

Attachment B

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DRAFT RESOLUTION

*Before the Historic Resources Review Board in and for
the County of Monterey, State of California*

Resolution No.: 20-006 (Haddawy)
Monterey County Historic Resources
Review Board (HRRB) Resolution to
recommend: 1) That the Planning Director
determine the property commonly referred
to as the “Shaw” house is eligible for an
Historic Property Contract and qualifies for
an exception to the \$3 million fair market
value; and 2) Recommend to the Board of
Supervisors approval of a Historic
Property (Mills Act) Contract
(PLN200215) with property owners
Haddawy Mark A Trust, for property
located at 9260 Pias Ranch Road, Big Sur
(Assessor’s Parcel Number 419-251-018-
000).

WHEREAS, the property owner, Mark Haddawy, applied for a Mills Act Contract (PLN200215) to obtain a preferential property tax assessment in exchange for restrictions on the property to help preserve, restore and/or maintain the historic building located at 9260 Pias Ranch Road, Big Sure; and

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) on October 1, 2020 and continued to the meeting on November 5, 2020. The November 5, 2020 meeting was canceled and the matter was ultimately heard on November 12, 2020, pursuant to the regulations contained in Chapter 18.28 of the Monterey County Code (The Mills Act Program for Monterey County); and

WHEREAS, on September 29, 2020, the Monterey County Board of Supervisors adopted a resolution adding the “Shaw” house to the Monterey County Register of Historic Resources by a Vote 5-0 (BOS Resolution No. 20-162); and

WHEREAS, the subject property is a residential property with a fair market value of \$6,000,000 which exceeds the \$3,000,000 cap for properties eligible for a Mills Act Contract according to Sections 18.28.080(4) and 18.28.040.C of the Monterey County Code; and

WHEREAS, Section 18.28.040.C of the Monterey County Code allows granting of an exception to the \$3,000,000 value cap if the following criteria are met:

1. The site, building, object, or structure is a particularly important resource such as the last or only example of its kind, and it represents an exceptional example of an architectural style, the work of a master, or is associated with the lives of significant persons or events important to history; and
2. The historical property contract will result in the preservation of a site, building, object, or structure whose significance as a historical resource would otherwise be

at immediate risk of substantial adverse change. A substantial adverse change in the significance of the historical resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired; and

3. The exception is warranted due to one or more of the following additional factors:
 - a. The resource is highly visible to the public;
 - b. The difference between the current property tax obligation for the property and the estimated property tax obligation under the Mills Act is within the same range as the expected estimated lost property taxes from historic property contracts for properties meeting the valuation limit;
 - c. The work program proposes to provide for critical improvements immediately necessary to preserve the resource, and it provides for the best and most efficient use of the expected property tax savings; or
 - d. Approval of the contract would generate heritage tourism, affordable housing, or similar public benefits; and

WHEREAS, the applicant has submitted written justification for the exception that describes the nature of the environment where the home is located, which includes a marine influence that accelerate deterioration of building materials necessitating significant investments in repairs and maintenance. The property is uniquely affected by coastal influences because of its use of salvaged redwood from the Dolan Creek Bridge and other environmentally conscious building materials that reflect the William Shaw design principals. The work program submitted with the Mills Act application reflects the need for repairs to the foundation, steel and wood framing components, wood siding, and other maintenance and repair costs that total over \$1.6 million over a ten-year period. This \$1.6 million plan is more than four times the projected property tax reductions anticipated under the Mills Act Program; and

WHEREAS, with regard to the first exception criteria, William Shaw was known for his environmental designs and the subject house in Big Sur is an excellent example of his work; and

WHEREAS, with regard to the second exception criteria, the house is less than 50 years old and has been well maintained. Maintenance of the home includes special considerations due to the unique construction materials. Past maintenance on the home has included use of salvaged redwood from remaining pieces of the former Dolan Creek Bridge which maintain the original materials and appearance. This type of unique and sensitive repair and maintenance is reflected in the work plan and will be an ongoing effort to combat the coastal influences that accelerate deterioration; and

WHEREAS, with regard to the third criteria, the home is currently assessed property tax (under Proposition 13 value) based on a just over \$4 million value which equates to approximately \$42,000 in annual property tax revenue. Under the Mills Act restricted value, the property tax would be reduced by around \$35,000 annually. The applicant has agreed to allow tours of the home on an annual basis as part of any organized heritage tourism event in order to increase public access and visibility to the site; and

WHEREAS, after reviewing the Mills Act Application, the HRRB has determined that the property is eligible for a Mills Act Contract based on the following

findings and evidence:

- Finding: The application is consistent with the requirements of Chapter 18.28 "Mills Act Program" of the Monterey County Code.
- Finding: The application is consistent with the County's historic preservation goals and policies.
- Finding: The application is consistent with the applicable Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Finding: The property qualifies for an exception to the \$3 million cap for residential properties.
- Evidence: 1. Mills Act application and supporting materials submitted by Mark Haddawy for the "Shaw" House contained in File No. PLN200215.
2. State of California & Resource Agency Department of Parks and Recreation Primary Record Form DPR 523 B for the "Shaw" House (Phase 1 Historic Assessment).
3. Board of Supervisors Resolution No. 20-162 adding the Shaw House to the Monterey County Register of Historic Resources.
4. Section 18.28.040.C of the Monterey County Code (Value cap and exceptions)
5. Value cap exception justification letter from Mark Haddawy dated October 21, 2020.

NOW, THEREFORE, BE IT RESOLVED THAT, it is the decision of the Monterey County Historic Resources Review Board to recommend:

- 1) The Planning Director determine the property commonly referred to as the "Shaw" house is eligible for an Historic Property Contract and qualifies for an exception to the \$3 million fair market value; and
- 2) The Board of Supervisors approve of a Historic Property (Mills Act) Contract (PLN200215) with property owners Haddawy Mark A Trust, for property located at 9260 Pias Ranch Road, Big Sur (Assessor's Parcel Number 419-251-018-000)

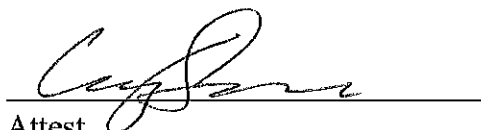
PASSED AND ADOPTED this 12th day of November 2020, upon motion of Judy MacClelland, seconded by Belinda Taluban, by the following vote:

AYES: Scourkes, Munoz, Bilich, MacClelland, Taluban, Prader, Morgantini

NOES: None

ABSENT: None

ABSTAIN: None



Attest

Craig Spencer, Planning Services Manager
RMA - Planning Department

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