

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE HISTORICAL PRESERVATION CODE CHAPTER 14A TO ADD SECTIONS 14A.4(k), 14A.6.1 AND 14A.6.2 TO ESTABLISH A PROGRAM FOR THE PRESERVATION OF HISTORIC PROPERTIES

WHEREAS, the Oceanside Historical Preservation Advisory Commission (OHPAC) established by the City Council has recommended changes to Oceanside Historical Preservation Code Chapter 14 A regarding preservation incentives through the implementation of a Mills Act Program citywide; and,

WHEREAS, the proposed changes to Oceanside Historical Preservation Code Chapter 14 A will allow for increased preservation and protection of the cultural heritage of Oceanside.

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Chapter 14A of the Oceanside Historical Preservation Code is hereby amended to add the following sections:

Sec. 14A.4 Definitions

(k) Qualified Historic Property means a property listed on any federal, state, county, 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. Owner-occupied family residences and income-producing commercial properties may qualify for the Mills Act Program, subject to local regulations.

Sec. 14A.6.1 Preservation Incentives

The City Council may by resolution establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve qualified historic properties. Only properties designated as a qualified historic property pursuant to the provisions of the Oceanside Municipal Code Chapter 14.A shall be eligible to apply for preservation incentives.

Sec. 14A.6.2 Mills Act Program

Pursuant to California Government Code, Article 12, section 50280 (The Mills Act), the City Council may establish a Mills Act Program providing for contractual agreement with an owner

1 of a qualified historic property as designated by the City Council or listed on any official  
2 federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance  
3 of a qualified historic property. The terms of the Mills Act Agreement allow the owner of  
4 qualified historic properties pursuant to section 14A.9 to receive a reduction in property taxes  
5 in exchange for the property owner's commitment to specific repair, restoration and/or  
6 rehabilitation improvements and satisfactory maintenance of the Qualified Historic Property.

7 The Agreement shall include, but not be limited to, the contract provisions as required under  
8 state law, and shall extend for a minimum period of 10 years, renewed annually, until and  
9 unless a notice of non-renewal or cancellation is filed. The application process, review  
10 procedures, and required contract provisions for the Mills Act Agreements shall be established  
11 by separate resolution of the City Council and shall be implemented by the City Planner or  
12 his/her designee.

13 SECTION 2. Except as stated herein, all other sections remain the same.

14 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this  
15 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15)  
16 days after its passage in the North County Times, a newspaper of general circulation published  
17 in the City of Oceanside.

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1 SECTION 4. This ordinance shall take effect and be in force on the thirtieth (30<sup>th</sup>) day  
2 from and after its final passage.

3 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,  
4 California, held on the \_\_\_ day of \_\_\_\_\_, 2007, and, thereafter,

5 PASSED AND ADOPTED at a regular meeting of the City Council of the City of  
6 Oceanside California, held on the \_\_\_ day of \_\_\_\_\_, 2007, by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

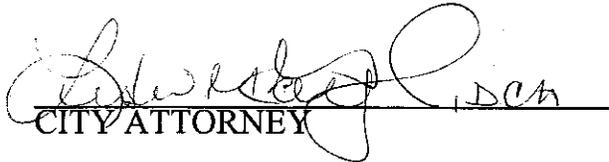
10 ABSTAIN:

11 MAYOR OF THE CITY OF OCEANSIDE

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13 ATTEST:

APPROVED AS TO FORM:

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16 CITY CLERK

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CITY ATTORNEY