



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 19-0847 **Name:** PLN190163 RHODES
Type: General Agenda Item **Status:** Passed - RMA Administration
File created: 10/18/2019 **In control:** Board of Supervisors
On agenda: 11/5/2019 **Final action:** 11/5/2019

Title: PLN190163 RHODES (MILLS ACT CONTRACT)

Public hearing to consider:

- a. Approval of a Historic Property Contract (Mills Act Contract) with property owners Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001, for the property located at 4175 Sunset Lane Pebble Beach, CA (Assessor's Parcel Number 008-072-013-000), commonly known as the "Charles Moore House"; and
 - b. Authorization to the chair of the Board of Supervisors to execute the contract.
- Project Location: 4175 Sunset Lane Pebble Beach, CA (Del Monte Forest Area Plan)
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 HRRB Resolution, 4. Completed Board Order Item No. 37, 5. PPT_Agenda Item 37. PLN190163_RHODES_110519.FINAL, 6. Rhodes- Recorded Document

Date	Ver.	Action By	Action	Result
11/5/2019	1	Board of Supervisors	approved - rma administration	

PLN190163 RHODES (MILLS ACT CONTRACT)

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Project Location: 4175 Sunset Lane Pebble Beach, CA (Del Monte Forest Area Plan)

Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve a Historic Property Contract (Mills Act Contract) with property owners Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001, for the property located at 4175 Sunset Lane Pebble Beach, CA (Assessor's Parcel Number 008-072-013-000), commonly known as the "Charles Moore House"; and
- b. Authorization to the chair of the Board of Supervisors to execute the contract.

PROJECT INFORMATION:

Planning File Number: PLN190163

Owners: Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001

Project Location: 4175 Sunset Lane, Pebble Beach

APN: 008-072-013-000

Plan Area: Del Monte Forest

Flagged and Staked: Not Applicable

SUMMARY:

On November 6, 2018, the Board of Supervisors adopted a resolution approving the addition of the “Charles Moore House” to the Monterey County Register of Historic Resources based mostly on its example of the work of a master architect. This action qualified the subject historic property to apply for a Historic Property Contract pursuant to the state law known as the Mills Act and County regulations implementing the Mills Act. Mills Act contracts provide property tax reduction for the purpose of maintenance of qualified historic property, with property owner agreeing by contract to a work program to maintain and preserve the historic resource. 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 the Mills Act Contract by the Board of Supervisors will reduce the owner’s property tax burden by approximately \$3,000 per year.

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.

Addition of the “Charles Moore House” to the County Historic Registry was approved by the Board of Supervisors on November 6, 2018 and provided an opportunity for the property owners, Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001, to apply for a Mills Act Historic Property Contract. On May 17, 2019, the property owners of the “Charles Moore House” applied for a Historic Property Contract. On July 11th, 2019, the Historic Resource Review Board of the County of Monterey (HRRB) approved a resolution finding that the Mills Act application for the “Charles Moore 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**.

Approval of this Historic Property Contract would result in an estimated reduction of approximately \$3,000 annually in property tax dollars. 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, 2020 lien date for property tax assessment purposes. The preferential property tax assessment would go into effect on July 1, 2020, the beginning of the next fiscal year. This Mills Act contract, as well as the Fields Mills Act Contract (PLN190151) being considered by the Board on the same day, would increase the total number of Mills Act contracts in effect with the County of Monterey from four (4) to six (6).

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 July 11, 2019. The HRRB recommended approval of the contract by a vote of 4-0 (2 Absent) (**Attachment B**).

FINANCING:

Approval of the "Charles Moore House" contract (PLN190163) will result in a loss of approximately \$3,000 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 FY19-20 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 Interim Chief of Planning

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

The following attachments are 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; Brandon Swanson, RMA Interim Chief of Planning; Applicant/Owner (Daniel Rhodes and Katherine Spitz-Rhodes); The Open Monterey Project; Molly Erickson; LandWatch; Project File PLN190163