



DEVELOPMENT SERVICES  
DEPARTMENT

City of  
**REDLANDS**

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BRIAN DESATNIK  
Development Services Director

**DATE: JULY 29, 2022**

**TO: HISTORIC & SCENIC PRESERVATION COMMISSION**

**FROM: BRIAN FOOTE, CITY PLANNER/PLANNING MANAGER**

**THROUGH: BRIAN DESATNIK, DEVELOPMENT SERVICES DIRECTOR**

**RE: PROPOSAL TO EXTEND THE CITY'S MILLS ACT PROGRAM**

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**SUMMARY:**

Staff is requesting that the Historic and Scenic Preservation Commission make a recommendation to the City Council to extend the city's Mills Act Program for an additional five years. The City Council initially authorized the Mills Act Program in 2012, extended the program for five years in 2017, and the program is set to expire on November 7, 2022 (unless further extended). City Council Resolution No. 7947 is attached for reference.

Current information about the city's Mills Act program is available on the Planning Division's webpage: <https://www.cityofredlands.org/post/mills-act-program> (click on link). No changes to the Mills Act program, eligibility, or operating criteria are proposed at this time. Staff wishes to extend the program for an additional five years to November 30, 2027.

The Planning Division attempts to promote the Mills Act Program at every opportunity, including maintaining an extensive webpage to conduct community outreach and provide public information in a convenient format. The Planning Division continues to receive inquiries about potential new additions to the program. Planning Division staff will continue attempting to advertise and expand the program as community interest increases over time.

**MILLS ACT BACKGROUND:**

The Mills Act, enacted by the State in 1972, is intended to encourage preservation of historically significant properties by allowing a property owner to receive property tax relief in exchange for rehabilitating, preserving, and maintaining a historic property rather than demolishing or significantly modifying it. The Act allows local governments to enter into binding contracts with owners of qualified historic properties. The City has determined that qualified historic property eligible for the program includes those locally designated as a historic resource or landmark, or are a contributing structure to a locally designated historic

district, or have been designated as a County Landmark, State Landmark, State Point of Historical Interest, National Historic Landmark, or are listed on the California and/or National Register. The agreement provides a reduction of property taxes in exchange for the continued preservation of the property.

Mills Act contracts generally result in a reduction of property taxes of 20 to 60 percent for each assessed property for the standard ten (10) year contract. The impact of the Mills Act on a property's assessment can vary, depending on the date the property was purchased. For example, properties purchased before the passage of Proposition 13 in 1978 are unlikely to receive a reduction, as they are already determined to be at baseline threshold values under the State's taxation and revenue code. More recently purchase properties would receive the greatest reductions.

One hundred percent (100%) of the money saved on taxes must be used in maintaining and restoring the property. The agreement runs for ten years and can renew annually each year thus extending the agreement term unless a notice of cancellation is filed by the owner. The property value and property taxes are recalculated by the County Tax Assessor. The loss of tax revenue is shared between applicable agencies that receive the taxes.

**RECOMMENDATION:**

Staff recommends that the Historic and Scenic Preservation Commission make a recommendation to City Council to extend the city's Mills Act program for a period of five (5) years to November 30, 2027.

**MOTION:**

"I move that the Historic and Scenic Preservation Commission adopt Resolution No. 2022-15 and recommend that the City Council extend the city's Mills Act Program for an additional five years."

RESOLUTION NO. 7947

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS  
MODIFYING AND RESTATING THE "MILLS ACT" HISTORIC PROPERTY  
TAX INCENTIVE PROGRAM AND RESCINDING RESOLUTION NO. 7796

WHEREAS, the City Council of the City of Redlands ("City Council") is dedicated to providing economic and other incentives to assist owners of historic properties with the preservation, rehabilitation, restoration, and/or reconstruction of such properties; and

WHEREAS, as set forth in the Land Use and Historic and Scenic Preservation elements of the Redlands General Plan, the City Council has recognized the importance of conserving and safeguarding the City's cultural, architectural, and historical resources that contribute to the special and unique character of the City; and

WHEREAS, the City Design and Preservation Element of the City's General Plan establishes goals and policies for the City which:

- Identify, maintain, protect, and enhance Redlands' cultural, historic, social, economic, architectural, agricultural, archaeological, and scenic heritage.
- Provide incentives wherever possible to protect, preserve, and maintain the City's heritage.
- Encourage retention of the character of existing historic structures and urban design elements that define the built environment of the City's older neighborhoods.
- Encourage retention of historic structures in their original use or reconversion to their original use where feasible, or adaptive re-use where original use is no longer feasible.
- Provide incentives to encourage preservation of large historic structures and conversion to multi-family housing if preservation of original use is an economic hardship.
- Establish guidelines and incentives for appropriate adaptive reuse of historic structures.
- Ensure that permanent changes to the exterior or setting of a designated historic resource are in keeping with the intent of the General Plan by requiring a Certificate of Appropriateness for such changes.
- Encourage appropriate adaptive reuse of historic resources in order to prevent disuse, disrepair, and demolition, taking care to protect surrounding neighborhoods from disruptive intrusions.

- Encourage the use of tax credits, donated easements, and other fiscal incentives for preservation; and

WHEREAS, the “Mills Act” (Government Code section 50280 et seq.) authorizes cities to enter into contracts with the owners of qualified historical properties which are defined as properties that are not tax exempt and which are either (1) listed in the National Registration of Historic Places or located in a registered historic district, as defined in Section 1.191-2(b) of Title 22 of the Code of Federal Regulations, or (2) listed in any state, or city local register of historical or architectural significant sites, places or landmarks; and

WHEREAS, the City Council finds and determines that adoption of the Mills Act program will implement the policies of the Redlands General Plan by providing a significant economic incentive for owners of historic residences and various other properties to participate in the rehabilitation, restoration, preservation and maintenance of their historic properties; and

WHEREAS, at its regularly scheduled meeting of November 20, 2012, the City Council adopted Resolution No. 7225, adopting a five (5) year pilot program for the Mills Act program Resolution; and

WHEREAS, at its regularly scheduled meeting of October 5, 2017, the City’s Historic and Scenic Preservation Commission reviewed a proposal to extend the Mills Act program and recommended that the City Council approve the program; and

WHEREAS, at its regularly scheduled meeting of November 7, 2017, the City Council approved an extension of the program until November 7, 2022; and

WHEREAS, it is now the desire of this City Council to further modify and restate the program as described in this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Redlands as follows:

Section 1. The City Council hereby approves the City’s program implementing the Mills Act from the effective date of this Resolution through November 7, 2022. To limit the fiscal impact of the Mills Act program on the City, no more than seven (7) Mills Act contracts will be entered into per calendar year; with a maximum five (5) contracts for residential properties, and a maximum of two (2) contracts for non-residential properties.

Section 2. The property owner shall be required to use one hundred percent (100%) of the Mills Act property tax savings to finance the preservation, maintenance and improvements of the qualified historic property as specified in the Mills Act contract.

Section 3. The procedures and qualifying criteria for approval of historical property contracts for historical properties are as follows:

A. Application Filing: Any person owning a qualified historic residential, property may file an application for an historical property contract with the Development Services Department. The application shall be made on the form provided by the department and submitted with the application fee, and such documentation, information, and photographs as may be required by the department evidencing qualities and characteristics of the property for which the historical property contract is requested, and a description of, and timeframe for, proposed improvements to the property.

B. Criteria for Mills Act Contract: A Mills Act contract will be approved only if all the following criteria are satisfied:

(i). The property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that the property is a qualified historic property is a property listed on any federal, state, or city register, including the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, and locally designated landmarks.

(ii). Significant features that define the historical character of the property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence; and

(iii). The owner of the property proposes to make significant improvements to the property that will not impact the architectural, historical, or aesthetic integrity of the property; and

(iv). The property is wholly located within the City of Redlands, is privately owned, and is not exempt from property taxation.

C. Review of Work Plan: The Historic and Scenic Preservation Commission shall review the ten (10) year work plan submitted with a Mills Act application and make a recommendation of such plan and the application to the City Council.

D. Preparation of Historical Property Contract: Upon receipt of a complete application for a property meeting the above criteria, the City Manager, or his or her designee, shall assist the property owner in preparing a draft historical property contract and agreement conditions, and an example of tax savings. The City Attorney shall review the proposed contract to ensure it conforms to federal, state, and local law.

E. City Council Approval: Prior to contract recordation, the City Council shall review and approve the contract and 10-year work plan.

F. Contract Recordation: Upon approval and execution of a Mills Act contract, the City Clerk shall submit a copy of the contract for recordation to the San Bernardino County Recorder and the County Assessor's Offices. Written notice of the approval of the contract shall also be provided to the State Office of Historic Preservation.

G. Periodic Review of Contract: The City Manager, or his or her designee, will conduct an annual review of all contracts and inspect the properties subject to the contracts to determine the property owners' compliance with such contracts. The owner of the property shall provide the City with an annual written report, with photo documentation, describing the improvements completed during the preceding year, and a copy of all receipts for improvements to verify total costs expended during the preceding year.

F. Cancellation of Contract: No Mills Act contract shall be cancelled without compliance with Government Code Section 50280 et seq., including proper notice and noticing of a public hearing.

Section 4. The City Council has determined that adoption of the City's Mills Act Historic Property Tax Incentive Program will have no potential for causing a significant effect on the environment and therefore, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061, is not subject to CEQA.

Section 5. Resolution No. 7796 of the City Council of the City of Redlands is hereby rescinded.

Section 6. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

ADOPTED, SIGNED AND APPROVED this 16<sup>th</sup> day of April, 2019.

  
Paul W. Foster, Mayor

ATTEST:

  
Jeanne Donaldson, City Clerk

I, Jeanne Donaldson, City Clerk of the City of Redlands, hereby certify that the foregoing Resolution No. 7947 was adopted by the City Council at a regular meeting thereof held on the 16<sup>th</sup> day of April, 2019, by the following vote:

AYES: Councilmembers Barich, Tejada, Momberger, Davis; Mayor Foster  
NOES: None  
ABSTAIN: None  
ABSENT: None



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Jeanne Donaldson, City Clerk

RESOLUTION NO. 2022-15

A RESOLUTION OF THE HISTORIC AND SCENIC PRESERVATION COMMISSION OF THE CITY OF REDLANDS RECOMMENDING THE EXTENSION OF THE CITY'S "MILLS ACT" HISTORIC PROPERTY TAX INCENTIVE PROGRAM

WHEREAS, the City of Redlands Mills Act Pilot Program was adopted on November 20, 2012 through the City Council's adoption of Resolution No. 7225; and

WHEREAS, the City of Redlands Mills Act Pilot Program was given a term of five (5) years from the date of adoption of the resolution; and

WHEREAS, at its regularly scheduled meeting of October 5, 2017, the City's Historic and Scenic Preservation Commission reviewed a proposal to extend the Mills Act program and recommended that the City Council extend the program; and

WHEREAS, at its regularly scheduled meeting of November 7, 2017, the City Council adopted Resolution No. 7796 amending and extending the Mills Act program for a period of five years until November 7, 2022; and

WHEREAS, at its regularly scheduled meeting of April 16, 2019, the City Council adopted Resolution No. 7947 amending and extending the Mills Act program until November 7, 2022; and

WHEREAS, the City of Redlands is dedicated to providing economic and other incentives to assist owners of historic properties with the preservation, rehabilitation, restoration, and/or reconstruction of such properties; and

WHEREAS, on August 4, 2022, the Historic and Scenic Preservation Commission held a regularly scheduled meeting and considered the staff report, oral report, the testimony and the written evidence submitted by and on behalf of the applicant and by members of the public; and,

WHEREAS, the Historic and Scenic Preservation Commission finds and determines that the extension of the Mills Act program will continue to implement the policies of the Redlands General Plan by providing a significant economic incentive for owners of historic residences and various other properties to participate in the rehabilitation, restoration, preservation and maintenance of their historic properties.

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC AND SCENIC PRESERVATION COMMISSION OF THE CITY OF REDLANDS AS FOLLOWS:

Section 1. The Historic and Scenic Preservation Commission recommends to the City Council that the extension of the City's Mills Act Historic Property Tax Incentive Program will have no potential for causing a significant effect on the environment, and therefore, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061, is not subject to CEQA.



Section 2. The Historic and Scenic Preservation Commission recommends that the City Council extend the Mills Act Pilot Program for a period of five (5) years to November 30, 2027.

Section 3. This Resolution shall become effective upon adoption.

ADOPTED, SIGNED AND APPROVED this 4<sup>th</sup> day of August, 2022.

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Kurt Heidelberg, Chair  
Historic & Scenic Preservation Commission

ATTEST:

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Alma Morales, Historic and Scenic Preservation Commission Secretary

I, Alma Morales, Historic and Scenic Preservation Commission Secretary of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the Historic and Scenic Preservation Commission at a regular meeting thereof held on the 4<sup>th</sup> day of August, 2022.

AYES:

NOES:

ABSENT:

ABSTAINED:

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Alma Morales, Secretary  
Historic & Scenic Preservation  
Commission