



MILLS ACT CONTRACT

Submittal Requirements

Submit to: planningdepartment@cityofnapa.org

Mailing Address:
PO Box 660
Napa, CA 94559

Planning Division
1600 First Street
707.257.9530

INTRODUCTION

Thank you for your interest in the City of Napa's Mills Act Program. In order for your property to be considered for a contract, it must be a designated historic resource listed on the City's Historic Resources Inventory (HRI). City designations include Listed Resource (LR); Listed Resource within a Potential Historic District; and Local Landmark (LLM). If you are unsure whether your property is included with any of these designations, check the HRI on the City's [website](#) or contact Planning Staff. In addition, you must submit a 10-year rehabilitation plan, which describes the work you will undertake each year to rehabilitate your property, and you will be required to comply with the plan during the term of the contract.

If the contract is approved by the City Council, you will be required to submit annual reports on completed project(s), along with photo documentation of the completed work, copies of receipts, and building permits where applicable. City staff may inspect the interior and exterior of the premises prior to the approval of new contracts and each year thereafter (as needed) to determine the owner's compliance with the contract.

This packet is designated to assist you in completing the Mills Act Application. The application packet is also available on the City's website, www.cityofnapa.org. If you have questions, please contact the Planning Division.

Submit application materials in PDF format to planningdepartment@cityofnapa.org. The fee and two sets of mailing labels can be mailed or dropped off at the counter with the Planning Division address listed at the top of this application.

PROCEDURES

Application packages are accepted through August 31 each year. All applications are reviewed by Planning Staff. Staff may request modifications to the submitted ten-year rehabilitation plan to ensure compliance with the Secretary of Interior's Standards for Rehabilitation of Historic Properties. Additionally, Staff will contact you to schedule the initial inspection of the property. Once the application is deemed complete, staff will refer the Mills Act Contract to the Cultural Heritage Commission (CHC) for a public hearing at the regularly scheduled meeting in October. Upon recommendation from the CHC, the Mills Act Contract will be referred to the City Council for a public hearing at a regularly scheduled meeting in November. Once approved by the City Council, you will be asked to sign and notarize the Contract and submit it to the Planning Division for signatures. You must then record the contract with Napa County Recorder's Office by November 30.

SUBMITTAL REQUIREMENTS

- 1 **Mills Act Application Form** - Completed and signed by all property owners holding a title interest.
- 2 **Fee/Initial Deposit** - City Fee Schedule charges staff time and materials. Please refer to the Master Fee Schedule regarding our fees. Please make checks payable to City of Napa; we do not accept cash or credit card payments for applications.
- 3 **Written Project Description** – Shall describe the request and support for the Mills Act contract.
- 4 **Grant Deed/Quit-Claim Deed and Legal Description of property**– not more than 60 days old at time of formal application submittal.
- 5 **Completed Ten-Year Property Improvement Plan Form**
- 6 **Preliminary Title Report** - not more than 90 days old.

- 7 **Mailing labels** – The applicant shall provide a mailing list and two sets of mailing labels of property owners within a **500-foot** radius of project site for public hearing notice per 17.68.070.
- 8 **SITE PLAN** – The Site Plan shall be drawn to scale and include the following basic information:
 - a **Vicinity map** – Show site in relationship to local and major cross streets, named; include a north arrow.
 - b **Site and adjacent properties** - Location of all existing structures identified by type and indicating which are proposed to be removed and which will remain. Include the project site *and* adjacent property at least 100 feet beyond site, adjacent building footprints and approximate height, and streets (labeled) leading to the site.
 - c **Boundaries** – All existing and proposed property lines, tract name, easements (size and type called out), rights-of-way, trails, and the like.
 - d **Trees** – All trees over 6” in diameter measured 54” above existing grade. Provide their common name, size, condition, and location onsite. Note whether any are “Significant Trees” designated by the City that are strictly protected.
 - e **Buildings** – Location, outside dimensions and use of all existing buildings and structures (with building numbers or other identification) including building features such as elevated decks and outside staircases.
- 9 Other data or information necessary to complete processing of the Mills Act Contract.
- 10 **IMPORTANT NOTICE:** All parties listed on the grant deed and spouses will need to be available to provide original signatures and notarized acknowledgements for the Contract during the month of November. Scanned, copied, and emailed reproductions will not be accepted. If any of the deed holders will be unavailable at any time during this month, please contact the Planning Division ahead of time so alternative arrangements can be made.

APPROXIMATE TIMELINE

The following is an approximate timeline of the Mills Act Contract process. Note: Hearings before the CHC and City Council will not be scheduled until the application is deemed complete.

- Submit application package no later than the last business day of August.
- Staff review for completeness (2 weeks)
- Upon completed review by staff, public Hearing before the Cultural Heritage Commission (typically the second Thursday of October)
- Upon recommendation from CHC, public hearing before the City Council (typically the first Tuesday in November)
- Upon approval from City Council, applicant submits signed and notarized contract (2 original copies) to the Planning Division for City signatures
- Applicant records completed contract with Napa County Recorder’s Office



MILLS ACT CONTRACT

Application Form

Mailing Address:
PO Box 660
Napa, CA 94559

Planning Division
1600 First Street
707.257.9530

Mills Act Applications are accepted through August 31 of each year.

PROPERTY INFORMATION

Property Address: _____

Assessor's Parcel Number (APN): _____

Historic Resources Inventory (HRI) Designation: _____

Landmark or Potential Historic District (if applicable): _____

General Plan Designation: _____ **Zoning:** _____

CONTACT INFORMATION – type or print

Applicant _____

Address _____

City _____ *State* _____ *ZIP* _____

Phone _____ *Email* _____

Authorized Agent _____

Address _____

City _____ *State* _____ *ZIP* _____

Phone _____ *Email* _____

Property Owner _____

Address _____

City _____ *State* _____ *ZIP* _____

Phone _____ *Email* _____

Planning Division Use Only

Date Stamp

Project Number _____

Project Name _____

Project Planner _____

CONDITIONS OF APPLICATION

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The Applicant shall inform the Planning Division in writing of any changes.
3. **Indemnification.** The Applicant(s) agree(s) 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 an 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.
4. **Fees.** The Applicant(s) hereby agree(s) that he/they shall be jointly and severally liable for the payment of any and all processing fees imposed by the Napa Municipal Code Chapter 15.92, "Development Project Processing Fees", and Policy Resolution 16. The applicant(s) hereby represent(s) and warrant(s) that he/they understand that fees include but are not limited to: staff time billed at an hourly rate; production or reproduction of materials and exhibits; and postage. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
5. I hereby authorize employees of the City of Napa 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.

Applicant _____	Date _____
Authorized Agent _____	Date _____
Property Owner* _____	Date _____
Property Owner* _____	Date _____

*All property owners holding a title interest must sign the application form. If there are more than two, list name, address, phone number, and signature on a separate sheet.

CONTACT INFORMATION INSTRUCTIONS

An "**Applicant**" is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium who seeks approval of a City permit or other Project entitlement for the use of property. The **Applicant** shall be the primary billing contact for all processing and development fees associated with the application. The **Applicant** may additionally identify an "**Authorized Agent**." An **Authorized Agent** is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium authorized by the **Applicant** to represent and act on behalf of the **Applicant**. If identified in this application, the **Authorized Agent** shall receive all written correspondence from the City regarding the application and any hearings or proceedings scheduled before the Planning Commission, City Council or other appointive City Boards and Commissions, but shall not be responsible for the payment of development or processing fees. The **Applicant** shall receive all billing invoices for the project, and under the "Conditions" set forth below, shall be liable for the payment of all development and processing fees associated with the application.

The "**Property Owner**" of property means a person, persons or corporation holding fee title to the real property within the City as shown on the most recent assessor's roll in the County of Napa upon which the Project is proposed. **Property Owner** and **Applicant** may be the same person or legal entity, or may be different. For example, in the case of a person or entity holding an option on the land, or other contractual relationship with the property owner, the fee owner(s) of the property would be the **Property Owner**, and the person or entity seeking the approvals or permits and holding an option to purchase the property would be the **Applicant**. If **Applicant** and **Property Owner** are the same person or entity, please enter "*Same as Applicant*" in the area provided for **Property Owner** information. In the event that **Applicant** and **Property Owner** are different, all **Property Owners** must sign on the following page to authorize the **Applicant** to file an Application for the City permit or Project entitlement on his or her property.

SUBMITTAL REQUIREMENTS

This form must be submitted to the Planning Division with the materials identified in the **Submittal Requirements** handout(s) for the appropriate City permit or Project entitlement. If your application requires multiple permits or entitlements, submit the number of plan sets for the permit or entitlement that requires the largest number of plans sets.



MILLS ACT CONTRACT
Ten Year Rehabilitation Plan

Mailing Address:
 PO Box 660
 Napa, CA 94559

Planning Division
 1600 First Street
 707.257.9530

TAX YEAR	PROPOSED PROJECT*	ESTIMATED COST
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		
Year 6		
Year 7		
Year 8		
Year 9		
Year 10		

* Attach additional sheets if necessary

Ten Year Rehabilitation Plan to be attached to the Mills Act Contract (Exhibit C)

All projects that affect the exterior of the residence will be subject to compliance with the City’s Historic Preservation Ordinance in NMC Chapter 15.52. Work must meet all City requirements and Secretary of Interior’s Standards for Rehabilitation of Historic Properties. You must retain copies of all receipts and permits for submittal with the required annual reports. Photograph the before and after condition of each project for submittal with the annual reports.

I certify that the above information is true and accurate to the best of my ability. I acknowledge and agree that an annual inspection, to be completed by City Staff, may be necessary to certify compliance.

Property Owner* _____ Date _____

Property Owner* _____ Date _____

*All property owners holding a title interest must sign the Annual Report form. If there are more than two, list name, address, phone number, and signature on a separate sheet.

SUBMITTAL REQUIREMENTS

Submit one (1) copy of the Mills Act Annual Report on 8 ½" x 11" paper. Return form and required attachments by the last business day of July to:

City of Napa
Planning Division
1600 First Street
Napa, CA 94559