

CITY OF CALISTOGA

MILLS ACT HISTORIC PRESERVATION PROGRAM

The City Council has recognized the Mills Act as the single most important economic incentive program available in California for use by private property owners of qualified historic buildings. Enacted in 1972, the Mills Act legislation grants the City the authority to enter into contracts with owners of qualified owner-occupied or income-producing property who actively participate in the rehabilitation, restoration, preservation and maintenance of their historic property. In exchange, participating property owners may be eligible to receive a reduction in their property taxes. The City of Calistoga has established the following Mills Act Program to encourage private property owners to participate in the rehabilitation, restoration, preservation and maintenance of their historic property (City Council Resolution No. 2010-085).

1. ELIGIBILITY

- A. The property is located within the incorporated limits of the City of Calistoga.
- B. The property is privately owned.
- C. The property is not exempt from property taxation.
- D. The property meets at least one of the following criteria:
 - (1) The property listed in the National Register of Historic Places or located in a registered historic district; OR
 - (2) The property listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

2. CONTRACT REQUIREMENTS

- A. The minimum term of a Mills Act contract is ten years.
- B. Each year on the anniversary date of the contract one year shall be automatically added to the term of the contract unless a notice of non-renewal is given.
- C. During the contract period, the owner is expected to restore/rehabilitate and/or maintain the property in accordance with the standards, rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation and the State Historical Building Code.

- D. During the contract period, the owner shall allow for periodic examinations of the interior and exterior of the premises by the County Assessor, the Department of Parks and Recreation, the State Board of Equalization, and the City or its agent as may be necessary to determine the Owner's compliance with the Agreement.
- E. If it is determined that a breach of contract conditions has occurred, the City may cancel the contract. Cancellation of a Mills Act contract requires that the owner pay a cancellation fee equal to 12.5% of the current fair market value of the property.
- F. The contract shall remain with the property when transferred to a new owner, who would be bound by the contract and have the same rights and obligations as the original owner who entered into the contract.

3. APPLICATION AND ADMINISTRATION

- A. To apply for a Mills Act contract, a completed City application form and other information needed to determine the property's eligibility shall be submitted to the Planning and Building Department. A non-refundable application processing deposit of \$500 is required.
- B. Applications for a Mills Act contract are reviewed and approved by the City Council.
- C. Upon approval, the City will forward the contract to the County Assessor for reassessment of the historic property pursuant to Revenue and Taxation Code Section 439 et seq.
- D. All buildings, structures, yards and other improvements are required to be maintained in a manner which does not detract from the appearance of the immediate neighborhood during the term of the contract.
- E. The owner shall provide an annual report to the City describing any maintenance or improvement activities undertaken during the previous year.
- F. A Mills Act contract does not exempt a property from City regulations, including review procedures or permitting requirements.
- G. The City's Mills Act program allows for up to three contracts to be approved per calendar year.

MILLS ACT PROGRAM – APPLICATION PACKET

Purpose: Owners of property containing a structure that is listed or eligible for listing on a national, state or local historic register may be eligible for a Historical Property Preservation Agreement. State law authorizes local jurisdictions to grant property tax reductions when a property owner enters into such an agreement. The City of Calistoga’s Mills Act Program allows properties to enter into the City of Calistoga Mills Act Program on a first-come, first-served basis. Interested owners should contact the Napa County Assessor at 1127 1st St Rm 128 Napa Ca 94559 or by e-mail at: assessor@countyofnapa.org for an estimate of how values may be impacted by an Mills Act agreement. An estimate of the impact on value costs \$150.00.

PROCEDURE

Required Application Materials:

- [] Completed **APPLICATION FORM**, with all property owner's signatures, including all parties holding a title interest
- [] **WRITTEN STATEMENT**, signed and dated, describing historic building and renovation/repairs.
- [] A **MAILING LIST** of all owners of property within a 300’ radius of the subject property, prepared and certified by a title company.
- [] **PRELIMINARY TITLE REPORT** not more than 6 months old.
- [] **GRANT DEED AND LEGAL DESCRIPTION** of Property identifying all current property owners.
- [] **LOCATION/VICINITY MAP** - This should include a sketch of the project site in relation to the surrounding area, the location and names of adjacent and abutting streets.
- [] **SITE PLAN** - This should include a sketch of the buildings on the project site in relation to the site itself and to each other. All plans must be legible and drawn to scale.
- [] **FLOOR PLANS** (fully dimensioned).
- [] **MILLS ACT PROGRAM REHABILITATION/RESTORATION PLAN** (included in this packet).
- [] **OTHER** (photographs, historical evaluation and assessment report, supporting information).

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- [] Processing Fee Initial Deposit: \$500 (non-refundable)

FILE NO.: _____

ASSESSOR'S PARCEL NO.: _____

FINAL ACTION & DATE: _____

City of Calistoga

Planning & Building Department

Application Form

1232 Washington Street

Calistoga CA 94515

707.942.2827

707.942.2831 fax

PLANNING APPLICATION FORM

Applicant Information

Applicant's Name:	Phone:	Fax:	E-Mail Address:
Applicant's Mailing Address:	City:	State/Zip Code:	
Property Owner's Name: (if different from Applicant)	Phone:	Fax:	E-Mail Address:
Property Owner's Mailing Address:	City:	State/Zip Code:	
Agent's Name: (if different from Applicant)	Phone:	Fax:	E-Mail Address:
Agent's Mailing Address:	City:	State/Zip Code:	
Other Representative: (Engineer/Architect)	Phone:	Fax:	E-Mail Address:
Representative's Mailing Address:	City:	State/Zip Code:	

Property Information

Project Name and Address: _____

Assessor's Parcel Number(s): _____

Site of site (acreage and/or square footage): _____

General Plan designation: _____ Zoning: _____

Growth Management Allocation number or exception status: _____

Application Type (For Staff Use)

<input type="checkbox"/> Appeal	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Certificate of Compliance	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Tentative Map
<input type="checkbox"/> CEQA Compliance	<input type="checkbox"/> Mills Act Agreement	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Conceptual Design Review/Pre-Application Conference	<input type="checkbox"/> Municipal Code Amendment	<input type="checkbox"/> Amendment Tentative Map <input type="checkbox"/> Amendment Tentative Parcel Map
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Planned Development Plan	<input type="checkbox"/> Modification to Final Map
<input type="checkbox"/> Administrative	<input type="checkbox"/> Public Convenience and Necessity	<input type="checkbox"/> Variance
<input type="checkbox"/> Amendment	<input type="checkbox"/> ABC License	<input type="checkbox"/> Voluntary Merger
<input type="checkbox"/> Major	<input type="checkbox"/> Rent Vehicles	<input type="checkbox"/> Zoning Ordinance Amendment
<input type="checkbox"/> Design Review	<input type="checkbox"/> Rezone	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Sign Permit	

Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please see specific submittal handouts for details to describe.

Conditions of Application

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Planning Commission and City Council to file applications, plans and other information on the owner's behalf.
4. Indemnification: The applicant agrees to defend, indemnify and hold the City, its agents, officers and employees harmless from any claim, action or proceeding to attack, set aside, void or annul and approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense.
5. Fees: The applicant agrees to pay the City any and all processing fees imposed by City Council Resolution No. 96-23, including the establishment and use of a Developer Deposit Account. Applicant understands that fees include, but not limited to: staff time billed at an hourly rate; required Consultant and City Attorney service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. I hereby authorize employees of the City of Calistoga to enter upon the subject property, as necessary, to inspect the premises and process this application.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

Property Owner's Signature and Date

Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

Applicant's Signature and Date

Date Received/Staff Initials:	Application Fees	
	DDA Account # & Deposit Amount	
	Total Fees Due	\$
	Check No.	

Mills Act Program Rehabilitation/Restoration Plan

This form is used to document the proposed rehabilitation, restoration and maintenance plan and will be attached to the recorded Historical Property Preservation Agreement. If additional space is needed, note “see attached” and submit additional sheets. The proposed plan may include both interior and exterior work, and must utilize all of the estimated tax savings. Refer to “list of appropriate Improvements”. This plan will be reviewed by the Planning and Building Director for comment on historical appropriateness prior to the City Councils approval of the application. All projects that affect the exterior of the structure will be subject to subsequent approval by the Planning and Building Director before actual work begins. Work must meet all City requirements and the Secretary of the Interior’s Standards for Rehabilitation of Historic Structures. Retain copies of all receipts and permits for submittal with the required annual report. After Agreement recordation, the plan may be updated as approved by the Planning and Building Director or to reflect improvements beyond the scope of this initial ten year Agreement term.

Year	Proposed Project	Estimated Cost
1 (20__)		
2 (20__)		
3 (20__)		
4 (20__)		
5 (20__)		
6 (20__)		
7 (20__)		
8 (20__)		
9 (20__)		
10 (20__)		
10 year total costs		

Mills Act Program

List of Appropriate Improvements

Projects may include but are not limited to:

Access modifications – exterior & interior	Mechanical – ventilation – new kitchen/bath fans
Accessory structure repair or replacement	Mechanical venting & duct work
Annual maintenance & repairs	Painting – exterior, interior, trim
Appliance vent	Painting – removal of lead based paint
Architectural – remove non-historic feature & restore to original	Patio – repair
Architectural trim – repair, replace, new	Plastering – remove, replace, refinish
Balcony/deck – new railings, repair, replace	Plumbing – drain, waste & vent
Basement – new repair, replace to code	Plumbing – fixtures
Cabinetry – repair, new bathroom, kitchen, other	Plumbing – install new supply lines
Carpentry – remove window & reframe, shower including siding/caulking	Plumbing – install sump pump & discharge drain
Chimney – inspect, clean, new, rebuild, repair	Plumbing – new supply
Code repair item	Plumbing – repairs
Column – replace or rebuild	Plumbing – service lines
Corbels/structural brackets, replace or repair	Plumbing – sewer
Door – repair, replace, hardware	Porch – rebuild, replace, resurface
Drainage – protection, correction	Porch – repoint brick
Dry-rot removal, repair, replace	Porch railing – repair or replace to Code
Electrical – rewire, install new outlets	Remove substandard construction
Electrical – complete rewire and service upgrade	Repair eaves and/or overhangs
Electrical – ground & service entry	Repair exterior stucco
Electrical – install new circuits	Repair Garage
Electrical – lighting fixtures	Replace non-historic feature
Electrical – new service lines to garage	Roof – minor repair
Electrical – security lighting and alarm	Roof – reroof
Electrical – new outlets	Roof – strip and install new
Fence – repair or new	Security lighting and alarm system
Flashing	Seismic retrofitting – other than foundation
Floor furnace – remove or restore	Siding – remove asbestos siding & restore
Flooring – carpet, wood, repair, replacement	Siding – repair
Foundation – seismic work, new, repair	Skylights – replace
Gable or attic – rescreening	Stonework
Garage door	Stoop – repair, replacement
Gutters & downspouts	Structural – new framing or repairs
House relocation	Structural bracing
HVAC – complete new system	Structural modifications
HVAC maintenance & replacement	Structural repair – roof and/or ceiling joists
Insulation – walls, attic	Termite Treatment and repair
Interior trim – refinish	Utility Enclosure – new
Kitchen – new counters	Ventilation – attic fan
Masonry – new, repair/replace tile hearth, repoint	Waterproofing
Mechanical – air conditions, heating unit	Weatherproofing
	Window – screens, hardware, repair, replacement in kind

Mills Act Program Property Owner Annual Report

The City of Calistoga Mills Act program requires self-reporting to verify compliance with a Historical Property Preservation Agreement and associated Rehabilitation/Restoration Plan. Important: Attach copies of photos, receipts, and/or permits to this form for documentation each year. Return form by December 30th to the Planning and Building Director, 1232 Washington Street, Calistoga, CA 94515.

Property Address/APN: _____ Date: _____

What was your project?

What was the cost of the project(s)? _____

What were your tax savings this year? _____

Based on the results of this project, would you like to revise your Ten Year Plan? Yes No

If so, how? _____

Comments/Suggestions:

Name: _____ Signature: _____