



Action Minutes  
Planning Commission  
Regular Meeting  
7:00 p.m. - Thursday, November 6, 2014  
City Council Chambers, 809 Center Street

Call to Order — 7:00 P.M.

Roll Call —

Present: Commissioners C. Nielsen; M. Primack; P. Spellman; M. Tustin;  
Vice Chair, P. Kennedy and Chair M. Mesiti-Miller.  
Absent: Commissioner J. Nortz (with notice).  
Staff: Director, J. Rebagliati; Assistant Director, A. Khoury; Associate  
Planner, M. Alsip; Senior Planner, M. King; Police Officers, W. Barry  
and R. Martinez; City Arborist, L. Keedy; Recorder, M. Schwarb.  
Audience: 12-15

Statements of Disqualification — Commissioner Nielsen recused himself from item #2,  
701 Beach Street.

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 — Minutes of October 16, 2014.

ACTION: Commissioner Tustin moved, and Commissioner Kennedy seconded,  
approval of the Minutes of October 16, 2014, as submitted. The  
motion carried on a vote of 6-0-1 with Commissioners Tustin,  
Kennedy, Nielsen, Spellman, Primack and Mesiti-Miller in favor and  
Commissioner Nortz absent.

Public Hearings —

1. Ordinance Amendment A14-0003 City-wide  
Amendments to Title 24 of the Santa Cruz Municipal Code (Zoning  
Ordinance) regarding high risk and low risk alcohol outlets. (Environmental  
Determination: Exempt from CEQA) (Applicant: City of Santa Cruz) AK

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**RECOMMENDATION:** That the Planning Commission recommend to the City Council approval of amendments to the alcohol and definitions sections of the Title 24 with the finding that said amendments, in accordance with Zoning Ordinance Section 24.06.040, serve and further the public necessity, and the general community welfare, and good zoning practice and that the amendments are 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 may be pertinent.

Assistant Director Khoury presented a brief staff report and Police Officer Barry made additional comments and answered questions. Police Officer Martinez also responded to questions.

The Public Hearing was opened.

No one wished to speak and the Public Hearing was closed.

The Commissioners asked questions and made comments regarding:

- Number of alcohol outlets downtown per capita;
- Calls for service after midnight;
- ABC recommends 106 outlets and there are currently 248-249;
- Drain on police staff to adequately control downtown;
- Appeals to City Council;
- Fees paid by High Risk alcohol operators.

**ACTION:** Commissioner Tustin moved, and Commissioner Primack seconded, that the Planning Commission recommend to the City Council approval of amendments to the alcohol and definitions section of the Title 24. The motion carried on a vote of 6-0-1 with Commissioners Tustin, Primack, Nielsen, Spellman, Kennedy and Mesiti-Miller in favor, none opposed, and Commissioner Nortz absent.

2. 701 Beach Street CP14-0016 APN 007-263-06  
 Appeal of the Zoning Administrator's approval of a Coastal Permit to remove a heritage tree and to remove another recently damaged heritage tree in the RTE/CZO/SPO zone district. (Environmental Determination: Categorical Exemption) (Santa Cruz Seaside Company, owner/filed: 1/28/2014) MA

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

**RECOMMENDATION:** That the Planning Commission Adopt Resolutions 1.) Upholding the Zoning Administrator's approval to allow the removal of a eucalyptus tree, thereby denying the appeal and 2.) Approving a Coastal Permit to remove a (recently) damaged cypress tree on the same site.

Commissioner Nielsen left the Chambers for the presentation of this item.

Associate Planner Alsip presented the staff report.

Appellant, Gillian Greensite, presented her case for her appeal of the removal of the eucalyptus tree.

Trenton Teigon, representative of the Seaside Company, and property manager for the apartment complex, spoke briefly.

The Public Hearing was opened. Speaking from the audience:

- John Birdwall.

The Public Hearing was closed.

Appellant, Gillian Greensite, spoke briefly, noting the tree is visible and scenic.

Urban Forester, Leslie Keedy, spoke regarding the conditions for tree removal and answered questions from the Commissioners.

The Commissioners made comments and asked questions regarding:

- Damage to the structure;
- Age of the structure;
- In-lieu fees versus replanting;
- Girdling of the tree roots;
- Number of trees in the city;
- Girdling roots.

**ACTION:** Commissioner Primack moved, and Commissioner Spellman seconded, that the Planning Commission adopt Resolutions Upholding the Zoning Administrator's approval to allow the removal of a eucalyptus tree, thereby denying the appeal; and Approving a Coastal Permit to remove a damaged cypress tree on the same site. The motion carried on a vote of 5-0-1-1 with Commissioners Tustin, Primack, Spellman, Kennedy and Mesiti-Miller in favor, none opposed, Commissioner Nielsen recused, and Commissioner Nortz absent.

### **Informational Items —**

*No action shall be taken on these items.*

3. Preliminary Presentation on the "Best Practice" Approaches to Corridor Planning and Zoning Code Update  
RECOMMENDATION: That the Planning Commission receive the presentation and discuss.

Senior Planner King introduced Michael Dyett, principal of Dyett & Bhatia, Urban and Regional Planners, who presented an in-depth report on Corridor Planning and Zoning.

Public Hearing was opened. Speaking from the audience:

- Mathew Thompson spoke about the importance of design;
- Owen Lawler spoke about site assemblage.

The Public Hearing was closed.

The Commissioners made comments and asked questions regarding:

- Downtown zoning;
- Rail Trail and neighborhoods;
- Access points at trails;
- Scope of work and timing;
- Zoning regarding ADUs;
- River Corridor;
- Neighborhood impacts;
- Elements of design;
- Sense of place and identity;
- Walking tours.

**ACTION:**     **The Planning Commission heard the presentation, made comments and took no action.**

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

- Chairperson's Report
- Planning Department Report

Director Rebagliati noted that the next meeting, scheduled for November 20, would likely be cancelled, and that the ADU Ordinance Amendments would go to City Council on November 18.

**Items Referred to Future Agendas — None.**

**Adjournment — 9:30 P.M.**

The next Planning Commission meeting is scheduled on November 20, 2014, in the City Council Chambers.

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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](http://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.