

LANDMARK PRESERVATION COMMISSION
RESOLUTION NO. 2017-02

A RESOLUTION RECOMMENDING CITY COUNCIL ADOPT SUBMITTAL
REQUIREMENTS FOR LANDMARK PRESERVATION CONTRACT APPLICATIONS
(CITY OF MODESTO)

WHEREAS, on September 16, 1993, the City Council adopted Ordinance No. 2864-C.S. enabling owners of properties designated as a Modesto Landmark Preservation Site eligible to apply for the property tax incentive program through the use of a Historical Property Contract, pursuant to California Government Code Sections 50280 through 50290, such proposed contracts to be considered at separate public hearings held by the Landmark Preservation Commission and City Council, and

WHEREAS, on April 2, 1996, the City Council approved Resolution No. 96-151, establishing a process for administering Mills Act contracts, and

WHEREAS, the Landmark Preservation Commission responsibilities have been transferred to the Community and Economic Development Department effective July 1, 2016, and

WHEREAS, the Community and Economic Development Department established a Process Improvement program for development processes which identified the need for increased clarity and specificity in submittal requirements for development approvals, and

WHEREAS, on February 27, 2007, the City Council, by Resolution No. 2007-154, formally established submittal requirements for several types of zoning and development applications, and

WHEREAS, submittal requirements for Landmark Preservation-related applications serve to ensure important information is collected prior to processing the entitlement, to facilitate processing of the entitlement and, to ensure a predictable and equitable approach to processing entitlements, and

WHEREAS, at its regular meeting of September 18, 2017, at 1010 10th Street, Modesto, California, the Landmark Preservation Commission considered submittal requirements for Landmark Preservation Contract applications.

NOW, THEREFORE, BE IT RESOLVED by the Landmark Preservation Commission that it finds and determines that the adoption of submittal requirements for Landmark Preservation Contracts, attached hereto as Exhibit A, is required by public necessity, convenience, and general welfare for the following reasons:

1. Establishment of submittal requirements ensures that adequate information is available on which to make decisions regarding Landmark Preservation Contracts.
2. California state law requires that local jurisdictions have a standard process by which an application is determined to be complete for processing.

The foregoing resolution was introduced at a special meeting of the Landmark Preservation Commission held on September 18, 2017, by Commissioner Roddick who moved its adoption, which motion was seconded by Commissioner Cahill, and carried by the following vote:

Ayes:	Lipomi, Cahill, Lippert, Roddick
Noes:	None
Absent:	Bruno, Gonzalez, Leamon
Recused:	None

BY ORDER OF THE LANDMARK PRESERVATION COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Patrick Kelly, Secretary

EXHIBIT A

(Attached to Staff Report)