

**SPECIAL CAPITOLA CITY COUNCIL  
AND  
PLANNING COMMISSION JOINT MEETING MINUTES  
THURSDAY, APRIL 30, 2015 - 6:00 PM**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Members Stephanie Harlan, Ed Bottorff, Jacques Bertrand, and Mayor Dennis Norton

Planning Commissioners Ed Newman, Gayle Ortiz, T. J. Welch, Susan Westman, and Chairperson Linda Smith

Planning Commissioner Gayle Ortiz arrived at 6:35 PM.

Council Member Michael Termini was absent.

**2. PRESENTATIONS**

A. Oath of Office Ceremony for newly appointed Planning Commissioner Susan Westman.

Oath of Office provided.

**3. ADDITIONAL MATERIALS**

None provided

**4. ADDITIONS AND DELETIONS TO AGENDA**

None provided

**5. PUBLIC COMMENT**

Richard Lippi, local resident, provided for the record a letter to the City Council and the Planning Commission regarding the proposed skate park at Monterey Park.

**6. CITY COUNCIL / PLANNING COMMISSION / STAFF COMMENTS**

Council Member Harlan stated the Public Utility Commission is providing opt-out options for the Smart Meter program.

**7. GENERAL GOVERNMENT / PUBLIC HEARINGS**

A. Receive presentation regarding the City of Capitola Zoning Code Update. [730-85]

Community Development Director Grunow introduced this item and provided the background history regarding steps, previous meetings, and issues involving the City's Zoning Code Update process.

Senior Planner Cattan stated that a preliminary survey was conducted which included input from the City Council, Planning Commission and the public. She reviewed the following issues and options included in the survey results:

ISSUE 2: Maintaining and Enhancing the Village Character

Direction: Preference for Option 2.

*Option 2: Establish new building form and character standards.*

*The Zoning Code (Code) could establish mandatory site and building standards to maintain and enhance the Village character. These would apply to non-residential and mixed-use development.*

Additional comments: Guidelines are removed.

ISSUE 7.A. SIGNS: Threshold for Review

Direction: Preference for Option 2.

*Option 2: Allow staff-level review with new standards.*

*Revise sign standards to include new, well-defined and well-illustrated design standards that create maximum allowances within staff-level review and an option for Planning Commission review for signs that go beyond the maximum allowance. In this option, new maximum limits are established. Signs can be approved administratively within an over-the-counter permit.*

Additional comments: Ensure high quality signs.

ISSUE 7.B. SIGNS: Tailored Standards

Direction: Preference for Option 2

*Option 2: Create tailored standards for different commercial areas. Certain sign standards could be adjusted to address the unique issues in different commercial areas. Tailored standards could address types of permitted signs, maximum sign area, sign dimensions, sign location and placement, illumination, materials, and other issues.*

Additional comments: Preference for monument signs to be drafted into tailored standards for each commercial area within Issue 7.B. Also, update to allow digital gas pricing signs.

ISSUE 7.C. SIGNS: Monument Signs

Direction: Option 5 – Other. Preference for monument signs to come back with tailored standards for each neighborhood. Allow digital gas pricing signs.

ISSUE 10: Permits and Approvals

Direction: Incorporate 2(a), 2(b), and 2(c)

*Option 2(a): Create a new Administrative Permit.*

*This new permit would be used for a wide range of existing, ministerial staff-level actions. It could be used as a general replacement for existing fence permits, temporary sign permits, approvals of temporary sidewalk/parking lot sales, and temporary storage approvals.*

*Option 2(b): Create a new Minor Use Permit.*

*This new permit would be similar to a Conditional Use Permit except that it would be approved by the Community Development Director (Director). Notice would be mailed to neighbors prior to final action by the Director and decisions could be appealed to the Planning Commission. The Director could also choose to refer applications to the Planning Commission for decision. A Minor Use Permit could be a good middle ground for uses that should not be allowed by-right, but that also generally do not need to go the Planning Commission for a public hearing and approval, such as a Home Occupancy Permit and Transient Occupancy Permits.*

*Option 2(c): Create a New Substantial Conformance Process.*

*The Zoning Code currently requires applicants to submit a new application if they wish to make any changes to an approved permit – even if the change is very minor in nature. Under this option, a substantial conformance process would be developed to allow administrative approval of specified minor alterations while still requiring the Planning Commission consideration of more substantive changes.*

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ISSUE 12.A: Design Permit: When a Design Permit is Required

Direction: Options 2 and 3 – Hybrid

*Require Design Permits for exterior modifications beyond limited approval authority of Director identified in 12.B.*

ISSUE 12.B Design Permit Approval Authority – Commercial Use

Direction: Option 2

*Option 2: Delegate limited approval authority to the Director With this option; the Director would approve more types of commercial projects requiring a Design Permit. For example, the Director could approve:*

*Option 2(a): Minor repairs, changes and improvement to existing structures which use similar, compatible or upgraded quality building materials.*

*Option 2(b): Additions not visible from the front façade up to a specified square-footage threshold.*

*Option 2(c): Expansion of one tenant space into a second tenant space in a multi-tenant building.*

*Option 2(e): Accessory structures*

Additional Comments: Support for 2(c) and 2(e).

2(c): Limit tenant expansions to combining two tenant spaces.

2(e): For garbage or recycling enclosures. The Planning Commission and the City Council provided direction on the April 30, 2015, City Council and Planning Commission Special Joint Meeting Agenda.

12.C. When a Design Permit is Required – Residential Uses

Direction: Options 2(a), 2(b) and 2(c).

*Option 2: Modify threshold for residential design permits.*

The threshold could be revised in multiple ways. Thresholds that could be modified to include the following:

*Option 2(a): Increase existing threshold (greater than 400 sq ft) for additions located on the rear of a single family home. Note: first story only.*

*Option 2(b): Allow first story additions (unlimited) that are located on the back of an existing home and comply with all standards of the Code.*

*Option 2(c): Allow minor additions to the front of a building that upgrade the front façade and comply with all standards of the Code. Minor additions could include enclosing recessed entrances, enclosing open front porches, and installation of bay windows.*

Additional Comments: First story only for Options 2(a), 2(b), and 2(c). Second story requires design permit.

12.D. Design Permit Approval Authority – Residential Use

Direction: Option 2.

*Option 2: Delegate limited approval authority to the Director with this option; the Director would approve more types of residential projects requiring a Design Permit.*

Comments: See 12.C. on previous page for thresholds.

12.E. Design Permit: Considerations for Design Permit Approval

Direction: Option 2

*Option 2: Maintain the existing architecture and site considerations with additional considerations focused on design, including massing, height, scale, articulation, neighborhood compatibility, privacy, quality exterior materials, and submittal requirements.*

ISSUE 14: Environmental and Hazard Overlays

Direction: Staff to simplify the overlays utilizing the best approach. Likely Option 2; however the top concern of the Planning Commission and the City Council is simplicity for applicants and administration.

Issue 17.A: Floor Area Ratio (FAR) and Decks

Direction: Option 3(a), 3(b) and 3(c).

*Option 3: Add exception for special circumstances.*

*There are special circumstances in which allowing a second story deck will not have an impact on neighbors or may be an asset to the public. The Code could include exceptions for special circumstances to allow larger decks that are not counted toward the floor area.*

*Option 3(a): Front Façade.*

*Privacy issues are typically on the side and back of single family homes. The ordinance could consider increased flexibility for decks on the first and second story front facades to allow for increased articulation while not impacting privacy of neighbors. There are two options for decks on front facades. The first is to increase the allowed deck area (beyond 150 sq ft) on the front façade of a home. The second option is to remove front façade decks from the calculation entirely by including front story decks within the list of items not included in the floor area calculation.*

*Option 3(b): Open Space.*

*There are a number of homes in Capitola that are located adjacent to open space. For example, the homes located along Soquel Creek and ocean front properties. Similar to the prior exception, the Code could be revised to either increase the allowed deck area or remove the calculation entirely for decks located on elevations facing open space.*

*Option 3(c): Restaurants and Hotels.*

*Visitor experiences are enhanced when they take in a view. The Code currently does not include an exception for decks on hotels or restaurants. The Code could be revised to either increase the maximum allowed deck area of restaurants and hotels or remove decks on restaurants and hotels from the floor area calculation entirely.*

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Comments: Acknowledged that deck regulations do not necessarily belong in the FAR standards. Decks should be included in the updated design permit standards and individual neighborhood standards. Support for exceptions (a), (b) and (c). Also, consider if rail line is open space:

Issue 17.B. Floor Area Ratio and Basements

Direction: Option 3

*Option 3: Remove basements from FAR formula.*

Comments: Include area of basement in parking requirement. Basements that have a walk out creating a 3rd story should count toward FAR (properties on slopes). Basements that do not impact visual massing should not count toward FAR. Modify FAR to exclude basements that are below grade on four sides.

Issue 17C: Floor Area Ration and Phantom floors, Roof Eaves, and Window Projections

Direction: Option 5

*Option 5: Remove a combination of phantom floors, roof eaves, and/or window projections from the FAR calculation.*

**Public Comment:**

Adam Samuels, local resident, stated the City is providing an effective process for the City's Zoning Code Update. He requested that upcoming meetings be posted to the City's website.

Helen Bryce, local resident, stated concerns regarding preserving open space in the City.

Planning Commissioner Newman remarked about appeals of Planning Commission's decision to the City Council.

City Manager Goldstein stated that 50% of the skate park construction at McGregor Park is complete and asked if Council Member Bottorff's request for the Council to consider stopping the skate park project at McGregor Park.

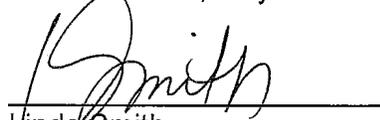
Council Member Bottorff requested to withdraw his request.

8. **ADJOURNMENT**

Meeting adjourned at 8:15 pm.



Dennis Norton, Mayor



Linda Smith  
Planning Commission Chair

ATTEST:



Susan Sneddon, CMC  
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON MAY 14, 2015