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Title: Consideration of approval of requests by property owners to enter into Mills Act historical property contracts pursuant to FMC 12-1706:

1. The Ralph & Jenny Watson Home (HP# 284) located at 3537 E Huntington Blvd, in the Huntington Boulevard District.
2. The Ed and Chrissie Riggins Home located at 655 East Pine Avenue, in the Wilson Island District.

RECOMMENDATION

1. Staff recommends that the Commission hold a public hearing and authorize the Director of Development to enter into a Historical Property Contract for the subject properties pursuant to FMC 12-1706.

Sponsors: Historic Preservation Commission

Indexes:

Code sections:

Attachments: 1. Exhibit A - DPR Forms, Historic Inventories, & Resolutions, 2. Exhibit B - Mills Act Draft Contracts

| Date | Ver. | Action By | Action | Result |
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REPORT TO THE HISTORIC PRESERVATION COMMISSION

December 18, 2023

FROM: JENNIFER CLARK, Director
Planning and Development Department

BY: LISHA CHEN, Historic Preservation Specialist
Planning and Development Department

SUBJECT

Consideration of approval of requests by property owners to enter into Mills Act historical property contracts pursuant to FMC 12-1706:

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EXECUTIVE SUMMARY

In California, Mills Act legislation grants participating local governments the authority to enter into contracts with owners of qualified historic property who actively participate in the restoration and maintenance of their historic properties and in exchange receive a reduction in property taxes. The City of Fresno adopted the Mills Act Program in 2016.

The minimum duration for a Mills Act Contract is 10 years. Once granted a Mills Act contract, newly assessed property can potentially save up to 50% on their yearly property taxes.

Provisions

Qualified Historical Properties

1. Properties must be privately owned within the City of Fresno and not exempt from property taxation.
2. Properties must be listed in the National Register of Historic Places, located in a registered historic district, or listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.
3. Heritage Properties do not qualify for participation.

Required Contract Provisions

- 1) Contracts entered into must have a term of a minimum of 10 years.
- 2) Owners must preserve and, when necessary, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the State Historical Building Code.
- 3) City officials must be granted permission to inspect the interior and exterior of the premises, prior to the execution of a new contract, and every five years thereafter, to determine the owner's continued compliance with the contract.
- 4) All successors in interest of the owner are bound to the benefits and burdens of the contract.
- 5) Unless written notice is provided by owners at least 90 days prior to the renewal date or by the City at least 60 days prior to the renewal date, 1 year shall automatically be added to the term of the contract on the anniversary date of the contract or such other annual date as is specified in the contract.
- 6) Owners must furnish the City with any information requested in order to determine the eligibility of the property involved; and
- 7) Owners or agents of the owners must provide written notice of a contract to the Office of Historic Preservation within six months of entering a contract.

Procedure

Three Mills Act Program Application Submittals were received for the 2023 application period. One applicant withdrew the application, thus, currently staff are evaluating the left two submittals. A staff report as well as revised work plans and survey forms for each respective property are being presented to the Commission at this meeting for review. Once approved, property owners will return

executed and notarized contracts to City staff, who will subsequently execute and record contracts with the County Recorder prior to the end of calendar year 2023.

Respective owners have requested to enter into a Historical Property Agreement (also known as a Mills Act contract) with the City. To ensure compliance with the Mills Act Program, City staff and/or Commission members shall conduct periodic inspections of the properties to verify that the agreed-to improvements are being fulfilled by the owner.

Please note: Proposed exterior alterations that have the potential to affect the historic character of a designated property are still subject to review by the Historic Preservation Specialist upon project proposal and prior to the commencement of work. Furthermore, proposed projects which require a permit are subject to review by the Current Planning and Building & Safety divisions. Although anticipated projects may qualify for the Mills Act Program, approval of a Mills Act Application and execution of a Mills Act Contract do not equate with formal project approval.

BACKGROUND

The Ed and Chrissie Riggins Home located at 655 East Pine Avenue (APN 451-111-07), is a stunning example of Tudor revival architecture located in the Wilson Island District. The two-story single-family home is approximately 3,000 square feet on an 8,187 square-foot parcel.

The exterior is adorned with smooth stucco cladding featuring intricate decorative wood strapwork, and the roof is a steeply pitched hip with a projecting gable-ended bay that extends into a cantilevered second story. One of the standout features of the Riggins Home is the tall vertical diamond-paned window, detailed with decorative strapwork, which reflects the home's distinctive traits. The front door, made of wood and featuring three vertical panes of glass in its upper half, adds to its unique appeal. It is sheltered by a sheet metal porch hood with a scalloped edge and adorned with decorative quoins as a surround.

Constructed in 1929, the Riggins Home has reached a historical milestone of over 50 years and preserves its integrity regarding location, design, materials, workmanship, sentiment, and association (FMC 12-1607). Recognized for its exemplary representation of the Tudor revival style, this property contributes to the Wilson Island Historic District which is listed in the Local Register of Historic Resources.

The Ralph and Jenny Watson Home is in the Huntington Boulevard District at 3537 E Huntington Blvd (APN 461-115-10). The home is a two-story, single-family residence, approximately 4,300 square feet in size, and located on a 15,170 square-foot parcel. Located next door to Albert Graves Wishon's 1916 Arts and Crafts-style residence, the Watson Home was built in 1922 for Albert Wishon's daughter Jenny and her husband Ralph Watson by subdividing off a parcel from block 17 of the Alta Vista Tract.

The home is an excellent example of the Tudor Revival. It features a wood frame construction with stucco cladding and a double cross-gabled steeply pitched roof. The roof has wide overhanging eaves, a simple fascia board trim, and decorative wood knee braces. The west end of the roof diagonally connects to a wood trellis extending across the façade from the front entrance to the east end of the home. Under the roof peaks of the end-gabled bays, there's decorative wood strapwork. The home's main entrance is off-center to the west and comprises a small piazza extending from the

French doors, covered by a one-story partial-width porch supported by heavy piers. The first-floor large windows feature a division of 12 lights above and 6 lights below, while the second-story windows consist of 3/1 double hung sash and a ribbon window of 2/1 3/1 2/1 double hung sash on the west bay, with most windows adorned by decorative shutters. There is a tall external chimney on the west elevation and an internal chimney on the east side of the home.

The Ralph and Jenny Watson Home, with a period of significance of 1922, is greater than 50 years of age. It possesses integrity of location, design, materials, workmanship, feeling, and association (FMC 12-1607). It is listed as Historic Property #284 on the Local Register under Criterion i as an early building in the Alta Vista Tract, ii for its association with the Wishon family, and iii for the architectural significance it embodies. Additionally, it is a contributor to the Local Register Huntington Boulevard Historic District.

Mills Act Program Application Procedure

The City's Mills Act Program is located at Chapter 12, Article 17 of the Fresno Municipal Code. Section 1706 references the Mills Act Program Application Procedure:

Applications to the city shall be initially evaluated and reviewed by the Historic Preservation Commission. The Historic Preservation Commission shall hold a public hearing on every application for a Historical Property Contract. The public hearing shall be scheduled for a date not less than ten days but not more than ninety days from the date the application is filed. After the hearing, the Historic Preservation Commission shall recommend to the Director of Development and Resource Management Department that the application be denied, granted in whole or in part, or modified subject to such conditions as it deems appropriate. The Director of the Development and Resource Management Department may, in the Director's discretion, enter Historical Property Contracts if all the conditions of this article are met. The Director of the Development and Resource Management Department shall be responsible for assuring performance of the Historical Preservation Contracts including contract administration, extension, cancellation, and enforcement.

FMC Section 15-007(A) provides that:

Timing of Notice. *The Director shall provide a notice at least 10 days before the date of the public hearing or the date of action when no public hearing is required.*

FMC Section 15-007(B) provides that:

Mailed Notice. The Director shall provide notice by First Class mail delivery to:

- 1) *The applicant and the property owner; and*
- 2) *All property owners of record within a minimum 1,000-foot radius of the subject property as shown on the latest available assessment role; and*
- 3) *Any person or group who has filed a written request with the Director for notice regarding the specific application.*

In accordance with Section 15-5007 of the FMC, the Planning and Development Department mailed notices of this Commission hearing to surrounding property owners within 1,000 feet.

ENVIRONMENTAL FINDINGS

The proposed historic designation seeks to ensure the long-term preservation of the subject resource which is exempt from CEQA (California Environmental Quality Act) review, per section 15331, Class 31 of the CEQA guidelines.

CONCLUSION

Staff recommends that the Commission hold a public hearing and recommend that the Director of Development enter into Historical Property Contracts for the subject properties pursuant to FMC 12-1706. Upon approval, respective property owners shall return executed and notarized contracts to City Staff, who will subsequently execute and record contracts with the County Recorder.

ATTACHMENTS:

- Exhibit A - DPR Forms, Historic Inventories, & Resolutions
- Exhibit B - Mills Act Draft Contracts