

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, Ca 95060  
**February 4, 2009**  
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator  
Norma Ellis, Recording Secretary

Other: 5 members of the audience.

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:00 a.m. in the Council Chambers of City Hall. He welcomed members of the public to the meeting and read a list of the items to be heard at this morning's meeting, describing the procedures to be followed for the public hearing. He also informed those in attendance of their right to appeal any of the decisions of the Zoning Administrator, noting that appeals must be filed within ten calendar days of the meeting date. He noted all appeals must be filed in the Planning Department along with the appeal fee of \$500, unless the project is appealable to the California Coastal Commission.

**Call to Order** by Zoning Administrator Eric Marlatt

**Oral Communications**

**Announcements** – No action shall be taken on these items.

**Public Hearing**

**Old Business**

1. **402 Oxford Way** **08-188** **APN 003-223-37**  
Design Permit and Administrative Use Permit to construct a two-story Accessory Dwelling Unit above a detached, two-car garage within 10 to 20 feet of the rear property line and which will consist of over 3,000 square feet, on a standard lot in the R-1-5/CZO zone district. (Environmental Determination: Categorical Exemption) (R. & D. Ellis, owners/filed: 11/12/08) MA  
**Recommendation: Approval, with conditions.**

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator continued this item to the Zoning Administrator meeting of April 15, 2009. The Zoning Administrator noted that there will not be any public notices on this item as it is continued to a date certain.

## **New Business**

2.     **610 Second St.**                             **08-166**                             **APN 005-611-08**  
Variance to allow for no covered off-street parking for an existing four-unit apartment complex in the RT(A) zone district. (Environmental Determination: Categorical Exemption) (Coastal Permit Exclusion) (T. & L. Reed, owners/filed; 10/10/08)     DL  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report. He noted that this application has been made to essentially clear up some code enforcement issues on the property. Staff is recommending approval, subject to the conditions of approval.

The public hearing was opened.

### **SPEAKING FROM THE FLOOR:**

R. Powers, Applicant representative

No one else wished to speak and the public hearing was closed.

### **MODIFIED CONDITION**

The Zoning Administrator modified Condition #7 as follows:

7.     **Within 30 days from the date of approval of this application**, a Land Use Agreement shall be signed and recorded to specify that the storage/laundry building will not be used for sleeping purposes or as a separate residential unit.

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator acknowledged the environmental determination and approved the Variance at 610 Second St., subject to the findings and modified conditions contained in the staff report.

3.     **1717 Mission St.**                             **09-002**                             **APN 004-441-22**  
Administrative Use Permit and Sign Permit to establish a fast-food restaurant (yogurt shop) in the CC zone district. (Environmental Determination: Categorical Exemption) (H. Dong, owner/filed: 1/7/08)     DL  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

### **SPEAKING FROM THE FLOOR:**

Lisa Love, applicant

No one else wished to speak and the public hearing was closed.

The Zoning Administrator deleted Condition 9 as follows:

**DELETED CONDITION #9:**

- ~~9. All conditions of Permit No. 99 326 (1723 Mission Street — Cofectopia) must be followed including but not limited to property owner management of refuse and recycling, litter receptacles, no outdoor seating and fire lane.~~

The Zoning Administrator added conditions as follows:

**ADDED CONDITION 9:**

- 9. The property owner shall provide litter receptacles in front of the businesses and shall be responsible for their maintenance. The type and location of receptacles is subject to the review and approval of the Zoning Administrator and Public Works Department. Receptacles shall be installed prior to issuance of a Certificate of Occupancy for Yogizmo.**
- 10. No outdoor seating is allowed.**
- 11. Moveable or sandwich sign boards are prohibited as per the sign ordinance. A grand opening banner may be placed for no more than 30 days.**
- 12. A 20-foot fire lane, free and clear of obstacles, shall be provided at the rear of the building to the satisfaction of the Fire Marshall. The Fire Marshall shall be contacted to inspect the fire lane no later than April 9, 1999. This will necessitate the removal of any obstacles between the parking stalls and the building.**

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator acknowledged the environmental determination and approved the Administrative Use Permit and Sign Permit at 1717 Mission St., subject to the findings and modified and deleted conditions contained in the staff report.

**Adjournment**

The Zoning Administrator adjourned the meeting at 10:10 a.m. to the February 18, 2009 at 10:00 a.m. in the City Council Chambers.

**APPROVED:**

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**Eric Marlatt, Zoning Administrator**

