

**Zoning Administrator—Alexis Oropeza****ZA Meeting Minutes of May 8, 2023**

Via Teleconference

The Zoning Administrator opened the teleconference at 2:01 p.m.

Zoning Administrator Oropeza called hearing to order and provided a brief overview of the Zoning Administrator hearing procedures, how the item would be considered, housekeeping rules, public comment and questions, and ultimately the appeal period of the projects in and outside of the coastal zone.

**Continued Agenda****1) Application No. 2301-16 (LCDP23-001)**

**Address:** 25 39<sup>th</sup> Place (project is located within the public right-of-way abutting this address)

**Council District: 3**

A Local Coastal Development Permit is being requested to establish an outdoor dining area 525 square feet in area within the public right-of-way adjacent to the Belmont Brewing Company restaurant and bar within the R-4-R zoning district (District 3).

This project **IS** in the Coastal Zone and **IS** appealable to the Coastal Commission.

This project qualifies for a categorical exemption per Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

Jonathan Iniesta, Project planner presented a PowerPoint presentation.

Staff is recommending approval with conditions.

Zoning Administrator Oropeza opened item up for public comments.

Alex Churan, Belmont Brewing Company (BBC) applicant spoke.

**Public Comments:**

Ann Cantrell, on behalf of Wetland Task Force spoke in opposition of the project.

Brian Cochrane spoke in opposition of the project.

Corliss Lee spoke in opposition of the project.



Julie Dean spoke in opposition of the project.

Anna Christensen, Task Force of Sierra Club spoke in opposition of the project.

Melinda Cotton spoke in opposition of the project.

### **No further public comment**

Zoning Administrator Oropeza confirmed most recent conditions were sent to Ann Cantrell.

Zoning Administrator Oropeza noted that there are five LCDP findings which must affirmatively be made to approve the project. The Zoning Administrator noted that with conditions of approvals those findings could be made. She expressed need to add conditions of approval to address some concerns regarding coastal access, parking, view obstructions and added the following conditions of approval:

- Views– Umbrellas or other shade structures would not be permitted to prevent obstructing public views of the coast.
- Signage – Signage notifying the public of the front patio's availability without the need for a purchase.
- Signage – Information signage directing public not to lock bikes to the enclosure.
- Bike Racks - Applicant shall work with Public Works Department to install addition bike racks in proximity to the south and north side of the patio enclosure.
- Lighting – Lighting must be shielded and directed downward with a lighting study.
- Site Cleaning - Cleaning of the patio and adjacent area must be conducted by staff not less than twice per day.

Alex Cherin, Belmont Brewing Company (BBC) spoke and agreed with revisions to the conditions.

Zoning Administrator Oropeza clarified to applicant, that any operation with the business, including repairs, must be conducted on the operator's property unless a proper encroachment permit or Public Walkways Occupancy Permit is obtained from the Department of Public Works.

**ACTION: Approved with revised conditions and determined to be exempt from CEQA.**



**Regular Agenda**

**2) Application No. 2302-02 (LCDP23-009)**

**Address:** Public Right-of-way Abutting 5236 E 2nd Street

**Council District: 3**

A Local Coastal Development Permit (LCDP) for a permanent parklet (301 square feet) within a portion of the public right-of-way, currently designated for two on-street parking spaces, abutting a sports bar/restaurant at 5236 E 2nd Street in the CNP zoning district (District 3).

This project **IS** in the Coastal Zone and **IS NOT** appealable to the Coastal Commission.

This project qualifies for a categorical exemption per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines. (CE-23-022)

Maryanne Cronin, planner presented project with PowerPoint presentation.

Staff recommended approval with conditions.

**Public Comments:**

Eric Johnson, applicant spoke and acknowledged agreement with the draft conditions.

Julie Dean spoke in opposition of the project.

Corliss Lee spoke in opposition of the project.

Ann Cantrell spoke in opposition of the project.

Brian Cochrane spoke in opposition of the project.

Tim Moriarty, Member of Friends of Belmont Shore spoke in support of the project.

Melinda Cotton spoke in opposition of the project.

**No further public comment**

Zoning Administrator Oropeza responded to the public comment regarding the process. Zoning Administrator clarified the applicant is allocated six minutes to speak and include rebuttals. Members of the public are allocated three minutes to speak.



Zoning Administrator Oropeza asked the applicant to speak regarding access for deliveries and lights in the tree.

Eric Johnson stated deliveries are provided from the alley during non-peak hours and the lights in the tree belong to them.

Zoning Administrator Oropeza addressed previously asked questions during public comment.

Pablo Leon, Department of Public Works, spoke.

Pablo Leon indicated a phone number can be placed on parklet signage for reporting issues.

Zoning Administrator Oropeza suggested a campaign for educating businesses regarding encroachments and Americans with Disabilities Act (ADA) access is needed.

Zoning Administrator Oropeza asked Pablo Leon, Department of Public Works, if there is a difference between temporary parklets vs permitted (permanent) parklets in addressing water run-off.

Pablo Leon, Department of Public Works, indicated that there is no comparison.

- Temporary parklets- there is no permitting and no engineering.
- Permitted (permanent) parklets- there is an engineer review and it is a formal review process.

Zoning Administrator Oropeza added the following additional conditions:

- Signage – Informational signage for a Public Works contact for code enforcement.
- Lighting – Remove the unpermitted lighting spanning the right-of-way and wrapped on the street tree.
- Signage – Requirement for delivery signage at rear of property providing a phone number for delivery drivers to contact the business manager when a delivery truck cannot find a drop-off location outside the street public right-of-way or provide a delivery lockbox to receive deliveries outside of business operating hours.

Eric Johnson, applicant advised there is a lock box already there for third-party vendors.

**ACTION: Approved with additional conditions and determined to be exempt from CEQA.**

The Zoning Administrator adjourned the meeting at 3:56 pm.





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Alexis Oropeza, Zoning Administrator

