



Action Minutes
Planning Commission
Regular Meeting
7:00 p.m. – Thursday – June 3, 2010
City Council Chambers, 809 Center Street

Call to Order — 7:00 p.m.

Roll Call —

Present: Scott Daly, Chair; David Foster; Larry Kasparowitz; Rod Quartararo
Bill Schultz; Mari Tustin; Judy Warner
Absent: None
Staff: A. Khoury, Assistant Director; M. Ferry, Associate Planner; S.
Randolph, Recorder
Audience: 7

Statements of Disqualification — None

Oral Communications — None

Announcements — None

Consent Agenda — **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.*

- *1. 128 Seton Way** **CP09-0053** **APN 002-151-65**
Appeal of the Zoning Administrator's approval of a Design Permit to construct a new two-story, single-family dwelling with an attached second-floor accessory dwelling unit on a standard lot in the R-1-5 zone district (Environmental Determination: Categorical Exemption) (Schneeberger Claire Trustees E, owner/filed: 11/2/2009) MF
RECOMMENDATION: That the Planning Commission accept the appellant's withdrawal of the appeal of Design Permit CP09-0053

ACTION: Commissioner Tustin moved and Commissioner Foster seconded, that the Planning Commission accept the withdrawal of the appeal. The motion passed unanimously by a vote of 7-0, with Commissioners Daly, Foster, Kasparowitz, Quartararo, Schultz, Tustin and Warner in favor.

End Consent Agenda

Public Hearings —

- 2. Zoning Ordinance Amendment A10-0004 City-wide**
An ordinance of the City of Santa Cruz amending Title 24 of the Santa Cruz Municipal Code pertaining to performance standards for medical marijuana dispensaries to allow sales on Sunday and adding Section 24.10.1510-1(m) pertaining to smoking lounges in the IG zone district that was inadvertently deleted from the Municipal Code. (Environmental Determination: Categorical Exemption) (City of Santa Cruz, applicant/filed: 5/12/2010) MF
RECOMMENDATION: That the Planning Commission review the proposed ordinance amendment and recommend its approval to the City Council.

Associate Planner Mike Ferry presented the Staff Report.

The public hearing was opened. No one wished to speak, and the public hearing was closed.

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

- The reasoning behind adding Sunday hours
- The comparison with CVS pharmacy hours of 10-6 on weekends
- The appropriateness and origin of the 50 ft. residential setback restriction

ACTION: Commissioner Warner moved and Commissioner Foster seconded, that the Planning Commission recommend APPROVAL to the City Council. The motion passed 4-3, with Commissioners Foster, Kasparowitz, Schultz and Warner in favor, and Commissioners Daly, Quartararo and Tustin against.

General Business — None

Informational Items — None

Subcommittee/Advisory Body Oral Reports —

No action shall be taken on these items.

- Chairperson's Report - None
- Planning Department Report – Assistant Director Khoury reported:
 - The Monterey Bay Marine Sanctuary Exploration Center will have a soft groundbreaking on July 12th. There will be a report to the City Council on the whole project on June 22, which will cover contracts and bidding, etc.
 - Budget hearings will start on Monday, June 7th.
 - The City has a new City Manager and will soon have a new Police Chief.
 - The meeting of June 17th will consist of one item: a parking lot by the beach.

Items Referred to Future Agendas — None

Adjournment — 7:18 p.m.

The next Planning Commission meeting will take place on June 17, 2010 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.cityofsantacruz.com. 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.