



MEMORANDUM

DATE: November 16, 2021

TO: Chair Meuser, and Members of the Cultural Heritage Board

FROM: Adam Ross, City Planner

CC: Susie Murray, Senior Planner, Staff Liaison

SUBJECT: **November 17, 2021, Cultural Heritage Board Regularly Scheduled Public Hearing Item No. 7.1, Public Notice.**

Chair Meuser and Members of the Cultural Heritage Board (CHB):

Staff has identified a defect in the public hearing postcard mailed for the Downtown Station (SMART) Development Project in that the postcard did not include the 4:30 P.M. start time of the CHB meeting. All other notices, including the onsite sign and the publication in the Press Democrat, did include the 4:30 P.M. start time. The CHB webpage and the agenda also provide the start time.

To mitigate the noticing error, staff has reached out to a representative of both the West End Preservation District and the Ridgway Preservation District with a corrected postcard, which has been distributed to their neighborhood groups. The corrected postcard was also uploaded to GovDelivery.com, a service where digital notices for all City projects are sent electronically to those who wish to receive notices via email.

Zoning Code Section [20-66.020\(A\)\(3\)](#) states that, "A defect (failure) in the notice procedure shall not affect the jurisdiction or authority of a review authority to take action on a matter, unless otherwise provided by law applicable to and binding upon a charter city."

It is Staff's recommendation that the Board invoke this section of the Code and hold the public hearing as noticed and scheduled.