



**ACTION AGENDA**  
**Planning Commission**  
**Regular Meeting**  
**7:00 p.m. – Thursday – November 5, 2009**  
**City Council Chambers, 809 Center Street**

**The following is an unofficial version of the Planning Commission's Actions.  
Minutes are official upon approval.**

**Call to Order — 7:02 P.M.**

**Roll Call —**

**Present:** Commissioners R. Quartararo, Chair; S. Daly; D. Foster; B. Schultz;  
M. Tustin; J. Warner  
**Absent:** Commissioner Kasparowitz (with notice)  
**Staff:** J. Rebagliati, Director; A. Khoury, Assistant Director; E. Marlatt,  
Principal Planner; M. Ferry, Associate Planner; N. Concepcion, Associate  
Planner; M. Schwarb, Recorder  
**Audience:** 25-30

**Statements of Disqualification — None**

**Oral Communications — None**

*No action shall be taken on these items.*

*The Chair may announce and set time limits at the beginning of each agenda item.*

**Announcements — None**

**Approval of Minutes — October 1, 2009**

**ACTION: APPROVED AS SUBMITTED, 3-0-3, COMMISSIONERS QUARTARARO,  
SCHULTZ AND DALY ABSTAINING.**

**Consent Agenda — None**

*Items on the consent agenda are considered to be routine in nature and will be acted upon in one motion. Specific items may be removed by members of the Planning Commission or members of the public for separate consideration and discussion. Items removed will be considered in the order they appear on the agenda.*

**Items Removed from the Consent Agenda — None**

**Public Hearings —**

- 1. 1209 Pacific Ave/110 Pearl AlleyCP09-0022 APN 005-075-03**  
Major Modification to SUP #08-164 which established a low-risk alcohol outlet (Type 47 license) with entertainment in the CBD zone district to modify the permit and establish a high risk alcohol outlet (Type 48 license). (Environmental Determination: Categorical Exemption) (B. & T. Rader, owners/filed: 9/22/09) NC  
**RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and approve the Major Modification to Special Use Permit 08-164.**

**ACTION: THIS ITEM WAS APPROVED ADDING CONDITION 34, 6-0.**

- 2. Ordinance Amendment A09-0003 City-wide**  
Amendment to Title 24 of the Santa Cruz Municipal Code and the Local Coastal Implementation Plan and Title 6 of the Santa Cruz Municipal Code modifying standards for Medical Marijuana Dispensaries and Personal Medical Marijuana Use. (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, applicant, filed: 10/08/09) MF  
**RECOMMENDATION: That the Planning Commission recommend to the City Council approval of an amendment to the Municipal Code with a finding that said amendment, in accordance with Title 24 and Title 6 of the Municipal Code, serve and further the public necessity, the general community welfare, and good zoning practice; and that the amendment is in general conformance with the principles, policies and land use designation set forth in the General Plan, Local Coastal Plan and any adopted area or specific plan which many be pertinent.**

**ACTION: THIS ITEM WAS CONTINUED TO THE NOVEMBER 19 PLANNING COMMISSION MEETING, 6-0.**

**General Business —**

- 3. 2009-2010 Department Work Program** (Continued from the October 1, 2009 Planning Commission meeting.)  
**RECOMMENDATION: That the Planning Commission receive information.**

**ACTION: THE PLANNING COMMISSION RECEIVED INFORMATION.**

**Informational Items —**

*No action shall be taken on these items.*

**Subcommittee/Advisory Body Oral Reports —**

*No action shall be taken on these items.*

- Chairperson's Report (R. Quartararo) — None
- Planning Department Report  
Director J. Rebagliati reported that 145 Bayona appeal went to the Council and Council upheld the Planning Commission decision. 101 Manor will likely go to the Council on 12/08. Coming soon will be the Alcohol Ordinance Amendments. She also noted that the City Offices will be closed for 2 weeks over the Christmas and New Year Holidays.

**Items Referred to Future Agendas —**

**Adjournment — 10:30 P.M.**

The next Planning Commission meeting will take place on November 19, 2009 in the City Council Chambers.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City Planning Department, 809 Center Street, Room 107 or on the City's website [www.ci.santa-cruz.ca.us](http://www.ci.santa-cruz.ca.us). These writings will also be available for review at the Planning Commission meeting in the public review binder at the rear of the Council Chambers.

**APPEALS** - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee.