# Mills Act



### Planning Division City of Monterey

### Introduction

The Mills Act program reduces property taxes for owners of locally designated "H" (historic) buildings. The tax savings can be substantial, particularly if the building was purchased recently. Please contact the Planning Division at (831) 646-3885 for more information and how you can participate.

#### **Purpose of Mills Act Contract**

A Mills Act contract is an agreement between the City of Monterey and property owner of a City designated historical building. The property owner benefits from a reduction in property taxes, and the City is ensured the historic building will be preserved.

### **Term of Contract**

A Mills Act contract is for a period of ten (10) years with one (1) additional year being added on the anniversary of the contract. The contract rights and obligations are binding upon all successive owners of the property during the life of the contract. This is a significant benefit because the property retains the lower Mills Act tax rate when the property is sold. This could be an attractive selling point for your property. To end the contract, either party may submit a Notice of Non-Renewal which will terminate the contract at the end of the ten (10) year period. Cancellation of the contract by the City due to non-compliance requires a public hearing and will result in the immediate termination of the contract and a penalty equal to twelve and one-half percent (12.5 %) of the assessed market value of the property.

#### **Contract Requirements**

- 1. The contract will require that the historic elements of the property are maintained in good condition. This will include a plan for maintenance and may also include a program to restore deteriorated elements.
- 2. All recipients of Mills Act contracts will be required to prepare a maintenance plan and submit an annual report to the Planning Division, which will specify all work done to maintain and preserve the historic building over the year in accordance with the owners' maintenance plan. Any maintenance work must be in accordance with Secretary of the Interior's Standards for Rehabilitation.
- 3. Recipients may be required to install a plaque at their expense recognizing the building as a historic resource.
- 4. Recipients may be asked to make the historic resource open to the public annually if a historic tour is organized.

Note: Applications received after July 31<sup>st</sup> may not be processed in time for tax savings in the following year.

### Findings

The City Council must make the following findings to grant approval of a Mills Act contract application:

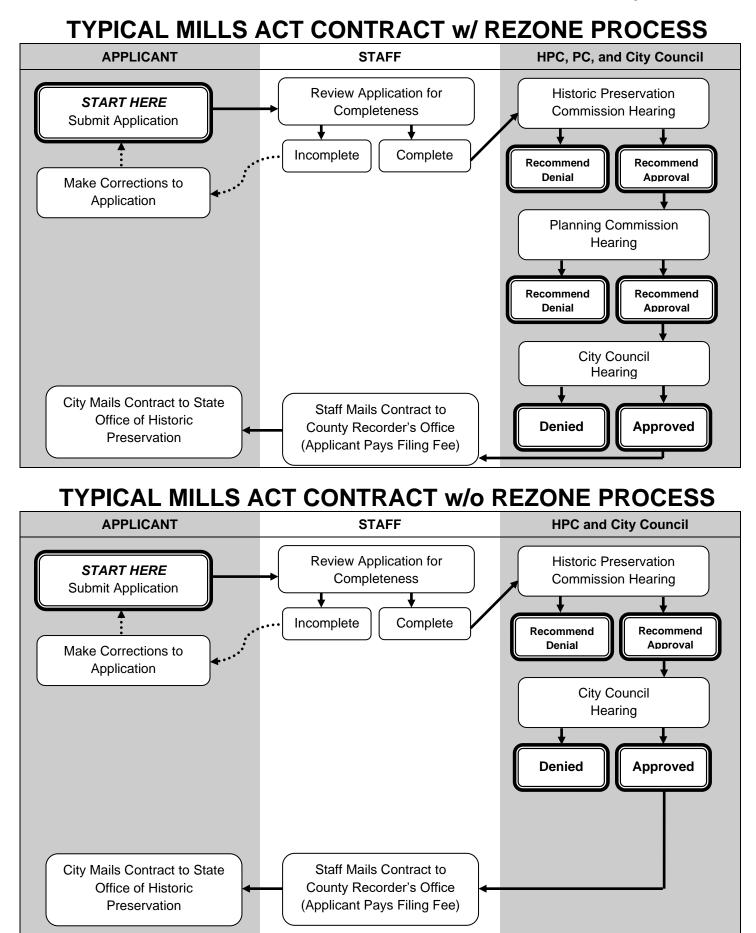
- 1. The structure is designated as a historic resource by the City of Monterey, such as "H" designation; and
- 2. The Mills Act contract will serve to offset the costs of rehabilitating and/or maintaining the cultural resource.

### Process

The applicant submits a complete Mills Act contract application to the Planning Division. Staff then prepares a report for consideration by the Historic Preservation Commission (HPC). The HPC reviews the application, required documentation, and staff's report and recommends approval or denial of the request to the City Council. The City Council will take final action on the request and either approve or deny it. If the application includes a request for an "H" rezone of the property, the Planning Commission (PC) will review the application, required documentation, staff's report, and the HPC's recommendation to recommend approval or denial of the request to the City Council. Once the contract has been approved by the City Council, the City will mail the contract with the appropriate recording fee to the County Recorder's Office. The property owner will be responsible for paying any recording or filing fees. After recordation, the recorded contract no later than December 31st for the contract and tax savings to start the following year. The City will report to the State Office of Historic Preservation that a Mills Act contract has been concluded.

### Fees (see current fee schedule)

- Historical Preservation Mills Act Request w/ "H" rezone
- Historical Preservation Mills Act Request w/o "H" rezone



## SUBMITTAL CHECKLIST

Every application must include both <u>Application Forms</u> and <u>Plans</u> in electronic format. The specific requirements are described below<sup>1</sup>.

### 1. PROJECT APPLICATION FORM

### Available online at:

https://files.monterey.org/Document%20Center/CommDev/Building%20&%20Safety/Permit%20Procedures/Pl anning%20Permits/Planning-Project-Application.pdf

### 2. LEGAL DESCRIPTION

A copy of the property's legal description, which you can retrieve from your deed, attached as "Exhibit 1".

### 3. DEED

A copy of the deed.

### 4. MAINTENANCE PLAN

A maintenance plan for the historic building and a cost estimate of the work to be done, attached as "Exhibit 2". The maintenance plan should include description, frequency, and cost estimate of the work to be done. Below please find a maintenance plan template.

### 5. PHOTOS

Photos of the exterior of the property. These photos shall show all elevations of the structure.

# If you have any questions regarding the above submittal requirements, please contact the Planning Division at (831) 646-3885.

City of Monterey Mills Act Maintenance Schedule								
Property Address: Owner Name: Owner Telephone No: Owner Email Address:								
	Frequency	Contract Year						
Work Item		2023	2024	2025	2026	2027	2028	2029
Near-Term Tasks:								
Long-Term Maintenance Tasks:								
				1				
ANNUAL TOTAL			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RUNNING TOTAL			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

### MAINTENANCE PLAN TEMPLATE

Note: Frequency of repairs continues beyond based on interval proposed.

Note: Dollar amounts will be revied at 10 year intervals and adjusted for inflation as appropriate.

<sup>&</sup>lt;sup>1</sup> At the discretion of the Community Development Director or designee, submittal of any checklist items may be waived if the project can be sufficiently described and considered without such information. Please inquire prior to submittal of an application.