

December 11, 2012

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Approval of and Authorization for the Chair of the Board to Execute a Mills Act Historical Property Contract for the Cook-Newhall Mansion and Property Known as Ventura County Landmark No. 4
Located at 829 Park Street, Unincorporated Area of Piru
Assessor Parcel Number: 056-0-030-140

RECOMMENDATIONS:

The Ventura County Cultural Heritage Board recommends that your Board take the following actions:

1. **CERTIFY** that your Board has independently reviewed and considered this Board letter, all exhibits, and the record of proceedings before the Cultural Heritage Board for this project, and that it reflects the independent judgment of your Board;
2. **FIND** that the proposed Mills Act Historical Property Contract is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15331 of Title 14 of the California Code of Regulations and authorize the Director of the Planning Division to record a Notice of Exemption;
3. **ADOPT** findings made by the Cultural Heritage Board on October 22, 2012 which are set forth in the recommended actions of Cultural Heritage Board Resolution CHB No. 12-001 (Exhibit 4);
4. **APPROVE** and authorize the Chair of the Board to execute the attached Mills Act Historical Property Contract, pursuant to Government Code Section 50280; and
5. **DIRECT** the Ventura County Clerk and Recorder to record the Mills Act Historical Property Contract after the owner of the subject property and the Chair of the Board have executed the contract; and
6. **SPECIFY** that the Clerk of the Board of Supervisors is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location of the documents and materials that constitute the record of proceedings upon which this decision is based.



FISCAL/MANDATES IMPACT:

Mandatory: No.

Authority: California Government Code Section 50280 et seq. ("Mills Act").

Source of Funding: Staff processing costs and future inspection activities are paid by the applicant.

Funding Match Required: No.

Impact on Other Departments: There is an incremental impact on County Counsel and the Assessor's Office for legal and administrative services for new Mills Act contracts.

Narrative Explanation: The County of Ventura General Fund receives approximately 25% of this property's total property tax paid. For the current year, the County's portion of property tax revenue from this property would be approximately \$5,865. This property's Mills Act Contract would reduce the property tax by an estimated 25% to 90%, resulting in an annual loss of General Fund revenue of approximately \$1,465 to \$5,280 per year. The actual percentage of annual loss is unknown until the Assessor's Office determines the subject property's income-generating potential and its current assessed value.

Summary of Revenue and Costs:

	FY 2012-13	FY2013--14
Revenue:	\$5,865 ¹	\$(1,465) to \$(5,280)
Costs:	Minimal	Minimal
Net Costs:	\$(5,865)	\$1,465 to \$5,280

DISCUSSION:

On June 14, 1994, your Board adopted the Ventura County Cultural Heritage Ordinance that allows property owners to apply for the Mills Act Property Tax Abatement Program in the unincorporated areas of the County. Similar to the Land Conservation Act Program that provides an incentive for the protection of agricultural resources, the Mills Act Program provides a property tax reduction to owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties. The Cultural Heritage Board is authorized to make recommendations to your Board on

¹ This is the approximate amount of the County's portion of the property tax revenue.

these applications pursuant to Section 1364-10 of the Ventura County Cultural Heritage Ordinance.

A Mills Act Historical Property Contract is a formal agreement between the County and the property owner for a revolving ten-year term. Contracts are automatically renewed each year so that the term of the contract always extends for ten years unless non-renewed by the property owner. The contracts are transferred to new owners when the property is sold and is binding on all successive owners. Property owners agree to restore, repair, maintain, and protect the property for the life of the contract in accordance with the specific historic preservation standards and conditions identified in the contract (Exhibit 1). Annual inspections by County staff are on-going to ensure proper maintenance of the property. The County may cancel the contract and subject the owners to a cancellation fee of 12 ½ percent of the current fair market value of the property in case of a breach of the contract's terms. To date, four contracts have been granted in the unincorporated area, the Pratt House, Acacia Mansion, and the William Ford residence located in the Ojai Valley and the Rose/McGrath Ranch house in the unincorporated area of Camarillo.

Limelight Investments, LLC., owners of the Cook-Newhall Mansion, Ventura County Historical Landmark No. 4, are requesting a Mills Act Contract. The single family home built on the site in 1983 is a nearly faithful reconstruction of the original David C. Cook Mansion (originally constructed in 1890 and destroyed by a fire in 1981). After the fire, only the Sespe stone foundation, tower, and brick chimneys remained. The property owners at the time, Scott and Ruth Newhall, hired the Santa Monica architectural firm, Flood, Meyer, Sutton & Associates to reconstruct the Mansion as close to its original form as possible. The few deviations from the original Queen Anne style architecture made during the reconstruction are detailed in the attached Historic Resources Mitigation Report (Exhibit 3).

The Mansion was originally designated Ventura County Historical Landmark No. 4 on January 20, 1969. On October 22, 2012, the Ventura County Cultural Heritage Board adopted Resolution No. CHB 12-001 recommending that the Ventura County Board of Supervisors approve a Mills Act Contract for the subject property located at 829 Park Street, in the unincorporated area of Piru (Exhibit 4).

The owner of the property just prior to the current owner made some alterations to the mansion and grounds. In 2007, the Ventura County Cultural Heritage Board determined that these alterations did not adversely affect the historical significance of the County landmark based on an analysis completed for a required Historic Resources Mitigation Report. The Cook-Newhall Mansion, as a 1983 reconstructed structure, is considered the last surviving property of a type directly associated with David C. Cook. The National Register of Historic Places Criterion E allows for this reconstructed structure to be determined National Register-eligible because it is located on the original site and is not misrepresented as an authentic historic property.

Staff considers the fiscal impact to the County minor in light of the public benefit to the community from preservation of a Ventura County Historical Landmark property. Additionally, the new owners plan to reinvest their tax savings into reversing some of the alterations made by the prior owner of the property and restoring the mansion to its former glory.

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT:

In accordance with State CEQA Guidelines, the establishment of a Mills Act Contract falls under a Class 31 CEQA exemption. Specifically, this exemption applies to, "projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings."

PUBLIC REVIEW:

No public comment regarding this request was received. There are no public notification requirements for Mills Act Contracts. The applicant was notified of the date of the meeting. The Proposed Mills Act Contract is on file with the Clerk of the Board for review by the public.

This item has been reviewed by the County Executive Office, County Assessor, Auditor-Controller, and County Counsel. If you have any questions, please contact Nicole Doner at (805) 654-5042 or via email at nicole.doner@ventura.org. You may also contact Tricia Maier, Manager of the Planning Programs Section at (805) 654-2464 or via email at tricia.maier@ventura.org.

A handwritten signature in dark ink, appearing to read "Kim L. Prillhart", followed by the letters "FOR" in a larger, bolder script.

Kim L. Prillhart, Director
Planning Division

Attachments:

- Exhibit 1 - Proposed Mills Act Contract
- Exhibit 2 - October 22, 2012 Cultural Heritage Board Staff Report and Attachments not included in the Board Letter's Exhibits
- Exhibit 3 - Historic Resources Mitigation Report dated February 5, 2007
- Exhibit 4 - Ventura County Cultural Heritage Board Resolution No. CHB-12-001