



[Action Minutes](#)
Planning Commission
Regular Meeting
7:00 p.m. – Thursday – October 1, 2009
City Council Chambers, 809 Center Street

Call to Order: 7:00 pm

Roll Call:

Present: David Foster; Larry Kasparowitz; Mari Tustin; Judy Warner
Absent: Rod Quartararo; Scott Daly; Bill Schultz (all with notice)
Staff: E. Marlatt, Principal Planner; S. Randolph, Recorder
Audience: 1

Statements of Disqualifications: None

Oral Communications: None

Announcements: None.

Approval of Minutes: August 6, 2009

ACTION: Commissioner Tustin moved and Commissioner Kasparowitz seconded, that the Planning Commission APPROVE the minutes of August 6, 2009 as presented. The motion passed by a unanimous vote of 4-0-3, Commissioners Foster, Kasparowitz, Tustin and Warner in favor, Commissioners Daly, Quartararo and Schultz absent.

Public Hearing —

- 1. Zoning Text Amendment A09-0002 North Pacific SubArea of Downtown Recovery Plan**
Amendment to Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to allow ground floor offices as principally permitted uses in the North Pacific Subarea. (Environmental Determination: Statutory Exemption) (City of Santa Cruz, applicant / filed: 9/8/09) EM
RECOMMENDATION: That the Planning Commission recommend to the City Council approval of the amendments to the Zoning Ordinance and Downtown Recovery Plan.

Principal Planner Eric Marlatt presented the staff report.

The public hearing was opened.

Speaking in favor of the amendment:
➤ Blue Wilson

The public hearing was closed.

Commissioners asked questions and made comments in regard to the following:

- The meaning of 'perpendicular depth'
- The meaning and purpose of the phrase 'newly constructed'
- The legal issues surrounding rental limits in condo associations

ACTION: Commissioner Tustin moved and Commissioner Foster seconded, that the Planning Commission RECOMMEND to the City Council APPROVAL of the amendments to the Zoning Ordinance and Downtown Recovery Plan. The motion passed by a unanimous vote of 4-0-3, Commissioners Foster, Kasparowitz, Tustin and Warner in favor, Commissioners Daly, Quartararo and Schultz absent.

General Business —

2. 2009-2010 Department Work Program

RECOMMENDATION: That the Planning Commission receive information.

Principal Planner Eric Marlatt advised that staff wished to move this item to the November 5th Agenda due to Commissioners' absences and a conflict in scheduling with the Director who wished to be present.

ACTION by CONSENSUS: This item was continued to the November 5, 2009 meeting.

Information Items: None

Subcommittee/Advisory Body Oral Reports — *No action shall be taken on these items.*

- **Chairperson's Report:** None
- **Planning Department Report:** Principal Planner Eric Marlatt advised that the October 15, 2009 Planning Commission meeting would be cancelled due to lack of business, but that there were a few potential items for the November 5th meeting, including the Medical Marijuana Ordinance amendment, Modifications to the Use Permit for Motiv, as well as the City Schools property on Palm St. The Fairfield Inn was approved by City Council last week, mainly due to the applicant's having listened to and incorporated the ideas and suggestions of the Planning Commission and having changed the project's design accordingly. The appeal for 101 Manor was continued to the next City Council meeting.

Items Referred to Future Agendas — None

Adjournment: 7:15 p.m.

The next Planning Commission meeting will take place on **November 5, 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. 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.