

CITY OF SAN GABRIEL  
HISTORIC PRESERVATION  
BACKGROUND INFORMATION AND  
APPLICATION FOR A MILLS ACT CONTRACT  
May, 2009



*Many of San Gabriel's attractive houses feature straight-forward, yet varied design, along with craftsmanlike detailing*

#### CARING FOR OUR COMMUNITY

Like other desirable communities, San Gabriel has experienced significant changes in long-established neighborhoods. Houses are being remodeled, expanded, and in some cases completely replaced by larger houses. The City appreciates the positive statement this makes about living in San

Gabriel. At the same time, we need to maintain the attractive aspects that draw people into the city and keep them here. Working in partnership with families who wish to preserve their homes is one way to help maintain our City.

#### WHAT IS A MILLS ACT CONTRACT?

The Mills Act Contract is an agreement between the City of San Gabriel and the owner of a designated historic landmark. **Any property listed as a local, state or national landmark is eligible.** The agreement requires the owner of the property to undertake specific restoration tasks specified in the contract and to properly maintain the landmark. In exchange for this commitment, the

property owner may benefit from a reduction in property taxes.

A Mills Act Contract requires that the County Tax Assessor's Office assess the value of the landmark based on its current income potential, rather than future development potential. This can result in substantial property tax savings, especially to recent purchasers of property.

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.

#### WHEN CAN I SUBMIT AN APPLICATION FOR A MILLS ACT CONTRACT?

Applications can be submitted at any time. However, Mills Act contracts must be recorded prior to January 1st of any given year to be effective for that year. Because of the time the State, County, and City need to process these applications, applications submitted after July 1st may not receive the Mills Act benefit the following year.

To make the process as easy as possible, we will process your Mills Act application as a request for designation as a historically significant building.

#### WHAT DOES IT MEAN TO HAVE MY PROPERTY DESIGNATED AS HISTORICALLY SIGNIFICANT?

Once a property is designated a historic landmark, changes to the exterior of structures are subject to the approval of the City and may include consideration by the Design Review Commission.

#### TERM OF CONTRACT

Mills Act Contracts extend for ten (10) years and are renewed automatically each year. The rights and obligations of the contract are also binding on successive owners of the property during the life of the contract. To end the contract, either the City or Property Owner may submit a notice of non-renewal which will terminate after ten (10) years from the time the non-renewal is approved. Immediate cancellation of the contract by either the City or property owner requires a public hearing and will result in the immediate termination of the contract and a penalty equal to 12½ percent of the assessed market value of the property.



*Single family homes account for approximately 60% of the housing stock. But only a few homeowners have applied for Mills Act Contracts.*

## REVIEW PROCEDURES

A Mills Act Contract is a monetary incentive granted by the City Council following a review and recommendation by the City's Historic Preservation Architect, and the Planning Commission.

The process is:

- Property owner(s) requests Mills Act Contract by sending a letter to the Planning Division of the Community Development Department.
- Staff and the Historic Preservation Architect visit your property and discuss the application process.
- Property owner(s) submits Mills Act Contract application to the Planning Division. (This will be treated as a concurrent application for designation as a historically significant building.)
- Staff and the Historic Preservation Architect review the application and the restoration plan for the property and make a recommendation.
- Staff prepares a report for the Planning Commission.
- Planning Commission reviews the proposal and makes a recommendation to the City Council.

- City Council makes the final decision on Mills application and the historically significant structure.

To grant approval of a Mills Act Contract Application, the City Council must make findings which include:

1. The Mills Act Contract will serve to compensate for the cost of rehabilitating and/or maintaining the historic landmark. The submission of the application and the required documentation will be provide the basis to make this finding.
2. The rehabilitation of the historic landmark will occur in conjunction with the use of the Mills Act Contract and that it will not impair the architectural, historic or aesthetic integrity of the historic landmark.
3. The property meets other eligibility requirements including being privately owned and listed on either the National Register of Historic Places, in a National Register or local historic district, or listed in a state, county of city official register of historic sites. San Gabriel maintains a Register of Structures of Historic and Architectural Merit.
4. The property is of merit and contributes to the history, diversity, and ambience of the community.



*126 North Franklin*



*605 Padilla*

*Two houses in San Gabriel with Mills Act Contracts.*

#### RECORDATION

After the Mills Act Contract is approved by the City Council, it has to be filed with the County Recorder. The applicant is responsible for ensuring that the document is properly recorded by the County Recorder's Office. After recordation, the Recorded Contract is taken to the Los Angeles County Assessor located at 500 West Temple St., Los Angeles. The Assessor calculates the exact tax savings. Every year the property tax for the property is recalculated by the Assessor. Property owners are required to report to the State Office of Historic Preservation

(OPH) that a Mills Act contract has been concluded. The County Assessor's Office cannot reassess your property unless OPH has been contacted. Send a copy of your completed contract to:

State Office of Historic Preservation  
1416 Ninth Street  
Sacramento, CA 95814

Attention: Mills Act Contract Consultant  
If you need help or have questions, please contact the Planning Division at (626) 308-2806, press #4.

CITY OF SAN GABRIEL  
HISTORIC PRESERVATION  
MILLS ACT CONTRACT APPLICATION

**STEP 1**

Send a letter to the Planning Division stating your interest in a Mills Contract for your property. Include contact information and we'll follow-up and schedule a visit. After talking with staff and the Historic Preservation Architect, you can decide if you want to proceed.

**STEP 2**

Fill out the application. If you have questions, please contact a member of the Community Development Department/Planning Division for assistance at (626) 308-2806, and press #4.

PLEASE PRINT OR TYPE

APPLICANT/PROPERTY OWNER:

Name:

Mailing address for property owner:

City, State, Zip:

Phone:

E-mail

Signature:

Property Address:

Building size (sq. ft.)

Additional Information need for the application.

Ten-year Rehabilitation Plan for exterior changes (window replacement, wood trim work, etc.).

Photographs of Exterior of the Property including one digital copy (Showing all sides of the building) in Graphics Interchange Format (.gif), or JPEG File Interchange Format (.jpg). Label each photo with Assessor's Parcel Numbers, street address and brief description.

- Site plan. One 8-1/2" x 11" site plan for reproduction purposes. All plans must be legible and drawn to scale. They do not need to be prepared by a professional. If you can use a tape measure and graph paper, you can prepare the site plan. Site plans must include the following:
  - Name, address and telephone number of property owner.
  - Scale, north arrow, and dimensions of all property lines.
  - Location and identification of all existing and proposed buildings, structures, etc., including their dimensions and distances to property lines.
  - Location and dimensions of all parking areas and driveways from adjacent roadways.
  
- Floor plans. An 8-1/2" x 11" floor plan. Label/dimension rooms. Again, you can draw the floor plan yourself using a tape measure and graph paper.
  
- Narrative statement addressing the following criteria:
  - Whether the property is on a national, state, county, or city historic listing.
  - How the property contributes to the quality, diversity, historical interest, and ambience of the community.
  - Significant features that still remain which define the historical character of the subject property and its buildings or that can be restored based on documentary, physical, or pictorial evidence.
  - One of the following, where applicable, for the property:
    - 1) Needs rehabilitation and is in danger of demolition because of substandard conditions, neglect, and past lack of maintenance.
    - 2) Located in a neighborhood that was substantially developed during a later time period.
    - 3) Adjacent to an existing non-residential use.
    - 4) Located within a Redevelopment Project Area.

After approval by the Planning Commission, the following additional information is needed for Council action on the request.

- Copy of the current Grant Deed with the property's legal description.
- Copy of the most recent tax bill.

<b>CITY USE</b>		
Date Submitted:	Reviewed by:	Case No:
Referred to Historic Preservation Architect:		
Tentative Planning Commission Hearing Date:		
Tentative City Council Hearing Date:		