Action Minutes
Planning Commission
Regular Meeting
7:00 p.m. – Thursday – June 18, 2009
City Council Chambers, 809 Center Street

Call to Order — 7:00 P.M.

Roll Call —

Present — R. Quartararo, Chair; S. Daly; L. Kasparowitz; M. Tustin.

Absent — J. Warner (with notice); D. Foster (with notice); B. Schultz (with notice).

Staff — A. Khoury, Assistant Director of Planning; M. Alsip, Associate Planner; N. Concepcion, Associate Planner; C. Berg, Housing Manager; M. Schwarb, Recorder.

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 — May 7, 2009

ACTION: **Commissioner Kasparowitz moved, and Commissioner Daly seconded, that the minutes be approved as submitted. The motion was approved by a vote of 3-0-1 with Commissioners Kasparowitz, Daly and Quartararo voting in favor of the motion and Commissioner Tustin abstaining.**

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. 314/316 Pacific Ave. 09-060 APN 005-611-02

Special Use Permit to establish a hair salon in an existing commercial building in the RTC/CZO zone district. (Environmental Determination: Categorical Exemption) (B. Griffin, owner/filed: 4/20/09) MA
RECOMMENDATION: It is recommended that the Planning Commission acknowledge the environmental determination and approve the Special Use Permit based on the attached Findings and Conditions of Approval in Exhibit "A".

ACTION: **Commissioner Tustin moved, and Commissioner Kasparowitz seconded, that the Planning Commission acknowledge the environmental determination and approve the Special Use Permit. The motion was approved by a vote of 4-0 with Commissioners Tustin, Kasparowitz, Quartararo and Daly voting in favor of the motion.**

Public Hearings –

2. 145 Bayona Dr. 09-021 APN 002-161-66
Variance to slope regulations to recognize development adjacent to 30 percent slopes on property within the R-1-5 zone district. (Environmental Determination: Negative Declaration) (G. J. Lewis, owner/filed: 2/13/09) MA
RECOMMENDATION: That the Planning Commission continue the public hearing to the meeting of July 2, 2009.

ACTION: **Commissioner Daly moved, and Commissioner Kasparowitz seconded, that the Planning Commission continue the public hearing to the meeting of July 2, 2009. The motion was approved by a vote of 4-0 with Commissioners Daly, Kasparowitz, Tustin and Quartararo voting in favor of the motion.**

3. Zoning Ordinance Amendments 09-080 City-Wide
Amendment to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) amending Sections 24.16.015; 24.16.020; and 24.16.030; to provide for exceptions during declining housing markets and update of the Affordable Housing Guidelines to implement amendments as needed. (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, applicant, filed: 5/26/09)
RECOMMENDATION: That the Planning Commission recommend to the City Council adoption of amendments to the Zoning Ordinance relating to inclusionary requirements during periods of declining housing markets.

Principal Planner Berg presented the staff report.

Commissioners asked questions and made comments regarding:

- How the median price is established
- Who chooses appraisers and how they would be chosen
- Who would pay for appraisal
- Length of downward trend
- Why the change is contemplated (high in-lieu fees are discouraging development)

ACTION: **Commissioner Tustin moved, and Commissioner Kasparowitz seconded, that the Planning Commission recommend to the City Council adoption of amendments to the Zoning Ordinance relating to inclusionary requirements during periods of declining housing markets. The motion was approved by a vote of 4-0 with Commissioners Tustin, Kasparowitz, Daly and Quartararo voting in favor of the motion.**

4. Zoning Ordinance Amendment 09-081 City-wide
Amendments to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) and the Local Coastal Implementation Plan adding a definition to Section 24.22 and amending other sections of Title 24, regarding requirements for smoking lounges. (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, applicant). NC
RECOMMENDATION: That the Planning Commission recommend to the City Council approval of amendments to the Title 24 (Zoning Ordinance) relating to smoking lounges.

Associate Director Khoury introduced Associate Planner Concepcion who presented the staff report.

Commissioners asked questions and made comments regarding:

- The difference between Hookah Parlors and Smoking Lounges
- How many of these are in the City of Santa Cruz (currently, one)
- Sunset clauses for Hookah Parlors
- Reasons for these changes and additions (requirements for use permits)

ACTION: **Commissioner Tustin moved, and Commissioner Quartararo seconded, that the Planning Commission recommend to the City Council approval of amendments to the Title 24 (Zoning Ordinance) relating to smoking lounges. The motion was approved by a vote of 4-0 with Commissioners Tustin, Quartararo, Kasparowitz and Daly voting in favor of the motion.**

General Business – None

5. Update of Planning Commission By-Laws
RECOMMENDATION: That the Planning Commission Recommend the City Council approve the Updated Planning Commission By-Laws.

Associate Director Khoury presented the change to the By-Laws regarding Communications to the Planning Commission.

ACTION: Commissioner Kasparowitz moved, and Commissioner Tustin seconded, that the Planning Commission recommend the City Council approve the Updated Planning Commission By-Laws. The motion was approved by a vote of 4-0 with Commissioners Kasparowitz, Tustin, Daly and Quartararo voting in favor of the motion.

Informational Items – None

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 –
  Assistant Director Khoury noted that there will be a July 2 Planning Commission meeting and that the meeting currently scheduled for July 16 will likely be cancelled. He also noted that one or two items needed to come before the Commission on July 30, or August 6 in order to get to the City Council by September. He discussed the pending budget cuts which will likely lead to the Planning Department (and all City Departments) being closed on Fridays and informed the Commissioners that information regarding Ethics Training would be forwarded via e-mail. Also staff will be taking a Moratorium on Medical Marijuana Facilities to the Council next week as there have been a number of new inquiries regarding such.

Items Referred to Future Agendas – None

Adjournment – 8:00 P.M.

The next Planning Commission meeting will take place on July 2, 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.