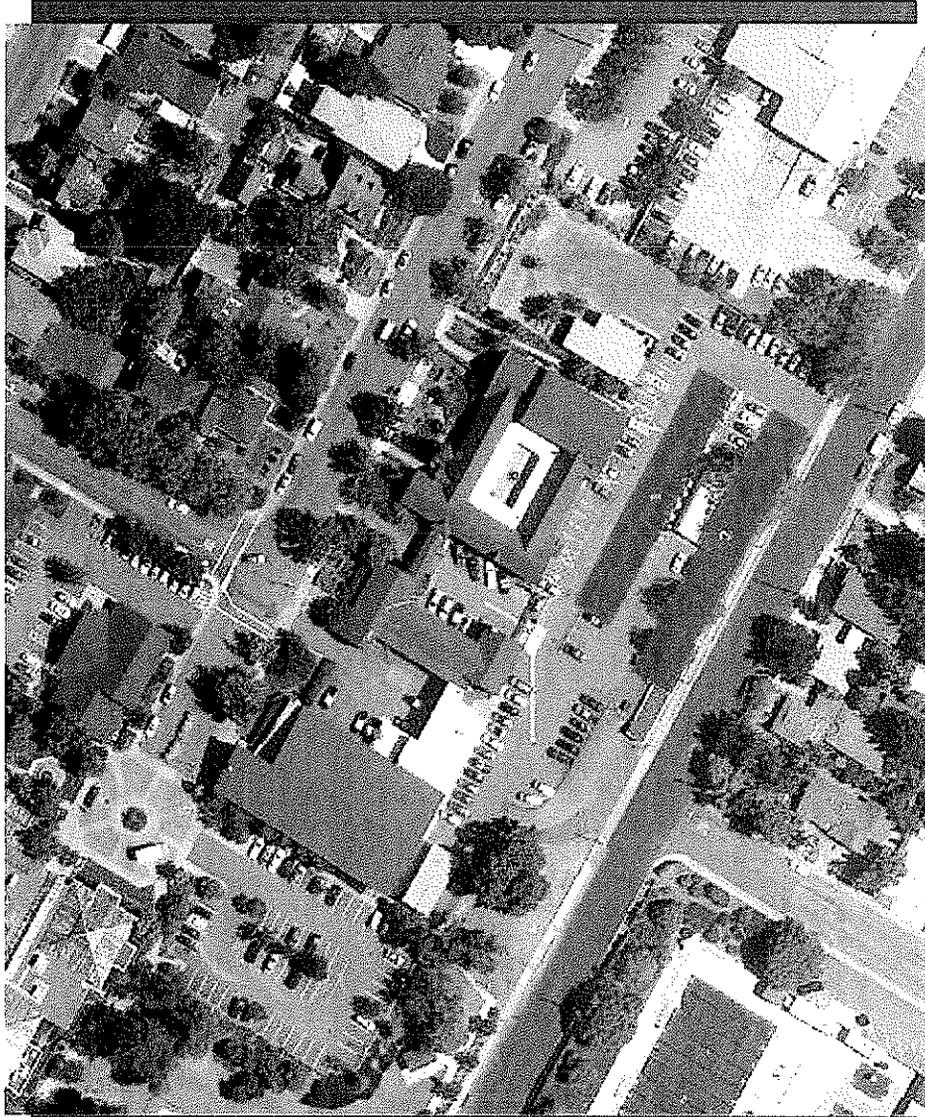


(This space reserved for official comments.)

Plans and Graphics



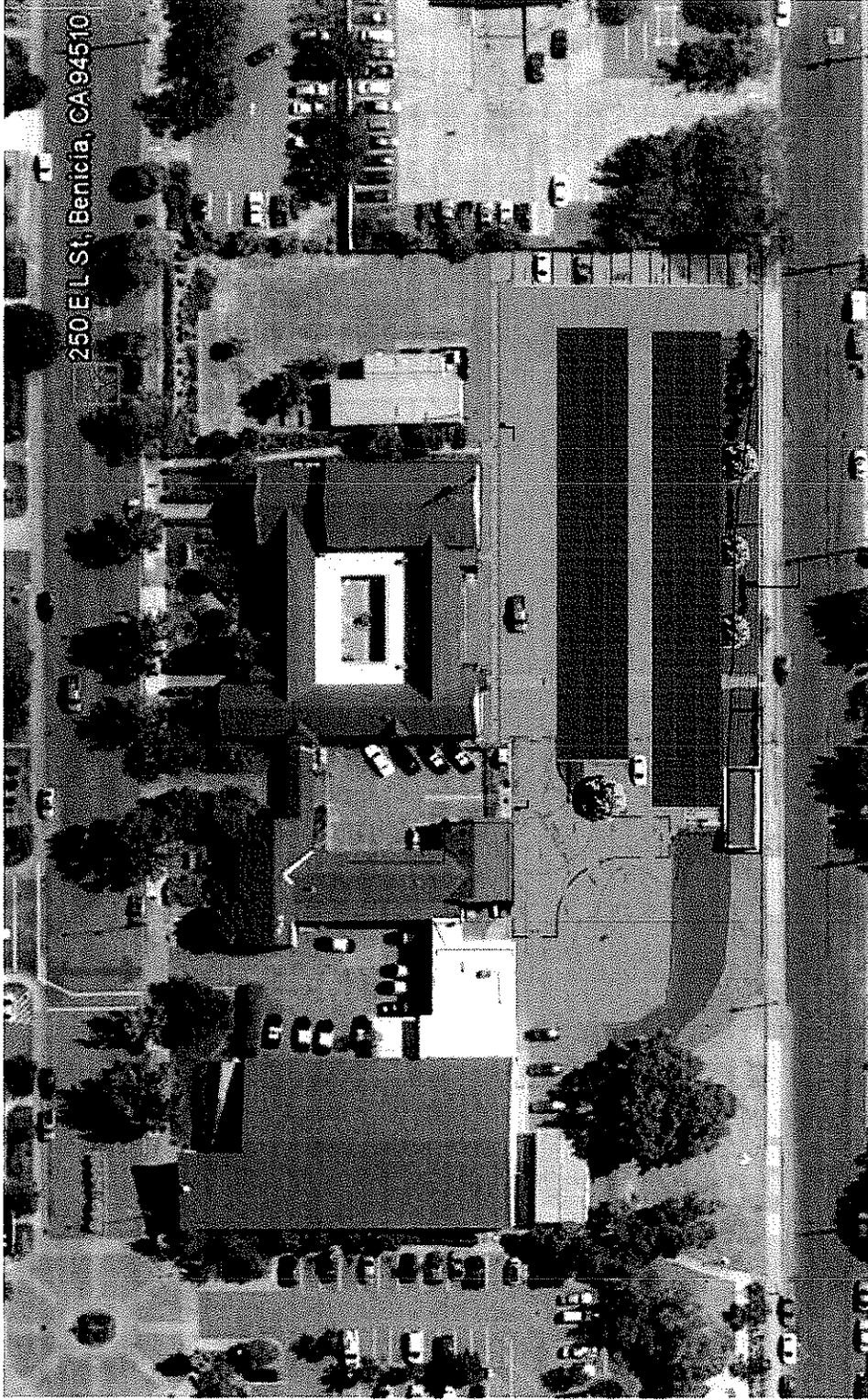
City Hall Complex

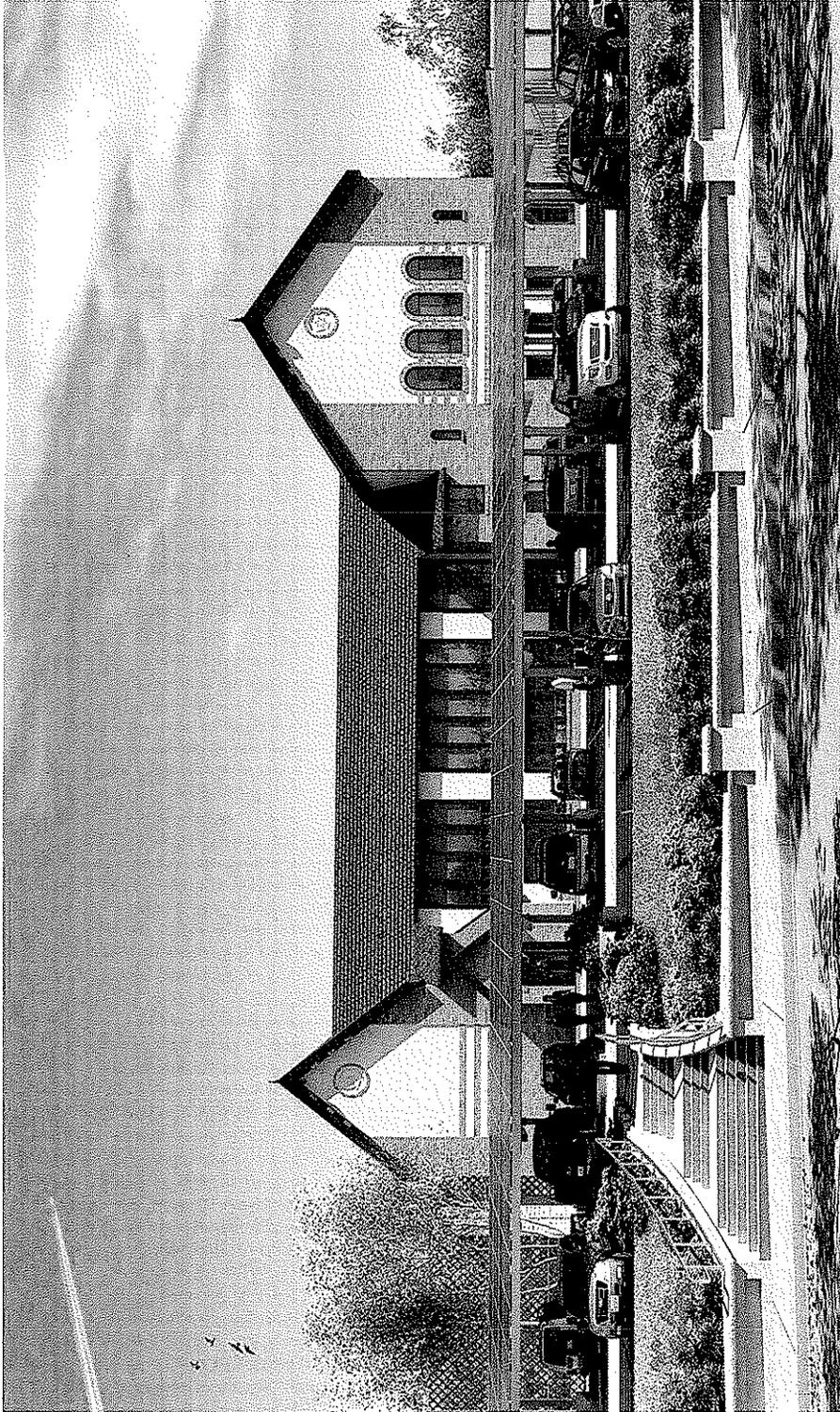


Project Description:

Solar Photovoltaic:

Array 1:	80 kW
Array 2:	92 kW
Total	172 kW







Public Works &
Community Development Department
MEMORANDUM

Date: July 15, 2010
To: Historic Preservation Review Commission
From: Gina D. Eleccion, Management Analyst *GD*
Re: Mills Act Program Guidelines

The City of Benicia Mills Act Program was approved by the City Council on October 15, 2002 and amended in December 2007. The Commission has ranked this as the #4 item on their list of discussion items. In November 2008, the Commission reviewed the Program Guidelines, but opted not to amend them at that time.

Since November 2008, the Commission has continued to comment on the types of contracts approved, particularly "maintenance only" contracts. Currently, the program guidelines do not restrict the type of Mills Act contracts that the City enters into. The only way to restrict this is for the Commission to recommend that the City Council amend the program eligibility requirements.

Based on economic realities, and the City Council's inquiries regarding the costs of the program and loss of revenue, staff recommends that the Commission consider setting an annual threshold for the program. This threshold could either be a monetary threshold or could limit the number of contracts approved. Language has been included in the attached guidelines to facilitate a discussion on this matter. Staff is currently working with the Solano County Assessor's office to update the tax information for all Mills Act properties.

Based on discussion and public comment, the Commission may wish to recommend a revision to the City of Benicia Mills Act Program Guidelines for City Council approval. Staff has included suggestions to program amendments (red-lined version attached). If the Commission does not wish to amend the program guidelines, staff recommends that this item be shown as "completed" on the priority list of discussion items as staff does not have the authority to modify eligibility requirements without an amendment to the program.

Attachments:

- City of Benicia Mills Act Program brochure (red-lined)
- City of Benicia Mills Act Program Costs (Pending information from Solano County, updated document will be provided at July 22, 2010 meeting)
- Research from various Mills Act jurisdictions
 - City of Glendale Research (2006)
 - City of Orange Mills Act Program Information
 - City of Pasadena Program Information
 - City of San Diego Program Information
 - City of St. Helena Mills Act Program Application Packet

CITY OF BENICIA MILLS ACT PROGRAM COSTS
(NOTE - Updated document will be provided at July 22, 2010 meeting)

City of Benicia Mills Act Program Costs

The Mills Act contracts will reduce the property tax paid by these properties. The City of Benicia receives approximately 26% of the property taxes collected on parcels in the City.

PROPERTY ADDRESS	DATE ENTERED INTO	BASE PROPERTY VALUE (to be updated)	PROPERTY TAX WITHOUT CONTRACT (1%)	CITY REVENUE 26% OF PROPERTY TAX	REASSESSED MILLS ACT PROPERTY VALUE (as of 2010)	PROPERTY TAX WITH CONTRACT (1%)	CITY PROPERTY TAX REVENUE OF REASSESSED VALUE (26% OF PROPERTY TAX)	FAIR MARKET VALUE (AS OF 1/1/10) to be provided by Solano County	ESTIMATED TAX SAVINGS*	LOSS OF CITY REVENUE*
EXISTING CONTRACTS:										
245 West K Street** - M	11/7/80	\$1,255,877	\$12,558.77	\$3,265.28	\$179,310	\$1,793.10	\$466.21		\$10,766	\$2,799
235 East L Street**	6/11/80	\$1,201,877	\$12,019	\$3,125	\$225,882	\$2,259	\$587		\$9,760	\$2,538
230 West K Street	10/22/04	\$446,888	\$4,469	\$1,162	\$155,402	\$1,554	\$404		\$2,915	\$758
121 West J Street - M	12/3/04	\$344,401	\$3,444	\$895	\$176,071	\$1,760	\$458		\$1,684	\$438
185 East D Street - M	11/9/04	\$299,025	\$2,990	\$777	\$119,540	\$1,195	\$311		\$1,795	\$467
251 West J Street - M	12/17/04	\$246,998	\$2,470	\$642	\$96,667	\$967	\$225		\$1,603	\$417
401 First Street	10/15/04	\$946,442	\$9,464	\$2,461	\$931,765	\$9,318	\$2,423		\$1,147	\$38
168 West H Street	12/17/04	\$760,000	\$7,600	\$1,976	\$188,203	\$1,882	\$489		\$5,718	\$1,487
123 West D Street - M	12/27/05	\$675,378	\$6,754	\$1,756	\$107,586	\$1,076	\$290		\$5,678	\$1,476
1063 Jefferson Street - M	5/24/05	\$343,664	\$3,437	\$894	\$209,195	\$2,092	\$544		\$1,345	\$350
125 East I Street	12/20/05	\$438,178	\$4,382	\$1,139	\$179,310	\$1,793	\$466		\$2,589	\$673
159 West G Street - M	10/30/06	\$383,217	\$3,832	\$996	\$131,494	\$1,315	\$342		\$2,517	\$654
163 West J Street - M	10/30/06	\$291,875	\$2,919	\$759	\$89,655	\$897	\$233		\$2,022	\$526
149 West G Street - M	10/30/06	\$548,780	\$5,488	\$1,427	\$89,655	\$897	\$233		\$4,591	\$1,194
145 East I Street	10/30/06	\$401,000	\$4,010	\$1,043	\$65,747	\$657	\$171		\$3,353	\$872
141 West H Street - M	12/18/07	\$405,756	\$4,058	\$1,055	\$114,811	\$1,148	\$299		\$2,909	\$758
120 West D Street	12/18/07	\$338,130	\$3,381	\$879	\$129,163	\$1,292	\$336		\$2,090	\$543
1025 West Second Street	12/18/07	\$312,120	\$3,121	\$812	\$77,647	\$776	\$202		\$2,345	\$610
140 East G Street	12/18/07	\$326,835	\$3,268	\$850	\$234,131	\$2,341	\$609		\$927	\$241
392-398 East H Street	12/18/07	\$376,478	\$3,765	\$979	\$185,308	\$1,853	\$482		\$1,912	\$497
224 West I Street	12/18/07	\$610,000	\$6,100	\$1,586	\$133,333	\$1,333	\$347		\$4,767	\$1,239
242 West I Street	12/18/07	\$550,000	\$5,500	\$1,430	\$109,091	\$1,091	\$284		\$4,409	\$1,146
171 West H Street	12/18/07	\$632,540	\$6,325	\$1,645	\$93,939	\$939	\$244		\$5,386	\$1,400
270 West H Street	12/18/07	\$1,300,000	\$13,000	\$3,380	\$179,310	\$1,793	\$466		\$11,207	\$2,914
441 West J Street	12/18/07	\$649,000	\$6,490	\$1,687	\$101,609	\$1,016	\$264		\$5,474	\$1,423
271 West J Street	12/02/08	\$299,269	\$2,993	\$778	\$121,203	\$1,212	\$315		\$1,781	\$463
141 West F Street	12/02/08	\$223,121	\$2,231	\$580	\$149,425	\$1,494	\$389		\$737	\$192
155 West J Street	12/02/08	\$189,717	\$1,897	\$493	\$65,747	\$657	\$171		\$1,240	\$322
182 East I Street	12/02/09	\$386,000	\$3,860	\$1,004	\$0	\$0	\$0		\$3,860	\$1,004
1101 West Second Street	12/02/09	\$384,368	\$3,844	\$959	\$0	\$0	\$0		\$3,844	\$959
TOTAL VALUE:		\$15,566,914	\$155,669	\$40,474	\$4,630,139	\$46,301	\$12,038		\$109,368	\$28,436
EXISTING CONTRACTS TOTAL:										
EXISTING CONTRACTS ANNUAL COSTS: (\$150 per contract for annual inspections)										
2010 CONTRACTS PROPOSED:										
395 West J Street (estimated #)		\$390,591	\$4,431	\$1,152	TBD	\$2,040			\$2,391	\$622
2010 CONTRACTS TOTAL:										
2010 CONTRACTS STAFF COSTS: (\$1350 per application)										
2010 CONTRACTS ANNUAL STAFF COSTS: (\$150 per contract for annual inspections)										
CONTRACTS TOTAL (EXISTING AND PROPOSED):										
CONTRACTS ANNUAL STAFF COSTS TOTAL (EXISTING AND PROPOSED):										
TOTAL:										

* Tax savings are estimates and subject to change annually
 ** Prior to 2003 City Council program authorization

M - Maintenance Only contract

RESEARCH FROM VARIOUS MILLS ACT JURISDICTIONS

- **City of Glendale Research (2006)**
- **City of Orange Mills Act Program Information**
- **City of Pasadena Program Information**
- **City of San Diego Program Information**
- **City of St. Helena Mills Act Program Application Packet**

Mills Act Practice of Jurisdictions Statewide

(as of 2006)

	1	2	3	4	5
	Physical Building Condition Info	Maintenance Plan	Cap on Contracts (# / \$)	Other Mills Act Obligations	Mills Act Contract Application Fee
Anaheim	Annual Inspections	Yes	30	Plaque (not mandatory)	No
Brea	Applicant/Photos	Yes	No	No	\$250
Chico	Deficiencies List / Annual Inspection	Sustained maintenance / No Details	No	No	\$500
Chula Vista	Site Visit	Yes	No	No	\$250 / Rescinded
Claremont	Inspection of Character Defining Features	Yes	No	Home tours	\$100
Dana Point	No	Project list (in agreement)	No	Voluntary	\$40
Danville	No	No	No	No	No
Eureka	No	Yes	--	No	No
Glendale	No	Yes, but informal	No	Plaque	\$454.00
Long Beach	--	Yes	--	--	\$409.88
Los Angeles	--	--	\$	--	\$268
Monterey	Considers Physical Condition	Yes	No	Plaque & home tour	\$200
Pasadena	Applicant / Annual Inspection	Yes	# / \$	No	No
Riverside	Inspection / Annual Inspection	Yes	7	--	\$25 App. Fee + \$300 Contract Initiation
San Clemente	Applicant / Home Inspection Report	Yes	5	No	\$325 + \$26
San Dimas	Inspection (to determine Historic Value)	To bring it back to historic guidelines	No	No	No (passed on 1 fee)
San Luis Obispo	Inspection	Yes	10	No	\$1832
Santa Ana	Inspected by Planning for visual/ architectural problems	No	No	No	\$200 Enviro \$175 Contract
Santa Monica	Site Visit	Yes	--	--	--
Sunnyvale	Applicant	Yes	No	No	\$227
Ventura	Visual Inspection	Only when deficiencies are noted	No	No	None for First 18 months / Anticipate \$600

Mills Act Practice of Jurisdictions Statewide

(as of 2006)

1. The city of *San Luis Obispo* sends staff to conduct a property inspection and to take photos to determine the property's architectural integrity, base condition and rehabilitation needs. The city of *Santa Ana*, as well as most cities, does not perform a full building inspection. It was mentioned that the city of *Orange* performs a complete building inspection. Almost all cities chose to do the standard annual site visit and/or reliance on photographs regarding historic elements and not a building's soundness.
2. Most cities require a maintenance plan; however, if there is significant deterioration (that photos, a site visit, or full inspection may discover), a restoration plan may be agreed upon.
3. Most cities do not have a cap on how many properties may apply for the Mills Act contract, as many do not have a huge demand for this contract. Some, like *Los Angeles*, limit based on financial numbers rather than the number of contracts. In *Los Angeles*, eligibility is limited to single-family homes with a current assessment of \$500,000 or less, and commercial properties currently assessed at \$1.5 million or less.

In the city of *Pasadena*, however, it is limited by both the number of contracts and financial values. Staff can process 10 single-family residential properties and 3 commercial/multi-family properties per year. There is *also* a per year cap of revenue loss of \$75,000 with a cap of \$25,000 for an individual property. Additional contracts or revenue loss can be approved by the City Council.

The city of *Claremont* does not limit the number of applications; rather, it adopted more stringent qualifying criteria than the State. In fact, it is their intention that the cost of improvements is significantly greater than the amount of tax savings in order to limit the number of applications *coming in*.

It should be noted that some cities, like *Santa Ana*, have hinted at limiting contracts in the future.

4. Most cities do not have other obligations than are in a standard Mills Act contract. The city of *Monterey* requires an owner to install a bronze plaque and be open one day annually for a historic home tour. The city of *Dana Point* points out that many are happy to display the bronze plaque that they provide to the homeowners, even though this is on a voluntary basis.
5. Administrative/contract fees vary from \$0-\$1832. There was the impression that either a fee is administered to balance out staff resources or no fee is administered to further encourage more contracts.

Mills Act Practice of Jurisdictions Statewide

(as of 2006)

The city of *Monterey* lends a question for thought: Should new construction be allowed to occur on a Mills Act property? In one instance, an owner wanted to build a two-story detached garage/workshop. The Assessor's office questioned whether the reduced tax rate should apply to the new construction and concluded that it was not eligible for the deduction.

The city of *San Clemente* notes that the more contracts one city has/recognizes, the harder it will become to stay on task. "Try not to get caught behind at the end of the year, since these contracts have to be recorded by the end of the year."

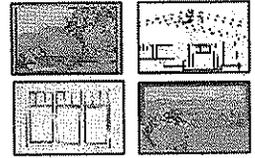
The city of *San Dimas* recommends that staff make the applicant work with the County Assessor's Office rather than take valuable city staff time.

The city of *Ventura* excluded buildings within the Historic Districts from being eligible for the Mills Act, unless they went through the landmark designation process first; this ensures a limited financial impact. It was recommended that a cut-off date be included for submittal of a Mills Act application so that all applications may be processed at the same time.



CITY OF ORANGE MILLS ACT PROGRAM

A Property Tax Incentive Program for Owners of Historic Properties



The Mills Act is an agreement between the City of Orange and the property owner that provides for reduced property taxes on eligible historic property if the property owner agrees to maintain and preserve the property for a minimum of ten years.

BACKGROUND

Adopted by the California Legislature in 1976, the Mills Act gives local governments the authority to grant property tax relief to owners of qualified historic properties, including owner-occupied and income producing properties. In exchange for this relief, the property owners must agree by contract to maintain the properties in accordance with specific historic preservation standards and conditions. The overall intent of the legislation is to provide an incentive for owners to preserve and maintain the community's historic resources.

KEY PROGRAM ELEMENTS

- Is a completely voluntary program.
- Is an economic incentive to encourage preservation of historic properties by reducing property taxes.
- Can be used by homeowners as well as income producing historic properties.
- Includes a commitment to preserve and maintain the property for a minimum period of 10 years.
- Is a contract between the City and the owner of a designated historic property.

EXPECTED PROGRAM BENEFITS

The Mills Act serves as a financial incentive to owners to preserve and maintain their historic properties for the benefit of the entire community. The preservation of important resources and neighborhoods would have beneficial indirect effects on local contractors, businesses and community pride. Recent studies indicate that ongoing maintenance to maintain the integrity of historic homes increases both property values of the structure and the historic district in general.

DOES YOUR PROPERTY QUALIFY?

Only certain properties can use this preservation incentive. Properties listed on an official federal, state, county, or city register, including the National Register of Historic Places, the California Register of Historical Resources, the California Register of Historical Landmarks, California Points of Historical Interest and local survey listings are eligible for Mills Act contracts.

Any architecturally or historically significant (contributing) properties listed in the City's Historic Survey would be eligible to participate in the Mills Act Program. This includes all historic structures located within the Old Towne Orange National Register Historic District.

AVAILABILITY OF PROGRAM

The Mills Act program implemented by the City Council limits the total number of Mills Act contracts at 20 new contracts per tax year. The City Planning Department maintains a waiting list, and applicants can apply throughout the year.

OWNER REQUIREMENTS

In exchange for the property tax relief realized under Mills Act contracts, property owners must agree to maintain and preserve their properties for at least 10 years in accordance with specific historic preservation standards and conditions. Subject to the discretion of the local government, the contract may provide for the restoration or rehabilitation of properties according to the Secretary of the Interior's Standards for Rehabilitation. This program would not affect owners who wished to make interior improvements or remodel their homes.

MILLS CONTRACT PROVISIONS

The minimum term of a Mills Act contract is 10 years, with automatic yearly renewal thereafter, unless terminated by the owner or the City. If terminated, the contract would conclude at the end of the current 10-year term. The property owner is assessed a penalty fee (of 12½% of the full value of the property) if the contract is cancelled prior to the end of the 10 year period.

A requirement for periodic exterior inspections of the property and inspections of required repairs by City staff may be incorporated into the contract. Other conditions regulating outdoor storage and the maintenance of landscaping, driveways, and fencing are included in the contract.

DETERMINING ASSESSED VALUE

The Mills Act reduces the owner's property tax bill by creating an alternative method for determining the assessed value of the qualified historic property. The property is assessed according to the "income" method. The assessed value is determined by calculating the projected income or theoretical rental value, less certain expenses, divided by a "capitalization rate". The property tax savings can be significant for some properties.

When a property is owner-occupied, the determination of "income" is based on what the property could reasonably be expected to yield if rented. The income projection is based on comparable rents for similar properties in the area.

The expenses to be deducted from income include those necessary for the maintenance and operation of the property. Typical expenses include: insurance, utilities and repairs. Expenses that are excluded include: debt service, property taxes and deflation and interest on funds invested. The actual permitted amount of deductions for expenses is determined by the County Assessor's Office and is based on a different formula for each individual property.

During the term of the Mills Act contract, the assessed value of the property is recalculated each year based on changes in the factors used in the calculation. If the property appreciates significantly in value and is then sold, the tax savings will be increased because the Mills Act contract is automatically passed on to the new owner.

Prior to committing to the Mills Act Program, an estimate of property tax savings can be obtained from the Orange County Tax Assessor at (714) 796-8048.

QUESTIONS?

Please contact the Community Development Department with any questions about the program or to obtain an application at:

**300 East Chapman Avenue
Orange, CA 92866
Phone: (714) 744-7220**



HISTORIC PROPERTY CONTRACT PROGRAM

FEBRUARY 2010



**Design & Historic Preservation Section
Planning Division
Planning & Development Department
City of Pasadena
175 N. Garfield Ave.
Pasadena, CA 91101
626-744-4009
www.cityofpasadena.net**



HISTORIC PROPERTY CONTRACT PROGRAM

February 2010

Design & Historic Preservation Section
Planning Division
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175 N. Garfield Ave.
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Forms

- Application
- Rehabilitation Plan and Timeline
- Tax Adjustment Worksheet
- Taxpayer Protection Form

Appendices

- A. Secretary of the Interior's Standards for Rehabilitation
(www.cr.nps.gov/hps/tps/tax/rhb/index.htm)
- B. Sample Contract Agreement
- C. Sample Site Plan
- D. Sample Rehabilitation Plan

HISTORIC PROPERTY CONTRACT APPLICATION GUIDELINES

Introduction

The City of Pasadena Historic Property Contract Program was established by ordinance in October 2002 under the authority of a State enabled program known as the Mills Act (California Government Code, Article 12, Sections 50280-50290). Under this act, local governments may enter into historic property contracts with owners of qualifying privately owned historic properties who agree to rehabilitate, restore and/or maintain their property according to the Secretary of the Interior's Standards (see attached).

These application guidelines are a summary of the main features of the Historic Property Contract Program in the City of Pasadena. The complete regulations are in the legal texts of the California Government Code and the City of Pasadena Ordinance 6912.

Purpose of Historic Property Contract Program

The Historic Property Contract is a financial incentive that encourages designation, rehabilitation and protection of historic buildings. The benefit to the owner may be a substantial reduction in property taxes, while the benefit to the City is the preservation of a significant historic resource and investment in rehabilitation of housing.

Application Process

Applications for historic property contracts are processed through the Office of the City Manager and administered by the Director of Planning and Development. The application form is available from the Design and Historic Preservation Section of the Planning and Development Department, 175 North Garfield Avenue, window #4 in the Permit Center Lobby or through the City of Pasadena Web site, www.cityofpasadena.net/MillsAct

The **2010** the application process schedule is as follows:

- Application package distribution – Beginning Monday, February 1
- Application submittal period – Between Monday, February 1 and Monday, May 3
- Site visits by Planning Staff – Between Friday, June 4 and Friday, July 30
- Notification to applicants of final selection – On or before August 30
- Contracts drafted – On or before Thursday, September 30
- Contracts signed and notarized – On or before October 15
- Contracts executed and recorded by County Recorder – On or before December 31

There is no fee to *apply* for a contract, but please note that properties *selected* for inclusion in the program must pay a one-time processing fee: \$1,030 for single-family applicants and \$2,060 for multi-family/commercial/industrial applicants.

For all contracts recorded by December 31 of a calendar year, reassessment by the County is conducted by June 30 of the following year and is reflected on fiscal year tax bills issued in October.

The City may process up to **six contract agreements per calendar year** for multiple-family, commercial or industrial properties and up to **twenty contract agreements** for single-family residential properties.

Eligibility Requirements

1. Historic Designation

Only properties that are **designated** landmarks or historic monuments, works of Greene and Greene, listed individually in the National Register of Historic Places or contributing to a designated landmark district or historic district listed in the National Register of Historic Places will be considered for historic property contract agreements.

Properties that are **not designated** may be considered if a nomination for designation is submitted concurrently, deemed complete by the Mills Act application deadline, and recorded with the Los Angeles County Recorder before the end of the year. For information on how to designate a property as a landmark, or to request an evaluation to see if your property qualifies for designation, contact the Design & Historic Preservation Section of the Planning Division, 626-744-4009.

Properties pending National Park Service approval for listing in the National Register may submit an application provided that the property is listed by the end of the year.

Properties that are non-contributing and in a landmark or National Register district may be considered if the historic property contract agreement results in exterior restoration and/or reconstruction of significant historic and architectural features and if the work is based on pictorial, documentary, or physical evidence in compliance with the Secretary of the Interior's Standards for Rehabilitation. Conjectural changes to a non-contributing building designed to make it appear historical—when there is no supporting pictorial, documentary, or physical evidence—do not qualify for a contract.

Applications from condominium buildings must be submitted by the property's home owners association along with a petition indicating the support of all the affected owners.

Please note the following changes to the program as of 2009:

2. Valuation of Property

For single-family houses, eligibility is limited to properties with a total assessed value of \$1.5 million or less, with an exemption for works of Greene & Greene, designated monuments, and properties listed individually in the National Register. In addition to the exceptions listed above, **one exception per year** may be granted for special circumstances.

3. Rehabilitation Plan

Applicants are required to submit a **plan for future rehabilitation** of a historic property; **properties already rehabilitated or without a need of future rehabilitation are ineligible for a contract.**

City staff ranks/scores applications according to compliance with the City's stated priorities (see below) and by number of work plan items and/or the costs of those items.

Selection Process

Application materials must be submitted by **5:00PM on Monday, May 3, 2010.**

Historic property contract applications will be considered through a competitive selection process and only complete applications will be accepted. At the close of the application submittal period, projects consistent with the priorities below shall have first consideration:

1. The contract agreement will substantially contribute to the preservation of a historic resource **threatened by deterioration, abandonment, or conflicting regulations**; enhance opportunities for maintaining or creating **affordable housing**; and/or facilitate preservation and maintenance of a property in cases of **economic hardship**;
2. The contract agreement will support substantial reinvestment in a historic resource and/or rehabilitation of a historic building or structure in the **expanded State Enterprise Zone and/or other areas where the City is concentrating resources** on façade improvements, home rehabilitation, or similar revitalization efforts; and
3. The contract agreement will support the **protection of properties with the highest level of architectural or historic significance**: works of Greene & Greene, historic monuments, and properties listed individually in the National Register of Historic Places (including National Historic Landmarks).
4. One bonus point may be issued for all rehabilitation projects listed in an applicant's work program that have **"green" or sustainable features**, such as reuse of original or salvaged materials (including retaining interior plaster); restoration of missing sun-shading features such as porches, awnings or shutters, etc. The application of these features should be consistent with the Secretary of the Interior's Standards and the historic character of the building. Applicants must submit additional information in their applications to justify issuance of this bonus point.

The following documents will be used to determine adherence to the above priorities:

1. A statement—if applicable—describing how property is threatened by deterioration, abandonment, or conflicting zoning regulations; if project will maintain or create affordable housing; and/or how property tax reduction is necessary to facilitate preservation of the property.
2. A completed "Rehabilitation/Restoration/Maintenance Plan and Timeline" form. The work plan will be given a numerical value based on the type of projects proposed, the number of projects and the costs associated with these projects.

The applications with the highest number of points will be awarded contracts.

Terms of a Contract Agreement

Duration. The initial term of a Historic Property Contract is 10 years. The contract **automatically renews each year** on its anniversary date and a new 10-year agreement

becomes effective (i.e., the contract is in effect in **perpetuity** unless terminated as described below). The contract is recorded on the property's title is **transferred to the new owner** upon sale of the property.

Termination of Contract. The owner may terminate the contract by notifying the City at least 90 days prior to the annual renewal date. The City may terminate the contract by notifying the owner at least 60 days prior to the renewal date. The owner, upon receipt of the notice from the City, may submit a written objection to termination by the City. The contract remains in effect for the balance of the term of the contract beyond the year of termination.

Alterations or Additions to Property. Work affecting historic architectural features (both interior and exterior) of the property must comply with the **Secretary of the Interior's Standards for Rehabilitation** (Appendix A) and must obtain a **Certificate of Appropriateness** (an application with the Design and Historic preservation Section of Planning in the Permit Center) **and building permit.**

Inspections for Compliance. The City requires **annual inspections** of the property, by prior appointment, to ensure compliance with the terms of the agreement. Inspections may also be required by the County Assessor, State Office of Historic Preservation, and/or State Board of Equalization.

Breach of Contract Penalty. If the City determines at any time that the property owner has **breached the contract**, the owner is liable for a cancellation fee of 12.5% of the current value of the property as determined by the County Assessor.

Application Submittal Requirements

A complete submittal package shall include:

1. Completed application form (attached).
2. Copy of grant deed.
3. A printed copy of photographs AND a digital copy (on CD) of building interior (views of all rooms and historic features) and exterior (front, rear, sides and historic accessory buildings). Photographs may be either 3x5 or 4x6. Each printed photograph must be labeled with the building address, subject of photo and direction of view.
4. Site plan drawn to scale indicating locations of all buildings on the property, street names, north arrow and dimensions (Example in Appendix A).
5. Completed "Rehabilitation/Restoration/Maintenance Plan and Timeline" form (attached).
6. A statement—if applicable—describing how property is threatened by deterioration, abandonment, or conflicting zoning regulations; if project will maintain or create affordable housing; and/or how property tax reduction is necessary to facilitate preservation of the property.
7. Completed tax adjustment worksheet (attached).
8. Copy of most recent property tax bill.
9. Completed Taxpayer Protection form (attached).

The complete application package must be hand-delivered or mailed (must be postmarked by Monday, May 3rd) to:

Administrator, Historic Property Contract Program
Design & Historic Preservation Section
Planning & Development Department
175 North Garfield Avenue, 2nd Floor
Pasadena, California 91101-1704

Administration of Contract Agreements

Staff of the Planning & Development Department (Design and Historic Preservation Section) will monitor all work proposed in a contract agreement to ensure compliance with the terms of the agreement and will require annual submittal of documentation/photographs of required work completed and may perform inspections if deemed necessary as the contract agreement is in effect.

Los Angeles County Administration

The City is responsible for recording executed Historic Property Contract documents with the County Recorder before December 31 of the applicable calendar year. After recordation, the City transmits the contract and the documentation of description of the property to the Los Angeles County Assessor where the calculation for the exact property tax under the Mills Act is performed. Contracts that are recorded by December 31 are reassessed by June 30 of the following year so that the reduced tax appears on the tax bill of October of that year.

State of California Administration

Within six months of entering into a historic property contract with the property owner, the City submits written notice to the State Office of Historic Preservation. This notification confirms that the property owner has entered into a Historic Property contract.

Instructions for Completing Tax Adjustment Worksheet

The Historic Property Tax Adjustment Worksheet is included in the application packet so that the property owner may compare their current taxes with a projected Mills Act reassessment. The form is a guideline only. It does not guarantee the exact reduction that the property will receive when the actual calculation by the County Assessor is completed and is not used by the County Assessor to determine the tax reduction.

- A. Determine the annual income and annual operating expenses.** For purposes of the Mills Act, a property is assessed as an income-producing property even though it may be owner occupied. For an example, assume that a house with a current assessed value of \$250,000 has a fair rent or income of \$1,600 per month. Per month expenses for maintenance, repairs, insurance, water, gardener, etc., are subtracted for a monthly net income. The monthly net income is multiplied by 12 for a **yearly net income total**. (*Note: Mortgage payments and property taxes are not deductible expenses*).

- B. Determine the capitalization rate.** This rate is determined by adding the following:
- An *Interest Component* determined by the State Board of Equalization that is based on conventional mortgages. This component will vary from year to year.
 - A *Historical Property Risk Component* of 4% for owner-occupied single-family houses; of 2% for multi-family, commercial and industrial properties.
 - A Property Tax Component (post-Proposition 13 rate) of 1%.
 - An Amortization Component that is a discretionary rate determined by the Los Angeles County Assessor that depends on the individual property. Typically, the remaining life of a wood frame building is 20 years, and the amortization would be $100\% \times 1/20 = 5\%$.

Add all components for Capitalization Rate. Example: $5.25\% + 4.0\%$ (or 2.0%) $+1.0\% + 5.0\% = 15.25\%$ (or 13.25%).

- C. Calculate new assessed value and estimated tax reduction.** The new assessed value is determined by dividing the **annual net income** by the **capitalization rate**. The new assessed value is taxed at a rate of 1% (**assessed value** multiplied by **.01 = reassessed tax rate**). To determine the amount of the tax reduction, subtract the **reassessed tax rate** from the **current tax rate** (1% of the current assessed value).

Historic Property Contract Forms

- **Application**
- **Rehabilitation Plan**
- **Tax Adjustment Worksheet**
- **Taxpayer Protection Form**

CITY OF PASADENA

APPLICATION FOR HISTORIC PROPERTY CONTRACT

PROPERTY OWNER INFORMATION (Please use legal name/s, as appears on deed):

NAME: _____

ADDRESS: _____ CITY, STATE, ZIP: _____

PHONE: (Hm) _____ (Wk) _____ E-MAIL: _____ FAX: _____

PROPERTY INFORMATION:

ADDRESS OF PROPERTY: _____

LEGAL DESCRIPTION: _____

ASSESSOR IDENTIFICATION NO: _____

DATE OF PURCHASE BY CURRENT OWNER: _____

USE CATEGORY: SINGLE FAMILY HOUSE; MULTI-FAMILY/COMMERCIAL/INDUSTRIAL

ARE PROPERTY TAXES PAID TO DATE? (CHECK ONE) YES NO

DESIGNATION CATEGORY:

CHECK AT LEAST ONE:

NATIONAL REGISTER DISTRICT _____ INDIVIDUAL

LANDMARK/MONUMENT DISTRICT _____ INDIVIDUAL

THE AGREEMENT REQUIRES THE OWNER OF THE PROPERTY TO UNDERTAKE REHABILITATION AND RESTORATION THAT ARE IN COMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATING HISTORIC BUILDINGS AND THE ILLUSTRATED GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS.

THE FOLLOWING MATERIALS MUST BE SUBMITTED WITH THIS APPLICATION:

- SIGNED COPY OF THIS APPLICATION FORM
- COPY OF GRANT DEED
- PHOTOGRAPHS – COMPLETE DOCUMENTATION OF INTERIOR/EXTERIOR, **PRINTED PHOTOS AND DISK** (LABEL BACK OF ALL PHOTOS IN PERMANENT INK)
- SITE PLAN DRAWN TO SCALE WITH LOCATION OF ALL BUILDINGS ON SITE (INCLUDE PROPERTY LINES, STREET NAMES, NORTH ARROW AND DIMENSIONS)
- REHABILITATION/RESTORATION/MAINTENANCE PLAN AND TIME LINE (INCLUDE ALL WORK TO BE COMPLETED WITHIN NEXT 10 YEARS) WITH COST ESTIMATE OF ITEMIZED WORK
- IF APPLICABLE: A STATEMENT OF HOW PROPERTY IS THREATENED BY DETERIORATION, ABANDONMENT, OR CONFLICTING REGULATIONS; IF THE PROJECT WILL MAINTAIN OR CREATE AFFORDABLE HOUSING; AND HOW PROPERTY TAX REDUCTION IS NECESSARY TO FACILITATE PRESERVATION OF THE PROPERTY
- HISTORIC PROPERTY TAX ADJUSTMENT WORKSHEET
- COPY OF THE MOST RECENT PROPERTY TAX BILL
- TAXPAYER PROTECTION FORM

I AM (WE ARE) THE PRESENT OWNER(S) OF THE PROPERTY DESCRIBED ABOVE AND HEREBY APPLY FOR CONSIDERATION FOR A HISTORIC PROPERTY CONTRACT.

OWNER SIGNATURE

DATE

OWNER SIGNATURE

DATE

REHABILITATION/RESTORATION/MAINTENANCE PLAN AND TIMELINE

Please use this form for your rehabilitation, restoration and maintenance plan and timeline. Copy this form as necessary to include all work items that apply to your property. Include all proposed exterior and interior work (including electrical, plumbing, etc.) to be completed within the next ten years. Please complete all requested information on this form. Formal quotes are not required for all items but staff may request documentation of stated costs upon review.

<p>Item Number: _____</p> <p>Building Feature: _____</p> <p>Cost \$ _____ (round to nearest \$)</p> <p>Projected completion year: 20____</p>	<p>Description of work:</p>
<p>Item Number: _____</p> <p>Building Feature: _____</p> <p>Cost \$ _____ (round to nearest \$)</p> <p>Projected completion year: 20____</p>	<p>Description of work:</p>
<p>Item Number : _____</p> <p>Building Feature: _____</p> <p>Cost \$ _____ (round to nearest \$)</p> <p>Projected completion year: 20____</p>	<p>Description of work:</p>
<p>Item Number: _____</p> <p>Building Feature: _____</p> <p>Cost \$ _____ (round to nearest \$)</p> <p>Projected completion year: 20____</p>	<p>Description of work:</p>

CITY OF PASADENA

HISTORIC PROPERTY TAX ADJUSTMENT WORKSHEET

Street Address _____

(NUMBER, STREET, CITY & ZIP CODE OF PROPERTY)

STEP 1: DETERMINE ANNUAL INCOME OF PROPERTY

ANNUAL PROPERTY INCOME	CURRENT	EXPLANATION
1. Monthly Rental Income		<i>Even if property is owner-occupied, an estimated monthly rental income is needed as a basis for this worksheet formula. Remember to include all potential sources of income (i.e., filming, advertising, photo-shoots and/or billboard rentals, etc.)</i>
2. Annual Rental Income		Line item #1 x 12 months

STEP 2: CALCULATE ANNUAL OPERATING EXPENSES

ANNUAL OPERATING INCOME	CURRENT	EXPLANATION
3. Insurance		<i>Fire, liability, etc.</i>
4. Utilities		<i>Water, gas, electric.</i>
5. Maintenance*		<i>Maintenance includes: Painting, plumbing, electrical, gardening, cleaning, mechanical, heating repairs and structural repairs. Provide breakdown on separate sheet.</i>
6. Management		
7. Other Operating Expenses		<i>Security, services, etc. Provide breakdown on separate sheet.</i>
8. TOTAL EXPENSES**		<i>Add lines 3 through 7.</i>

STEP 3: DETERMINE ANNUAL NET INCOME

NET OPERATING INCOME	CURRENT	EXPLANATION
9. NET TOTAL		<i>Line 2 minus line 8.</i>

*If you are calculating for commercial or income property, remember to provide the following back- up documentation where applicable:

- 1) Rent roll (include rent for on-site manager's unit as income if applicable).
- 2) Maintenance records (provide detailed break-down- **all costs should be recurring annually**).
- 3) Management expenses (include expense of on-site manager's unit and 5% off site management fee; and describe other management costs- provide breakdown on separate sheet).

**Annual operating expenses do NOT include mortgage payments or property taxes.

CITY OF PASADENA

HISTORICAL PROPERTY TAX ADJUSTMENT WORKSHEET (Page 2)

STEP 4: DETERMINE CAPITALIZATION RATE

CAPITALIZATION RATE	CURRENT	EXPLANATION
10. Interest Component	5.25%	<i>As determined by the State Board of Equalization for 2010.</i>
11. Historic Property Risk Component		Single-family home = 4% <i>All other property = 2%.</i>
12 Property Tax Component	1%	<i>.01 times the assessment ratio of 100%</i>
13. Amortization Component (Reciprocal of life of property)		<i>If the life of the improvements is 20 years, use $100 \times 1/20 = 5\%$.</i>
14. TOTAL = CAPITALIZATION RATE		<i>Add lines 10 through 13.</i>

STEP 5: CALCULATE NEW ASSESSED VALUE

NEW ASSESSED VALUE	CURRENT	EXPLANATION
15. Mills Act Assessed Value		<i>Line 9 divided by line 14.</i> <i>Example: Line 9 ÷ .165 (16.5%)</i>

STEP 6: DETERMINE ESTIMATED TAX REDUCTION

NEW TAX ASSESSMENT	CURRENT	EXPLANATION
16. Current Tax		<i>General tax levy only – do not include voted indebtedness or direct assessments.</i>
17. Tax Under Mills Act		<i>Line 15 x .01.</i>
18. ESTIMATED TAX REDUCTION		<i>Line 16 minus line 17.</i>

**Disclosure Pursuant to the
City of Pasadena Taxpayer Protection Act
Pasadena City Charter, Article XVII**

- I. Does the value of this application/project *have the potential* to exceed \$25,000? Yes No (**Applicant must mark one**)
- II. Is the application being made on behalf of a government entity? Yes No
- III. Is the application being made on behalf of a non-profit 501(c) organization? Yes No
If yes, please indicate the type of 501(c) organization: 501(c)(3) 501(c)(4) 501(c)(6)

Applicant's name: _____ Date of Application: _____

Owner's name: _____ Contact phone number: _____
(for questions regarding this form)

Project Address: _____

Project Description: _____

- IV. Applicant and Property Owner must disclose all joint owners, trustees, directors, partners, officers and those with more than a 10% equity, participation or revenue interest in owner and/or project. If any of these are an organization/entity, include the name of the organization/entity **and** the first and last names of all parties of interest of that organization/entity. (*List all parties below and use additional sheets as necessary, or provide all parties on an attachment*) **Please print legibly.**
Have any additional sheets or an attachment been provided? Yes No

Names of Owner(s), Trustees, Directors, Partners, Officers of Owner/Project	Names of Owner(s), Trustees, Directors, Partners, Officers of Owner/Project (continued)	Those with more than a 10% equity, participation or revenue interest in Owner and/or project

I hereby certify that I am the owner or designated agent and that the statements and answers contained herein, and the information attached, are in all respects true, accurate and complete to the best of my knowledge and belief.

Signature of Owner or Designated Agent: _____ Date: _____

For Office Use Only

Type of Application: Variance (all types) Adjustment Permit Sign Exception Temporary Use Permit Expressive Use Permit
 Conditional Use Permit (excluding Master Plan) Master Plan Amendment Planned Development Other

Assigned Planner: _____ PLN#: _____

Attached Address: _____ No Attached Address

Appealed: Yes No Appeal PLN# _____ Application Withdrawn

Final Decision: Approved Denied Decision Date: _____ Decision Maker: _____
(Name and Title, or Name of Commission/Committee)

Votes in favor (*please print*):

APPENDICES

- A. Secretary of the Interior's Standards for Rehabilitation**
- B. Sample Contract Agreement**
- C. Sample Rehabilitation Plan and Timeline**
- D. Sample Site Plan**
- E. Sample Property Tax Adjustment Worksheet**

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Appendix B

Sample Contract (A different contract template will be used for condominium buildings and is available for review upon request)

RECORDING REQUESTED BY: City of Pasadena
AND WHEN RECORDED RETURN TO:
Planning and Development Department
Historic Property Contracts Program
175 North Garfield Avenue
Pasadena, CA 91101-7215

(Exempt from recording fees pursuant to Government Code Section 6103)

HISTORIC PROPERTY AGREEMENT
BY AND BETWEEN THE CITY OF PASADENA,
A MUNICIPAL CORPORATION, AND

X & Y Zee
12 Main Terrace
Pasadena, CA 91105

FOR THE PRESERVATION AND BENEFIT OF THE
DESIGNATED HISTORIC PROPERTY LOCATED AT

12 Main Terrace
Pasadena, CA 91105

THIS AGREEMENT is made and entered into this 31st day of December, 2010, by and between the CITY OF PASADENA, a municipal corporation (hereinafter referred to as the "City), and X & Y Zee (hereinafter collectively referred to as the "Owner").

WHEREAS, California Government Code Section 50280, et seq. (the Mills Act), authorize cities to enter into contracts with the owners of qualified historic property to provide for the use, maintenance and restoration of such historic property so as to retain its characteristics as a property of historical significance; and

WHEREAS, Owner possesses fee title in and to that certain real property, together with associated structures and improvements thereon, commonly known as 12 Main Terrace, Pasadena, California (hereinafter such property shall be referred to as the "Historic Property"), and recorded with the Los Angeles County Recorder with the following legal description:

(LEGAL DESCRIPTION ON TAX RECORDS)

WHEREAS, on March 6, 2002, the City Council of Pasadena adopted a Mills Act program, thereby vesting the City with authority to enter into historic property contracts with property owners; and

WHEREAS, on July 17, 2005, the City Council of Pasadena declared the Property a contributing structure to the Main Landmark District; and

WHEREAS, City and Owner, for their mutual benefit, now desire to enter into this agreement both to protect and preserve the historically significant characteristics of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to the Provisions of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

AGREEMENT

NOW, THEREFORE, City and Owner, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Recitals. The Recitals set forth above are true and accurate and are an integral part of this agreement.

2. Effective Date and Term of Agreement. This agreement shall be effective and commence on January 1, 2008, and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such initial term will automatically be extended as provided in Paragraph 3 below.

3. Renewal. Each year on the anniversary of the effective date of this agreement (hereinafter referred to as the "renewal date"), a year shall automatically be added to the initial term of this agreement unless notice of nonrenewal is as provided herein. If either Owner or City desires in any year not to renew the agreement, Owner or City shall serve written notice of nonrenewal of the agreement on the other party in advance of the annual renewal date of the agreement. Unless such notice is served by Owner to City at least ninety (90) days prior to the annual renewal date, or served by City to Owner at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the term of the agreement as provided herein. Upon receipt by Owner of a notice of nonrenewal from City, Owner may make a written protest of the notice. City may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to Owner of nonrenewal. If either City or Owner serves notice to the other of nonrenewal in any year, the agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the agreement, whichever may apply.

4. Standards for Historic Property. During the term of this agreement, the Historic Property shall be subject to the following conditions, requirements and restrictions:

a. Owner shall rehabilitate, preserve and maintain the historically significant characteristics of the Historic Property. Attached hereto, marked as Exhibit "A" and incorporated herein by this reference is a list of those items for rehabilitation, restoration and maintenance planned for preservation of the Historic Property and a timeline for completion, which shall apply to such property throughout the term of this agreement.

b. Owner shall, additionally and where necessary, restore and rehabilitate the property according to the rules and regulations of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the State Historic Building Code and shall maintain the entire property according to minimum standards and conditions, attached hereto, marked as Exhibit "B".

c. Owner shall allow reasonable periodic examinations, by prior appointment given at minimum 24 hours in advance, of the interior and exterior of the Historic Property by representatives of the County Assessor, State Office of Historic Preservation, State Board of Equalization and City, as may be necessary to determine Owner's compliance with the terms and provisions of this agreement.

5. Provision of Information of Compliance. Owner hereby agrees to furnish City with any and all information requested by the City which may be reasonable and necessary to determine compliance with the terms and provisions of this agreement.

6. Notification to State Office of Historic Preservation. City shall provide written notice of the Agreement to the State Office of Historic Preservation within six (6) months of the effective date of the Agreement.

7. Cancellation. City, following a duly noticed public hearing as set forth in California Government Code Sections 50280, et seq., may cancel this agreement if it determines that Owner breached any of the conditions of this agreement and has failed to cure said breach after notice, as set forth in Paragraph 8 below, or has allowed the property to deteriorate to the point that it no longer meets the criteria for a qualified historic property. City may also cancel this agreement if it determines that the Owner has failed to restore or rehabilitate the property in the manner specified in subparagraph 4(a) and (b) of this agreement. In the event of cancellation, Owner may be subject to payment of those cancellation fees set forth in California Government Code Sections 50280, et seq., including but not limited to a cancellation fee of twelve and one-half percent (12.5%) of the current fair market value of the Property at the time of cancellation, as determined by County Assessor without regard to any restrictions on the Property imposed pursuant to this Agreement.

8. Enforcement of Agreement. In lieu of and/or in addition to any provisions to cancel the agreement as referenced herein, City may specifically enforce or enjoin the breach of the terms of this agreement. In the event of a breach by Owner under the provisions of this agreement, City shall give written notice to Owner by registered or certified mail to the address stated in this agreement, which notice shall specifically identify the alleged breach and the proposed action which City recommends to Owner to cure said alleged breach. Owner shall thereafter have sixty (60) days within which to cure such breach to the reasonable satisfaction of the City. Upon completion by Owner of the cure of the breach, City shall withdraw its notice of breach.

Should owner not cure within the time period specified above, such breach as set forth above, then City may, without further notice, declare a default under the terms of this agreement and may bring any action necessary to specifically enforce the obligations of Owner arising out of the terms of this agreement, apply to any court, state or federal, for injunctive relief against any violation by Owner or apply for such other relief as may be appropriate. City may at its sole discretion extend the 60-day cure period. Such extension must be in writing.

City does not waive any claim of default by Owner if City does not enforce or cancel this agreement. All other remedies at law or in equity which are not otherwise provided for in this agreement or in the City's regulations governing historic properties are available to the City to pursue in the event that there is a breach of this agreement. No waiver by the City of any breach or default under this agreement shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.

9. Binding Effect of Agreement. The Owner hereby subjects the Historic Property to the covenants, reservations and restrictions as set forth in this agreement. City and Owner hereby declare their specific intent that the covenants, reservations and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner's successors and assigns in title or interest to the Historic Property. Each and every contract, deed or other instrument hereinafter executed covering or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that Owner's legal interest in the Historic Property is encumbered thereby. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the public and Owner.

10. Notice. Any notice required to be given by the terms of this agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

To City: City of Pasadena
100 North Garfield Avenue
Pasadena, CA 91109-7215

Attention: Design & Historic Preservation Section
Principal Planner

To Owner: X & Y Zee
12 Main Terrace
Pasadena, CA 91105

11. General Provisions.

a. None of the terms, provisions or conditions of this agreement shall be deemed to create a partnership between the parties hereto nor any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

b. Owner agrees to and shall hold City and its elected officials, officers, agents and employees harmless from liability for damage or claims for damage for personal injuries, including death, and claims for property damage which may arise from the direct or indirect use or operations of Owner or those of his contractor, subcontractor, agent, employee or other person acting on his behalf which relate to the use, operation and maintenance of the Historic Property. Owner hereby agrees to and shall defend the City and its elected officials, officers, employees and agents with respect to any and all actions for damages caused by, or alleged to have been

caused by, reason of Owner's activities in connection with the Property. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this agreement whether or not the City prepared, supplied or approved the plans, specifications or other documents for the Property.

c. All of the agreements, rights, covenants, reservations and restrictions contained in this agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner whatsoever.

d. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to court costs and other relief ordered by the court.

e. In the event that any of the provisions of this agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

f. This agreement shall be construed and governed in accordance with the laws of the State of California.

12. Amendments. This agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, City and Owner have executed this agreement on the day and year first written above.

DATED: _____ By _____
Michael J. Beck, City Manager
CITY OF PASADENA

DATED: _____ By _____
X Zee
OWNER

DATED: _____ By _____
Y Zee
OWNER

Approved as to Form:

Theresa E. Fuentes, Asst. City Attorney

Date

**HISTORIC PROPERTY AGREEMENT
EXHIBIT A**

Address of Property: 12 Main Terrace

<u>Work Item</u>	Completion
1. Repair dry rot on rafter trails and repaint exterior.	December 31, 2011.
2. Repair and replace dry rot, water damage on casement windows in the sleeping porch on the main house.	December 31, 2013
3. Repoint brick work on the main house, foundation and porch.	December 31, 2015
4. Replace existing roof on the main house.	December 31, 2017.

Work Item: The methods and materials for completing the above work items shall be subject to review and approval by the City prior to commencement of work. All work shall comply with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings. Non-compliance with this requirement may constitute grounds for a termination of the Historic Property Contract by the City.

Completion Date: Work shall be completed by the specified date unless the Owner requests a change to a later completion date in writing and the City agrees to a later completion date. Non-compliance with this requirement may constitute grounds for a termination of the Historic Property Contract by the City.

**HISTORIC PROPERTY AGREEMENT
EXHIBIT B**

Maintenance and Rehabilitation Standards and Conditions

Secretary of the Interior's Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of the deterioration requires the replacement of a distinctive feature, the new features shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Property Maintenance

All buildings, structures, yards and other improvements shall be maintained in a superior manner. All current building and zoning codes will be enforced. The following conditions are prohibited:

- a. Dilapidated buildings or features such as fences, roofs, doors, wall and windows.
- b. Abandoned or discarded objects, equipment or materials such as automobiles, automobile parts, furniture, appliances, containers, lumber or similar items stored outdoors but within property lines.
- c. Stagnant water or open excavations.
- d. Any device, decoration or structure, which is unsightly by reason of its height, condition or location.
- e. Peeling exterior paint or unremoved/uncovered graffiti.

- f. Overgrown landscaping, exposed bald areas within yards or grounds and broken hardscape features that could cause injury.

Conditions

This property agreement provides property tax reduction in exchange for agreement to rehabilitate and maintain an historic building's fabric and character. Existing condition not in conformance with the secretary of the Interior's Standards may be required to be removed and the original conditions remedied as part of this contract.

Appendix C

REHABILITATION/RESTORATION/MAINTENANCE PLAN

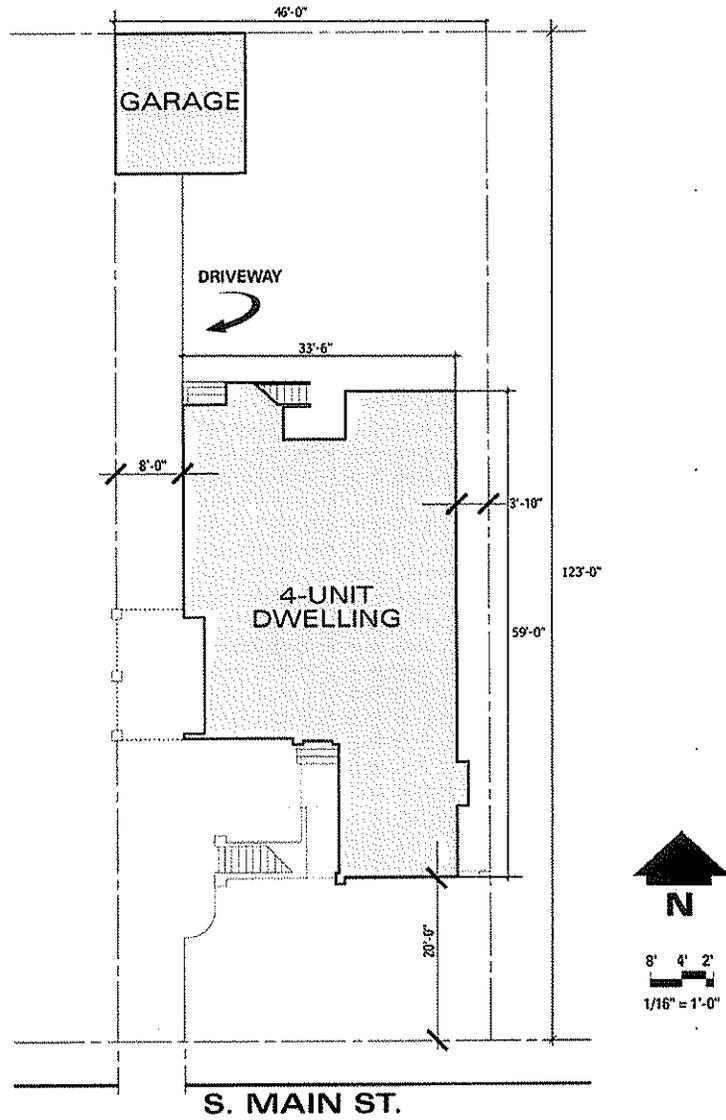
Please use this form for your rehabilitation, restoration and maintenance plan and submit with your application and all other required forms. Copy this form as necessary to include all work items that are proposed to be completed within the next ten years. Please complete all requested information on this form.

Property Address: _____ Address, Pasadena, California, Zip _____

<p>Item Number: <u> 1 </u></p> <p>Building Feature: <u> Exterior walls and trim </u></p> <p>Cost \$ <u> 8,500 </u> (round to nearest \$)</p> <p>Project completion year: <u>2012</u></p>	<p>Description of work:</p> <p>Scrape, surface preparation, repaint entire exterior.</p>
<p>Item Number: <u> 2 </u></p> <p>Building Feature: <u> Windows </u></p> <p>Cost \$ <u> 7,300 </u> (round to nearest \$)</p> <p>Project completion year: <u>2015</u></p>	<p>Description of work:</p> <p>Replace broken glass, scrape, surface preparation, repaint, re-caulk, repair all windows on front and south elevations. Replace jalousie window at kitchen with new double-hinge.</p>
<p>Item Number: <u> 3 </u></p> <p>Building Feature: <u> Plumbing </u></p> <p>Cost \$ <u> 3,220 </u> (round to nearest \$)</p> <p>Project completion year: <u>2017</u></p>	<p>Description of work:</p> <p>Replace water pipes to house, replace kitchen plumbing and sink fixtures.</p>
<p>Item Number: <u> 4 </u></p> <p>Building Feature: <u> Re-roof </u></p> <p>Cost \$ <u> 9,220 </u> (round to nearest \$)</p> <p>Project completion year: <u>2020</u></p>	<p>Description of work:</p> <p>Re-roof house entire house and garage with new composition shingles.</p>

APPENDIX D

SAMPLE SITE PLAN



123-126 SOUTH MAIN ST.

Appendix E

CITY OF PASADENA

HISTORIC PROPERTY TAX ADJUSTMENT WORKSHEET

Street Address _____ Address, Pasadena, California, Zip Code _____
 (NUMBER, STREET, CITY & ZIP CODE OF PROPERTY)

STEP 1: DETERMINE ANNUAL INCOME OF PROPERTY

ANNUAL PROPERTY INCOME	CURRENT	EXPLANATION
1. Monthly Rental Income	2,100 sq. ft. @ \$1.2 per sq. ft. = \$2,625	Even if property is owner-occupied, an estimated monthly rental income is needed as a basis for this worksheet formula. Remember to include all potential sources of income (i.e., filming, advertising, photo-shoots and/or billboard rentals, etc.)
2. Annual Rental Income	31,500	Line item #1 x 12 months

STEP 2: CALCULATE ANNUAL OPERATING EXPENSES

ANNUAL OPERATING INCOME	CURRENT	EXPLANATION
3. Insurance	3,400	Fire, liability, etc.
4. Utilities	2,000	Water, gas, electric.
5. Maintenance*	5,600	Maintenance includes: Painting, plumbing, electrical, gardening, cleaning, mechanical, heating repairs and structural repairs. Provide breakdown on separate sheet.
6. Management	600	
7. Other Operating Expenses	500	Security, services, etc. Provide breakdown on separate sheet.
8. TOTAL EXPENSES**	12,100	Add lines 3 through 7.

STEP 3: DETERMINE ANNUAL NET INCOME

NET OPERATING INCOME	CURRENT	EXPLANATION
9. NET TOTAL	19,400	Line 2 minus line 8.

*If you are calculating for commercial property, remember to provide the following back-up documentation where applicable:

- 4) Rent roll (include rent for on-site manager's unit as income if applicable).
- 5) Maintenance records (provide detailed break-down- **all costs should be recurring annually**).
- 6) Management expenses (include expense of on-site manager's unit and 5% off site management fee; and describe other management costs- provide breakdown on separate sheet).

**Annual operating expenses do NOT include mortgage payments or property taxes.

CITY OF PASADENA

HISTORICAL PROPERTY TAX ADJUSTMENT WORKSHEET (Page 2)

STEP 4: DETERMINE CAPITALIZATION RATE

CAPITALIZATION RATE	CURRENT	EXPLANATION
10. Interest Component	5.25%	As determined by the State Board of Equalization for 2010.
11. Historic Property Risk Component	4%	Single-family home = 4% All other property = 2%.
12 Property Tax Component	1%	.01 times the assessment ratio of 100%
13. Amortization Component (Reciprocal of life of property)	5%	If the life of the improvements is 20 years, use $100 \times 1/20 = 5\%$.
14. TOTAL=CAPITALIZATION RATE	16.5%	Add lines 10 through 13.

STEP 5: CALCULATE NEW ASSESSED VALUE

NEW ASSESSED VALUE	CURRENT	EXPLANATION
15. Mills Act Assessed Value	\$117,575	Line 9 divided by line 14. Example: Line 9 ÷ .1675 (16.75%)

STEP 6: DETERMINE ESTIMATED TAX REDUCTION

NEW TAX ASSESSMENT	CURRENT	EXPLANATION
16. Current Tax	\$3,100	General tax levy only – do not include Voted indebtedness or direct assessments.
17. Tax Under Mills Act	\$1,176	Line 15 x .01.
18. ESTIMATED TAX REDUCTION	\$1,924	Line 16 minus line 17.



THE CITY OF SAN DIEGO

Historical Resources Board

MILLS ACT PROGRAM

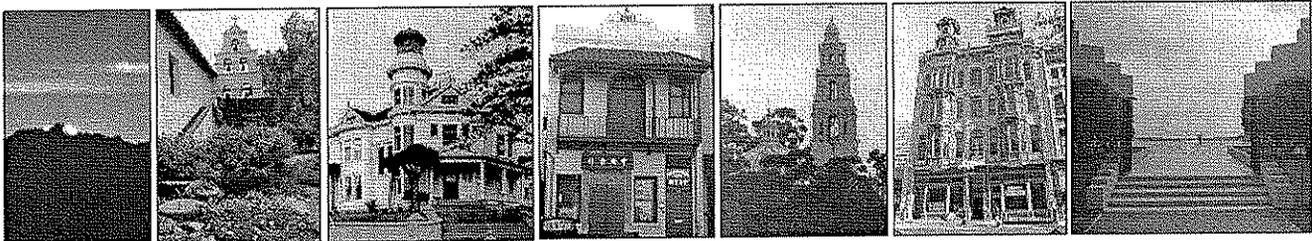
FOR

HISTORICALLY DESIGNATED PROPERTIES

Background

The Mills Act was enacted in 1972 by the State of California to enable local jurisdictions "to enter into contracts with property owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief" (Mills Act Property Tax Abatement Program, Technical Assistance Series, California Office of Historic Preservation). The San Diego City Council adopted Council Policy 700-46 in 1995 "to provide a monetary incentive to the owners of historically designated properties in the form of a property tax reduction for the maintenance, restoration and rehabilitation of historic properties within the City of San Diego." The City's first Mills Act agreement was recorded in 1995, during the past 12 years the number of agreements has increased substantially and the program is the most active one within the State. As of the 2007 tax assessment, there were 901 effective Mills Act agreements for historic properties within the City.

The Mills Act Program agreement is a legal contract binding the owner of a designated historical resource to maintain the subject property consistent with the U.S. Secretary of the Interior's Standards, to provide visibility of the historical resource from the public right-of-way, and to improve or rehabilitate the property based on specific conditions included in the agreement. The agreement is recorded with the County which allows the Assessor to determine the property tax, based on a formula set in State Law that typically results in a substantial annual savings to the property owner. The average savings is 50 percent with a range of property tax reduction between 25 percent and 75 percent. This tax benefit, authorized by the State of California in Government Code Sections 50280-50290, has been available in the City since 1995 and is authorized by Council Policy 700-46.



City Planning & Community Investment

202 C Street, MS 5A • San Diego, CA 92101-3864

Tel (619) 235-5200 Fax (619) 533-5951

Summary of Mills Act Program Components

In 2008 the Mayor sought to reform the City's Mills Act Program through increased accountability and by managing the fiscal impacts of the tax reduction benefit. The City Council approved several reform measures in December 2008 and established fees for the nomination of individual properties for historical designation and all components of the Mills Act Program. Each of these components and the required fees are summarized below.

Eligibility Requirements

This property tax reduction is an incentive offered citywide to property owners of designated historical resources that are listed on the City of San Diego Register. In exchange for the reduction in property taxes, the owner is required to maintain their property and its historical significance in accordance with the U.S. Secretary of the Interior's Standards and to rehabilitate or restore portions of the property if necessary. There are limitations on the use of this program within some redevelopment areas. Incentives other than the Mills Act tax reduction may be available in these cases.

Application Deadline

In order to allow sufficient time for the fiscal impacts of new Mills Act agreements to be included in the annual City budget process, owners of historically designated properties are required to submit an application for a Mills Act agreement no later than March 31 to be considered that year. The property must have been designated prior to December 31st of the previous year to allow a sufficient separation between the designation process and a subsequent Mills Act agreement.

Annual Threshold of New Reduction in Property Tax Revenue

Although minimal in the overall City budget, it is important to understand the fiscal impact of the Mills Act Program and manage it on an annual basis. The annual reduction of property tax revenue to the City's General Fund from Mills Act property valuations is \$1,134,170, based on a total reduction in property taxes paid by Mills Act property owners in 2008. This reduction in tax revenue to the City is offset by the public benefit of preservation of important historical resources. Maintaining the significant character defining features of historic properties through a Mills Act Program agreement is a keystone of the overall program.

Based on the need to manage the fiscal impacts of the Program, the City Council adopted a fiscal threshold of \$200,000 in new tax revenue reduction to the City's General Fund on an annual fiscal basis. The City Council may authorize exceeding the threshold as part of the annual budget process, based on findings that the fiscal health of the City is such that additional reduction in tax revenue can be supported. Each year, as part of the budget process, staff will report on the number and fiscal impact of Mills Act agreement applications and will seek authorization to exceed the adopted \$200,000 threshold if necessary. If more applications are submitted in a year than can be accommodated under this threshold, and the City Council does not authorize exceeding the threshold, the property owner application would automatically be rolled over to the next fiscal year.

Mills Act Agreement Requirements

All Mills Act agreements require the historic building be visible from the public right-of-way to afford the public enjoyment of viewing the exterior of the resource, and require the property be maintained consistent with the U.S. Secretary of the Interior's Standards, the nationally accepted standard for the treatment of historic properties. Additionally, owners of designated historic properties are required to include a 10-year maintenance and rehabilitation/restoration work plan at the time of application for a

Mills Act agreement. Ten years is the minimum contract length and an appropriate time frame for completion of any necessary rehabilitation or restoration work. Maintenance of the character defining features of the resource would be required to continue for the life of the contract.

As part of this 10-year work plan, the property owner is required to demonstrate that the requested Mills Act agreement would result in investment of anticipated tax savings into the designated historic property. A cost estimate of needed maintenance, repairs and/or rehabilitation work is required to be provided by the property owner at the time of application. Costs of rehabilitation or restoration work completed by the property owner that is consistent with the Standards and was necessary for the property to be eligible for historic designation may be used to demonstrate investment of tax savings in the historic property.

The Mills Act Program agreement is entered into for a period of ten years, with automatic renewal each year unless one of the parties proposes to end it. The City of San Diego may propose to end the Mills Act Program agreement if the property is not maintained in accordance with the U.S. Secretary of the Interior's Standards, or if other contract provisions are not met.

Inspection Schedule/Monitoring

While there is a responsibility on the part of the property owner to maintain the historical significance of their designated resource, there is also a responsibility on the part of the City to assure that a property remains in compliance with the provisions of the Mills Act Program agreement, resulting in preservation of the designated historical property. Staff has developed a monitoring program that primarily entails site visits, records maintenance, and staff review of compliance with contract requirements on a five-year basis. This level of monitoring will allow contact with a new owner, if there has been a change in ownership, to explain the responsibilities and provisions under the Mills Act Program agreement, since the historical designation and Mills Act Program agreement run with the property. It will also provide adequate review in cases where owners make changes that may negatively affect the property's historical integrity but do not typically require a building permit, or where owners make substantial changes to the property without obtaining the required permit. Staff will work with property owners to remedy any problems identified through the inspection process. A maintenance, rehabilitation, and/or restoration plan may be prepared as part of a renewal of an agreement to assure the necessary remedy.

Fees

This program includes the following fees, adopted by the City Council, effective December 15, 2008, to recover the costs of staff time devoted to the tasks specifically related to historic designation of individual properties and all components of the Mills Act Program.

- **\$1,185 for the historic designation process**, due upon submittal of the nomination or in cases when there is a backlog of nominations, prior to staff review of the submittal (*a fee of \$500 was approved for nomination requests submitted prior to December 15, 2008*);
- **\$590 for the Mills Act Program agreement**, due with the property owner's application;
- **\$492 to be assessed for monitoring** with the initial Mills Act Program agreement and every five years thereafter, due upon submittal of a signed and notarized Mills Act Program agreement; and
- **\$949 for enforcement of a Mills Act agreement** when remedies for violations are sought and as part of an enforcement action by the City.



MILLS ACT PROGRAM – APPLICATION PACKET

Purpose: Owners of historic structures which are either located on a property within a City or National Register Historic District or listed as a City or National-Register designated historic structure may be eligible for a property tax reduction. State law authorizes local jurisdictions to grant property tax reductions (typically 50%) when a property owner enters into a Historical Property Preservation Agreement (Agreement) to use those tax savings to maintain, restore or repair historic structures. The City of St. Helena's Mills Act Program allows three (3) properties annually, for buildings other than the seismic retrofit of unreinforced masonry buildings, to enter into the City of St. Helena Mills Act Program on a first-come, first-served basis. Pursuant to Municipal Code Section 15.40.140, there is no limitation on the number of preservation agreements for the retrofitting of unreinforced masonry buildings.

Procedure:

Required Application Materials:

- Completed **APPLICATION FORM**, with all property owner's signatures, including all parties holding a title interest
- WRITTEN STATEMENT**, signed and dated, describing historic building and renovation/repairs.
- A **MAILING LIST** of all owners of property within a 300' radius of the subject property, prepared and certified by a title company.
- PRELIMINARY TITLE REPORT** not more than 6 months old.
- GRANT DEED AND LEGAL DESCRIPTION** of Property identifying all current property owners.
- LOCATION/VICINITY MAP** - This should include a sketch of the project site in relation to the surrounding area, the location and names of adjacent and abutting streets.
- SITE PLAN** - This should include a sketch of the buildings on the project site in relation to the site itself and to each other. All plans must be legible and drawn to scale.
- FLOOR PLANS** (fully dimensioned).
- HISTORIC PROPERTY TAX ADJUSTMENT WORKSHEET** (included in this packet).
- MILLS ACT PROGRAM REHABILITATION/RESTORATION PLAN** (included in this packet).
- OTHER**

Processing Fee Initial Deposit: \$300 (non-refundable)

City of St. Helena
Planning Department
1480 Main Street
St. Helena, CA 94574

PROJECT/FILE # _____

Please Type or Print

Property Owner(s) _____
Mailing Address _____
City _____ State ____ ZIP Code _____
Phone Number _____
Email _____

Applicant(s) _____
Mailing Address _____
City _____ State ____ ZIP Code _____
Phone Number _____
Email _____

If you would like project correspondence and notice of meetings to be sent to parties other than the applicant, please list their names, address and telephone numbers below. (Specify: other owners, architect, contractor, etc.)

Name _____
Mailing Address _____
City _____ State ____ ZIP Code _____
Phone Number _____
Title _____

Name _____
Mailing Address _____
City _____ State ____ ZIP Code _____
Phone Number _____
Title _____

Billing: Owner Applicant Other: _____

Project Description _____

Site Address _____ APN _____ - - - - -
Site Area _____ Sq. Ft. (or) _____ Acres () Residential () Commercial () Industrial

Office Use Only - Do Not Write in this Area

File Number/Project Name _____

General Plan _____ Zoning _____

Background Files _____

Related Applications _____

Initial Deposit Received _____ Received By _____

Exempt from CEQA? Yes _____ No _____ Section No. _____

NOTE: Additional property owners and/or applicants (name, address, phone number, and signature) shall be attached to the application. In the case of a partnership, all general and limited partners shall be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors shall be identified.

I, _____, hereby file this application for a development project and agree to pay any and all processing fees imposed by the St. Helena Municipal Code and City Council Resolutions (as they may be amended from time to time).

Staff time is billed at an hourly rate and the initial deposit may not be sufficient for processing your application. If expended staff time exceeds the initial deposit, you will be notified that additional funds are required. Applications with a negative balance at the time of the public hearing will be continued until the balance is paid in full.

In the event the property owner is different from the applicant, the property owner must sign to indicate her/his/its consent to the filing and agreement to be liable with the applicant for payment of the processing fees.

Failure to pay all accumulated fees by the time of public hearing will result in a continuance or denial of the project.

A finance charge of 12% per annum shall accrue on any balance unpaid after 30 days.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, Applicant and Property Owner agree to pay to City reasonable attorney fees and costs incurred in such action.

We, the owner and the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. We have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

Date: _____ Applicant's Signature: _____

Date: _____ Property Owner's Signature: _____

Mills Act Program Tax Adjustment Worksheet

Property Address/APN: _____

Step 1: Determine Annual Income of Property

Annual Property Income	Current	Explanation
1. Monthly Rental Income		Even if property is owner-occupied, an estimated current market monthly rental income is needed as a basis for this worksheet formula. Remember to include all potential sources of income.
2. Annual Rental Income		Line item #1 x 12 months

Step 2: Calculate Annual Operating Expenses

Annual Operating Income	Current	Explanation
3. Insurance		Property Insurance: fire, liability, etc.
4. Utilities		Water, gas, electric (No cable or dish)
5. Maintenance (Normal property maintenance, not deferred maintenance)		Normal maintenance includes: Painting, plumbing, electrical, gardening, cleaning, mechanical, heating or structural repairs. Provide detail on a separate sheet.
6. Management		If the property is not owner-occupied, estimate 5% of the gross rent.
7. Other operating expenses		Security, services, etc. Provide detail on a separate sheet. Operating expenses do not include mortgage payments, property taxes, or depreciation.
8. Total Expenses		Add lines 3 through 7.

Step 3: Determine Annual Net Income

Net Operating Income	Current	Explanation
9. Net Total		Line 2 minus line 8.

NOTE: If you are calculating for commercial or income property, remember to provide the following back-up documentation where applicable:

1. Rent roll. Include rent for on-site manager's unit as income if applicable.
2. Maintenance records. Provide detailed on a separate sheet. All costs should be recurring annually.
3. Management expenses. Include expense of on-site manager's unit, or use a 5% off-site management fee. Describe other management costs. Provide detail on a separate sheet.

Step 4: Determine Capitalization Rate

Capitalization Rate	Current	Explanation
10. Interest Component (Published late August. May vary slightly prior to recording date.)	6.5%	As determined by the State Board of Equalization for 2009
11. Historic Property Risk Component		Single Family home = 4% All other property = 2%
12. Property Tax Component	1%	.01 times the assessment ratio of 100%
13. Amortization Component (Reciprocal of life of property)	1.67%	Typical single family use is 60 years, 1/60 = .0167
14. Total = Capitalization Rate		Add lines 10 through 13

Step 5: Calculate New Assessed Value

New Assessed Value	Current	Explanation
15. Mills Act Value Plus Non Mills Act Assessed Values (typically includes land in excess of 2 acres).		Line 9 divided by line 14 from current tax bill or assessor's breakout x1.02% (Williamson Act properties may vary each year.)

Step 6: Determine Estimated Tax Reduction

New Tax Assessment	Current	Explanation
16. Current Tax		General tax levy only. Do not include voted indebtedness or direct assessments.
17. Tax under Mills Act		Line 15 x .01
18. Estimated Tax Reduction		Line 16 minus line 17

PLEASE NOTE: This calculation is only an estimate. The Napa County Assessor's Office reserves the right to calculate the Mills Act value based on current market rates and their professional appraisal experience.

Mills Act Program Rehabilitation/Restoration Plan

This form is used to document the proposed rehabilitation, restoration and maintenance plan and will be attached to the recorded Historical Property Preservation Agreement. If additional space is needed, note "see attached" and submit additional sheets. The proposed plan may include both interior and exterior work, and must utilize all of the estimated tax savings. Refer to "list of appropriate Improvements". This plan will be reviewed by the Planning Director for comment on historical appropriateness prior to the City Councils approval of the application. All projects that affect the exterior of the structure will be subject to subsequent Planning Director approval before actual work begins. Work must meet all City requirements and the Secretary of the Interior's Standards for Rehabilitation of Historic Structures. Retain copies of all receipts and permits for submittal with the required annual report. After Agreement recordation, the plan may be updated as approved by the Planning Director or to reflect improvements beyond the scope of this initial ten year Agreement term.

Year	Proposed Project	Estimated Cost
1 (20)		
2 (20)		
3 (20)		
4 (20)		
5 (20)		
6 (20)		
7 (20)		
8 (20)		
9 (20)		
10 (20)		
10 year total costs		

Mills Act Program

List of Appropriate Improvements

Projects may include but are not limited to:

Access modifications – exterior & interior
Accessory structure repair or replacement
Annual maintenance & repairs
Appliance vent
Architectural – remove non-historic feature & restore to original
Architectural trim – repair, replace, new
Balcony/deck – new railings, repair, replace
Basement – new repair, replace to code
Cabinetry – repair, new bathroom, kitchen, other
Carpentry – remove window & reframe, shower including siding/caulking
Chimney – inspect, clean, new, rebuild, repair
Code repair item
Column – replace or rebuild
Corbels/structural brackets, replace or repair
Door – repair, replace, hardware
Drainage – protection, correction
Dry-rot removal, repair, replace
Electrical – rewire, install new outlets
Electrical – complete rewire and service upgrade
Electrical – ground & service entry
Electrical – install new circuits
Electrical – lighting fixtures
Electrical – new service lines to garage
Electrical – security lighting and alarm
Electrical – new outlets
Fence – repair or new
Flashing
Floor furnace – remove or restore
Flooring – carpet, wood, repair, replacement
Foundation – seismic work, new, repair
Gable or attic – rescreening
Garage door
Gutters & downspouts
House relocation
HVAC – complete new system
HVAC maintenance & replacement
Insulation – walls, attic
Interior trim – refinish
Kitchen – new counters
Masonry – new, repair/replace tile hearth, repoint
Mechanical – air conditions, heating unit
Mechanical – ventilation – new kitchen/bath fans
Mechanical venting & duct work
Painting – exterior, interior, trim
Painting – removal of lead based paint
Patio – repair
Plastering – remove, replace, refinish
Plumbing – drain, waste & vent
Plumbing – fixtures
Plumbing – install new supply lines
Plumbing – install sump pump & discharge drain
Plumbing – new supply
Plumbing – repairs
Plumbing – service lines
Plumbing – sewer
Porch – rebuild, replace, resurface
Porch – repoint brick
Porch railing – repair or replace to Code
Remove substandard construction
Repair eaves and/or overhangs
Repair exterior stucco
Repair Garage
Replace non-historic feature
Roof – minor repair
Roof – reroof
Roof – strip and install new
Security lighting and alarm system
Seismic retrofitting – other than foundation
Siding – remove asbestos siding & restore
Siding – repair
Skylights – replace
Stonework
Stoop – repair, replacement
Structural – new framing or repairs
Structural bracing
Structural modifications
Structural repair – roof and/or ceiling joists
Termite Treatment and repair
Utility Enclosure – new
Ventilation – attic fan
Waterproofing
Weatherproofing
Window – screens, hardware, repair, replacement in kind

Mills Act Program

Property Owner Annual Report

The City of St. Helena Mills Act program requires self-reporting to verify compliance with a Historical Property Preservation Agreement and associated Rehabilitation/Restoration Plan. Important: Attach copies of photos, receipts, and/or permits to this form for documentation each year. Return form by December 30th to Planning Staff, City of St. Helena, 1480 Main Street, St. Helena, CA 94574.

Property Address/APN: _____ Date: _____

What was your project?

What was the cost of the project(s)? _____

What were your tax savings this year? _____

Based on the results of this project, would you like to revise your Ten Year Plan? Yes No

If so, how? _____

Comments/Suggestions:

Name: _____ Signature: _____



Public Works &
Community Development Department
MEMORANDUM

Date: July 16, 2010
To: Historic Preservation Review Commission
From: Gina D. Eleccion, Management Analyst
Re: Status of Priority List of Discussion Items

Per adopted Rules and Procedures, the Historic Preservation Review Commission shall maintain a list of priority items (Exhibit A, attached). This list provides the basis of both strategic plan priorities to City Council, as well as ongoing topics for discussion and action by the Commission. This list shall be reviewed and prioritized on a semi-annual basis. Items may be added to the list by a majority consensus of the Commission.

As some items have been added, and others are complete, staff is requesting that the Commission re-evaluate the list and rank the topics in order of priority. This will provide a realistic work plan for both the Commission and Staff. Staff will continue to update the Commission on the status of the discussion items during staff communications.

As a reminder, these items are agendaized based on meeting availability and staff workload. The original intention of the discussion items was not to have an agenda item at each meeting, but rather to address the highest priority items quickly, and then deal with the other items as workload allows. Staff recognizes the Commission's desire to have these items agendaized and will do our best to ensure this occurs.

Attachment:

- Exhibit A – Priority List of Discussion Items

Priority List of Items

Priority	Strategic Plan Projects	Status
1	Historic Context Includes: <ol style="list-style-type: none"> 1. Portuguese Influence 2. Properties over 50 years old 	2009 – received grant. In process. 2008 – Applied for grant. Did not receive.
2	Downtown Historic Conservation Plan Update Includes: <ol style="list-style-type: none"> 1. Window Standards – Review existing resolution establishing window standards 2. Craftsman Cottages 3. Paint Standards for the H overlay district 4. Design Guidelines for non-historic homes 5. Skylights 	Pending update to Historic Resource Inventory May 2010 – Updated window policy (Reso. No. 10-4) May 2010 – Reviewed paint/skylights
Priority	Topics	Status
1	Commanding Officer's Quarters – Standards of Use	Requested by Commission (agendized 7/22/10)
2	Title 17.54 <ul style="list-style-type: none"> • Listing Process - Formal process for property owners to restore non-historic properties and apply for designation as a contributor or landmark • Demolition Ordinance 	In process Directed by City Council, further requested by Commissioner Taagepera
3	Fee Schedule and Design Review Process (for both historic and non-historic properties)	Requested by Commissioner Taagepera
4	Mills Act Program Update	Requested by Commissioner Mang
5	Definitions of "repair", "emergency", "minor"	Requested by Commission
6	Downtown Mixed Use Master Plan Amendment	Requested by Commissioner McKee
7	Preservation of Historic Sites	Requested by Commissioner White (memo submitted 7-20-09)

<u>ANNUAL</u>		
	Mills Act Compliance Report	Report on annual inspections
	Certified Local Government Report	Discussion of annual report submitted to SHPO
	City-owned Historic Buildings (Project Status and Maintenance)	Parks & Community Services Dept. will prepare an annual status report
<u>COMPLETED</u>		
	Story Pole requirement for projects that require Design Review in the H overlay district	Complete. Implementation program of the Downtown Mixed-Use Master Plan
	Mills Act Monitoring	Complete. Monitoring Program adopted 8-31-06
	Property Maintenance Issues	Complete. Staff report 9-28-06. No further action required
	Design Review for all single-family homes in the H overlay district	Complete until update of DHCP to include design guidelines
	Mills Act Program – Training, discussion of overall program and recommendation to City Council for amendments	Completed November 2008 - Additional discussion on program eligibility. Minimal changes recommended. SHPO training early Spring 2008 Program overview 7-24-08
	Standing Historic Subcommittee with Benicia Historical Society	April 23, 2009 – Commission discussed forming committees for specific topics as time allows Requested by Bonnie Silveria
	Information to Historic Property Owners and Realtors (Notification of historic property designation status & eligibility for Mills Act)	Completed Certified resolution (No. 09-26) recorded with County Recorder with list of properties. Previous action - Staff report 1-25-07. Staff to draft language to be included on deed. Will cost City approximately \$15,000 to implement.

	Secretary of the Interior Standards for Treatment of Historic Properties	Ongoing SHPO training (Mark Huck) February 2008 Additional discussion requested by Chair Mang
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- ❑ List to be reviewed bi-annually (January & July)
- ❑ Strategic Plan Projects require Council direction/funding
- ❑ Discussion Topics to be agendized reasonably, based on required agenda items and staff workload
- ❑ Chair/Staff set agendas



Parks and Community Services

MEMORANDUM

Date: July 14, 2010

To: Gina Eleccion, Management Analyst

From: Mike Dotson, Assistant Director of Parks and Community Services

Re: **UPDATE ON CITY OWNED PROPERTIES**

As requested by the Historic Preservation Review Commission, I have provided an update on the maintenance and upgrades to city facilities (Attachment A) that has been completed to date, and what is funded and unfunded for future repair and renovation.

During the past several years, we have been very fortunate that capital funds and grants have been available to make repairs and upgrades to city facilities. However, with the current economic condition it has become difficult for staff to continue to upgrade city facilities, and most of staff's efforts have been directed to maintaining the facilities in their current condition and keeping them from further deterioration.

In past years we have been able to utilize our Building Maintenance Division staff to assist with renovation and repairs to city facilities. Unfortunately, with the city hiring freeze we currently have two (2) Maintenance Worker III positions frozen, thus limiting our ability to perform highly skilled upgrades and renovations to city facilities.

It is our intent to continue to research available grants and funding sources to assist with upgrading and renovating city facilities. During the past year Phil Joy donated metal siding to help us preserve the Von Pfister Adobe from further deterioration. In addition, the Camel Barn Museum made upgrades to their facilities, including new electrical in Spenger Garden and installation of pavers and asphalt for better access to their storage area. These types of partnerships will be needed in order to address future needs at our facilities with the limited funding that is available.

Also attached is a copy of the checklist (Attachment B) that is used by our building attendants when a facility is rented (Commanding Officers Quarters, Clock Tower). In order to maintain the cleanliness and integrity of the building the attendant does a walk-thru with the applicant at the beginning and end of an event. This assures that the building is not damaged and has been properly cleaned. As with any facility, we have normal wear and tear on these buildings. Maintenance is important to the buildings longevity, so they are cleaned daily by our custodial staff, and any minor maintenance issues are addressed

immediately. As for larger maintenance items, staff paints the interior of the facility as needed, and re-surfaces the wood floors on an annual basis at the City Gym and Clock Tower and as needed at the other facilities.

ATTACHMENT A

Maintenance of City Owned Historic Buildings

CAMEL BARN

Completed Maintenance

- Roof replaced and insulated on building #7
- Drainage installed on east side of building #7 and the office
- Water damaged floor in building #7 repaired
- Electrical wiring in museum replaced
- Lighting in museum replaced
- Replaced railing and deck on main entrance to museum
- Replaced A/C unit in the office
- Upgraded electrical for new exhibits in building #9
- Repaired the wall plaster in building #7

Unfunded Maintenance

- Restoration of sandstone of exterior of all buildings
- Refinish or replace wood floor in building #7
- Remove wall plaster in building #7 to allow sandstone from further deterioration
- Replace and insulate roof on building #9

CEMETERY

Completed Maintenance

- Tree maintenance program (continuous)
- Headstone Restoration (continuous)
- Clean-up/weed abatement (continuous)
- Installation of new vaults in the turf area
- Installed 60' flag pole and information board on west side of Cemetery
- Replaced 300' of asphalt road on the center strip
- Installed new sign at the entrance

Unfunded Maintenance

- Continue cemetery management program
- Continue to replace/repair roadways
- Repair Security gates
- Replace Perimeter fencing
- Upgrade Landscaping

CIVIC CENTER (City Hall/Police Station/Gym)

Completed Maintenance

- Painted exterior of City Hall
- Replaced roof on City Hall, Gym, and Police Station
- Repaired water intrusion on first floor of City Hall
- City Hall walls tied to the foundation
- Tied brick fascia to the structure of City Hall
- Installed automatic doors at City Hall
- Seismic retro fit on the Police Department dispatch and 911 room
- Exterior painting of the Gym and Police Department
- Remodel entry lobby of Police Department
- Built new briefing/training room Police Department
- Remodeled Chief of Police office
- Re-finish gym floor annually
- Upgraded Audio Visual system in the Council Chambers
- Replaced carpet in the Council Chambers
- Lighting retro fit of current fixtures
- Upgraded men's shower facility at Police Department

Funded Maintenance

- Replace City Hall windows (north side)

Unfunded Maintenance

- Seismic renovation of Council Chambers
- Replace City Hall windows (south, east, west side)

CLOCK TOWER

Completed Maintenance

- Replaced stairways on North and South side of the exterior of the building
- Seismic retro fit of the building
- Replaced appliances in the kitchen
- Upgraded fire sprinkler system and alarm
- Resurface floor annually
- Lighting retro fit of current fixtures

Unfunded Maintenance

- Restoration of sandstone on exterior of building
- Upgrade restrooms and elevator
- Master Plan downstairs for future use

COMMANDING OFFICERS QUARTERS

Completed Maintenance

- Removed non-historical addition on the rear of the house
- Completed
 - Seismic Reinforcement
 - Repair/rehabilitation of porches
 - Architectural rehabilitation of exterior finishes (plaster repair and paint)
 - Accessible ramp and entry
 - Interior Repairs
 - New heating and ventilation system
 - New roof, gutters and downspouts
 - New electrical system
 - Window restoration
 - Elevator
 - New and repaired flooring
 - Installation of fire sprinkler
 - Installed phone and data lines and internet access
 - Added A/C to the current HVAC system

Funded Maintenance

- Topo and site drainage plan

Unfunded Maintenance

- Add irrigation and plant material to the front of the property
- Interior furnishing

SCHOOL AT LAKE HERMAN

Completed Maintenance

- No maintenance performed

Unfunded Maintenance

Stop further water damage from occurring

SOUTHERN PACIFIC DEPOT

Completed Maintenance

- Modified gutters and downspouts to drain properly
- Installed concrete pathway from sidewalk
- Refinished entry landing with non slip surface
- Installed mulch around entry
- Completed conceptual plan for interior improvements to the luggage room and exterior plaza area

Unfunded Maintenance

- Complete luggage bay in the rear of the building
- Landscape around the exterior of the building
- Construct a plaza area and access road around the perimeter of the building
- Paint exterior of the building

VON PFISTER ADOBE

Completed Maintenance

- Replaced existing tarp with full length canvas covers
- Installed metal siding on the exterior of the building on the south and west side

Unfunded Maintenance

- Maintain protective structure
- Stabilize
- Re-construct or replicate

ATTACHMENT B

