

Attachment B

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*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No. 24-XXX

YEUNG GABRIEL M TR

(PLN240184)

Resolution by the Monterey County Board of
Supervisors:

- 1) Finding that denying the historic property (Mills Act) contract application is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15270; and
- 2) Denying the historic property (Mills Act) contract for the property at 62 Yankee Point Drive.

[62 Yankee Point Drive, Carmel, CA 93923,
(Assessor's Parcel Number 243-152-005-
000),Carmel Area Land Use Plan, Coastal Zone.]

WHEREAS, this matter was heard by the County of Monterey Board of Supervisors on December 3, 2024, pursuant to the regulations for the preservation of Historic Resources in County of Monterey contained in Monterey County Code Chapter 18.28.

WHEREAS, the property is located at 62 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-152-005-000), which contains the "June Haas House".

WHEREAS, on June 21, 2024, Tai Tang of Studio Schicketanz, representing property owner Gabriel Yeung, trustee of the Gabriel Yeung Living Trust, filed an application for a Historic Property (Mills Act) contract on the property.

WHEREAS, the "June Haas House" is listed on the Monterey County Register of Historic Resources (Board of Supervisors Resolution No. 23-454, HCD-Planning File No. REF230016).

WHEREAS, pursuant to the requirements contained in Chapter 18.28 of the Monterey County Code (MCC), a uniform residential appraisal was prepared for the property by Sandra Cimo of S.A.C Appraisal Service, State Certification No. AR005902, which concluded that the current fair market value of the property is \$5,200,000, significantly (\$2,200,000) over the value cap limitation for residential properties of \$3,000,000 (MCC section 18.28.040.C).

WHEREAS, the Board has considered the criteria for granting an exception to the \$3,000,000 current fair market value limitation and weighed the public benefit of the contract against the costs of entering the contract.

WHEREAS, the property has limited visibility to the public. The large lancet shaped windows and large rounded doors, both character defining features, are not visible from the public right of way.

WHEREAS, the heritage tourism benefit of allowing a tour once annually would be a limited public benefit disproportionate to the cost of granting the value cap exception. There is some potential benefit, but the utilization of public access conditions for previous Mills Act contracts has been extremely limited.

WHEREAS, in accordance with Monterey County Code (MCC) section 18.28.090.B the application was referred to the Historic Resources Review Board (HRRB) for its review and recommendation. On October 3, 2024, the HRRB adopted a resolution 6-0 with 1 member absent which recommended that the property was eligible for a Mills Act contract and approval of the Mills Act contract.

WHEREAS, the Director of Planning determined that the property was eligible for a Mills Act contract and negotiated contract terms with the owner in accordance with MCC section 18.28.090.F.

WHEREAS, pursuant to MCC section 18.28.040.A, the Board of Supervisors has discretion as to whether to enter a historic property (Mills Act) contract.

WHEREAS, based on the property's 2023 – 2024 tax bill, the Proposition 13 assessed value of the property of the property is \$2,916,189, a total property tax obligation for that year of \$30,694. The estimated annual property taxes based on the Mills Act tax savings worksheet is \$583, resulting in an approximate tax savings (or unrealized property revenue) of \$30,111 annually. This represents a significant financial commitment, and its contribution must be considered cumulatively with the total annual cost of the program, which is approximately \$376,598.

WHEREAS, approval of the contract with a value cap exception would create a fiscal impact disproportionate to the impact of those properties that are within the value cap. Property tax revenues are distributed with approximately 61% going to schools, 16% to special districts, 15% to the County of Monterey, and 8% to redevelopment successor agencies. Based on County assessor's data for the 2024-2025 fiscal year, the average tax savings for the nine properties under a Mills Act contract and within the value cap in the same year was \$15,521. Approval of this contract would result in an estimated tax savings to the property owner of \$30,111 annually. This contract would result in property tax reductions of \$14,590 (or 94%) more than the average for properties under the value cap.

WHEREAS, CEQA Guidelines section 15720 statutorily exempts applications that an agency disapproves or rejects. Here, the Board has decided to deny the Historic Property (Mills Act) contract, an action which is therefore exempt from CEQA.

THEREFORE, BE IT RESOLVED THAT, having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the County of Monterey Board of Supervisors, the Board of Supervisors hereby denies the historic property (Mills Act) contract application PLN240184.

This Resolution is additionally supported by the following findings, all of which are supported by the listed evidence:

Finding: Because the Board has decided to deny the historic property (Mills Act) contract application, it is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15270, which exempts projects that a public agency denies or disapproves.

Finding: Approval of the contract with a value cap exception would create a fiscal impact disproportionate to the public benefits of the contract and the average impact of those properties that are within the value cap.

Finding: Approval of a contract above the value cap contributes to an equity issue where properties assessed over the value cap limitation receive a disproportionate share of its benefits, while they may require the tax relief afforded by the Mills Act the least.

Evidence:

1. Application materials in project file PLN240184;
2. Uniform residential appraisal was prepared by Sandra Cimo of S.A.C Appraisal Service, State Certification No. AR005902;
3. Application materials in file PLN230067, including tax savings worksheet;
4. Monterey County Code Chapter 18.28;
5. CEQA Guidelines section 15270;
6. Proposition 13 and Mills Act Assessed values provided by the Assessor's Office on November 5, 2024; and
7. Oral testimony and Board of Supervisors discussion during the public hearing and the administrative record.

PASSED AND ADOPTED this 3rd day of December, 2024, upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Valerie Ralph, Clerk of the Board of Supervisors

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