



Legislation Details (With Board Report)

File #: 18-1142 **Name:** PLN180343 - Kernick
Type: General Agenda Item **Status:** Scheduled PM
File created: 11/16/2018 **In control:** Board of Supervisors
On agenda: 12/4/2018 **Final action:**
Title: PLN180343 - KERNICK
Public hearing to consider approval of and authorization to the chair of the Board of Supervisors to execute a Historic Property (Mills Act) Contract (PLN180343) with property owners Glen N. Kernick and Brooke Kernick, Trustees of the Kernick Family 2005 Trust, for the property commonly referred to as the "James E. Wansbrough" House located at 3035 Valdez Road, Pebble Beach (Assessor's Parcel Number: 007-301-011-000).
Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Historic Property Contract, 3. Attachment B - Historic Resource Review Board Resolution, 4. Recorded Document: Kernick, 5. PowerPoint Presentation, 6. Completed Board Order Item No. 16

Date	Ver.	Action By	Action	Result
12/4/2018	1	Board of Supervisors		

PLN180343 - KERNICK

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Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331.

PROJECT INFORMATION:

Planning File Number: PLN180343

Owners: Glen N. Kernick & Brooke Kernick, Trustees of the Kernick Family 2005 Trust

Project Location: 3035 Valdez Road, Pebble Beach

APN: 007-301-011-000

Plan Area: Del Monte Forrest

Flagged and Staked: Not Applicable

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- Approve and authorize the chair of the Board of Supervisors to execute a Historic Property (Mills Act) Contract (PLN180343) with property owners Glen N. Kernick and Brooke Kernick, Trustees of the Kernick Family 2005 Trust, for property commonly referred to as the "James E. Wansbrough" House located at 3035 Valdez Road, Pebble Beach.

SUMMARY/DISCUSSION:

On April 8, 2014, the Board of Supervisors adopted a program implementing the State Mills Act (Government Code Sections 50280 through 50290). The Monterey County Mills Act program is codified in Chapter 18.28 of the Monterey County Code (MCC), which sets requirements and establishes a process for consideration and approval of Historic Property Contracts. Historic Property Contracts are contracts between the owner of a qualified historic property and the County of Monterey. The contracts provide preferential property tax assessment to the owner in exchange for the maintenance and preservation of an historic resource.

On November 1, 2018, the Historic Resource Review Board of the County of Monterey (HRRB) approved a resolution finding that the Mills Act application for the “James E. Wansbrough” House complies with the applicable standards contained in the Monterey County Code and State law and recommending approval of the contract to the Board of Supervisors. The HRRB resolution is provided in **Attachment B**.

On November 6, 2018, the Board of Supervisors adopted a resolution approving the addition of the “James E. Wansbrough” house to the Monterey County Register of Historic Resources, therefore qualifying the subject historic property for approval of a Mills Act Contract. The proposed Historic Property Contract, including the Work Program, is included as **Attachment A**. These documents outline how the property tax savings will be re-invested in the maintenance and preservation of the property.

Approval of this Historic Property Contract would result in an estimated reduction of approximately \$13,400 annually in property tax to the County. The intent of the contract is that the owner would use the savings to rehabilitate and maintain the property as provided in the Work Program attached to the contract. If this contract is approved by the Board of Supervisors, the applicant must record the contract before the end of the year, so that the contract is in effect by the January 1, 2019 lien date for property tax assessment purposes. The preferential property tax assessment would go into effect on July 1, 2019, the beginning of the next fiscal year. This Mills Act contract would be one of four such contracts in effect with the County of Monterey.

The contract includes a finding that the contract is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15331, the category for historic resource restoration and rehabilitation, because the work program under the contract is limited to the preservation, rehabilitation, and maintenance of the Historic Property in a manner consistent with the Secretary of the Interior’s Standards for the treatment of Historic Properties.

OTHER AGENCY INVOLVEMENT:

Monterey County Assessor
CAO Finance Office
Office of County Counsel

County Counsel has approved the contract as to form.

The proposed project was reviewed by the Historic Resources Review Board on November 1, 2018. The HRRB recommended approval of the contract by a vote of 5-0 (2 Absent). (**Attachment B**).

FINANCING:

Approval of the "James E. Wansbrough" House contract (PLN180343) will result in a loss of approximately \$13,400.00 annually in property tax revenue, of which the County gets a portion, for the life of the contract. Denial of the contract would result in no net County impact to property tax revenue. Funding for staff time associated with this project is included in the FY18-19 Adopted Budget for RMA-Planning, General Fund 001, Appropriation Unit RMA001.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources

Check the related Board of Supervisors Strategic Initiatives:

- ☐ Economic Development
- ☒ Administration
 - Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Shelley Glennon, Senior Planner, x5173

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: John M. Dugan, FACIP - Deputy Director of Land Use and Community Development

The following attachments are on file with the clerk of the Board:

- Attachment A - Draft Historic Property Contract
 - Legal Description of the property
 - Work Program

Attachment B - Historic Resource Review Board Resolution

cc: Front Counter Copy; California Coastal Commission; Jacqueline Onciano, RMA Chief of Planning; Applicant/Owner (Brook and Glen N. Kernick); The Open Monterey Project; Molly Erickson; LandWatch; Project File PLN180343