

RESOLUTION NUMBER 268

RESOLUTION OF THE CULTURAL HERITAGE BOARD OF THE CITY OF SANTA ROSA  
RECOMMENDING CITY COUNCIL APPROVAL OF CITY CODE TEXT AMENDMENTS  
REGARDING PROCESSING PROCEDURES FOR PROJECTS PROPOSED ON THE LUTHER  
BURBANK HOME AND GARDENS SITE – ST10-005

WHEREAS, on June 2, 2010, the Cultural Heritage Board of the City of Santa Rosa received a verbal staff report by the Community Development, and the Recreation, Parks & Community Services Departments, on City Code amendments regarding the Luther Burbank Home and Gardens passed on May 11, 2010 by City Council Ordinance No. 3942, specifically as the amendments related to the processing procedures for development projects on the Luther Burbank Home and Gardens site; and

WHEREAS, on July 7, 2010, the Cultural Heritage Board of the City of Santa Rosa, after due consideration, investigation, and study initiated City Code text amendments that would delete Section 20-58.020 B (Luther Burbank Home and Gardens) from the Zoning Code (Title 20 of the City Code) and delete Section 17-22.146 (Luther Burbank Home and Gardens) from the Environmental Protection Code (Title 17 of the City Code); and

WHEREAS, on August 4, 2010, the Cultural Heritage Board of the City of Santa Rosa held a duly noticed hearing on the text amendments, at which time it received written and oral reports of staff, testimony, and other evidence presented by all those who wished to be heard on the matter; and

WHEREAS, on August 4, 2010, the Cultural Heritage Board of the City of Santa Rosa, after due consideration, investigation, and study made by itself and on its behalf and due consideration of all evidence and reports offered at said hearing does find and determine the following:

- A. The proposed text amendments will result in permit review procedures for development projects on the Luther Burbank Home and Gardens site that are the same as for other similarly designated sites within the City's Historic (-H) Combining Zoning District.
- B. Granting the recommendation that Council amend the City Code would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements.

WHEREAS, the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and as proposed does not have the potential for causing a significant effect on the environment, and therefore, is not an activity subject to the California Environmental Quality Act (Sect. 15061(b)3).

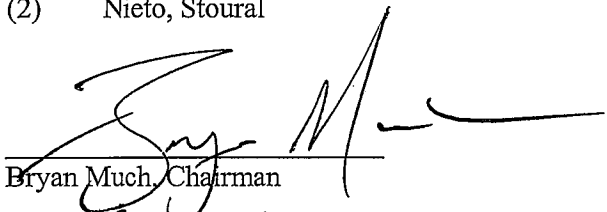
NOW, THEREFORE BE IT RESOLVED, the Cultural Heritage Board of the City of Santa Rosa does hereby recommend the City Council approve City Code Amendments as follows:

1. Delete City Code Section 20-58.020 B (Luther Burbank Home and Gardens) and Section 20-58.070 A (Exceptions) from Title 20 (Zoning); as noted in Exhibit A attached herein; and
2. Delete City Code Section 17-22.146 (Luther Burbank Home and Gardens) from Title 17 (Environmental Protection); as noted in Exhibit A attached herein.

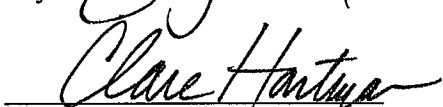
DULY AND REGULARLY ADOPTED by the Cultural Heritage Board of the City of Santa Rosa on this 4th day of August, 2010, by the following vote:

AYES: (4) DeBacker, Garrett, Jessen, Much  
NOES: (0)  
ABSTAIN: (1) Flock  
ABSENT: (2) Nieto, Stoural

APPROVED:

  
Bryan Much, Chairman

ATTEST:

  
Clare Hartman, Secretary

## EXHIBIT A

### **“17-22.146 Luther Burbank Home and Gardens.**

Should the site of the Luther Burbank Home and Gardens, or any building, structure, or feature thereon be designated a landmark by the Cultural Heritage Board, the provisions of Article V of this chapter shall not apply to such landmark(s), provided, however, that the Cultural Heritage Board shall consider and review any proposed restoration, rehabilitation, alteration, construction, demolition, removal or change in the exterior appearance of any such landmark in accordance with the standards and criteria, as may be applicable, set forth in Section 17-22.094, and may, in its discretion, refer any such proposal to the City’s Design Review Board for comment as provided in Section 17-22.096. Upon completion of its review, which shall be concluded within 40 days of the receipt of a proposal, the Cultural Heritage Board shall present its written comments, suggestions and recommendations to the Director of Recreation, Parks and Community Services. The Director of Recreation, Parks and Community Services shall specifically consider any comments, suggestions, and/or recommendations so received from the Cultural Heritage Board before making its recommendation on the proposal as provided in Section 2-05.040(E) of this code. (Ord. 3942 § 2, 2010; Ord. 2869 § 3, 1990)”

### **“20-58.020 Applicability.**

- B. Luther Burbank Home and Gardens. The permit requirements of Section 20-58.060 (Permits for Restoration, Rehabilitation, Alteration, Removal or Demolition) shall not apply to the Luther Burbank Home and Gardens, provided that:
1. Within 40 days of the receipt of a proposal, the Cultural Heritage Board (CHB) shall consider and review any proposed restoration, rehabilitation, alteration, construction, demolition, removal, or change in exterior appearance in compliance with Section 20-58.060.C, and may refer any proposal to the Design Review Board for comment in compliance with Section 20-58.060.D.
  2. Upon completion of its review, the CHB shall present its written comments, suggestions and recommendations to the Director of Recreation, Parks and Community Services. The Director shall then specifically consider any CHB comments, suggestions, and/or recommendations before making its recommendation on the proposal as provided in City Code Section 2-05.040.E.”

### **“20-58.070 Exceptions.**

- A. Luther Burbank Home and Gardens. The requirements of this Chapter apply to the Luther Burbank Home and Gardens only to the extent provided by Section 20-58.020.B (Applicability—Luther Burbank Home and Gardens).”