



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, October 7, 2021 – 7:00 PM

Chairperson Mick Routh
Commissioners Courtney Christiansen
 Ed Newman
 Susan Westman
 Peter Wilk

NOTICE OF REMOTE ACCESS ONLY:

In accordance with the current Order from Santa Cruz County Health Services and Executive Order regarding social distancing, the Planning Commission meeting will not be physically open to the public and in person attendance cannot be accommodated.

To watch:

1. Attend Zoom Meeting (link and phone numbers below)

To participate remotely and make public comment:

1. Send email:
 - a. Prior to the meeting day, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Tuesday before the meeting and they will be distributed to agenda recipients.
 - b. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - Identify the item you wish to comment on in your email's subject line. Emailed comments will be accepted during the Public Comments meeting item.
 - Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
 - Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
 - Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.
2. Zoom Meeting (Via Computer or Phone)
 - a. Please click the link below to join the meeting:
 - <https://us02web.zoom.us/j/87800366973?pwd=eDVvK1NQTIczRis2WDFBd0VzWDFFSQT09> (link is external)
 - If prompted for a password, enter **019138**
 - Use participant option to "raise hand" during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak
 - b. Dial in with phone:
 - Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one
 - **1 669 900 6833**

- **1 408 638 0968**
- **1 346 248 7799**
- **1 253 215 8782**
- **1 301 715 8592**
- **1 312 626 6799**
- **1 646 876 9923**
- Enter the meeting ID number: **878 0036 6973**
- When prompted for a Participant ID, press #
- Press ***9** on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. You may need to press ***6** to enable talking. The timer will then be set to 3 minutes.

REGULAR MEETING OF THE PLANNING COMMISSION – 7 PM

All correspondences received prior to 5:00 p.m. on the Tuesday preceding an Planning Commission Meeting will be distributed to Committee members to review prior to the meeting. Information submitted after 5 p.m. on that Tuesday may not have time to reach Committee members, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE**2. ORAL COMMUNICATIONS****A. Additions and Deletions to Agenda****B. Public Comments**

Short communications from the public concerning matters not on the Agenda.

All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments**D. Staff Comments****3. CONSENT CALENDAR**

All matters listed under “Consent Calendar” are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.

A. 1500 Wharf Road #21-0287 APN: Common Walkways 'B' through 'H'

Master Sign Program for common area walkways of the Capitola Venetian Condominiums located within the MU-V (Mixed Use Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit that is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Note: Request to Continue to November 4, 2021

Environmental Determination: Categorical Exemption

Property Owner: Venetian Court HOA

Representative: Craig Nunes – Venetian Court HOA Filed: 07.09.21

4. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

A. 1425 49th Avenue #21-0075 APN: 034-064-11

Design Permit for a new single-family residence and accessory dwelling unit located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission. Environmental Determination: Categorical Exemption
Property Owner: DRVO Builders
Representative: Dennis Norton, Filed: 03.30.21

B. Prototype ADU Program

Prototype Accessory Dwelling Unit (ADU) Program.
Representative: Katie Herlihy, Community Development Director
Applicant: City of Capitola

C. Outdoor Dining and Design Permit Ordinance

Update to Zoning Ordinance/Local Coastal Plan Implementation Plan
Update to the City of Capitola Zoning Code including section 17.96.170 Outdoor Dining in Public Right of Way and Section 17.120.030 (Design Permits) When Required. The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission. Environmental Determination: Categorical Exemption 15305 and 15311
Property: The Zoning Code update affects all properties within Commercial Zones in the City of Capitola.
Representative: Katie Herlihy, Community Development Director, City of Capitola

D. Presentation on Nonconforming Structures and Permissible Structural Alterations

Discussion on non-conforming structures and permissible structural alterations.
Representative: Katie Herlihy, Community Development Director

5. DIRECTOR'S REPORT**6. COMMISSION COMMUNICATIONS****7. ADJOURNMENT**

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review Design Permit can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All 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. 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. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 7, 2021
 SUBJECT: **1500 Wharf Road #21-0287 APN: Common Walkways
 'B' through 'H'**

Master Sign Program for common area walkways of the Capitola Venetian Condominiums located within the MU-V (Mixed Use Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit that is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Note: Request to Continue to November 4, 2021

Environmental Determination: Categorical Exemption

Property Owner: Venetian Court HOA

Representative: Craig Nunes – Venetian Court HOA Filed: 07.09.21

BACKGROUND

On July 9, 2021, the City received an application for a master sign program for the Capitola Venetian Condominiums located at 1500 Wharf Road in the Mixed-Use Village (MU-V) zoning district. Due to a scheduling conflict, the HOA president requested the agenda item be continued to the November 4, 2021 hearing.

RECOMMENDATION

Staff recommends the Planning Commission continue application #21-0287 to the November 4, 2021, meeting.

Prepared By: Sean Sesanto



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 7, 2021

SUBJECT: **1425 49th Avenue** **#21-0075** **APN: 034-064-11**

Design Permit for a new single-family residence and accessory dwelling unit located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: DRVO Builders

Representative: Dennis Norton, Filed: 03.30.21

APPLICANT PROPOSAL

The applicant is proposing to construct a new 1,391-square-foot single-family residence with an attached 446-square-foot accessory dwelling unit on a corner lot located 1425 49th Avenue in the R-1 (Single-Family Residential) zoning district. The application complies with all development standards within the R-1 zone and is requesting an exception to the maximum driveway width pursuant to §17.76.040(B)(1). The project was reviewed under the 2021 certified zoning code.

BACKGROUND

On August 11, 2021, the Development and Design Review Committee (formerly Architectural and Site Review) reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: informed the applicant that prior to issuance of a building permit, the landscape plan must match the site and civil plans and the proposed landscaping in the public right of way will require a revocable encroachment permit.

Building Official, Robin Woodman: did not request any modifications to the plans.

Assistant Planner, Sean Sesanto: also informed the applicant the landscape plan must match the site plan. Planner Sesanto noted the parking layout in the landscape plan does not match the parking on the site plan and does not comply with the parking standards.

Following the Development and Design Review meeting, the applicant submitted a revised site plan with the proposed parking layout. The applicant was unable to modify the landscape plans which show the parking in the incorrect locations.

Development Standards

The following table outlines the zoning code requirements for development in the R-1 Zoning District. The new single-family residence complies with all development standards of the R-1 zone.

Development Standards			
Building Height			
R-1 Regulation		Proposed	
25 ft.		23 ft. 8 in.	
Floor Area Ratio (FAR)			
	Existing		Proposed
Lot size	3,280 sq. ft.		3,280 sq. ft.
Maximum Floor Area Ratio	56% (Max 1,837 sq. ft.)		56% (Max 1,837 sq. ft.)
First Story Floor Area	N/A		1,055 sq. ft.
Second Story Floor Area (Primary)	N/A		336 sq. ft.
Second Story Floor Area (ADU)	N/A		446 sq. ft.
<i>Deck/Covered Ext. Space</i>	N/A		<i>176 sq. ft. (exempt)</i>
Total FAR	N/A		56% (Max 1,837 sq. ft.)
Setbacks			
Corner lot			
	R-1 regulation		Proposed
Front Yard 1st Story	15 ft.		18 ft.
Front Yard 2nd Story & Garage	20 ft.		20 ft.
Side Yard 1st Story	10% lot width	Lot width 41 ft. 4 ft. 1 in. min.	4 ft. 2 in.
Side Yard 1st Story Exterior (Street Side)	10 ft.		10 ft. 6 in.
Side Yard 2nd Story	15% of width	Lot width 41 ft. 6 ft. 2 in. min.	6 ft. 2 in.
Side Yard 2nd Story Exterior (Street Side)	10 ft.		10 ft.
Rear Yard 1st Story	Minimum interior side yard of adjacent lot. 4 ft. 1 in.		15 ft.
Rear Yard 2nd Story	Minimum interior side yard of adjacent lot. 4 ft. 1 in.		7 ft.
Parking			
Residential up to 1,500 sq. ft. ADU (covered parking areas do not count towards	Required		Proposed
	3 spaces total 0 covered		3 spaces total 1 covered

parking demand)	2 uncovered - Primary Unit 1 uncovered - ADU	2 uncovered *ADU parking space in side-yard setback area
Underground Utilities: required with 25% increase in area		Yes

DISCUSSION

The existing property at 1425 49th Avenue is on the corner of Opal Street and 49th Avenue within the Jewel Box neighborhood, surrounded by one- and two-story single-family residences. The lot consists of a small unoccupied cottage which is proposed to be demolished. The adjacent vacant property at 4875 Opal Street is a separate legal lot which was approved for a new two story, single-family residence during the September 2, 2021, Planning Commission meeting.

The applicant is proposing to construct a new two-story, single-family residence with an attached accessory dwelling unit (ADU) on the second story. The front yard is technically along the Opal Street frontage, but the project has been designed with the main walkway and driveway access from 49th Avenue. There is also an entry door on the first story on the Opal Street façade, but no pathway to connect the entryway to the Opal Street sidewalk. The proposed residence has two second story decks, one oriented toward 49th Avenue and the second located on the rear of the structure providing independent access for the ADU. The craftsman architecture is characterized by the mix of horizontal siding, gabled roof ends, traditional rafters and braces, and composition roof.

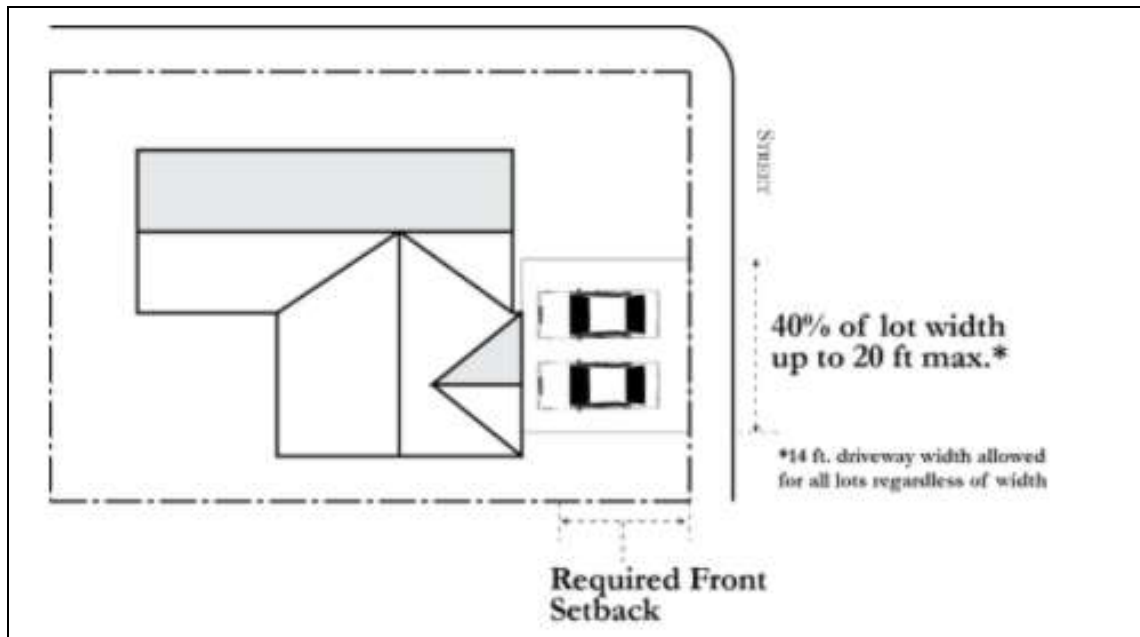
Parking

The proposed 1,391-square-foot residence is required to have two on-site parking spaces, neither of which must be covered. The attached ADU is required to have one uncovered parking space. The proposed parking is shown on the site plan and includes three parking spaces; one in the garage, one to the side of the garage in the rear yard, and one space parallel to 49th Avenue within the side yard.

Section 17.76.040(B)(1) regulates parking in front and exterior side setback areas as follows:

“R-1 Zoning District. In the R-1 zoning district, the width of a parking space in the required front or exterior side setback area may not exceed forty percent of lot width up to a maximum of twenty feet, except that all lots may have a parking space of up to fourteen feet in width regardless of lot width. See Figure 17.76-1. The planning commission may allow a larger parking area within the required front and exterior side setback areas with a design permit if the larger parking area incorporates design features, such as impervious materials and enhanced landscaping, which minimize visual impacts to the neighborhood.”

Figure 17.76-1: Parking in Setback Area in R-1 Zoning District



The lot width along 49th Avenue is 80 feet wide. Since 40 percent of the 80 feet wide lot is 32 feet, the property is limited to the maximum twenty-foot driveway width, unless a wider driveway is approved by the Planning Commission through a design permit. The applicant is seeking Planning Commission approval of a 41 foot wide driveway.

The proposed parking area in front of the garage and in the rear yard for the ADU is designed with permeable pavers with a centered turf grid center strip. The parking space in the exterior side yard along 49th Avenue is not easily identifiable as it is shown over a permeable paver walkway leading to the main entry of the house and on artificial turf. This space would likely be improved if the applicant incorporated a ribbon design parking space with two parallel strips of permeable paving no wider than two and one-half feet each. Unpaved areas between the strips could be landscaped with turf or low-growing ground cover. The proposed driveway tapers towards the street with new natural landscaping and 30-inch-high wood fence fencing in front. Staff added condition of approval number #2 requiring the ribbon parking space design in the exterior side yard as suggested above.

New Sidewalks

Currently no sidewalk exists along either street frontage of the subject property. The applicant is proposing to construct new sidewalks along both Opal Street and 49th Avenue. Staff has added Condition #13 that requires the applicant to construct a sidewalk along 49th Avenue, an ADA curb ramp at the corner of the 49th Avenue and Opal Street, and that all sidewalk, curb, and gutter improvements be constructed per city standard.

Landscape

The application includes the removal of one oak tree landscape and the planting of two coast live oak trees. The two trees will secure the goal of fifteen percent canopy coverage for new residential construction projects, pursuant to CMC §12.12.190(C).

CEQA

§15303(a) of the CEQA Guidelines exempts one single family residence, or a second dwelling unit in a residential zone. The proposed project includes the demolition of a single-family residence and the construction of a new single-family residence with an attached accessory

dwelling unit. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission consider application #21-0075 and approve the application with the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of the demolition of an existing cottage and the construction of a new 1,391 square-foot single-family residence and 446 square-foot attached accessory dwelling unit. The maximum Floor Area Ratio for the 3,280 square foot property is 56% (1,837 square feet). The total FAR of the project is 56% with a total of 1,837 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 7, 2021, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The site plan and landscape plan shall be updated to modify the parking space in the exterior side yard. The parking space shall be easily identifiable as a ribbon design space with two parallel strips of permeable paving no wider than two and one-half feet each. Unpaved areas between the strips shall be landscaped with turf or low-growing ground cover.
3. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
7. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
8. Prior to issuance of building permit, all Planning fees associated with permit #21-0075 shall be paid in full.

9. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to issuance of building permits, the applicant shall submit plans detailing all improvements or modifications that impact or interface with the public right of way. At a minimum, these details will include the limits of any existing or proposed curb drains, ADA compliant driveway approach, or any modification to the curb/gutter/sidewalk. The extent of all improvements or modifications shall be limited to those areas fronting the property boundary and shall not impact of the frontage of adjacent parcels.
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. Prior to issuance of a building permit, the applicant shall complete a revocable encroachment agreement, in a form provided by the Public Works Department, for all approved privately installed improvements within the unutilized public right-of-way.
17. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
18. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All new or replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards. Improvements in the right of way shall include a new sidewalk along 49th Avenue and an accessible curb ramp at the corner of 49th Avenue and Opal Street
19. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 2 trees to be

removed from the property. Replacement trees shall be planted at a 2:1 ratio. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans unless approved by the Community Development Director.

20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
24. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
25. Prior to demolition of the existing structure, a pest control company shall resolve any pest issues and document that all pest issues have been mitigated. Documentation shall be submitted to the city at time of demolition permit application.

DESIGN PERMIT FINDINGS

A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.

Community Development Staff and the Planning Commission have all reviewed the project. The proposed demolition of an existing cottage and the construction of a new single-family residence and accessory dwelling unit is consistent with the general plan and the local coastal program.

B. The proposed project complies with all applicable provisions of the zoning code and municipal code.

The proposed the proposed demolition of an existing cottage and the construction of a new single-family residence and accessory dwelling unit complies with all applicable provisions of the zoning code for the R-1 (Single-Family Residential) District.

C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Section 15303(a) of the CEQA Guidelines exempts one single single-family residence, or a second dwelling unit in a residential zone. The project involves the construction of a

new single-family residence and accessory dwelling unit in the R-1 (Single-Family Residential) District. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**
The proposed demolition of an existing cottage and the construction of a new single-family residence and accessory dwelling unit will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity. The project maintains the original residential use which is compatible with the Single-Family Residential (R-1) zoning district.
- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**
The proposed demolition of an existing cottage and the construction of a new single-family residence and accessory dwelling unit complies with the applicable design review criteria in Section 17.120.070 of the zoning code.
- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**
Community Development Staff and the Planning Commission have all reviewed the application for the demolition of an existing cottage and the construction of a new single-family residence and accessory dwelling unit. The design of the two-story home and ADU with horizontal siding, gabled roof ends, traditional rafters and braces, and composition shingle roof, will fit in nicely with the existing neighborhood.

ACCESSORY DWELLING UNIT FINDINGS

- A. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.**
The proposed attached ADU utilizes the same materials, design, height, and roof pitch as the proposed primary dwelling. The exterior design is compatible with the primary dwelling on the parcel.
- B. The exterior design is in harmony with, and maintains the scale of, the neighborhood.**
The proposed attached ADU has a blended form with the primary dwelling. A two-story building form is common throughout the Jewel Box neighborhood. Therefore, the exterior design is in harmony with, and maintains the scale of the Jewel Box neighborhood.
- C. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.**
The proposed project is situated on a full-sized residential lot and includes one parking space for the ADU. The ADU will not create excessive noise, traffic, or parking congestion.
- D. The accessory dwelling unit has or will have access to adequate water and sewer service as determined by the applicable service provider.**
The proposed ADU is located on a developed lot in a residential neighborhood with adequate water and sewer service.

- E. Adequate open space and landscaping have been provided that are usable for both the accessory dwelling unit and the primary residence. Open space and landscaping provide for privacy and screening of adjacent properties.**

The lot provides a new configuration that provides adequate landscaping and open space for both dwelling units. Access to the ADU is from the exterior side and the siting of the second-story deck is setback more than development standards require.

- F. The location and design of the accessory dwelling unit maintain a compatible relationship to adjacent properties and do not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.**

The proposed ADU is located along the street side yard. The siting of structure and parking leaves adequate light, air, solar access, and parking of adjacent properties. Window opening placements have taken adjacent properties into consideration.

- G. The accessory dwelling unit generally limits the major access stairs, decks, entry doors, and major windows to the walls facing the primary residence, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory dwelling unit complements the design of the primary residence and does not visually dominate it or the surrounding properties.**

The external staircase to the proposed second-story ADU faces the interior of the lot with side entry. The design of the ADU, with siding materials and massing identical to the attached primary residence, does not visually dominate it or the surrounding properties.

- H. The site plan is consistent with physical development policies of the general plan, any area plan or specific plan, or other city policy for physical development. If located in the coastal zone, the site plan is consistent with policies of the local coastal plan. If located in the coastal zone and subject to a coastal development permit, the proposed development will not have adverse impacts on coastal resources.**

The proposed attached ADU complies with the development standards in CMC §17.74.080, is consistent with the physical development policies of the general plan and zoning code and will not have adverse impacts on coastal resources.

- I. The project would not impair public views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan restores and enhances the visual quality of visually degraded areas.**

The project is located on private property and will not impact public views or view areas

- J. The project deviation (if applicable) is necessary due to special circumstances applicable to subject property, including size, shape, topography, location, existing structures, or surroundings, and the strict application of this chapter would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.**

Not applicable. The project does not include deviations.

COASTAL FINDINGS

- A. The project is consistent with the LCP land use plan, and the LCP implementation program.**

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on private property at 1425 49th Avenue. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located at 1425 49th Avenue. The project is not located in an area with coastal access. The project will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves a new single-family residence and accessory dwelling unit and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves a new single-family residence and accessory dwelling unit and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves a new single-family residence and accessory dwelling unit and will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves a new single-family residence and accessory dwelling unit on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

ATTACHMENTS:

1. 1425 49th Avenue - Plan Set
2. 1425 49th Avenue - Landscape & Materials Info
3. Design Permit Design Review Criteria

Prepared By: Sean Sesanto

DRVO BUILDERS INC. RESIDENCE

GENERAL INFORMATION:	
SITE AREA: 3,380 SQ. FT.	ZONE: R-1
BUILDING:	
PROPOSED:	
MAN. RESIDENCE	792 SQ. FT.
LIVING 1ST FLOOR	316 SQ. FT.
LIVING 2ND FLOOR	249 SQ. FT.
GARAGE	441 SQ. FT.
ACCESSORY DWELLING UNIT	
2ND FLOOR A.D.U.	441 SQ. FT.
TOTAL LIVING	1,798 SQ. FT.
MAX ALLOWED	1,824 SQ. FT.
TOTAL DECKS	241 SQ. FT.

CODE ANALYSIS:	
THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH THE CALIFORNIA BUILDING AND FIRE CODES (2019)	
OCCUPANCY CLASSIFICATION:	R-3/U
BUILDING CONSTRUCTION TYPE:	VB
FIRE RATING:	SPRINKLERED

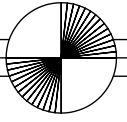
THE DESIGNER MUST BE NOTIFIED OF ANY DISCREPANCIES IN DIMENSIONS, FIELD CONDITIONS, OR OTHER INFORMATION THAT IS CONTAINED IN AND/OR OFFERS FROM THESE DOCUMENTS. THESE DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE USED OR REPRODUCED WITHOUT WRITTEN CONSENT. THE DESIGNER DISCLAIMS ANY RESPONSIBILITY RESULTING FROM THEIR UNAUTHORIZED USE. COPYRIGHT PROTECTION STARTS FROM THE EARLIEST DATE OF THE DESIGN CONTRACT, PRELIMINARY DESIGN WORK, OR THE CONSTRUCTION DOCUMENTS.

PROJECT DESCRIPTION:
2ND TWO STORY SINGLE FAMILY RESIDENCE
WITH ATTACHED 2ND STORY A.D.U.
WITH CAR PARKING

DEFERRED SUBMITTAL:
- TREE SPRINKLERS
- SOLAR PANELS
- TRUSSES

LEGEND OF SHEETS	
PAGE	TITLE
1	COVER SHEET, PROJECT INFO
1A	GENERAL NOTES
2	SITE PLAN
4	PROPOSED FLOORPLAN
5	ELEVATIONS
8	ROOF PLAN
11	ELECTRICAL PLAN
9	SURVEY
L	LANDSCAPE
C-1	CIVIL COVER SHEET
C-2	GRADING AND DRAINAGE
C-3	CIVIL CROSS SECTIONS & MISC DETAILS
C-4	EROSION CONTROL PLAN
C-5	CIVIL OFF-SITE TITLE SHEET
C-6	OFF-SITE IMPROVEMENT PLAN
C-7	CONSTRUCTION DETAILS

PLAN PRODUCTION:
Architectural & Planning
Dennis Norton Group
DNG
5314 Fitch Drive
Serrano, CA 94595
dennn@denntonorton.com
CEM Engineer
DNE Engineering
535 Wayledge Dr.
San Jose, CA 95128
20222022
Phone: 408-348-7813
SE Engineer
Redwood Geotechnical Eng.
Project #2327526
Dated: 01/30/2023
Phone: 408-272-5168



REVISIONS:

No.	Date	Description

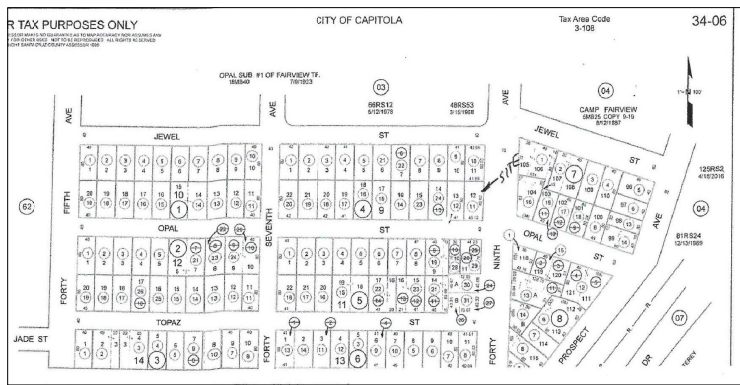
OWNER:
DRVO BUILDERS INC.
1568 GLEN UNA MOUNTAIN VIEW CA 95010
408-858-2741

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
717 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (408) 272-5168 FAX: (408) 272-5168

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
717 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (408) 272-5168 FAX: (408) 272-5168

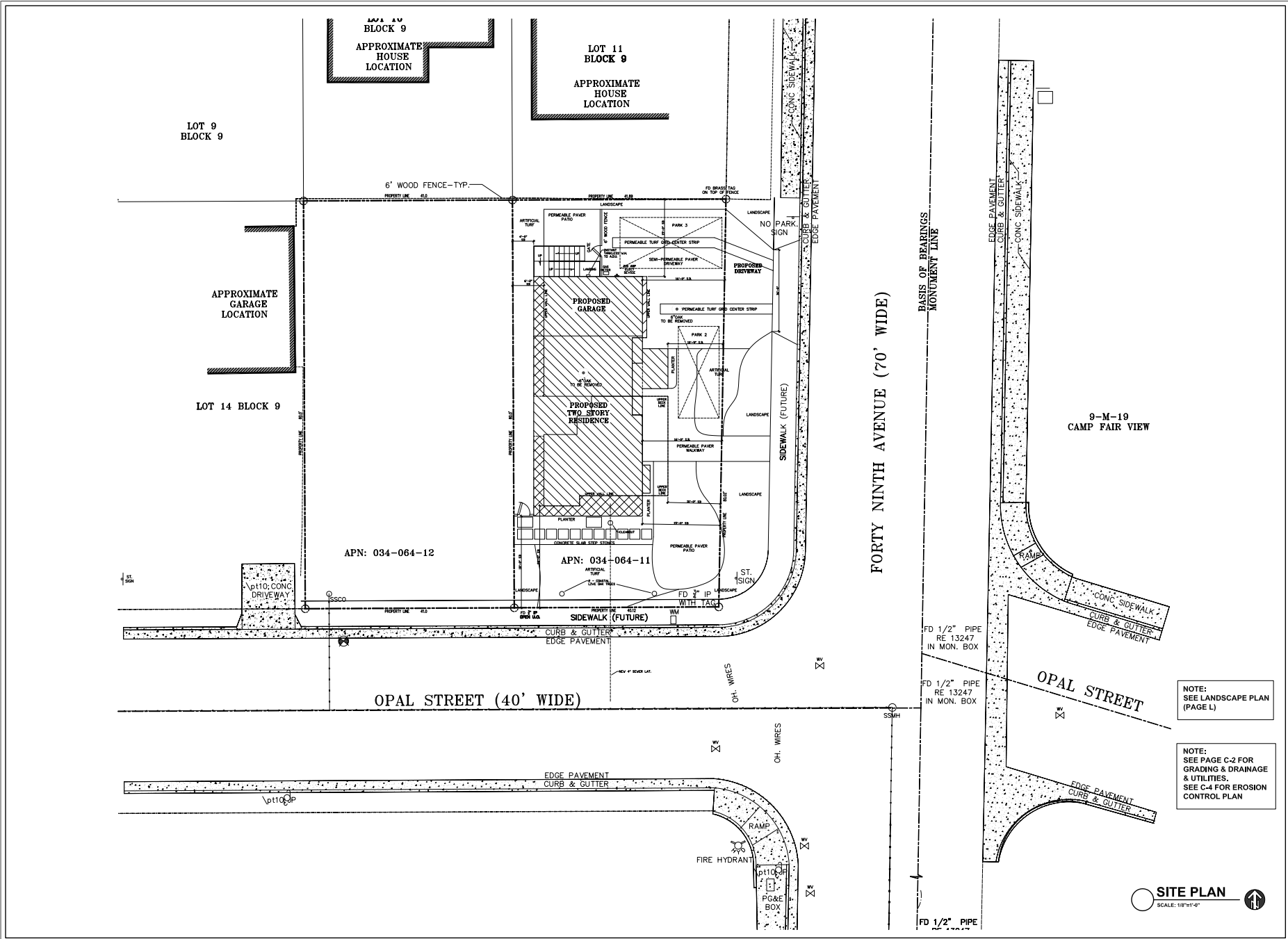
COVER SHEET
LEGEND OF SHEETS

DRAWN:	
CHECKED:	
JOB NO.	49TH
DATE:	07/27/2023
SHEET	1
OF #	SHEET



VICINITY MAP

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



REVISIONS:	BY:

OWNER:
 DRVO BUILDERS INC
 1568 GLEN UNA CT
 MOUNTAIN VIEW CA 95040
 408-856-2240

DRVO BLDRS RESIDENCE
 1425 49TH AVE
 CAPITOLA, CA 95010
 APN 034-064-11

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 1112 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PH: 408-555-2111
 WWW.DENNISNORTON.COM

SITE PLAN

DRAWN:	GG
SCALE:	1/8"=1'-0"
JOB NO.:	49TH
DATE:	10/01/21
SHEET:	2

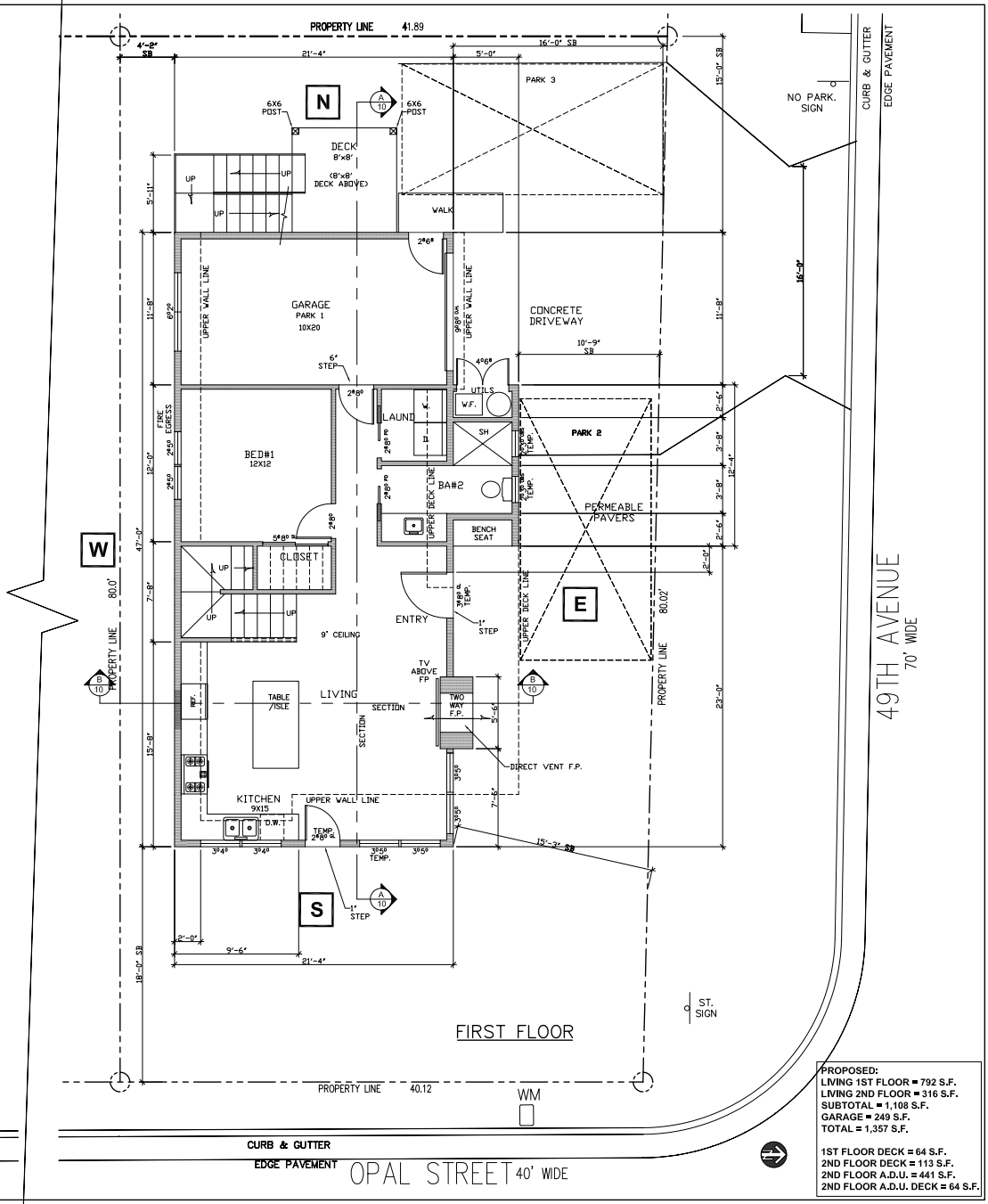
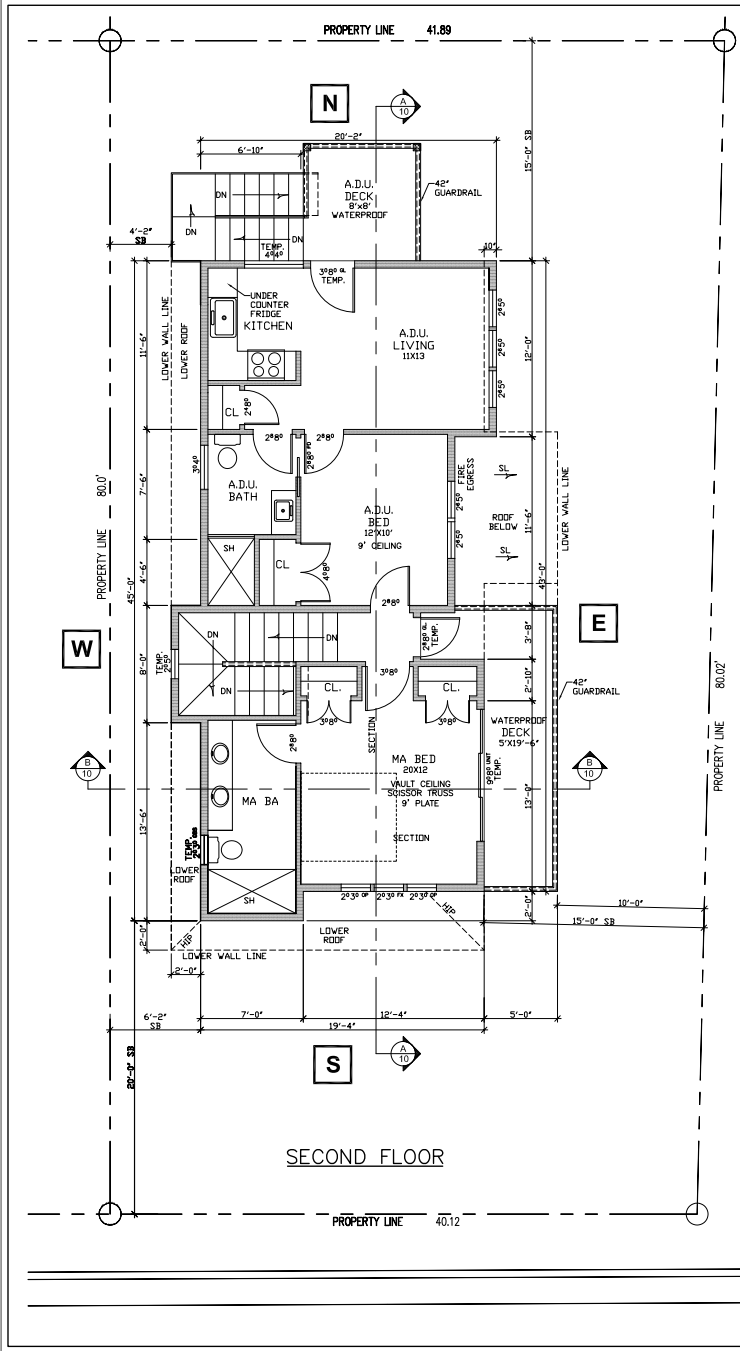
OF # SHEETS

NOTE:
 SEE LANDSCAPE PLAN
 (PAGE L)

NOTE:
 SEE PAGE C-2 FOR
 GRADING & DRAINAGE
 & UTILITIES.
 SEE C-4 FOR EROSION
 CONTROL PLAN

SITE PLAN
 SCALE: 1/8"=1'-0"

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



PROPOSED:
 LIVING 1ST FLOOR = 792 S.F.
 LIVING 2ND FLOOR = 316 S.F.
 SUBTOTAL = 1,108 S.F.
 GARAGE = 249 S.F.
 TOTAL = 1,357 S.F.

1ST FLOOR DECK = 64 S.F.
 2ND FLOOR DECK = 113 S.F.
 2ND FLOOR A.D.U. = 441 S.F.
 2ND FLOOR A.D.U. DECK = 64 S.F.

REVISIONS:

NO.	DESCRIPTION	BY	DATE

OWNER:
 DRVO BUILDERS INC
 1568 GLEN UNA CT
 MOUNTAIN VIEW CA 95040
 415-656-2242

DVRO BLDRS RESIDENCE
 1425 49TH AVE
 CAPITOLA, CA 95010
 APN 034-064-11

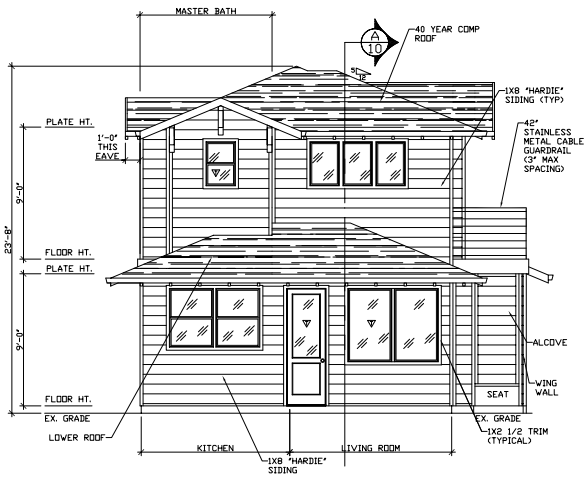
DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 408-418-1111
 WEBSITE: www.dennisonorton.com

PROPOSED FLOORPLAN

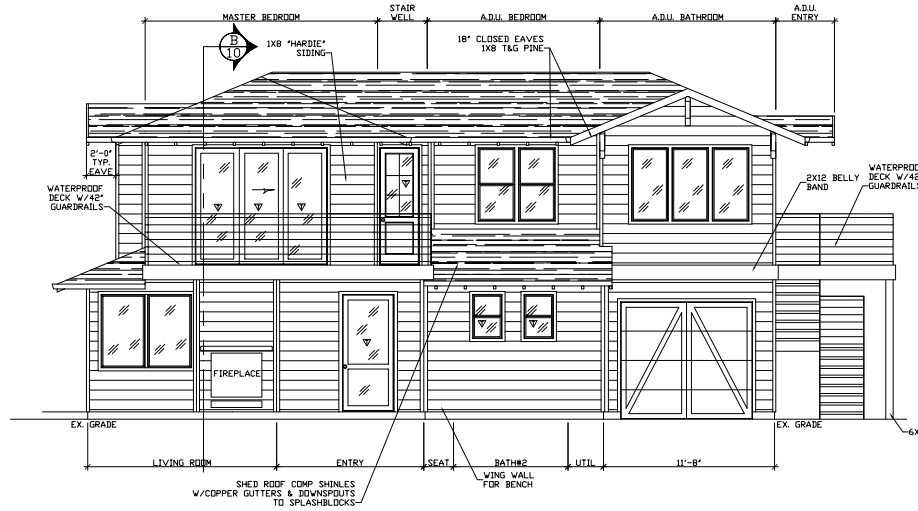
DRAWN: GG
 SCALE: 1/4" = 1'-0"
 JOB NO. 49TH
 DATE: 07/29/21

SHEET
4
 OF # SHEETS

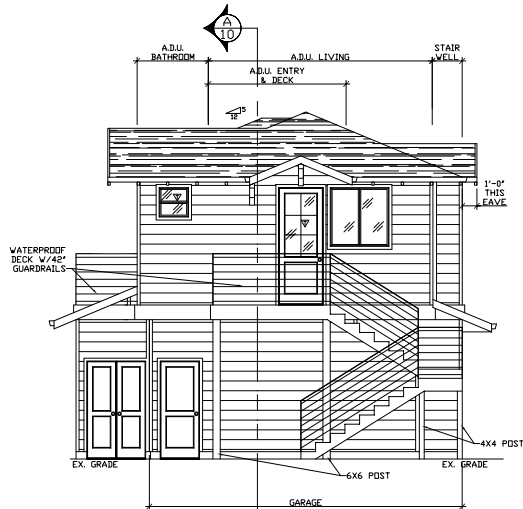
Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



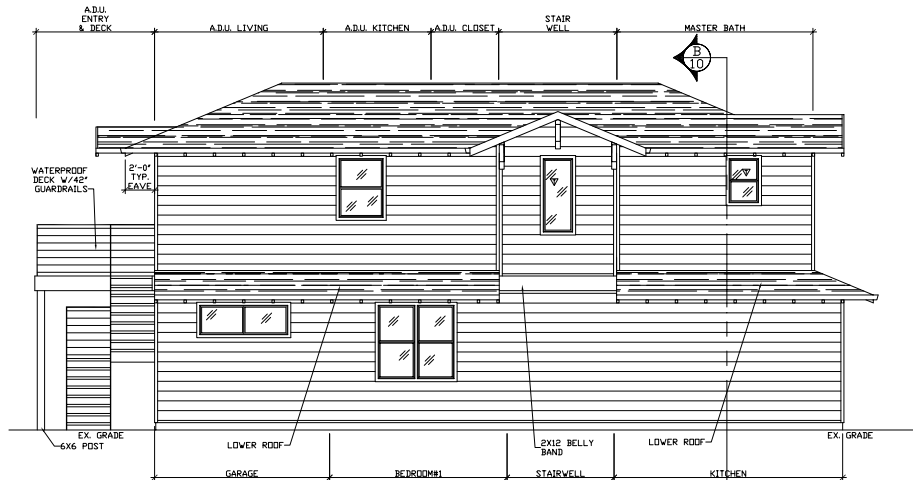
SOUTH



EAST




NORTH



WEST

ELEVATIONS

SCALE: 1/4"=1'-0"

NOTE:  = TEMPERED GLASS

REVISIONS:	BY:

OWNER:
DRVO BUILDERS INC
1568 GLEN LENA CT
MOUNTAIN VIEW CA 95008
408-858-2240

DRVO BLDRS RESIDENCE
1425 49TH AVE
CAPITOLA, CA 95010
APN 034-064-11

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
112 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 408-858-2240
WEBSITE: www.dennisonortondesign.com



ELEVATIONS

DRAWN: GG

SCALE: 1/4"=1'-0"

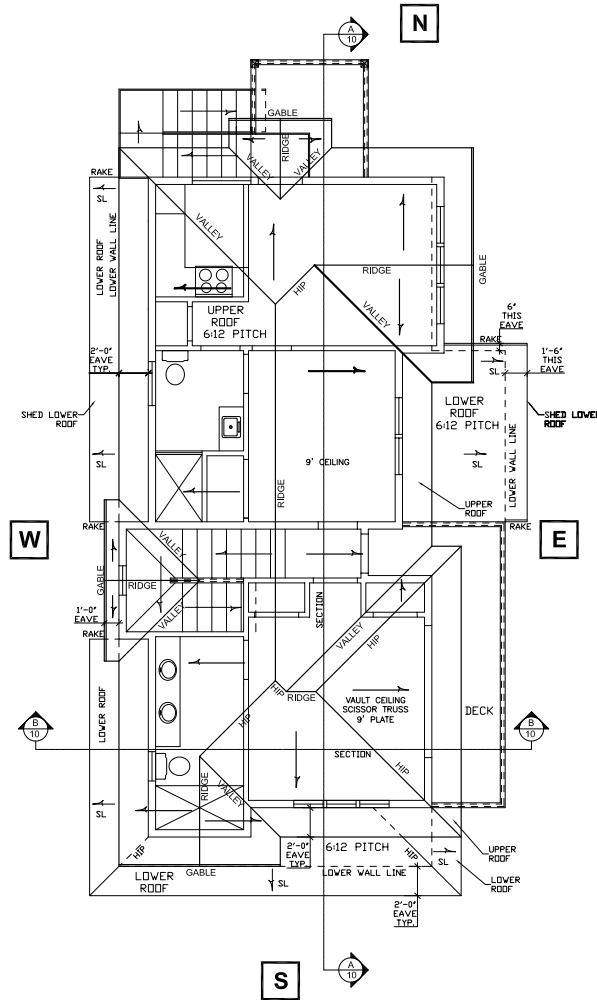
JOB: 49TH

DATE: 07/29/21

SHEET

5
OF # SHEETS

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



NOTE:
ALL ROOF DRAINAGE
DOWNSPOUTS TO SPASHBLOCKS
TO VEGETATED AREAS

ROOF PLAN
SCALE: 1/4"=1'-0"

REVISIONS:

OWNER:
DRVO BUILDERS IN
1568 GLEN UNA
MOUNTAIN VIEW CA 950
408-858-2111

DRVO BLDRS RESIDENCE
1425 49TH AVE
CAPITOLA, CA 95010
ADN 07A-06A-11

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (831) 475-2010 FAX: (831) 475-2015

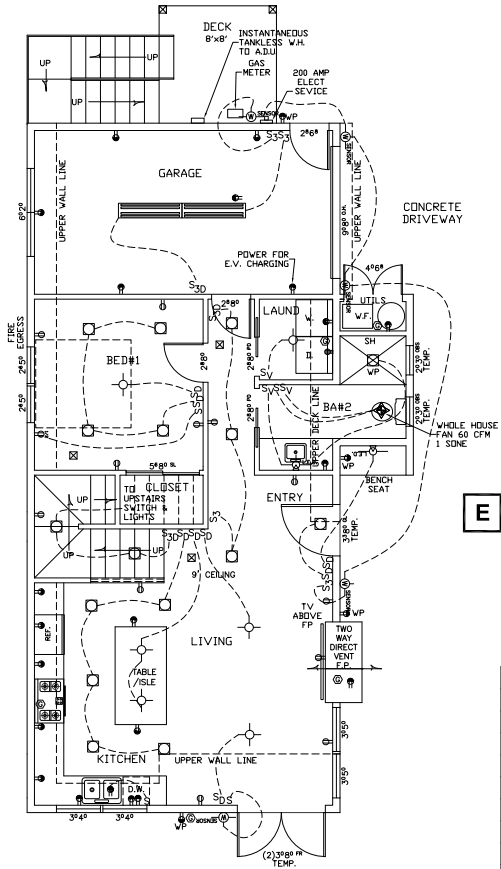
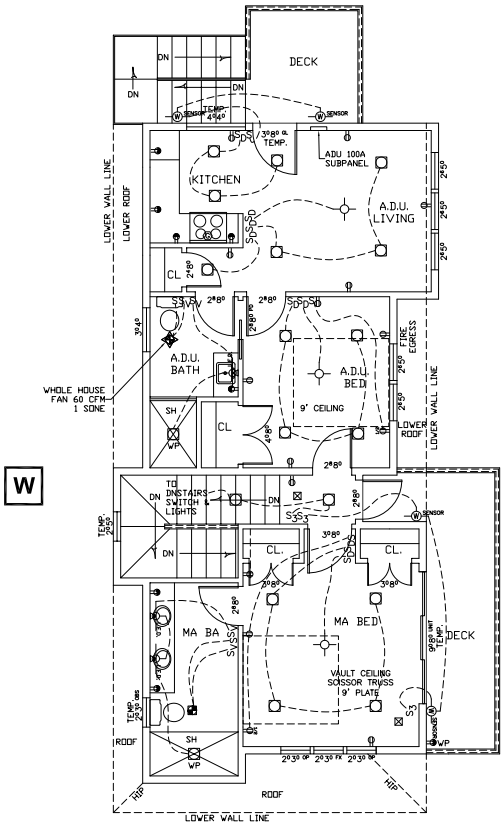


ROOF
PLAN

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

DRAWN: C
SCALE: 1/4"=1'-0"
JOB NO. 49TH
DATE: 07/27/11

SHEET
OF 8 SHEET



ELECTRICAL SYMBOL LEGEND

SYMBOL	CONTEXT	SYMBOL	CONTEXT
(Circle with dot)	LIGHT (SMALL MOUNT) L.E.D.	(Circle with vertical line)	AFC RECEPTACLE
(Circle with horizontal line)	LIGHT (OVERHEAD) L.E.D.	(Circle with horizontal line and vertical line)	GFI RECEPTACLE (GROUND FAULT)
(Circle with vertical line)	CAN LIGHT (PRECESSED) AIRTIGHT I.C. (L.E.D.)	(Circle with vertical line and horizontal line)	HALF SWITCHED RECEPTACLE
(Circle with horizontal line and vertical line)	TUNE LIGHT (L.E.D.)	(Circle with horizontal line and vertical line and horizontal line)	RECEPTACLE 220V
(Circle with horizontal line and vertical line and horizontal line)	WALL LIGHT L.E.D.	(Circle with horizontal line and vertical line and horizontal line and horizontal line)	FLOOR RECEPTACLE
(Circle with horizontal line and vertical line and horizontal line and horizontal line)	STEP LIGHT (L.E.D.)	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line)	FAN-HEAT-LIGHT (60 CFM)
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line)	SWITCH	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line)	FAN-LIGHT COMBINATION (60 CFM)
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line)	SWITCH (3-WAY)	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	FAN VENT (60 CFM)
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SWITCH (3 WAY) W/DIMMER	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	WHOLE HOUSE FAN (48 CFM) 1 SONE
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SWITCH (4 WAY) W/DIMMER	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	GAS
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SWITCH W/DIMMER	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	PHONE
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SW W/OCCUPANCY SENSOR	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	CABLE TV
(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SWITCH W/VACANCY SENSOR	(Circle with horizontal line and vertical line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line and horizontal line)	SMOKE DETECTOR W/CARBON MONOXIDE DETECTOR (ON LINE-BATTERY BACKUP)

ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

NOTE:
-NEW REQUIRED OUTLETS SHALL BE TAMPER RESISTANT (CIRC. 404.11)
-ALL LIGHTING TO BE L.E.D.

NOTE:
PREWIRE FOR ROOF MOUNT SOLAR PANELS

EACH BATHROOM CONTAINING A BATHTUB, SHOWER OR TUB SHOWER COMBINATION SHALL BE MECHANICALLY VENTILATED FOR PURPOSES OF HUMIDITY CONTROL IN ACCORDANCE WITH CMC CHAPTER 4; AND CAL GREEN DIVISION 4.5. (WINDOW OPERATION IS NOT A PERMISSIBLE METHOD OF PROVIDING BATHROOM EXHAUST FOR HUMIDITY CONTROL)(CRC 303.3.1).

REVISIONS:

NO.	DESCRIPTION	BY

OWNER:
DRVO BUILDERS INC
1568 GLEN UNA CT
MOUNTAIN VIEW CA 95040
416-856-2242

DVRO BLDRS RESIDENCE
1425 49TH AVE
CAPITOLA, CA 95010
APN 034-064-11

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
1712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831-335-1111
WWW.DENNISNORTON.COM

ELECTRICAL PLAN

DRAWN: GG

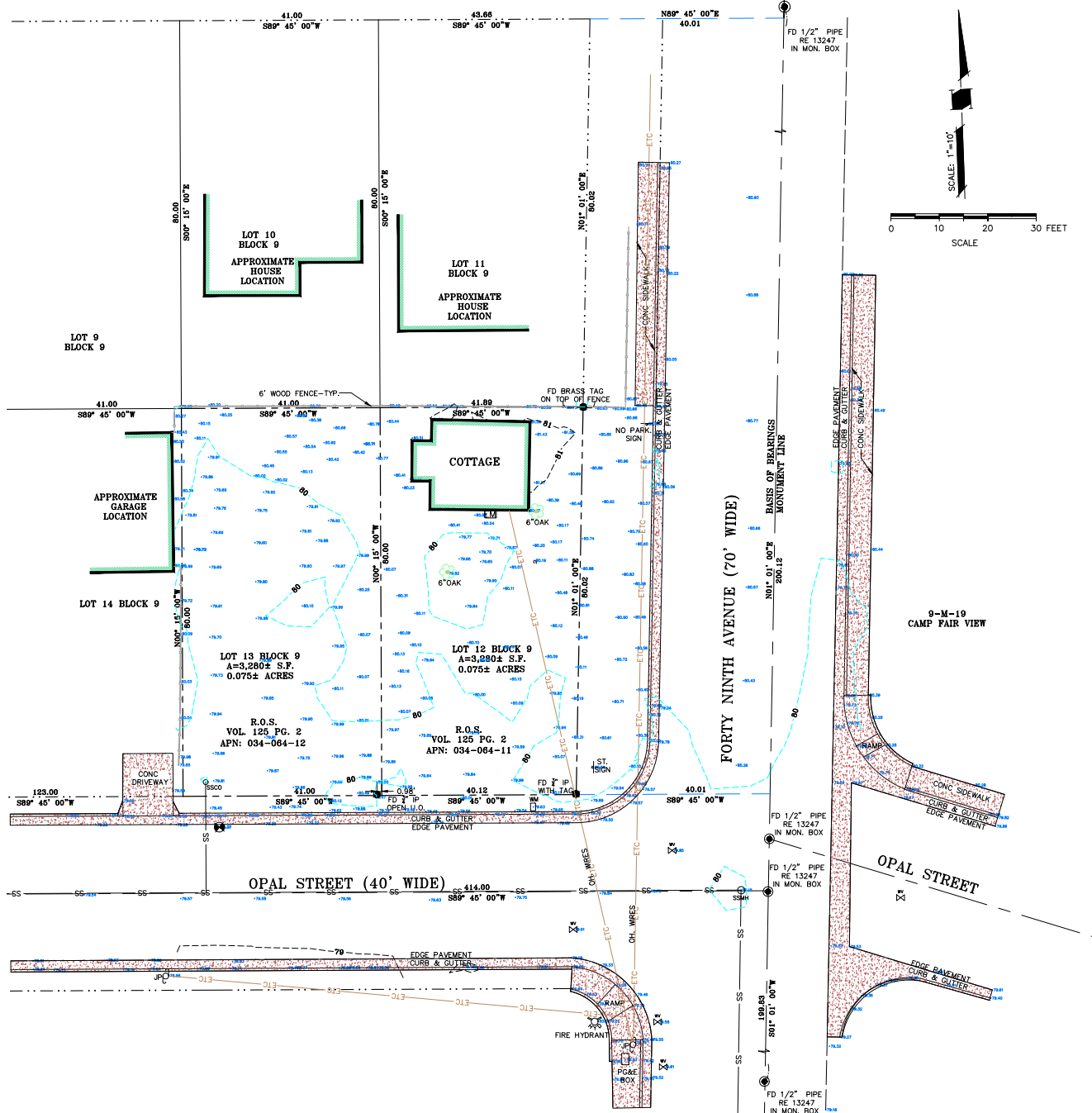
SCALE: 1/4" = 1'-0"

JOB NO: 49TH

DATE: 08/02/21

SHEET
11
OF # SHEETS

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



SURVEYOR'S NOTE

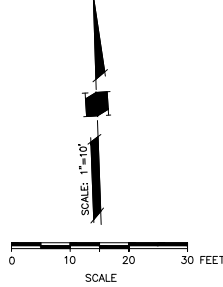
- UTILITIES FOUND ARE BASED UPON SURFACE EVIDENT FINDINGS. RECORDS OF UTILITIES WERE NOT UTILIZED FOR THIS SURVEY
- TREES SHOWN ARE THOSE OF SIZE SIGNIFICANCE. THE SITE CONTAINS OTHER TREES UNDER 6" AND ARE NOT SHOWN FOR MAP CLARITY. TREE CLASSIFICATIONS ARE TO THE BEST KNOWLEDGE OF THE SURVEYOR. AN ARBORIST MUST SPECIFY ACTUAL TREE TYPE.
- MAIN STRUCTURE AND APPURTENANT STRUCTURES ARE BASED UPON THE BEST EFFORTS OF THE SURVEY CREW. SOME ELEMENTS MAY BE MISSING AND CHECKS BY THE ARCHITECTS OFFICE WILL BE NECESSARY BEFORE DESIGN WORK.

ABBREVIATIONS

- FL FLOWLINE
- TC TOP OF CURB
- EP EDGE OF PAVEMENT
- CONC CONCRETE
- LIP LIP OF GUTTER
- GS GROUND SHOT
- AD AREA DRAIN
- FF FINISH FLOOR
- BSL BUILDING SETBACK LINE

LEGEND

- SANITARY SEWER CLEANOUT
- SANITARY SEWER MANHOLE
- FENCE LINE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- JOINT POLE
- GUY ANCHOR
- TREE SIZE AND TYPE AS NOTED
- GAS LINE
- WATER LINE
- CONCRETE
- GAS METER



BENCHMARK
 SURVEY CONTROL POINT
 SET MAG NAIL
 ELEVATION=79.37'

FLOOD ZONE
 FLOOD ZONE X
 FEMA MAP PANEL 06087C0352F
 EFFECTIVE DATE 9/29/2017

BASIS OF BEARINGS
 THE BEARING N 01°0'100" E OF THE WEISBERLY LINE OF FORTY-NINTH AVENUE AS SHOWN ON THAT CERTAIN MAP OF OPAL SUBDIVISION NO.1 OF FAIRVIEW TRACT FILED FOR RECORD JULY 9, 1923 IN VOL. 18 OF MAPS AT PAGE 40, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

SURVEYOR'S STATEMENT
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT.

Darryll Lydell Bond
 PLS 9213
 EXPIRES 9-30-21



NOVEMBER 16, 2020

TOPOGRAPHICAL SURVEY
 NNR ENGINEERING SERVICES CO.
 DARRYL LYDELL BOND PLS 9213
 535 WEYBRIDGE DRIVE, SAN JOSE, CA 95123
 (408) 248-7813
 508 FORTY-NINTH AVENUE

DATE	BY	CHK	REVISIONS

SHEET NO. **1**
 OF **1** SH
 JOB NO.
 CAD FILE

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



INTELL ENGINEERING SERVICES CO.
 CIVIL ENGINEER
 800 WINTERGARD DRIVE
 SANTA ANA, CA 92705

1425 FORTY NINTH AVENUE
 AND 4875 OPAL STREET
 CAPITOLA, CA

COVER SHEET

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	---	---
CENTERLINE	---	---
SANITARY SEWER	---	---
STORM DRAIN LINE	---	---
ELECTRICAL LINE	---	---
GAS LINE	---	---
JOINT TRENCH	---	---
TELECOMM	---	---
WATER LINE	---	---
OVERHEAD	---	---
SANITARY SEWER CLEANOUT	SSCO	
SANITARY SEWER MANHOLE	SSMH	
FENCE LINE	-X-	-X-
WATER VALVE	WV	
WATER METER	WM	
FIRE HYDRANT	FH	
JOINT POLE	JP	
GUY ANCHOR	GA	
TREE, SIZE AND TYPE AS NOTED	XX" TREE	XX" TREE
GAS LINE	---	---
WATER LINE	---	---
REMOVE TREE	RT	
CONCRETE	CON	
GAS METER	GM	
DRAINAGE FLOW	DF	
AREA DRAIN (CHRISTY BOX V-1) OR EQUAL	AD	
STORM DRAIN MANHOLE	SSMH	

ABBREVIATION

AD	AREA DRAIN
CO	CLEANOUT
(E)	EXISTING
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOW LINE
FS	FINISH SLAB
INV	INVERT
(N)	NEW
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SD	STORM DRAIN

SHEET INDEX

ON-SITE IMPROVEMENT COVER SHEET	C-1
GRADING & DRAINAGE PLAN	C-2
CROSS SECTIONS/MISC. DETAILS	C-3
EROSION CONTROL PLAN	C-4
OFF-SITE IMPROVEMENT TITLE SHEET	C-5
OFF-SITE IMPROVEMENT PLAN	C-6
CONSTRUCTION DETAILS	C-7

IMPERVIOUS COVERAGE (S.F.)

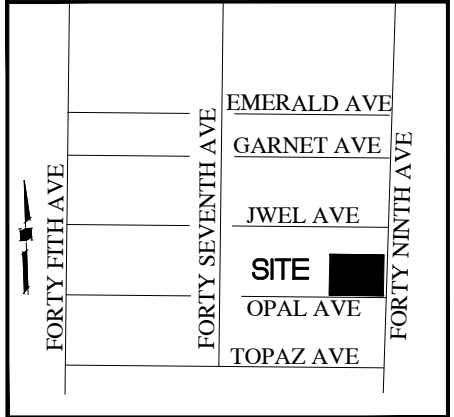
	EXISTING	NEW
BUILDINGS	406	2,315
DRIVEWAY/WALKS	0	0
TOTAL	406	2,315

GENERAL NOTES

- CONTRACTOR SHALL EXERCISE ALL NECESSARY CAUTION TO AVOID DAMAGE TO ANY EXISTING TREES AND SURFACE IMPROVEMENTS WHICH ARE TO REMAIN IN PLACE AND SHALL BEAR FULL RESPONSIBILITY FOR ANY DAMAGE THERETO.
- EXISTING UNDERGROUND LINES, APPURTENANCES AND FACILITIES WHICH ARE KNOWN TO THE ENGINEER ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL EXERCISE ALL NECESSARY CAUTION TO AVOID DAMAGE TO ANY EXISTING FACILITIES WHICH ARE TO REMAIN IN PLACE, WHETHER OR NOT SUCH FACILITIES ARE SHOWN ON THE PLANS; AND SHALL BEAR FULL RESPONSIBILITY FOR ANY DAMAGE THERETO. NO WARRANTY IS GIVEN AS TO THE COMPLETENESS AND ACCURACY OF SUCH FACILITIES INFORMATION.
- ALL CONTRACTORS WILL BE RESPONSIBLE FOR VERIFICATION OF THE LOCATION OF ALL EXISTING UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
- CONTRACTOR SHALL CALL UNDERGROUND SERVICES ALERT "USA" CENTER AT 800/642-2444, A TOLL-FREE NUMBER, 48 HOURS IN ADVANCE OF ANY EXCAVATION ACTIVITY SO ALL UNDERGROUND FACILITIES CAN BE LOCATED AND MARKED.
- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONNEL AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONJUNCTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE CITY OR THE ENGINEER.
- IT SHALL BE THE RESPONSIBILITY OF THE VARIOUS CONTRACTORS TO COORDINATE THEIR WORK SO AS TO ELIMINATE CONFLICTS AND TO INSURE COMPLETION OF THE ENTIRE PROJECT WITHIN THE SPECIFIED PERIOD.
- THE CONTRACTOR SHALL MAINTAIN THE STREET, SIDEWALKS AND ALL OTHER RIGHTS-OF-WAY IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF SOIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC, SHALL BE MAINTAINED IN A CLEAN, SAFE AND USABLE CONDITION.

UNDERGROUND NOTES

- CONTRACTORS SHALL EXPOSE AND VERIFY PIPE MATERIAL, LINE SIZE, LOCATION AND ELEVATION OF EXISTING UTILITIES, INCLUDING SANITARY SEWERS, STORM DRAINS, AND WATER LINES AT ALL TIE-INS AND CROSSINGS PRIOR TO CONSTRUCTING NEW FACILITIES.
- UNLESS OTHERWISE NOTED, ALL STORM DRAINS, SANITARY SEWERS, MANHOLES AND INLETS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF LOS ALTOS STANDARD SPECIFICATIONS AND STANDARD PLAN DETAILS AS DESIGNATED AND TO DETAILS AS SHOWN ON THE PLAN.
- ALL TRENCH EXCAVATION, BACKFILL AND BEDDING FOR STORM DRAINS AND SANITARY SEWERS SHALL CONFORM TO THE CITY OF LOS ALTOS STANDARD SPECIFICATIONS, AND DETAILS.
- ALL TRENCHES AND EXCAVATIONS SHALL BE CONSTRUCTED IN STRICT COMPLIANCE WITH THE APPLICABLE SECTIONS OF CALIFORNIA AND FEDERAL O.S.H.A. REQUIREMENTS AND OTHER APPLICABLE SAFETY ORDINANCES. CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR TRENCH SHORING DESIGN AND INSTALLATION.
- ALL GAS, ELECTRICAL, TELEPHONE AND CABLE T.V. UTILITIES, WILL BE DESIGNED AND CONSTRUCTED BY OTHERS UNDER SEPARATE CONTRACTS AND PLANS.



VICINITY MAP
NTS

UTILITY SERVICE

THE APPLICANT SHALL SUBMIT WRITTEN CERTIFICATION FROM THE APPROPRIATE ENERGY AND COMMUNICATION UTILITIES TO THE PUBLIC WORKS DEPARTMENT AND THE PLANNING DIVISION STATING THAT THEY WILL PROVIDE ENERGY AND COMMUNICATION SERVICES TO THE PROPOSED PARCELS OF THIS SUBDIVISION.

THE LOCATIONS OF THE MAIN WATER SERVICE AND SANITARY SEWER LINES ARE APPROXIMATE, PRIOR TO THE CONNECTION POINTS SHOWN. AS A REMINDER, A SEWER CONNECTION PERMIT FROM SANITATION DISTRICT, AND A CONNECTION LETTER FROM THE WATER COMPANY ARE REQUIRED.

ENCROACHMENT PERMIT

NO PROPOSED CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY SHALL BEGIN UNTIL CITY REQUIREMENTS FOR THE ISSUANCE OF AN ENCROACHMENT PERMIT, INCLUDING REVIEW OF THE PLANS, HAVE BEEN MET AND AN ENCROACHMENT PERMIT ISSUED.

NOTES:

- CONTRACTOR IS RESPONSIBLE FOR REMOVAL AND REPLACEMENT OF ALL IMPROVEMENTS DAMAGED DURING CONSTRUCTION.
- A SEPARATE ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
- WATER AND GAS NEED TO MAINTAIN A 3' SEPARATION.
- THE SIZE OF THE WATER SERVICE WILL BE DETERMINED BY THE FIRE SPRINKLER CONTRACTOR. ALSO, THE ACTUAL ROUTE OF GAS AND ELECTRIC LINES WILL BE DICTATED BY PG&E.

OWNER:
 STEPHEN DORCICH
 DRVO BUILDERS INC.
 408-858-2240

GEOTECHNICAL INVESTIGATION REPORT -
 PREPARED BY:
 REDWOOD GEOTECHNICAL ENGINEERING, I N C.
 PROJECT NO. 25375CR
 DATED 1-30-2021
 TEL: (408) 227-5168

EARTHWORK QUANTITY

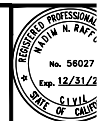
NOTE:	APPROXIMATE CUT REQUIRED	130± CY
THE QUANTITIES ARE SHOWN FOR THE PURPOSE OF GRADING PERMIT APPROVAL FROM THE CITY OF CAPITOLA AND ARE NOT TO BE USED FOR PAYMENT TO THE CONTRACTOR. CONTRACTOR SHALL ESTABLISH HIS OWN QUANTITIES.	DRIVEWAY & BUILDING STRUCTURAL SECTION ARE NOT INCLUDED	40± CY
	DRIVEWAY & BUILDING STRUCTURAL SECTION ARE NOT INCLUDED	90± CY
	(IMPORT/EXPORT)	

REVISIONS
DATE: 0-4-21
JOB NO:
SCALE: N.T.
DRAWN BY: NR
SHEET NO:

C-1
1 OF 7 SHEET

NOTICE TO CONTRACTORS
 CONTRACTOR TO NOTIFY U.S.A. (UNDERGROUND SERVICE ALERT) AT 800-227-2600 A MINIMUM OF 2 WORKING DAYS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES.





NRI ENGINEERING SERVICES CO.
 200 METROPOLITAN DRIVE
 SUITE 100, CALIFORNIA 94040
 (415) 947-9997

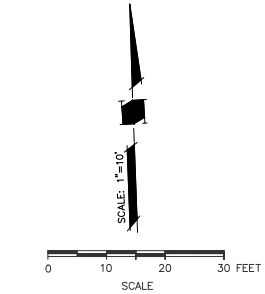
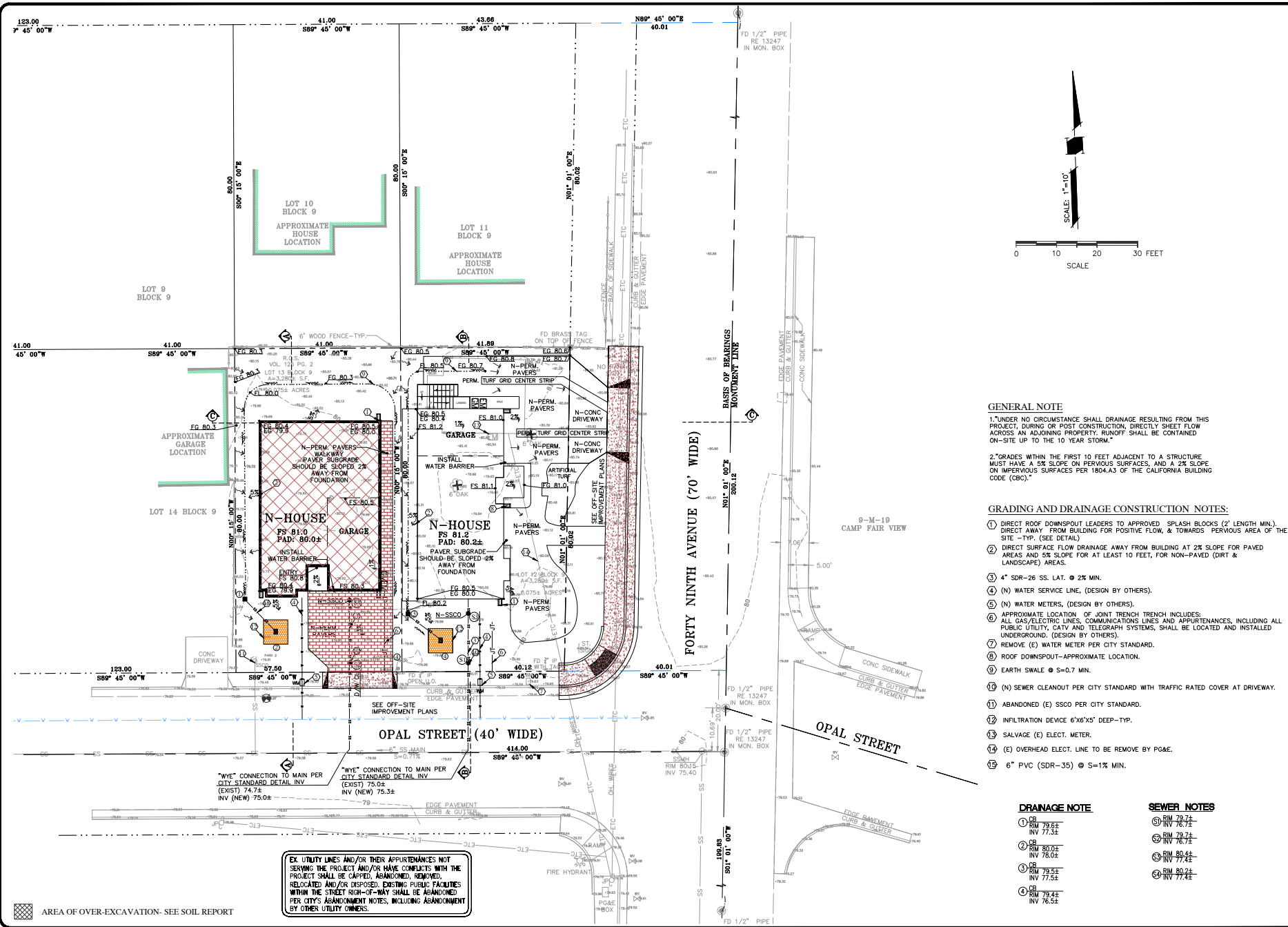
1425 FORTY NINTH AVENUE
 AND 4875 OPAL STREET
 CAPITOLA, CA 95010

GRADING AND
 DRAINAGE PLAN

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

NO.	REVISIONS	DATE

JOB NO: 9-4-2
 SCALE: 1" = 10'
 DRAWN BY: NR
 SHEET NO: C-2



GENERAL NOTE

1. UNDER NO CIRCUMSTANCE SHALL DRAINAGE RESULTING FROM THIS PROJECT, DURING OR POST CONSTRUCTION, DIRECTLY SHEET FLOW ACROSS AN ADJOINING PROPERTY. RUNOFF SHALL BE CONTAINED ON-SITE UP TO THE 10 YEAR STORM.
2. GRADES WITHIN THE FIRST 10 FEET ADJACENT TO A STRUCTURE MUST HAVE A 2% SLOPE ON PERVIOUS SURFACES, AND A 2% SLOPE ON IMPERVIOUS SURFACES PER 1804.4.3 OF THE CALIFORNIA BUILDING CODE (CBC).

GRADING AND DRAINAGE CONSTRUCTION NOTES:

1. DIRECT ROOF DOWNSPOUT LEADERS TO APPROVED SPLASH BLOCKS (2' LENGTH MIN.) DIRECT AWAY FROM BUILDING FOR POSITIVE FLOW, & TOWARDS PERVIOUS AREA OF THE SITE -TYP. (SEE DETAIL)
2. DIRECT SURFACE FLOW DRAINAGE AWAY FROM BUILDING AT 2% SLOPE FOR PAVED AREAS AND 5% SLOPE FOR AT LEAST 10 FEET, FOR NON-PAVED (DIRT & LANDSCAPE) AREAS.
3. 4" SDR-26 SS. LAT. @ 2% MIN.
4. (N) WATER SERVICE LINE, (DESIGN BY OTHERS).
5. (N) WATER METERS, (DESIGN BY OTHERS).
6. APPROXIMATE LOCATION OF JOINT TRENCH TRENCH INCLUDES: ALL GAS/ELECTRIC LINES, COMMUNICATIONS LINES AND APPURTENANCES, INCLUDING ALL PUBLIC UTILITY, CATV AND TELEGRAPH SYSTEMS, SHALL BE LOCATED AND INSTALLED UNDERGROUND. (DESIGN BY OTHERS).
7. REMOVE (E) WATER METER PER CITY STANDARD.
8. ROOF DOWNSPOUT-APPROXIMATE LOCATION.
9. EARTH SWALE @ S=0.7 MIN.
10. (N) SEWER CLEANOUT PER CITY STANDARD WITH TRAFFIC RATED COVER AT DRIVEWAY.
11. ABANDONED (E) SSSO PER CITY STANDARD.
12. INFILTRATION DEVICE 6'X6'X5' DEEP-TYP.
13. SALVAGE (E) ELECT. METER.
14. (E) OVERHEAD ELECT. LINE TO BE REMOVE BY PG&E.
15. 6" PVC (SDR-35) @ S=1 1/2% MIN.

DRAINAGE NOTE

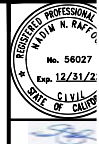
1. RIM 79.82
INV 77.32
2. RIM 80.02
INV 78.02
3. RIM 79.52
INV 77.52
4. RIM 79.42
INV 76.52

SEWER NOTES

1. RIM 79.72
INV 77.72
2. RIM 79.72
INV 76.72
3. RIM 80.22
INV 77.22
4. RIM 80.22
INV 77.42

EX. UTILITY LINES AND/OR THEIR APPURTENANCES NOT SERVING THE PROJECT AND/OR HAVE CONFLICTS WITH THE PROJECT SHALL BE CAPPED, ABANDONED, REMOVED, RELOCATED AND/OR DEPOSED. EXISTING PUBLIC FACILITIES WITHIN THE STREET RIGHT-OF-WAY SHALL BE ABANDONED PER CITY'S ABANDONMENT NOTES, INCLUDING ABANDONMENT BY OTHER UTILITY OWNERS.

AREA OF OVER-EXCAVATION- SEE SOIL REPORT

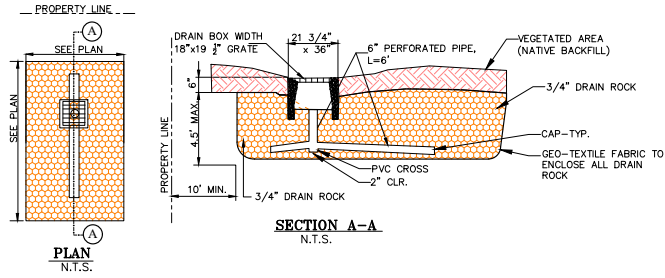


NMR ENGINEERING SERVICES CO.
 1000 WILSON AVENUE, SUITE 1000
 OAKLAND, CA 94612
 (415) 764-7970

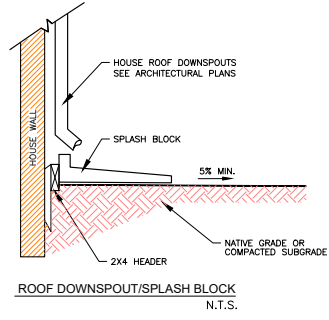
**1425 FORTY NINTH AVENUE
 AND 4875 OPAL STREET**
 CAPITOLA, CA
 ABL 001-001-1

**CROSS SECTIONS
 AND MISC. DETAILS**

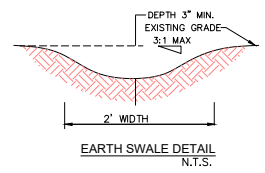
REVISIONS	DATE	BY	CHKD.



INfiltration DEVICE - DETAIL
 N.T.S.

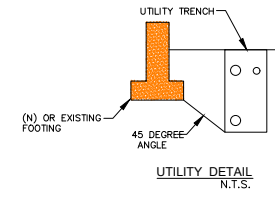


ROOF DOWNSPOUT/SPLASH BLOCK
 N.T.S.

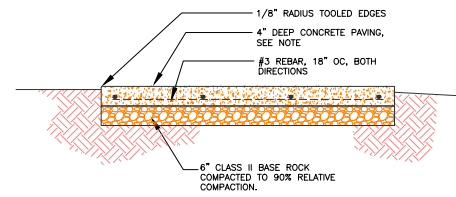


EARTH SWALE DETAIL
 N.T.S.

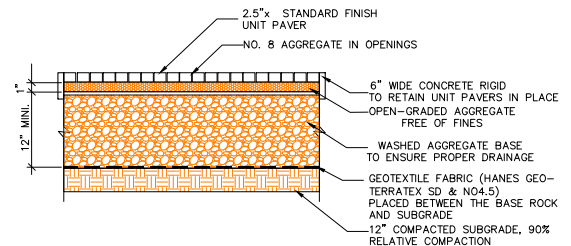
- MAINTENANCE NOTES**
- OWNER IS RESPONSIBLE FOR MAINTAINING ALL INLETS, RETENTION SYSTEM AND INFILTRATION DEVICE FROM TRASH, DEBRIS & SEDIMENTS.
 - THE REGULAR CLEARING OF SILT AND DEBRIS IS ESPECIALLY IMPORTANT PRIOR TO EACH RAINY SEASON.



UTILITY DETAIL
 N.T.S.

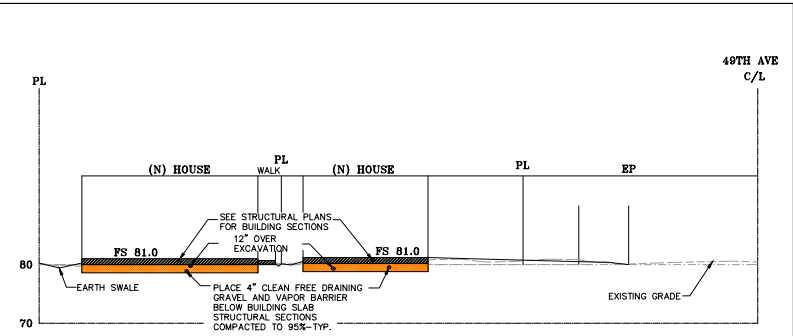


CONCRETE WALKWAY-TYPICAL SECTION
 N.T.S.

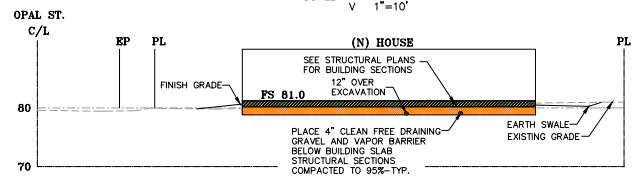


PERMEABLE PAVERS TYPICAL DETAIL
 N.T.S.

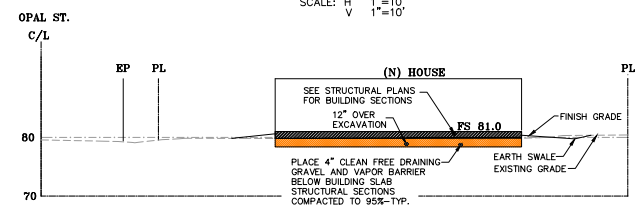
NOTE:
 DRIVEWAY SHALL BE ABLE TO SUPPORT WEIGHT OF EMERGENCY TRUCKS, UP TO 20 TONS. PROJECT SOILS ENGINEER TO INSPECT THE CONSTRUCTION OF THE DRIVEWAY.



SECTION C-C
 SCALE: H 1"=10'
 V 1"=10'



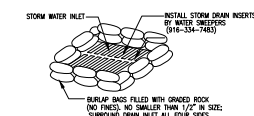
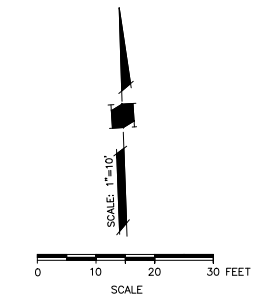
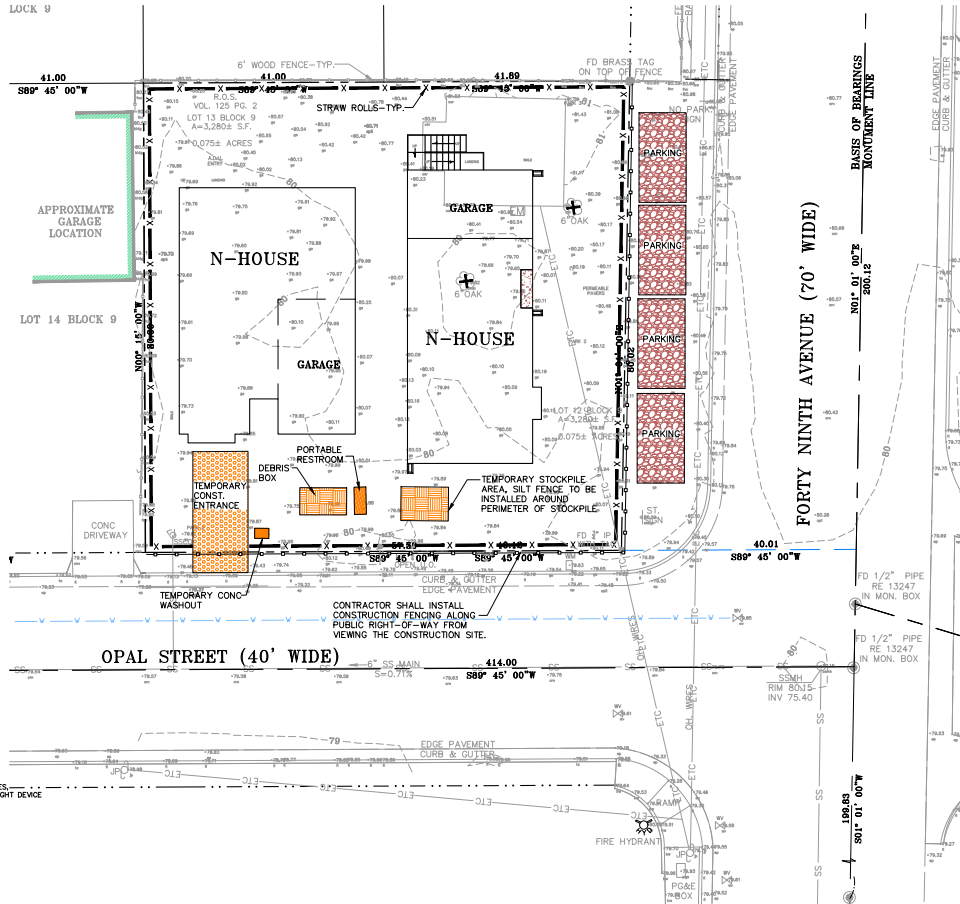
SECTION B-B
 SCALE: H 1"=10'
 V 1"=10'



SECTION A-A
 SCALE: H 1"=10'
 V 1"=10'

EROSION AND SEDIMENT CONTROL NOTES:

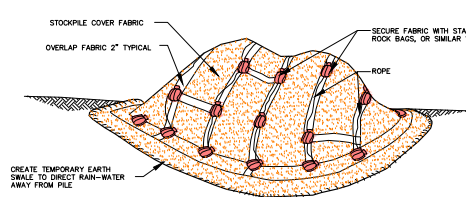
1. ALL CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN CONFORMANCE WITH THE STORM WATER POLLUTION PREVENTION PLAN FOR THIS PROJECT AND AS REQUIRED BY THE STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD ORDER RC-2003-0021 AND NPDES PERMIT NO. CAS 0029831.
2. THE DEVELOPER IS RESPONSIBLE FOR ENSURING THAT ALL CONTRACTORS AND SUBCONTRACTORS ARE AWARE OF ALL STORM WATER QUALITY MEASURES AND IMPLEMENT SUCH MEASURES. FAILURE TO COMPLY WITH THE APPROVED CONSTRUCTION BEST MANAGEMENT PRACTICES WILL RESULT IN THE ISSUANCE OF CORRECTION NOTICES, CITATIONS, AND/OR STOP ORDERS.
3. ANY VEHICLE OR EQUIPMENT WASHING/STEAM CLEANING MUST BE DONE AT AN APPROPRIATELY EQUIPPED FACILITY WHICH DRAINS TO THE SANITARY SEWER. OUTDOOR WASHING MUST BE MANAGED IN SUCH A WAY THAT THERE IS NO DISCHARGE OF SOAPS, SOLVENTS, CLEANING AGENTS OR OTHER POLLUTANTS TO THE STORM DRAINS. WASH WATER SHALL DISCHARGE TO THE SANITARY SEWER, SUBJECT TO REVIEW AND APPROVAL OF THE CITY ENGINEER.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LITTER CONTROL AND SWEEPING OF ALL PAVED SURFACES DURING CONSTRUCTION.
5. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 1 TO APRIL 30. EROSION CONTROL MEASURES ARE TO BE FUNCTIONAL PRIOR TO OCTOBER 1ST OF ANY YEAR GRADING OPERATIONS HAVE LEFT AREAS UNPROTECTED FROM EROSION.
6. ALL ON-SITE STORM DRAINS SHALL BE CLEANED IMMEDIATELY BEFORE THE START OF THE RAINY SEASON BEGINNING ON OCTOBER 1ST EACH YEAR, SUBJECT TO THE REVIEW OF THE BUILDING/ENGINEERING INSPECTOR.
7. IF RAINY WEATHER BECOMES IMMINENT, GRADING OPERATIONS SHALL BE STOPPED AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PROTECT DISTURBED AREAS.
8. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LOADS RESULT TO ANY STORM DRAIN SYSTEM.
9. CONSTRUCTION ENTRANCES SHALL CONSIST OF A MINIMUM 8" THICK LAYER OF 3"-4" FRACTURED STONE AGGREGATE UNLAD WITH GEOTEXTILE LINER FOR A MINIMUM DISTANCE OF 50 FEET, AND IS TO BE PROVIDED AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS. THE DEPTH AND LENGTH OF AGGREGATE MAY NEED TO BE ADJUSTED IN THE FIELD TO ENSURE NO TRACKING OF SEDIMENT ONTO EXISTING PAVED STREETS. CONSTRUCTION ENTRANCES SHALL SLOPE AWAY FROM EXISTING PAVED STREETS.
10. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL MEASURES ARE TO BE BLOCKED UNLESS THE AREA DRAINED IS UNDISTURBED OR STABILIZED.
11. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY ENGINEER.
12. NO STRAW BALES OR SILT FENCES SHALL BE USED AS EROSION CONTROL MEASURES. SILT FENCES MAY ONLY BE USED AS A PHYSICAL BARRIER TO PREVENT VEHICULAR AND PEDESTRIAN TRAFFIC FROM USING NON-APPROVED ACCESS POINTS (E.G. - ALONG RIGHT-OF-WAY).
13. ALL DISTURBED AREAS INCLUDING FLAT PADS ARE TO BE TREATED WITH STRAW AND TACKIFIER AT A RATE OF 2 TONS PER ACRE APPROXIMATELY 3 INCHES THICK.



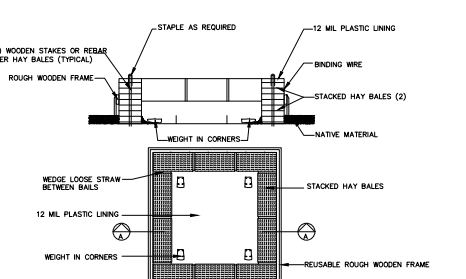
- NOTES:**
1. THICKNESS OF FILLED BAGS WHEN LAD SHALL NOT EXCEED 4".
 2. ENSURE THERE ARE NO GAPS BETWEEN THE BAGS.
 3. REMOVE AND REINSTALL SILT AND DEBRIS BEFORE IT EXCEEDS 2" INCH ON THE SIDES.
 4. INSPECT INLET PROTECTION DAILY DURING EXTENDED RAINFALL PERIODS AND BEFORE AND AFTER EACH RAIN EVENT.
- BURLAP SACK DRAIN INLET (D.I.) SEDIMENT FILTER DETAIL**
NTS

SEQUENCE OF CONSTRUCTION

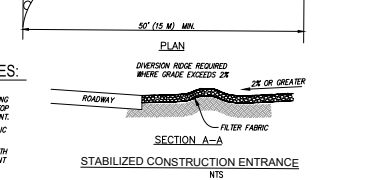
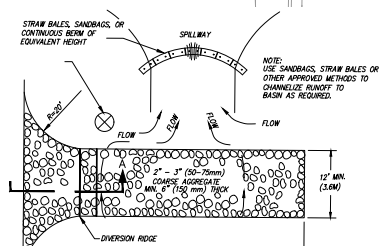
1. INSTALL STABILIZED CONSTRUCTION ENTRANCE.
2. CONSTRUCT AND MAINTAIN TEMPORARY CHAIN LINK FENCE AT THE SITE PERIMETER.
3. CONSTRUCT FIBER ROLLS ON THE SITE PERIMETER.
4. PROVIDE WATER ON SITE FOR DUST CONTROL DURING ALL GRADING OPERATIONS.
5. CLEAR AND GRUB THE SITE.
6. BEGIN GRADING THE SITE.
7. INSTALL CHECK DAMS, SEDIMENT TRAPS AND BASINS, TEMPORARY SWALES.
8. COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND PLANTING.
9. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES (ONLY IF SITE IS STABILIZED).



TEMPORARY COVER ON STOCK PILE
NTS

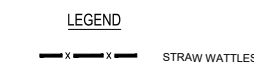


TEMPORARY CONCRETE WASHOUT FACILITY (ABOVE GRADE)
NTS



STABILIZED CONSTRUCTION ENTRANCE NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, RETAIN AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.



NRP ENGINEERING SERVICES CO.
500 WETMORE DRIVE
SAN JOSE, CALIFORNIA 95128
408-294-9920

**1425 FORTY NINTH AVENUE
AND 4875 OPAL STREET
CAPITOLA, CA**

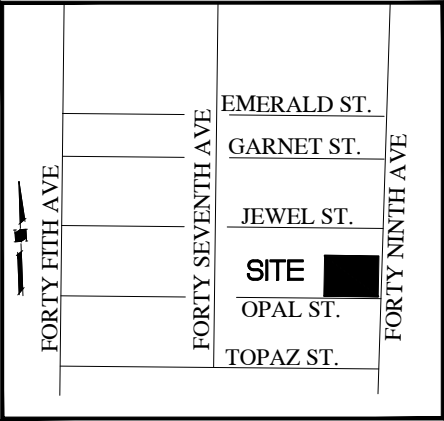
EROSION CONTROL

REVISIONS	DATE	BY

JOB NO: _____
DATE: 3-11-____
SCALE: 1" = _____
DRAWN BY: NR
SHEET NO: _____

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

OFF-SITE IMPROVEMENT PLANS
FOR RESIDENTIAL USE
503 FORTY NINTH AVENUE
& 4875 OPAL STREET, CAPITOLA, CA.
 APN: 034-064-11
 APN: 034-064-12



VICINITY MAP
NTS

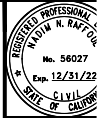
	EXISTING	PROPOSED
PROPERTY LINE	---	---
CENTERLINE	---	---
SANITARY SEWER	---	---
STORM DRAIN LINE	---	---
ELECTRICAL LINE	---	---
GAS LINE	---	---
JOINT TRENCH	---	---
TELECOMM	---	---
WATER LINE	---	---
OVERHEAD	---	---
SANITARY SEWER CLEANOUT	SSCO	
SANITARY SEWER MANHOLE	SSMH	
FENCE LINE	-X-	-X-
WATER VALVE	WV	WV
WATER METER	WM	WM
FIRE HYDRANT	XX	XX
JOINT POLE	J	J
GUY ANCHOR	G	G
TREE, SIZE AND TYPE AS NOTED	XX" TREE	XX" TREE
GAS LINE	G	G
WATER LINE	W	W
REMOVE TREE	RT	RT
CONCRETE	CON	CON
GAS METER	GM	GM
DRAINAGE FLOW	DF	DF
AREA DRAIN (CHRISTY BOX V-1) OR EQUAL	AD	AD
STORM DRAIN MANHOLE	SDMH	

ABBREVIATION

AD	AREA DRAIN
CO	CLEANOUT
(E)	EXISTING
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOW LINE
FS	FINISH SLAB
INV	INVERT
(N)	NEW
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SD	STORM DRAIN



NOTICE TO CONTRACTORS
 CONTRACTOR TO NOTIFY U.S.A. (UNDERGROUND SERVICE ALERT) AT 800-227-2600 A MINIMUM OF 2 WORKING DAYS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES.



N.W. ENGINEERING SERVICES CO.
 Civil Engineers
 2001 JACOB CALIFORNIA WAY
 CAPITOLA, CA 95010
 (831) 342-7900

1425 FORTY NINTH AVENUE
 AND 4875 OPAL STREET

TITLE SHEET

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

REVISIONS
JOB NO:
DATE: 3-11-2
SCALE: N.T.S.
DRAWN BY: NR
SHEET NO:

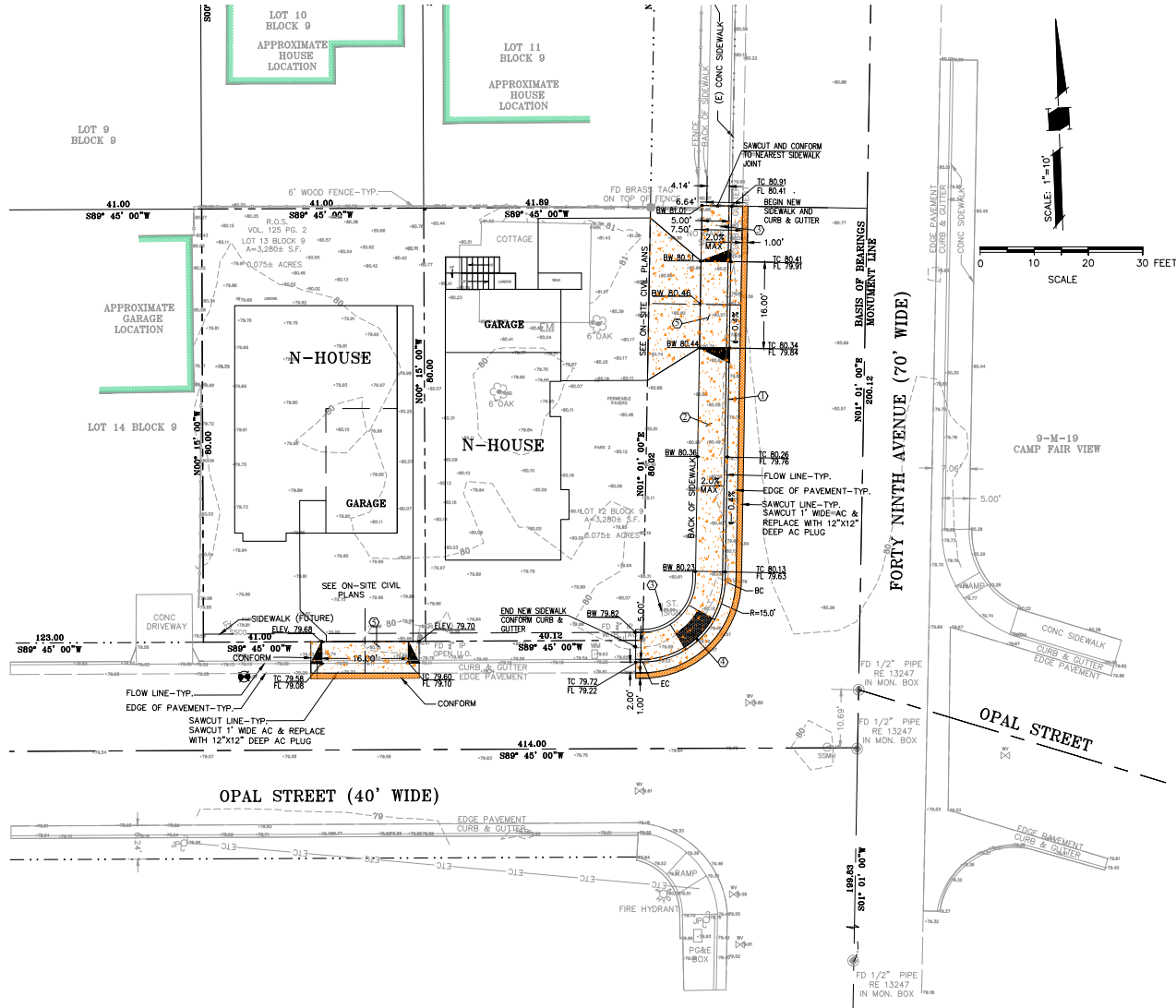
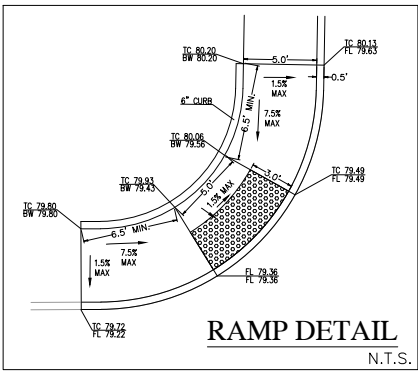
C-5

GENERAL NOTES:

1. CALL U.S.A PHONE NO. 1-800-227-2600 48 HOURS BEFORE EXCAVATION.
2. SANITARY SEWER LATERAL, WATER LINE, GAS LINE AND ELECTRICAL LINE LOCATIONS SHOWN ARE APPROXIMATE AND NEED TO BE VERIFIED PRIOR TO CONSTRUCTION.
3. CONTRACTOR TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHERS MATERIALS RESULTING FROM DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCALS, STATE AND /OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
4. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.
5. CONTRACTOR SHALL PROVIDE ADEQUATE DUST CONTROL AT ALL TIMES.
6. CONTRACTOR SHALL EXERCISE ALL NECESSARY CAUTION TO AVOID DAMAGE TO ANY EXISTING TREES AND SURFACE IMPROVEMENTS WHICH ARE TO REMAIN IN PLACE AND SHALL BEAR FULL RESPONSIBILITY FOR ANY DAMAGE.
7. THE CONTRACTOR SHALL MAINTAIN THE STREET, SIDEWALKS AND ALL OTHER RIGHTS-OF-WAY IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF SOIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC, SHALL BE MAINTAINED IN A CLEAN, SAFE AND USABLE CONDITION.
8. EXISTING UNDERGROUND LINES, APPURTENANCES AND FACILITIES WHICH ARE KNOWN TO THE ENGINEER ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL EXERCISE ALL NECESSARY CAUTION TO AVOID DAMAGE TO ANY EXISTING FACILITIES WHICH ARE TO REMAIN IN PLACE, WHETHER OR NOT SUCH FACILITIES ARE SHOWN ON THE PLANS, AND SHALL BEAR FULL RESPONSIBILITY FOR ANY DAMAGE THERE TO. NO WARRANTY IS GIVEN AS TO THE COMPLETENESS AND ACCURACY OF SUCH FACILITIES INFORMATION.
9. ALL CONTRACTORS WILL BE RESPONSIBLE FOR VERIFICATION OF THE LOCATION OF ALL EXISTING UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
10. CONCRETE WORK - ALL CONCRETE CONSTRUCTION WORK PERFORMED WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRES A SEPARATE CONCRETE PERMIT FROM THE PUBLIC WORKS DEPARTMENT TO BE ISSUED TO A LICENSED C-8 CONCRETE CONTRACTOR OR GENERAL A CONTRACTOR. ALL SAW CUTS IN THE CITY CURBS, GUTTERS AND SIDEWALK SHALL BE MADE ON THE NEAREST SCORE LINES OR JOINTS. THE CITY OF CAPITOLA BEST MANAGEMENT PRACTICES APPLY TO ALL SAW CUTTING ACTIVITY.

CONSTRUCTION NOTES:

1. CONSTRUCT CURB & GUTTER PER DETAIL ON SHEET C-3
2. CONSTRUCT SIDEWALK PER DETAIL ON SHEET C-3
3. EXIST STREET SIGN TO REMAIN
4. CONSTRUCT CURB RAMP PER CALTRANS DETAIL C ON SHEET C-3
5. CONSTRUCT DRIVEWAY PER DETAIL ON SHEET C-3



NRW ENGINEERING SERVICES CO.
 CIVIL ENGINEER
 3000 LANTANA BLVD, SUITE 200
 CAROLINA, CA 95008
 (408) 464-7070

1425 FORTY NINTH AVENUE
 AND 4875 OPAL STREET
 CAPITOLA, CA
 APR 04-04-11

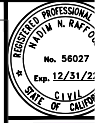
OFF-SITE IMPROVEMENT PLAN

NO.	REVISIONS

JOB NO:
 DATE: 3-11-2
 SCALE: 1" = 1'
 DRAWN BY: NR
 SHEET NO:

C-6

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)

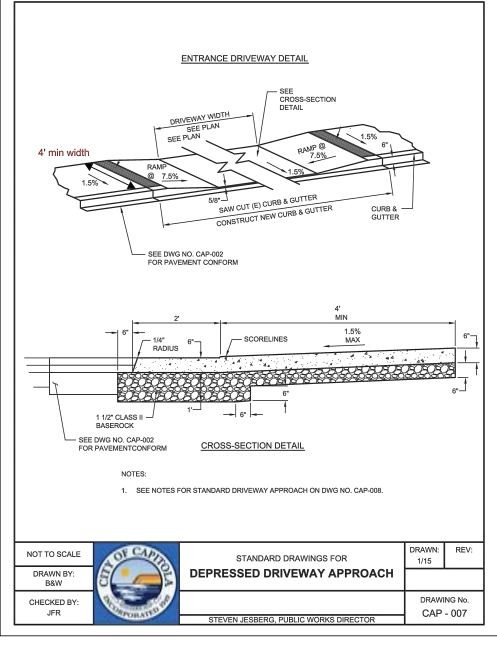
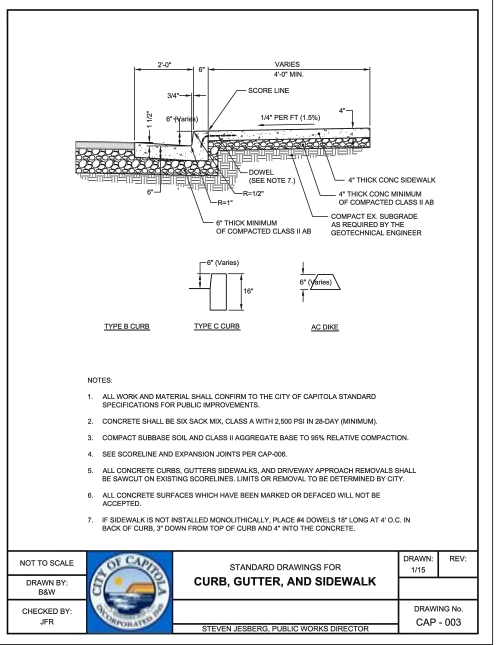
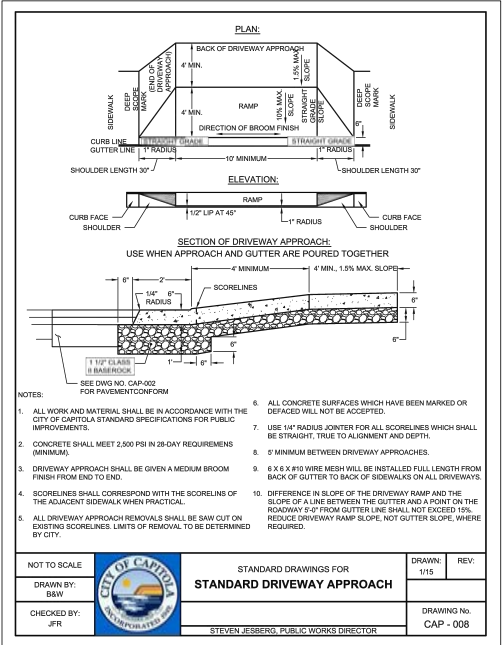
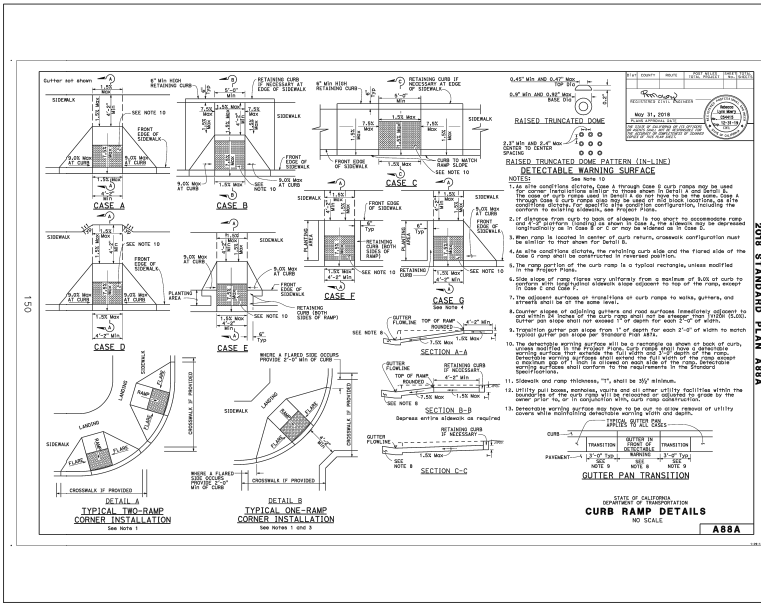


NWR ENGINEERING SERVICES CO.
ONE BROADWAY
SUITE 200
CANTON, MASSACHUSETTS 01921
TEL: 508-853-4500
WWW.NWR-ENGINEERING.COM

1425 FORTY-NINTH AVENUE
AND 4875 OPAL STREET
CAPITOLA, CA
APN: 034-064-11

CONSTRUCTION DETAILS

Attachment: 1425 49th Avenue - Plan Set (1425 49th Avenue)



REVISIONS

JOB NO: _____
DATE: 9-4-20
SCALE: N.T.
DRAWN BY: NR
SHEET NO.: C-7

NOTES AND SPECIFICATIONS:

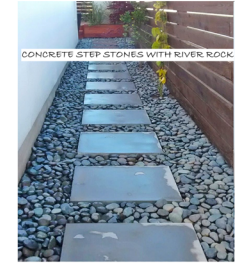
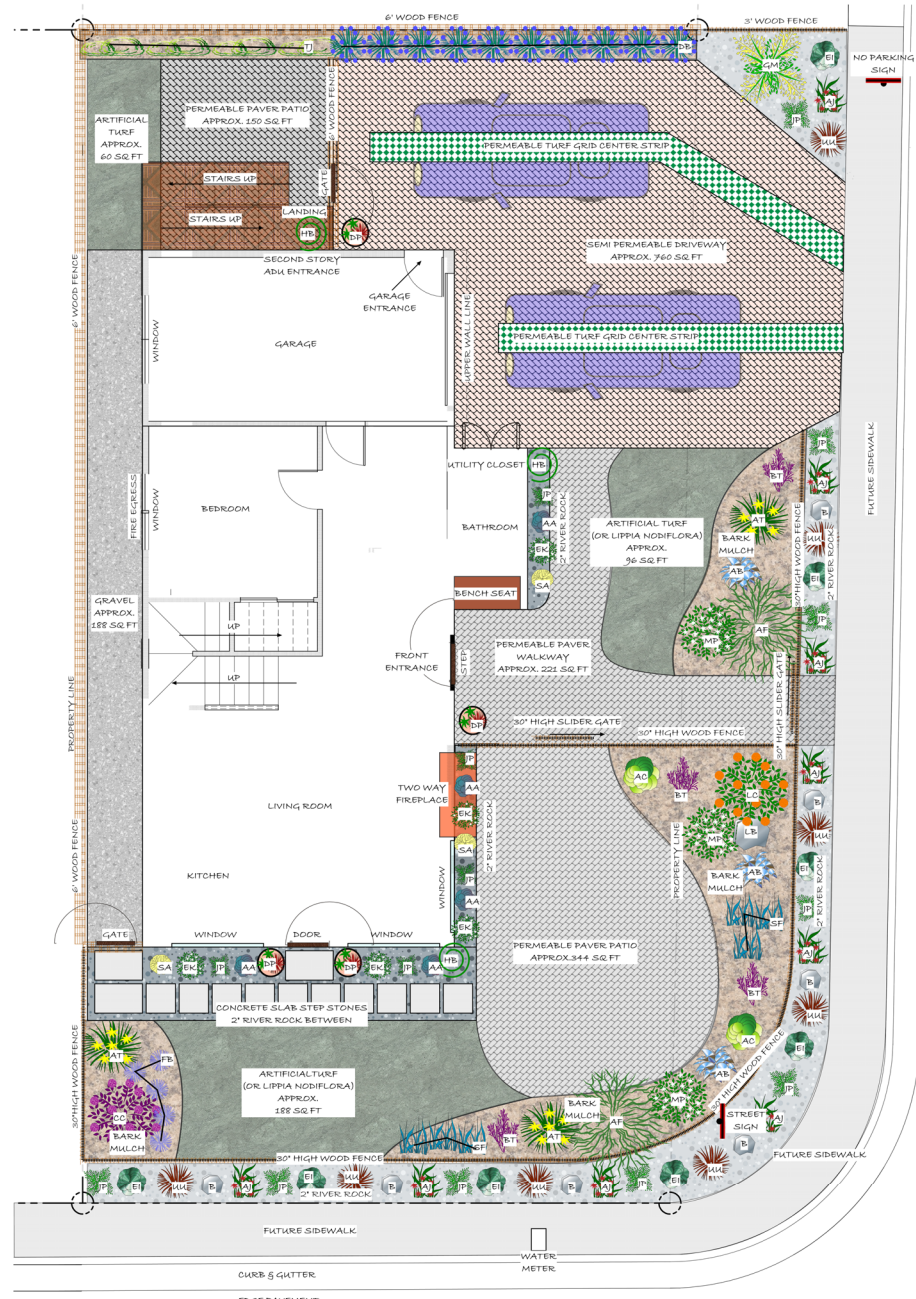
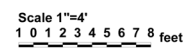
- FENCES:**
- * A 6" HIGH WOOD FENCE SHALL BE DESIGNED AND INSTALLED BY CONTRACTOR ALONG NORTH AND WEST PERIMETER OF PROPERTY AT LOCATIONS INDICATED ON DESIGN. FENCE SHALL TRANSITION TO A 30" HIGH FENCE ALONG SOUTHERN AND EASTERN PORTION (FRONT YARD) OF PROPERTY AT LOCATIONS INDICATED ON DESIGN.
 - * SWING GATES SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN.
 - * SLIDER GATES SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN.
 - * FENCES SHALL BE DESIGNED AND STAINED (OR PAINTED) A COLOR OF CLIENT'S CHOICE IN CONSULTATION WITH CONTRACTOR.
- PAVER DRIVEWAY AND PATIOS:**
- * PERMEABLE PAVEMENT DRIVEWAY (INCLUDING PERMEABLE TURF GRID CENTER STRIPS AT A 2' WIDTH) ALONG WITH SEMI-PERMEABLE PAVEMENT PATIOS AND WALKWAY SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN. TYPE OF PAVEMENT MATERIAL SHALL BE CHOSEN BY CLIENT IN CONSULTATION WITH CONTRACTOR. APPROXIMATE TOTAL SQUARE FOOTAGE OF EACH AREA IS SHOWN ON DESIGN (SQUARE FOOTAGE IN DRIVEWAY INCLUDES PERMEABLE TURF GRID MIDDLE STRIPS). CONTRACTOR IS RESPONSIBLE FOR FINAL MEASUREMENTS OF ALL PERMEABLE AND SEMI-PERMEABLE PAVEMENT AREAS.
- ARTIFICIAL TURF AREAS:**
- * ARTIFICIAL TURF SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN. TYPE OF TURF MATERIAL SHALL BE CHOSEN BY CLIENT IN CONSULTATION WITH CONTRACTOR. APPROXIMATE SQUARE FOOTAGE OF EACH AREA IS SHOWN ON DESIGN. CONTRACTOR IS RESPONSIBLE FOR FINAL MEASUREMENTS FOR ALL TURF AREAS.
 - * LIPPIA NODIFLORA MAY BE SUBSTITUTED FOR ARTIFICIAL TURF IF PREFERABLE. PLUGS OR 3" DIVISIONS SHALL BE PLANTED IN A TRIANGULAR PATTERN AT 12" SPACING.
- CONCRETE STEPPING STONES IN RIVER ROCK:**
- * 2"x2" CONCRETE STEPPING STONES SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN. 2" RIVER ROCK SHALL BORDER STEPPING STONES AS SHOWN ON DESIGN. WEED CLOTH SHALL BE LAID UNDERNEATH STEPPING STONES AND RIVER ROCK TO HELP PREVENT WEED GROWTH.
- PLANTS AND BARK MULCH:**
- * ALL PLANTS SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN.
 - * ALL PLANTING AREAS SHALL BE FILLED AND AMENDED WITH COMPOSTED SOIL AMENDMENT.
 - * EACH PLANT SHALL HAVE ORGANIC FERTILIZER ADDED IN PLANTING HOLE.
 - * ALL PLANTS SHALL BE INSTALLED IN Gopher BASKETS
 - * ESPALIER PLANTS (TRACHELOSPERMUM AND PODOCARPUS) SHALL BE INSTALLED WITH TRELLIS ATTACHED TO FENCE FOR STABILITY.
 - * Boulders (CODE: LB & B) SHALL BE PLACED AT LOCATIONS INDICATED ON DESIGN. TYPE OF BOULDER SHALL BE CHOSEN BY CLIENT IN CONSULTATION WITH CONTRACTOR.
- IRRIGATION:**
- * Drip Irrigation SHALL BE DESIGNED AND INSTALLED BY CONTRACTOR.
 - * HOSE BIBBS (CODE: HB) LOCATIONS ARE SUGGESTED IN THREE PLACES INDICATED ON DESIGN.

PLANT LIST

CODE	PLANT	#	SIZE
AA	AEONIUM ATRORHIZENS	5	1
AB	AGAVE BLUE FLAME	3	5
AC	AEONIUM CANARIENSIS	2	5
AF	AGONIS F. 'BURGUNDY'	2	15
AJ	AUCUBA 'POTURATA'	1	5
AL	ALICE JOHNSONS HYBRID	3	1
AT	ANGICANTHOS 'HARMONY'	3	5
BT	BERBERIS T. 'CRIMSON PYGMY'	3	1
CC	COTINUS T. 'ROYAL PURPLE'	1	15
DB	DIANELLA 'BELTORIA'	10	1
EI	ECHIVERIA 'MIRABILATA'	8	1
EK	ERIGERON K. 'REFUSION'	5	1
FB	FESTUCA G. 'BEYOND BLUE'	5	1
GM	GREVILLEA 'MOONLIGHT'	1	5
JP	JUNIPERUS P. 'NANA'	15	1
LC	LEUCOSPERMUM P. 'BROTHERS'	1	5
MP	MYOPORUM P. 'PUTAH CREEK'	3	1
SA	SEDUM 'ANGELINA'	3	1
SF	SENECIO F. 'SKYSORAPER'	4	1
TJ	TRACHELOSPERMUM JASMINOIDES (ESPALIER ON TRELLIS)	4	5
UU	UNCINIA UNICINATA	8	1

OTHER MATERIALS:

- LB LARGE BOULDER (2' DIAMETER) 1 26"
- B BOULDER (1 1/2' DIAMETER) 1 1 1/2"
- DP DECORATIVE POT - (OPTIONAL) 4 TALL
- RIVER ROCK - 2" DIAMETER
- BARK MULCH - HANGS ANY COLOR OR CLIENT CHOICE
- 3" TALL WOOD FENCE - LOCATIONS INDICATED ON DESIGN
- 6" TALL WOOD FENCE - LOCATIONS INDICATED ON DESIGN
- 30" TALL WOOD FENCE - LOCATIONS INDICATED ON DESIGN
- WOOD ARBOR - LOCATION INDICATED ON DESIGN
- ARTIFICIAL TURF (OR LIPPIA NODIFLORA) - LOCATIONS INDICATED ON DESIGN



49th AVENUE

Design Permit Design Review Criteria

17.120.070 Design review criteria. When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply.

- A. **Community Character.** The overall project design including site plan, height, massing, architectural style, materials, and landscaping contribute to Capitola's unique coastal village character and distinctive sense of place.
- B. **Neighborhood Compatibility.** The project is designed to respect and complement adjacent properties. The project height, massing, and intensity is compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.
- C. **Historic Character.** Renovations and additions respect and preserve existing historic structure. New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large.
- D. **Sustainability.** The project supports natural resource protection and environmental sustainability through features such as on-site renewable energy generation, passive solar design, enhanced energy efficiency, water conservation measures, and other green building techniques.
- E. **Pedestrian Environment.** The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.
- F. **Privacy.** The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.
- G. **Safety.** The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
- H. **Massing and Scale.** The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
- I. **Architectural Style.** Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.
- J. **Articulation and Visual Interest.** Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and

porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

- K. **Materials.** Building facades include a mix of natural, high quality, and durable materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.
- L. **Parking and Access.** Parking areas are located and designed to minimize visual impacts and maintain Capitola's distinctive neighborhoods and pedestrian-friendly environment. Safe and convenient connections are provided for pedestrians and bicyclists.
- M. **Landscaping.** Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
- N. **Drainage.** The site plan is designed to maximize efficiency of on-site drainage with runoff directed towards permeable surface areas and engineered retention.
- O. **Open Space and Public Places.** Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods. Multifamily residential projects include public and private open space that is attractive, accessible, and functional. Nonresidential development provides semi-public outdoor spaces, such as plazas and courtyards, which help support pedestrian activity within an active and engaging public realm.
- P. **Signs.** The number, location, size, and design of signs complement the project design and are compatible with the surrounding context.
- Q. **Lighting.** Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.
- R. **Accessory Structures.** The design of detached garages, sheds, fences, walls, and other accessory structures relates to the primary structure and is compatible with adjacent properties.
- S. **Mechanical Equipment, Trash Receptacles, and Utilities.** Mechanical equipment, trash receptacles, and utilities are contained within architectural enclosures or fencing, sited in unobtrusive locations, and/or screened by landscaping.



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 7, 2021
 SUBJECT: **Prototype ADU Program**

Prototype Accessory Dwelling Unit (ADU) Program.
 Representative: Katie Herlihy, Community Development Director
 Applicant: City of Capitola

PROJECT DESCRIPTION

The City of Capitola contracted Workbench and Metta Urban Design to create an Accessory Dwelling Unit (ADU) program including guidance documents and four prototype designs.

BACKGROUND

On November 22, 2019, the City Council adopted a resolution authorizing Staff to apply for a Senate Bill 2 (SB2) planning grant to develop objective design standards so that the City may more effectively process applications for projects subject to Senate Bill 35 (SB35) and develop guidance documents and pre-approved architectural plans for ADUs.

On March 11, 2020, the City of Capitola was awarded \$160,000 in SB2 grant funding.

On March 25, 2020, City Council adopted an update to the City's ADU ordinance to reflect the State legislation which took effect on January 1, 2020.

On September 11, 2020, the City's new ADU ordinance was certified by the Coastal Commission.

On September 24, 2020, the City Council authorized a sole source contract with Ben Noble Urban and Regional Planning to develop objective standards for Capitola's zoning code with a portion of the SB2 Grant funding.

On May 13, 2021, the City Council authorized the City Manager to enter a contract with Workbench in the amount of \$107,000 for the SB2 grant developing public outreach tools regarding ADUs and creating four ADU prototype building plans.

On July 15, 2021, the Planning Commission received an overview of the SB2 ADU grant program. The Commission provided direction to staff related to the size and design of the prototype ADUs.

DISCUSSION

The SB2 grant funds were made available to jurisdictions to accelerate housing production. For the City of Capitola, this will be achieved by assisting property owners with ADU development. There are two main deliverables for Capitola's SB2 ADU program. The first is to create guidance documents to inform the public and design professionals of Capitola's ADU standards and the permitting process. The second deliverable is producing architectural and building plans for four ADU prototypes that would fit on a typical Capitola lot and will be available at no cost to Capitola residents. The prototypes will be developed to the point where they are building code compliant and will only require the applicant to have a survey showing how the ADU fits within their property.

Guidance Documents

Metta Urban Design is currently drafting the ADU guidance documents. Staff will present the documents to the Planning Commission at a future meeting. The deliverables related to the guidance documents include: a detailed, step-by-step ADU handbook; a quick-reference ADU brochure; the ADU application; an ADU checklist for plan submittal; a frequently asked questions (FAQ) list; public facing imagery (graphics); and an update to the text of the ADU page on the City website with links to the previously listed items. These deliverables will define the types of ADUs, provide illustrations showing what these building forms could look like on a typical Capitola lot, explain the new state regulations for ADUs by using illustrations and graphics to distill technical ordinances into more easily understood information, create content that describes the benefits of ADUs and direct users to external resources to excite and inspire property owners about adding an ADU to their property, present and explain the prototypical plans to help property owners identify the best option for their property, and guide property owners through the design and permitting process.

ADU Prototypes

On July 15, 2021, the Planning Commission received information on the prototype ADU program and the findings from the public outreach survey. The Commission provided feedback on the program regarding design and unit size. They suggested that Workbench design the ADUs to incorporate the public's preferred architectural styles of craftsman, farmhouse, and beach cottage vernacular as identified in the survey. Also, the Commissioners supported having a range of sizes but keeping the largest ADU at or below 640 square feet to keep construction costs low. The Soquel Creek Water District water service charge for a new ADU up to 640 square feet is \$12,010, which jumps 78 percent to \$21,400 for an ADU above 640 square feet.

The Workbench team has worked with staff to develop four detached ADU plans for homeowners with several architectural styles. The plans have been designed to fit into a typical property in Capitola and cover a range of sizes, from 250 square feet up to 557 square feet. Workbench put together a packet which includes background information, unit floor plans, and exterior designs, which is included as Attachment 1.

Staff is requesting that the Commission review the draft plans and provide feedback on floor plans and layout. Ultimately, Workbench will incorporate requested design changes and the final plans will be brought back to the Planning Commission for review. Following support of the design by Planning Commission, the building plans for the approved designs will be created. The final project deliverables are tentatively scheduled for approval in March 2022.

RECOMMENDATION

Staff recommends the Planning Commission review the draft plans and provide feedback on floor plans and layout.

ATTACHMENTS:

1. Capitola Prototype ADUs First Draft

Prepared By: Katie Herlihy
Community Development Director

City of Capitola

ADU PROGRAM



workbench METTAURBANDESIGN



PLANNING COMMISSION MEETING
OCTOBER 7, 2021



OVERVIEW

- 1 BACKGROUND INFORMATION
- 2 UNIT PLANS
- 3 EXTERIOR DESIGN

1

BACKGROUND INFO

CITY OF CAPITOLA MAP

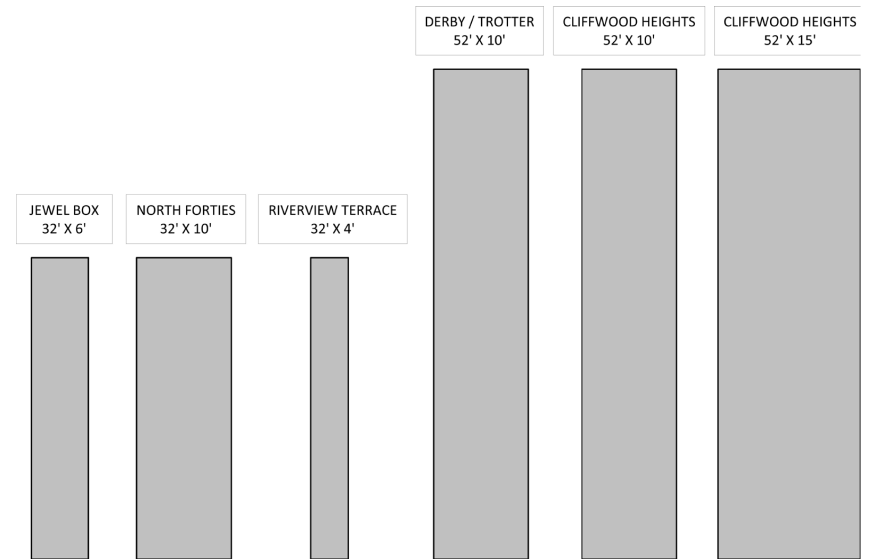
Residential Neighborhoods



4.B.1

BUILDABLE LOT SIZES

Based on specific Capitola Neighborhoods



BUILDABLE LOT SIZES

Additional Research

- **Survey of City Expectations**
 - Unit Size
 - Unit Style
 - Design Priorities
- **Reviewed Current ADU's submitted to city**
- **Conducted Internal Design Charrette**
 - Precedent Research
 - Unit Design Ideas
 - How to design for Capitola

The collage contains several key architectural documents:

- Bar Charts:** Two bar charts showing data for the Capitola ADU Program. One chart is titled 'CAPITOLA - ADU PROGRAM' and shows various metrics. Another chart shows 'UNIT SIZE' with categories like 'SMALL', 'MEDIUM', and 'LARGE'.
- Map:** A map of Capitola, CA, showing different zones and the location of the ADU program.
- Floor Plans:** Multiple floor plans for different ADU options, including 'OPTION 3 - SOUTH - One Bedroom' and 'OPTION 3 - SW'.
- 3D Renderings:** Three 3D perspective views of ADU designs: 'OPTION 3 - Exterior Perspective', 'OPTION 3 - NE', and 'OPTION 3 - SW'.
- Precedent Photos:** A collection of photographs of various ADU styles and designs, including modern, traditional, and industrial styles.
- Technical Drawings:** Various technical drawings, including sections and elevations, with dimensions and annotations.



③ SOUTH - One Bedroom
3'16" = 1'-0"



③ OPTION 3 - Exterior Perspective

CHARACTER OF CAPITOLA

Precedents from Local Context



workbench

METTAURBANDESIGN



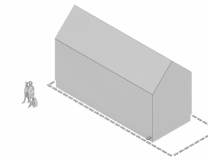
2

UNIT PLANS

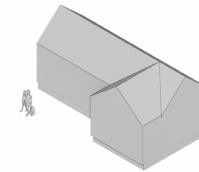
UNIT TYPE MATRIX

Types and Sizes

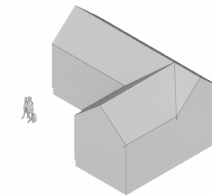
UNIT TYPE	UNIT SIZE (GSF)	LENGTH (FT)	WIDTH (FT)	HEIGHT (FT)	ROOF PITCH (RISE/RUN)
STUDIO	250 GSF	25'-0"	10'-0"	15'-9"	11"/12"
	300 GSF	25'-0"	12'-0"	15'-9"	11"/12"
	384 GSF	32'-0"	12'-0"	15'-9"	11"/12"
ONE BED	450 GSF	32'-0"	17'-0"	15'-9"	11"/12"
TWO BED	557 GSF	32'-0"	25'-0"	15'-9"	11"/12"



Studio



One Bedroom



Two Bedroom



workbench

METTAURBANDESIGN

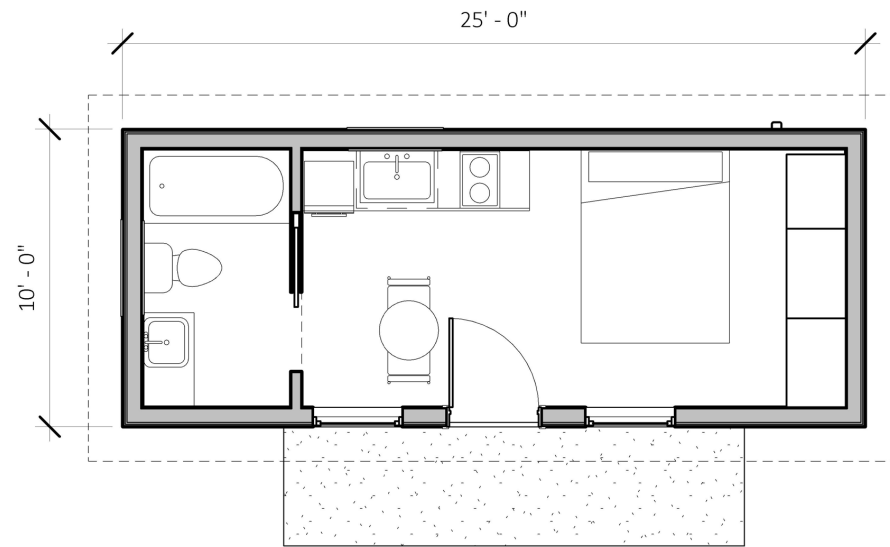
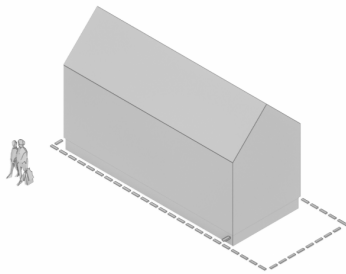


STUDIO - SMALL

25'-0"L x 10'-0"W x 15'-8 1/2"T

250 GSF

- Kitchenette
- Full Bathroom
- Built-in Storage
- Lofted Storage over Bathroom
- Vaulted Ceiling
- Fits in most "Buildable Lots" Outlined per Neighborhood



4.B.1



workbench

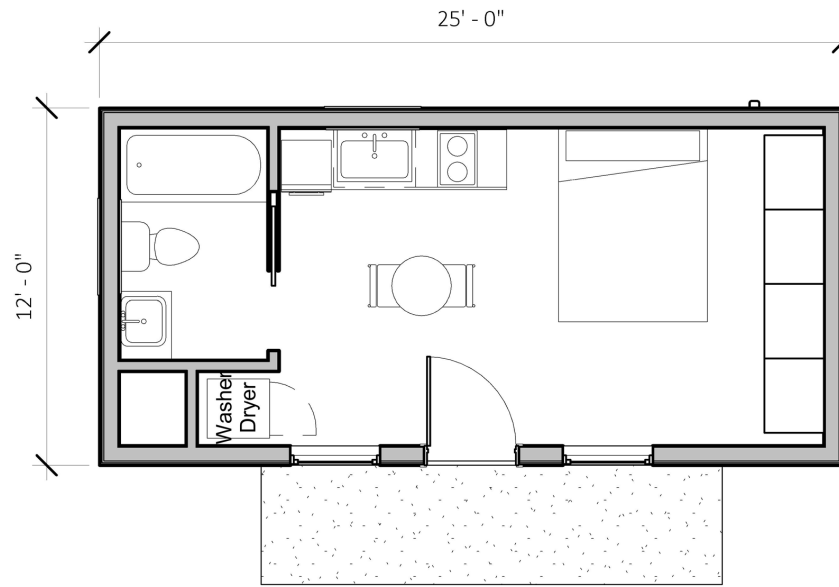
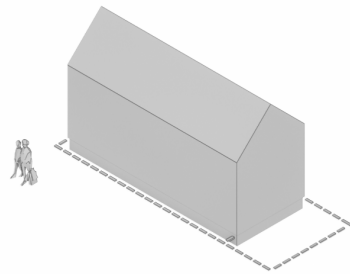
METTAURBANDESIGN



STUDIO - MEDIUM

25'-0"L x 12'-0"W x 15'-8 1/2"T
300 GSF

- Kitchenette
- Full Bathroom
- Built-in Storage
- Lofted Storage over Bathroom
- Washer/Dryer
- Optional Mechanical/Storage
- Vaulted Ceiling



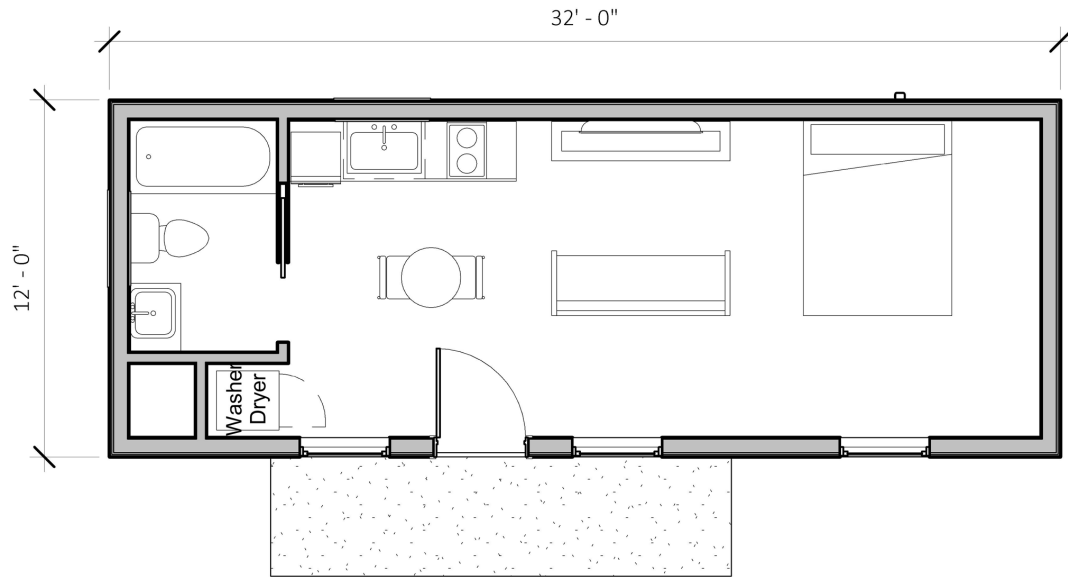
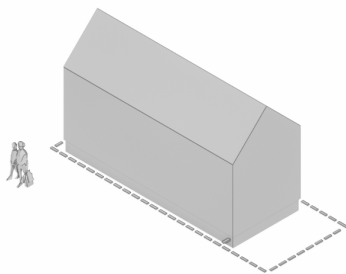
4.B.1

STUDIO - LARGE

32'-0"L x 12'-0"W x 15'-8 1/2"T

384 GSF

- Kitchenette
- Full Bathroom
- Living Space
- Built-in Storage
- Lofted Storage over Bathroom
- Washer/Dryer
- Optional Mechanical/Storage
- Vaulted Ceiling



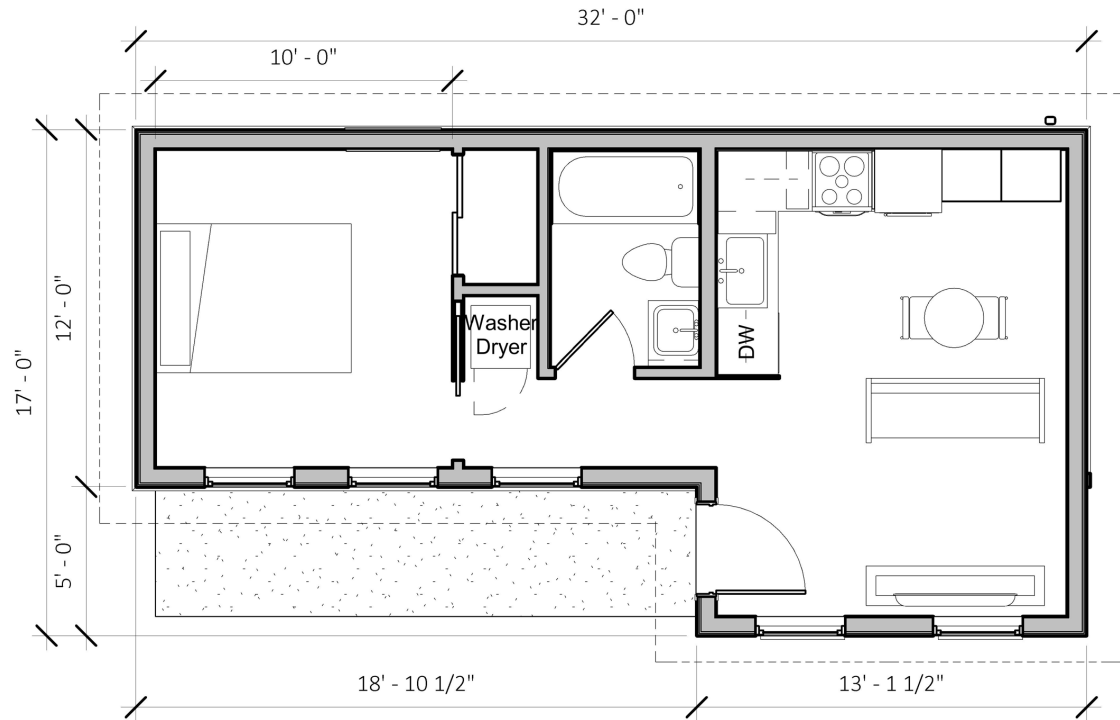
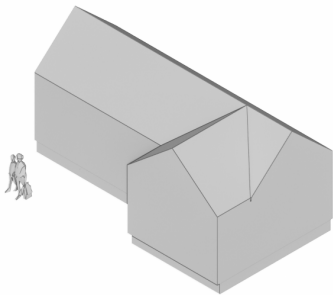
4.B.1

ONE BEDROOM

32'-0"L x 17'-0"W x 15'-8 1/2"T

450 GSF

- Full Kitchen
- Full Bathroom
- Living Space
- Optional Lofted Storage over Bathroom
- Washer/Dryer
- Separate Bedroom w/storage
- Vaulted Ceiling

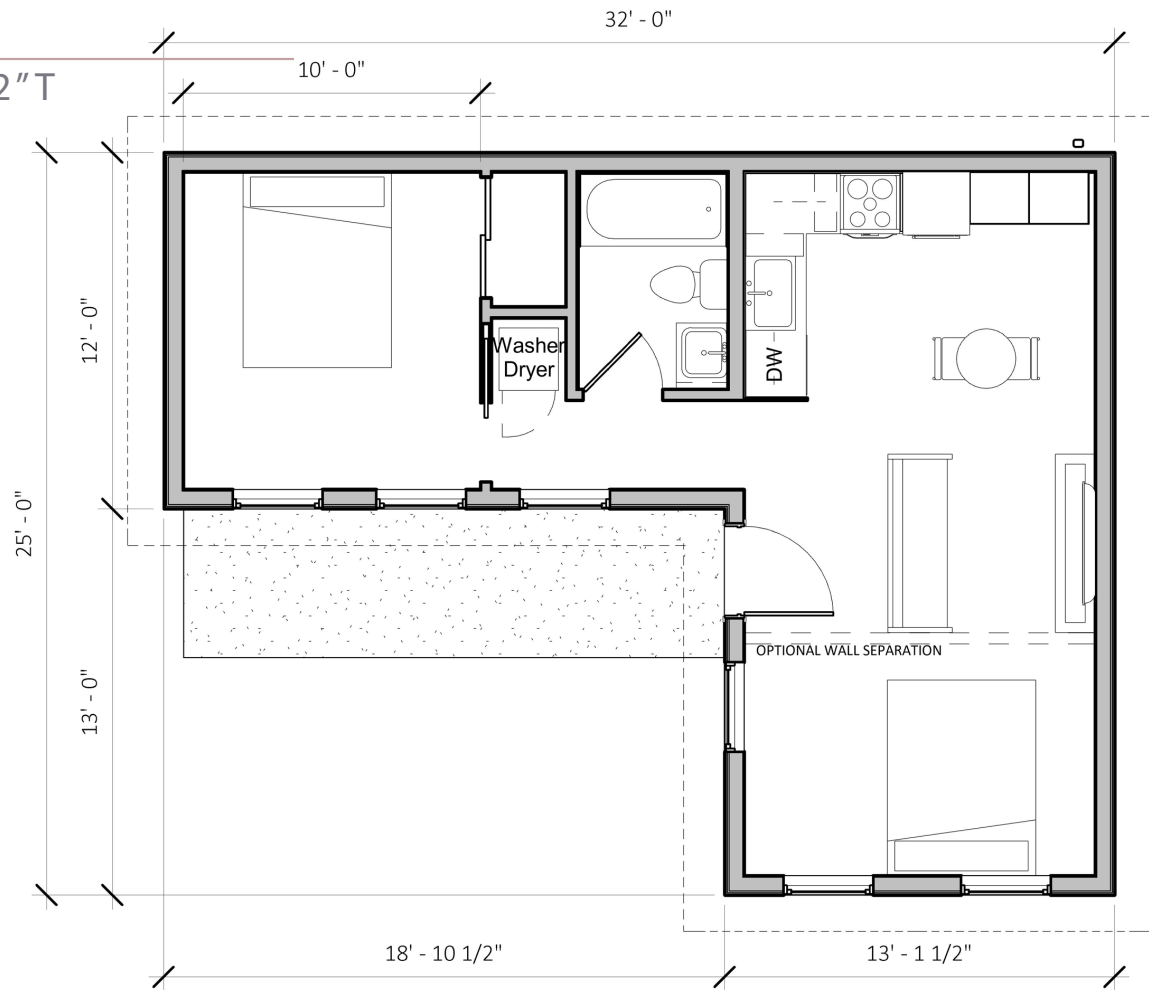
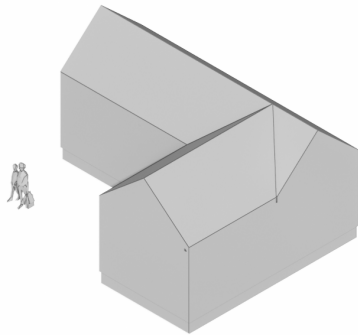


4.B.1

TWO BEDROOM

32'-0"L x 25'-0"W x 15'-8 1/2"T
557 GSF

- Full Kitchen
- Full Bathroom
- Living Space
- Optional Lofted Storage over Bathroom
- Washer/Dryer
- Separate Bedroom w/storage
- Flexible Living space with optional built separation
- Vaulted Ceiling



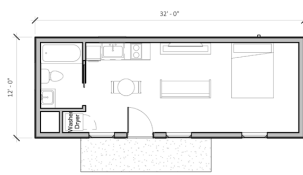
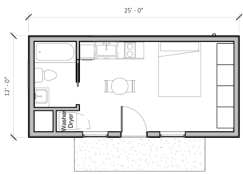
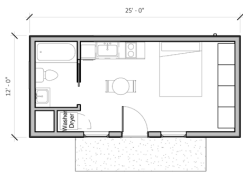
4.B.1



UNIT PLANS

Summary

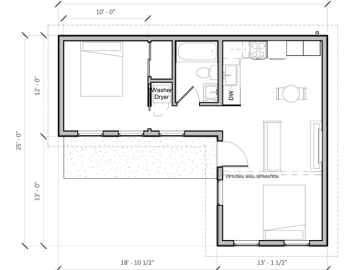
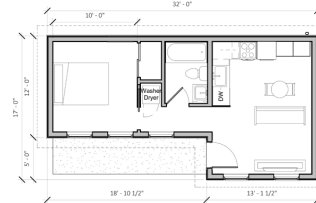
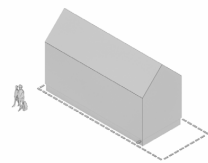
4.B.1



Studio - Small
250 GSF

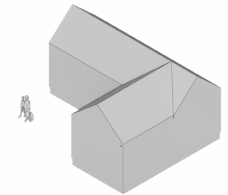
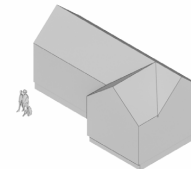
Studio - Medium
300 GSF

Studio - Large
384 GSF



One Bedroom
450 GSF

Two Bedroom
557 GSF



METTAURBANDESIGN

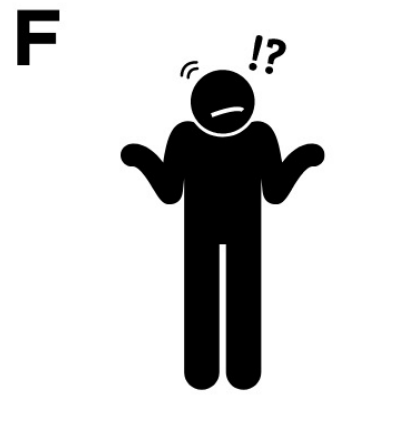


3

EXTERIOR DESIGN

SURVEY RESULTS

Aesthetics and Architectural Styles



UNIT STYLE MATRIX

Styles and Total Options

UNIT TYPE	UNIT SIZE (GSF)	LENGTH (FT)	WIDTH (FT)	HEIGHT (FT)	ROOF PITCH (RISE/RUN)	STYLE	# OF OPTIONS
STUDIO	250 GSF	25'-0"	10'-0"	15'-9"	11"/12"	CRAFTSMAN	3
						FARMHOUSE	
						BEACH COTTAGE	
	300 GSF	25'-0"	12'-0"	15'-9"	11"/12"	CRAFTSMAN	3
						FARMHOUSE	
						BEACH COTTAGE	
	384 GSF	32'-0"	12'-0"	15'-9"	11"/12"	CRAFTSMAN	3
						FARMHOUSE	
						BEACH COTTAGE	
ONE BED	450 GSF	32'-0"	17'-0"	15'-9"	11"/12"	CRAFTSMAN	3
						FARMHOUSE	
						BEACH COTTAGE	
TWO BED	557 GSF	32'-0"	25'-0"	15'-9"	11"/12"	CRAFTSMAN	3
						FARMHOUSE	
						BEACH COTTAGE	
TOTAL						5 UNIT TYPES 15 DESIGN OPTIONS	



METTAURBANDESIGN



CRAFTSMAN

One Bedroom in Craftsman Style



Horizontal Fiber Cement Siding



Fiber Cement Shingles



Composition Shingle Roofing

4.B.1



workbench

METTAURBANDESIGN



FARMHOUSE

One Bedroom in Farmhouse Style



4.B.1



Fiber Cement Board & Batten



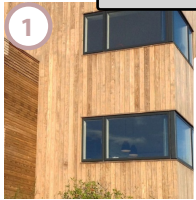
Composition Shingle Roofing

BEACH COTTAGE

One Bedroom in Beach Cottage Style



4.B.1



Wood Look Vertical Siding



Composition Shingle Roofing

EXTERIOR DESIGN

Unit Style Summary



Craftsman



Farmhouse



Beach Cottage



workbench

METTAURBANDESIGN



CAPITOLA WHARF

Thank You

City of Capitola ADU PROGRAM



workbench METTAURBANDESIGN



PLANNING COMMISSION MEETING
OCTOBER 7, 2021



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 7, 2021

SUBJECT: **Outdoor Dining and Design Permit Ordinance**

Update to Zoning Ordinance/Local Coastal Plan Implementation Plan
 Update to the City of Capitola Zoning Code including section 17.96.170 Outdoor Dining in Public Right of Way and Section 17.120.030 (Design Permits) When Required.
 The Zoning Code serves as the Implementation Plan of the City’s Local Coastal Program and therefore must be certified by the Coastal Commission.
 Environmental Determination: Categorical Exemption 15305 and 15311
 Property: The Zoning Code update affects all properties within Commercial Zones in the City of Capitola.
 Representative: Katie Herlihy, Community Development Director, City of Capitola

APPLICANT PROPOSAL: The City is considering an update to the Zoning Code to permit Outdoor Dining within commercial zoning districts in the City of Capitola. The proposed outdoor dining program would allow sidewalk dining and street dining decks located in the public right-of-way.

BACKGROUND: In response to the COVID-19 pandemic and the ensuing social distancing orders, the City issued temporary permits to local restaurants to provide outdoor dining. On April 22, 2021, City Council directed staff to develop a program for permanent outdoor dining and to bring the program back to Council for review and possible adoption.

DISCUSSION: On June 24, 2021 and July 22, 2021, the Council provided direction on key program elements, as outlined in the following table:

City Council Direction on Key Program Elements	
Overall Cap	<ul style="list-style-type: none"> Limit number of on street parking spaces allocated to the program to 25 (~50% of existing) Limit businesses to parking spaces fronting their businesses
Allocation of Parking Spaces	<ul style="list-style-type: none"> Lottery System for 25 parking spaces. The details of a lottery system would be drafted into a future policy, but at a minimum would include the following steps: <u>Step 1.</u> Open application period for 45 days, with a required \$500 deposit per space (credited towards maintenance deposit).

	<p><u>Step 2.</u> If the total requested parking spaces are less than 25, award the spaces to the applicants.</p> <p><u>Step 3.</u> If the total requests exceed 25, assign one or two spaces to each applicant. Hold a lottery for the remainder of the spaces for those requesting additional spaces.</p>
Parklet Design	<ul style="list-style-type: none"> • Allocate up to \$10,000 in City funds to create a prototype design that can be administratively approved • Require PC approval for custom designs
Fees	<ul style="list-style-type: none"> • Set City permit fees at zero • Provide no construction assistance to businesses • Charge rent space of \$3,400/parking space per year with annual CPI adjustment
Lease Term	<ul style="list-style-type: none"> • 3 years
Streets	<ul style="list-style-type: none"> • Allow outdoor dining on all streets in Village and on the sidewalk on Monterey Avenue and the Wharf, where sidewalk widths allow. • Exclude Lawn Way
Maintenance	<ul style="list-style-type: none"> • Subject to a lease agreement and deposit with City. • Provisions requiring the outdoor dining decks be maintained and kept clean. • Unmaintained dining decks would first receive courtesy noticing with elevate enforcement, including fines and removal. Cost of removal will be covered with the deposit.
Safety	Engineered safety measures will be incorporated into the prototype designs and be a requirement of any custom design developed.

Draft Ordinance and Policy

The outdoor dining ordinance was drafted in conjunction with an administrative policy. The administrative policy provides direction on how the City will lease right-of-way for outdoor dining, including details for allocation of spaces, fees, and lease terms. The ordinance specifies the permit review process, operating and development standards, required findings for approval, and enforcement.

Permit Review Process

As drafted, an approved prototype street dining deck would be reviewed by staff administratively and a custom street dining deck would require approval of a design permit by the Planning Commission. The City Council directed staff to contract an architect to create a prototype street dining deck which complies with all standards within of the ordinance. Once the prototype design is created, the City would apply for a blanket Coastal Development Permit (CDP) application for the prototype street dining deck reviewed by the Planning Commission. Upon approval, the blanket CDP would be applicable to any restaurant utilizing the prototype design. The Coastal Commission staff allows a blanket CDP to act as an overarching permit for a design which can be applied to multiple properties within the coastal zone. Business owners also have the opportunity to create a custom street dining deck design which under the new ordinance will require a design permit subject to Planning Commission review for compliance with all the standards outlined in the draft ordinance.

Operation and Development Standards

The operation and development standards include regulations related to street dining decks and sidewalk dining. The development standards include minimum sidewalk widths, limits the location to the eating establishment frontage, references to sign regulations, and requirements for bicycle parking. The operational standards limit the program to the eating establishments, prohibit amplified music, establish maximum hours of operation, and identify requirements for trash removal and maintenance.

Good Standing and Enforcement

Through the implementation of the free temporary outdoor dining program in response to Covid-19, it was evident that not all restaurants maintain outdoor dining to the same standard. There were ongoing issues with trash, upkeep of plants, and general maintenance of the outdoor space and furniture. Since the permanent program will require a substantial financial investment by individual businesses, staff is optimistic that the businesses opting into the program will have a vested interest in maintaining their outdoor dining. However, to prevent future upkeep and maintenance issues, the ordinance includes a requirement that the business is in good standing with the city with no abatement, violation, or code enforcement issues related to an ABC license, entertainment permit, or use permit in the past two years. There is also a section on enforcement which includes inspections, enforcement remedies, and revocation of permits.

Coastal Commission Review and Consistency with the Local Coastal Program (LCP)

The Coastal Commission must certify the outdoor dining ordinance prior to it taking effect in the Coastal Zone. In June, staff began working with Coastal Commission staff to get early feedback on a future program. The Coastal Commission staff expressed concerns with outdoor dining related to the Coastal Act's goal of maximizing public access and public recreation. In their opinion, the outdoor dining essentially converts public space which would otherwise be used to access the coast, to private space.

To receive Coastal Commission certification, mitigation for public access concerns raised by Coastal staff should be incorporated into the outdoor dining program. Coastal staff suggested the following measures to help minimize and mitigate the impacts to public access/recreation to the maximum extent feasible:

1. Reduce the overall amount of displaced parking spaces from what was originally permitted under the COVID-19 temporary use permit program.
2. Initiate the program with temporary (i.e., 1-5 year) authorization that requires a Coastal Development Permit (CDP) extension, thereby building in the opportunity to re-evaluate the program once it has been operating, making any changes desired or necessary, and ensuring LCP/Coastal Act consistency.
 - a. Issue one CDP for the entire outdoor dining program as opposed to individual CDPs for each business.
3. Use funds from outdoor dining to reinvest in coastal access including the shuttle program, coastal park beautification, coastal access signage, new bike racks, sidewalk improvements, maintenance of existing parking, etc.

The draft ordinance incorporates elements that address all Coastal Commission staff suggestions to mitigate impacts to public access and recreation and ensure the ordinance is consistent with the City's LCP. The number of outdoor dining spaces is capped at 25, which is

less than half the number of spaces allowed under the COVID-19 temporary use permit program. As directed by City Council, the maximum lease term is three years. This will allow enough time to see how the program is operating and adjust as necessary. The ordinance includes a requirement that no less than 50 percent of revenues received from outdoor dining be utilized for coastal access programs, maintenance, and improvements. The City currently allocates more than \$800,000 per year for coastal access-related programs. If all 25 spaces are ultimately leased, the parklet program would generate \$85,000 per year, and could be used to fund roughly 11% of the City's annual coastal access-related expenditures.

CEQA

The project qualifies for the Categorical Exemption found at CEQA Guidelines section 15305 and 15311.

RECOMMENDATION

Staff recommends the Planning Commission review the draft ordinance and recommend approval to the City Council.

DRAFT ORDINANCE

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF CAPITOLA AMENDIGN MUNICIPAL CODE SECTIONS 17.96.170 AND 17.120.030 AND ADDING SECTION 17.96.175 RELATED TO OUTDOOR DINING IN THE PUBLIC RIGHT OF WAY

WHEREAS, the State of California and Santa Cruz County established social distancing requirements in response to the COVID-19 pandemic that prohibited indoor dining at restaurants in Capitola; and

WHEREAS, in response to the pandemic and social distancing orders, the City issued temporary use permits to local restaurants to provide outdoor dining; and

WHEREAS, in 2020 and 2021 approximately 24 restaurants in Capitola were granted temporary use permits under this program to provide outdoor dining; and

WHEREAS, on April 22, 2021, the City Council directed staff to develop a program for permanent outdoor dining and to bring the program back to the Council for review and possible adoption;

WHEREAS, Municipal Code Section 17.96.170 contains existing requirements for temporary sidewalk dining in the public right-of-way; and

WHEREAS, the proposed program for permanent outdoor dining would replace existing Municipal Code Section 17.96.170 with new standards to allow for street dining decks in addition to sidewalk dining;

WHEREAS, the City aims to allow for streamlined approval of prototype street dining decks utilizing a design that has been preauthorized by the Planning Commission.

WHEREAS, the City aims to balance the desire for permanent outdoor dining in the public

right-of-way with adequate public parking and coastal access;

WHEREAS, City staff consulted with Coastal Commission staff in the preparation of the Zoning Ordinance amendments to ensure that the proposed program and ordinance would comply with the California Coastal Act and Capitola's Local Coastal Program; and

WHEREAS, the proposed Zoning Ordinance amendments to allow for permanent outdoor dining in the public right-of-way qualify for the Exemption found at CEQA Guidelines Section 15305 and 15311; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 7, 2021, at which time it reviewed the proposed amendments, considered all public comments on the revisions and related CEQA exemption, and provided a unanimous positive recommendation on the proposed ordinance; and

WHEREAS, based upon the Planning Commission recommendation, the City Council determined that the amendments are consistent with the General Plan and that the revisions would be internally consistent with all other provisions of the Municipal Code.

WHEREAS, the amendments would become a component of Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

BE IT ORDAINED By the City of Capitola as follows:

Section 1. The above findings are adopted and incorporated herein.

Section 2. Section 17.96.170 (Outdoor Dining in Public Right of Way) of the Capitola Municipal Code is hereby amended to read as follows:

17.96.170 Outdoor Dining in Public Right of Way

A. Purpose. This section establishes standards and permit requirements for outdoor dining in the public right-of-way.

B. Definitions.

1. **Outdoor Dining.** "Outdoor dining" means and includes both sidewalk dining and street dining decks.
2. **Sidewalk Dining.** "Sidewalk dining" means the use of an outdoor sidewalk area within the public-right-of-way, by a private business that is an eating and drinking establishment, for eating and drinking activities.
3. **Street Dining Deck.** A street dining deck means a platform or similar level surface within the public right-of-way and extending beyond the curb and into a roadway or on-street parking area for use by a private business that is an eating or drinking establishment.
 - a. **Custom Street Dining Deck.** A custom street dining deck is a street dining deck designed by the applicant.

- b. **Prototype Street Dining Deck.** A prototype street dining deck is a street dining deck utilizing a design that has been preauthorized by the Planning Commission.

C. Where Allowed.

1. **Sidewalk Dining.**

- a. Sidewalk dining is allowed in the MU-N, MU-V, C-C, and C-R zoning districts.
- b. In the MU-V zoning district, sidewalk dining is allowed only on Monterey Avenue and on the Capitola Wharf.

2. **Street Dining Decks.** Street dining decks are allowed only in the MU-V zoning district.

D. Maximum Number of On-Street Parking Spaces. A maximum of 25 total on-street parking spaces may be used for street dining decks. Spaces shall be allocated by the City Manager in accordance with administrative policies issued pursuant to this section.

E. Permits and Approvals.

- 1. **Required Permits.** Table 17.96-2 shows permits required for sidewalk dining and street dining decks.

Table 17.96-2: Permits Required for Outdoor Dining in Public Right-of-way

Type of Outdoor Dining	Permit Required [2] [3]	Zoning Code Chapter
Sidewalk Dining	Administrative Permit	17.116
Street Dining Decks		
Prototype Street Dining Deck [1]	Administrative Permit	17.116
Custom Street Dining Deck	Design Permit	17.120

[1] Prototype dining deck designs are identified in the adopted Village Outdoor Dining Program Administrative Policy No. I-36.

[2] Outdoor dining in the public right-of-way also requires an encroachment permit pursuant to Municipal Code Chapter 12.56. Minor encroachment permits for applications for prototype street dining decks may be issued by the Public Works Director and major encroachment permits for custom street dining decks may be issued by the Planning Commission.

[3] A street dining deck or sidewalk dining area located in the coastal zone may require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone).

2. **Administrative Permit Standards.** All applications for an Administrative Permit are reviewed and acted on by the Community Development Director and must comply with the following standards:

- a. Any included street dining deck must be designed consistent with a prototype design approved by the Planning Commission.
- b. The sidewalk dining area or street dining deck must comply with all applicable requirements of this section, the Zoning Code, , and all other applicable laws, administrative policies, rules, and regulations.

- c. If located in the coastal zone, the sidewalk dining area or street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
 - d. The street dining deck or sidewalk dining area must utilize high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
 - e. A prototype street dining decks must use a design authorized by a valid coastal development permit.
3. **Design Permit Findings.** All applications for a Design Permit are viewed and acted on by the Planning Commission. Notwithstanding Municipal Code Section 17.120.080 (Findings for Approval), the Planning Commission shall not make the Design Permit findings in Section 17.120.080, and instead shall make the following findings:
- a. The street dining deck complies with all applicable requirements of this section, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.
 - b. If located in the coastal zone, the street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
 - c. The design of the street dining deck supports a safe, inviting, and lively public realm consistent with the purpose of the MU-V zoning district as provided in Section 17.20.040 (Purpose of the Mixed Use Zoning Districts).
 - d. The street dining deck materials include high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
4. **Good Standing.** In the past twenty-four months, the applicant has not been issued a notice of abatement, violation, or code enforcement related to an ABC license, entertainment permit, or use permit. Any courtesy code enforcement notices received by the applicant was corrected by the applicant within the date specified on the courtesy notice.
5. **Other Permits and Approvals.**
- a. Sidewalk and street dining decks are subject to all other permits, licenses and/ or entitlements required by State or local law.
 - b. A street dining deck or sidewalk dining area located in the coastal zone may require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in Section 17.44.130 (Findings for approval).
6. **Use of Permit Fees in Coastal Zone.** For sidewalk dining and street dining decks in the coastal zone, the City shall utilize no less that 50 percent of permit fees received for coastal access programs, maintenance, and improvements.

F. Administrative Policies.

1. The City Manager is authorized to issue administrative policies regarding the administration and leasing of the public right-of-way for sidewalk dining and street dining decks, including but not limited to the application and selection process for applicants, maintenance requirements, and other related policies.
2. In the event of any conflict between the provisions of this chapter and the administrative policy, the more restrictive requirement shall control.

G. Operating and Development Standards.

1. **Must Serve Eating and Drinking Establishment.** Outdoor dining in the public right-of-way is allowed only when incidental to and a part of an “eating and drinking establishment” as defined in Chapter 17.160 (Glossary).
2. **One Facility Only.** An eating establishment may have either sidewalk dining or a street dining deck. An eating establishment may not have both sidewalk dining and a street dining deck.
3. **Limited to Eating Establishment Frontage.**
 - a. Sidewalk dining is allowed on the sidewalk directly adjacent to the eating establishment street frontage.
 - b. Street dining decks in the public right-of-way are only allowed on parking spaces that are:
 - (1) Wholly or partially located in the right-of-way; and
 - (2) Directly adjacent to the eating establishment street frontage unless authorized by paragraph (b) below.
 - c. The City may allow an outdoor dining area to extend beyond the eating and drinking establishment frontage if:
 - (1) Due to the road and parking space layout, the outdoor eating area cannot be designed without extending the area beyond immediately adjacent parking spaces;
 - (2) Extending the outdoor dining area will not have significant impact on adjoining businesses as determined by the permit review authority; and
 - (3) Extending the outdoor dining area will not adversely impact coastal access.
4. **Sidewalk Width.** Outdoor dining areas in the public right-of-way shall provide a minimum clear width within the sidewalk of at least:
 - a. 5 feet in the MU-V zoning district; and
 - b. 4 feet in all other zoning districts.
5. **Signs.** All signs associated with an outdoor dining area in the public right-of-way must comply with Zoning Code Chapter 17.80 (Signs).
6. **Trash and Maintenance.** An outdoor dining area in the public right-of-way shall be maintained in a clean and safe condition as determined by the City.
7. **Amplified Sound.** Amplified sound, including amplified music, is not allowed in an outdoor dining area.

8. **Bicycle Parking for Street Dining Decks.**

- a. A street dining deck that eliminates an on-street parking space must include a bicycle parking rack integrated in the street dining deck design or within the private property of the eating or drinking establishment.
- b. The bicycle parking rack must provide a minimum of two bicycle parking spaces for each eliminated vehicle parking space.

9. **Hours of Operation.**

- a. Outdoor dining in the public right-of-way may occur between 7 a.m. and 10 p.m. seven days a week.
- b. The City may allow extended hours for street dining decks for special events and holidays.

H. Enforcement.

1. **General.**

- a. The City shall have all enforcement remedies permitted by law, including but not limited to those in Municipal Code Title 4 (General Municipal Code Enforcement).
- b. Any outdoor dining facility may be subject to inspection by the City on an annual basis or as needed to ensure compliance with this section, conditions of approval, and administrative procedures.
- c. The Community Development Director is authorized to issue administrative citations pursuant to Municipal Code Chapter 4.14 (Administrative Citations), in amounts set forth by separate resolution of the City Council.

2. **Revocation of Permit.** After a permit holder is issued a fourth administrative citation, the Community Development Director or Public Works Director may revoke any Administrative Permit and the Planning Commission may revoke any Design Permit. Grounds for revocation shall be the permit-holder's lack of compliance with the requirements in this section or any permit issued pursuant to this section. The decision regarding revocation is appealable pursuant to the procedures in Chapter 2.52 (Appeals to City Council).

Section 3. Section 17.196.175: Outdoor Dining on Private Property within Chapter 17.96 of the Capitola Municipal Code is hereby added to read as follows:

17.96.175 Outdoor Dining on Private Property

- A. Conditional Use Permit.** An eating establishment may provide outdoor dining on private property with a Conditional Use Permit and consent of private property owner that such use is permitted on the property.

- B. Coastal Development Permit.** Outdoor dining on private property in the coastal zone may require a Coastal Development Permit pursuant to Chapter 17.44 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

Section 4. Section 17.120.030 (Design Permits – When Required) of Chapter 17.120 of the Capitola Municipal Code is hereby amended as underlined to read as follows:

Chapter 17.120 Design Permits

17.120.030 When Required

- C. Types of Projects.** The types of projects that require a Design Permit, and the type of Design Permit for each project, are listed in Table 17.120-1. If a type of development project or activity is not specifically listed in Table 17.120-1, a Design Permit is not required.

TABLE 17.120-1: PROJECTS REQUIRING DESIGN PERMITS

Type of Project	Type of Permit
Single-Family Residential Projects	
Ground floor additions to existing single-family homes where the addition is visible from a public street and does not exceed 15 ft. in height, except for exempt additions (Section 17.120.030.B)	Minor Design Permit
Accessory structures greater than 10 ft. in height and/or 120 sq. ft. to 300 sq. ft.	Minor Design Permit
Accessory structures greater than 300 sq. ft.	Design Permit
Upper floor decks and balconies on the side or rear of a home that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Upper floor additions to an existing single-family homes	Design Permit
New single-family homes	Design Permit
Multifamily Residential Projects	
Ground-floor additions less than 15% of total floor area of an existing multifamily structure	Minor Design Permit
Upper floor decks and balconies on the side or rear of a structure that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Accessory structures including garbage and recycling enclosures	Minor Design Permit
Ground-floor additions 15% of total floor area or more to an existing multifamily structure	Design Permit
Upper floor additions to an existing multifamily structure	Design Permit
New multifamily residential structures	Design Permit
Non-Residential Projects (Including Mixed-Use)	
Exterior modifications to an existing structure that do not increase the floor area of the structure	Minor Design Permit
Accessory structures 120 sq. ft. to 300 sq. ft. including garbage and recycling enclosures	Minor Design Permit
Accessory structures greater than 300 sq. ft. including garbage and recycling enclosures	Design Permit
Additions less than 15% of the floor area of an existing non-residential structure where the addition is not visible from the primary street frontage	Minor Design Permit
Additions 15% or more of the floor area of an existing non-residential structure where the addition is visible from the primary street frontage	Design Permit
Additions to an existing non-residential structure of 3,000 sq. ft. or more	Design Permit
New non-residential structures	Design Permit
<u>Custom outdoor dining decks</u>	<u>Design Permit</u>

D. Single-Family Exemptions. The following additions to a single-family dwelling are exempt from the Design Permit requirement:

1. Ground-floor single-story additions up to 400 square feet at the rear of the home.
2. Enclosure of an existing recessed entrance up to 25 square feet.
3. Enclosure of an existing open porch up to 50 square feet.
4. Installation of bay windows.
5. A single accessory structures that does not exceed 120 square feet in floor area and 10 feet in height with no connection to water or sewer.
6. Minor exterior modification or replacement of materials on an existing structure including siding, windows, doors, and roof.
7. Other similar minor additions to a single-family dwelling as determined by the Community Development Director.
8. Upper floor decks and balconies immediately adjacent to a street or public open space.

E. Non-Residential Exemptions.

1. Prototype outdoor dining decks that comply with Section 17.96.170 (Outdoor Dining in Public Right of Way) are exempt from the Design Permit requirement.

Section 6: Compliance with California Environmental Quality Act (CEQA)

These Zoning Ordinance amendments are exempt from CEQA pursuant to Section 15305 and 15311 of the California Environmental Quality Act (CEQA). The Class 5 categorical exemption (Minor Alterations in Land Use Limitations) covers projects that consist of minor alterations in land use limitation in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The Class 11 categorical exemption (Accessory Structures) covers projects that consist of construction or placement of minor structures that are accessory to existing commercial, industrial, or institutional facilities. The proposed project is consistent with these two exemptions, because the requested action will not result in a direct or reasonably foreseeable change in the environment and because there is no possibility that the activity in question may have a significant effect on the environment.

Section 7: Severability

The City Council hereby declares every section, paragraph, sentence, cause, and phrase of this ordinance is severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses, or phrases.

Section 8: Effective Date

This Ordinance shall be in full force and effect thirty (30) days from its passage and adoption except that it will not take effect within the coastal zone until certified by the California Coastal Commission. This Ordinance shall be transmitted to the California Coastal Commission and shall take effect in the coastal zone immediately upon certification by the California Coastal

Commission or upon the concurrence of the Commission with a determination by the Executive Director that the Ordinance adopted by the City is legally adequate.

This ordinance was introduced on the ___ day of ___, 2021, and passed first reading on the ___ day of ___, 2021, and was adopted by the City Council of the City of Capitola on the ___ day of ___, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Yvette Brooks, Mayor

ATTEST:

Chloe Woodmansee, City Clerk

ATTACHMENTS:

- 1. Capitola Street Frontage Dining Ordinance Noise Memo

Prepared By: Katie Herlihy
Community Development Director

MEMORANDUM

To: Ms. Katie Herlihy, City of Capitola

From: Jonathan V. Leech, INCE

Subject: Noise Assessment
Proposed Outdoor Dining in Public Right of Way
New Municipal Code Section 17.96.170

Date: September 22, 2021

cc: Stephanie Strelow, Dudek

Attachment(s): DRAFT Municipal Code Section 17.96.170

Introduction

This memorandum presents the results of an assessment regarding the potential for impacts to existing noise-sensitive land uses from the proposed allowance of outdoor dining areas associated with restaurant uses in the MU-N, MU-V, C-C, and C-R zoning districts of Capitola.

Ordinance Overview

The ordinance would allow a restaurant or café to offer an outdoor dining space to customers that would be located within the sidewalk area in front of the building or on a deck constructed to occupy the on-street parking spaces in front of the building. Such outdoor dining area may not extend beyond the street frontage of the restaurant building, and a maximum of one option would be allowed per restaurant (i.e., either sidewalk area or parking space dining deck). With respect to dining decks, an applicant would have the option to propose a custom design or to employ a prototype design that has been preauthorized by the Planning Commission.

Outdoor dining as described above would only be allowed in the MU-N, MU-V, C-C, and C-R zoning districts of the City of Capitola. Further, a maximum of 25 on-street parking spaces would be permitted in the City for conversion to restaurant dining decks. The permit process for a dining deck of custom design would require approval by the Planning Commission, whereas a proposal employing a prototype dining deck could be approved administratively.

Under the proposed ordinance, outdoor dining in the public right of way would be limited to the hours between 7 a.m. and 10 p.m.; extended hours may be allowed by the City for occasional special events and during holidays. Amplified sound would be prohibited in public right of way dining areas, including amplified music.

Please refer to the complete draft version of Municipal Code Section 17.96.170 for additional details regarding the proposed outdoor dining allowance in the public right of way.

MEMORANDUM

Noise Assessment of Proposed Municipal Code Section 17.170.19 - Outdoor Dining in Public Right of Way

September 22, 2021

Page 2

Fundamentals of Sound

Although the terms may be used interchangeably in the right context, “sound” is defined as any gas or fluid pressure variation detected by the human ear, and “noise” is unwanted sound. A sound source generates an increase in the air pressure adjacent to the source, and the pressure travels through the air in all directions from the source as a wave; the ear then detects the pressure of the arriving wave, and this pressure is experienced as a sound level. The preferred unit for measuring sound is the decibel (dB), which by way of expressing the ratio of sound pressures to a reference value logarithmically enables a wide range of audible sound to be evaluated and discussed conveniently. On the low end of this range, zero dB is not the absence of sound energy, but instead corresponds approximately to the threshold of average healthy human hearing; and, on the upper end, 120–140 dB corresponds to an average person’s threshold of pain.

The human ear is not equally responsive to all frequencies of the audible sound spectrum. An electronic filter is normally used when taking noise measurements that de-emphasizes certain frequencies in a manner that mimics the human ear’s response to sound; this method is referred to as A-weighting. Sound levels expressed under the A-weighted system are sometimes designated dBA. All sound levels discussed in this report are A-weighted.

The equivalent continuous sound level (L_{eq}) is a single dB value which, if held constant during the specified time period, would represent the same total acoustical energy of a fluctuating noise level over that same time period. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. Another descriptor is the Day Night Average Noise Level (L_{dn}), which is a 24-hour weighted average often referenced for community noise management. The L_{dn} average is based upon the measured hourly L_{eq} values for each hour between 7 a.m. and 10 p.m., and to account for increased sensitivity to noise in the overnight period, 10 dB is added to the average hourly sound levels for each of the hours in this overnight period. CNEL is another 24-hour weighted average, which is similar to L_{dn} except that 5 dB is also added to each of the hourly average noise levels between 7 p.m. and 10 p.m. For comparison, a noise source of 58 dBA L_{eq} that is constant throughout the day and night would result in a CNEL or L_{dn} of 65 dBA.

In the outdoor environment, noise from a stationary source lessens (or attenuates) by 6 dB with each doubling of distance from the source. This occurs because the energy in the sound wave is depleted as it travels through the air. By way of example, noise measured to be 66 dBA at 5 feet from the source outdoors would reduce to 60 dBA at 10 feet from the sound source.

Because sound levels are based on a logarithmic scale, the addition, subtraction, and averaging of sound levels must employ logarithmic based formulas rather than arithmetic equations. For example, 60 dBA + 60 dBA = 63 dBA (not 120 dBA). For outdoor noise levels in the community, 3 dBA is the threshold for a new source to be barely noticeable above ambient levels by a person with health hearing, while a 5 dBA increase would be clearly noticeable. For instance, a new noise source of 65 dBA would be barely noticeable where background levels are 62 dBA; a new noise source of 67 dBA would be clearly noticeable where ambient levels are only 62 dBA.

Noise Regulation in Capitola

The City of Capitola General Plan Noise Element establishes an exterior noise exposure limit for single-family residential uses of 60 dBA L_{dn} and a limit of 65 dBA L_{dn} for multi-family residences and lodging facilities.

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The Capitola noise ordinance (Municipal Code Chapter 9.12) prohibits the generation of loud, irritating or boisterous noise within 200 feet of any residence or lodging facility; no noise level limit is identified in connection with such restrictions.

Commercial Dining Sound Levels

The proposed allowance of outdoor dining areas would only be associated with an existing restaurant or café, as an incidental or accessory use to the main establishment. As such, cooking and food preparation activities would be restricted to the existing indoor areas of the restaurant or café associated with the outdoor dining area. In addition, amplified sound would not be permitted in the outdoor dining area. Consequently, noise generating activity in the outdoor dining areas would consist of eating and conversation between diners.

The Noise Navigator Sound Level Database (Version 1.8 2016) provides several sound level references for restaurant dining areas. Sound levels vary from 50 dBA L_{eq} for an elegant bistro, to 60 dBA L_{eq} for an average family style restaurant, to 65 dBA L_{eq} for a half-full casual dining restaurant. These measurements are indoors, and no distance is specified from the measurement point to the closest table or to the center of the dining area. One sound level reference is provided for an outdoor dining area, with 52 dBA L_{eq} identified for “people eating and talking” at 45 feet from the edge of the dining area. Using the standard formula for sound attenuation outdoors, this would equate to a sound level of approximately 76 dBA L_{eq} at 3 feet from the edge of the dining area.

A common sound level reference is 60 dBA L_{eq} for normal conversation between 2 people at a distance of 3 feet (*Physics*, Paul A. Tipler, 1976). Doubling the number of people in the conversation, the sound level would be approximately 63 dBA L_{eq} at 3 feet. Assuming 32 diners in an outdoor dining area, all engaged in conversation, the sound level would be approximately 72 dBA at 3 feet. This compares favorably to the sound level reference derived for people eating and speaking in an outdoor dining area, converted to a distance of 3 feet.

Based upon the above, this assessment uses a reference sound level of 76 dBA L_{eq} at 3 feet to represent the sound level from outdoor dining areas with a capacity of up to 32 persons.

Potential Public Right of Way Dining Areas in C-R and C-C Zones

Within the C-R zone, there is only one area where a residential property is adjacent to a location where street frontage dining could be introduced under the proposed ordinance. This location is at the northeast corner of 41st Street and Capitola Road. The closest residence to street frontage adjacent to Whole Foods Market/Cafe on Capitola Road is at approximately 50 feet. Dining noise at this distance would be no more than 48 dBA L_{eq} compared to a traffic noise level of approximately 58 dBA L_{eq} (converted from CNEL, Capitola General Plan 2019, Figure SN-6).

Within the C-C zone south of Capitola Road, residences exist across 49th Street east of the C-C zone boundary, but there are no restaurants in this vicinity. Residences also exist on the north and south side of Reposa Avenue adjacent to the C-C zone boundary, but there are also no existing restaurants in this area. For the C-C zone centered along Bay Avenue, residences are located along the south side of Center Street, but existing commercial development extends to the north side of the right of way, and space to establish outdoor dining does not exist. Residences are also on the north and south sides of Hill Street, adjacent to the east side of the C-C zone, but there are no existing restaurants in this vicinity.

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Consequently, the potential creation and operation of sidewalk or parking area dining decks associated with restaurants in the C-C and C-R zone districts would not be anticipated to result in noticeable noise levels at existing nearby residences.

Potential Public Right of Way Dining Areas in MU-N Zone

The MU-N zone is characterized chiefly by a single row of parcels aligned along an arterial roadway. Residences are typically located on the parcels “behind” the MU-N boundary, where the MU-N use separates the residences from the busy street frontage. Because the outdoor dining areas contemplated under the proposed ordinance would only be allowed on the sidewalk or street frontage in front of an existing restaurant building, the restaurant building would provide an effective barrier to prevent dining noise from reaching the adjacent residences.

Consequently, the potential creation and operation of sidewalk or parking area dining decks associated with restaurants in the MU-N zone district would not be anticipated to result in noticeable noise levels at existing nearby residences.

Potential Public Right of Way Dining Areas in MU-V Zone

In the MU-V zone, there are residences both “behind” restaurants and across the street from restaurants. Residences behind an existing restaurant would be shielded from dining noise associated with an allowed outdoor dining area in the front of an existing restaurant, by virtue of the restaurant building itself providing a noise barrier. Residences located across the street from an existing restaurant would not be located closer than approximately 25 feet from the potential dining area, given the width of streets in the MU-V zone.

At a distance of 25 feet, outdoor dining noise from a group of 32 diners would be approximately 54 dBA L_{eq} . This noise level would be generally equivalent to the noise associated with traffic along Capitola Avenue, Stockton Avenue, and Monterey Avenue within the MU-V zone (interpreted to be 53 dBA L_{eq} as converted from CNEL, Capitola General Plan 2019, Figure SN-6). During periods of very light traffic on roadways in the MU-V, dining conversation noise may be audible at nearby residences, but should not constitute a loud, irritating or boisterous noise.

In addition, based upon a constant noise level of 54 dBA L_{eq} - outdoor dining noise levels at the closest residences in the MU-V zone would result in a CNEL of 54 dBA, based on the proposed operating schedule limitation to the hours between 7 a.m. to 10 p.m.

Consequently, the potential creation and operation of sidewalk or parking area dining decks associated with restaurants in the MU-V zone district would not be anticipated to result in substantial increases in noise levels at existing nearby residences.

Conclusion Regarding Noise Impacts

While the Capitola noise ordinance (Municipal Code Chapter 9.12) prohibits the generation of loud, irritating or boisterous noise within 200 feet of any residence or lodging facility; no noise level limit is identified in connection with such restrictions. Based on the analysis discussed above, the potential creation and operation of sidewalk or parking area dining decks associated with restaurants in the C-C and C-R and MU-N zone districts would not be anticipated to result

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Noise Assessment of Proposed Municipal Code Section 17.170.19 - Outdoor Dining in Public Right of Way

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in noticeable noise levels at existing nearby residences or lodging facilities due to limited noise generation from dining and given existing ambient noise levels in these areas. In the MU-V zone district, the potential creation and operation of sidewalk or parking area dining decks associated with restaurants would not be anticipated to result in substantial increases in noise levels at existing nearby residences or lodging facilities (i.e., dining noise levels experienced at residences or lodging facilities would not be anticipated to exceed 3 dBA over ambient levels). Consequently noise impacts upon noise-sensitive land uses from adoption of the proposed ordinance are anticipated to be less than significant.

17.96.170 Outdoor Dining in Public Right of Way

- A. Purpose.** This section establishes standards and permit requirements for outdoor dining in the public right-of-way.
- B. Definitions.**
1. **Outdoor Dining.** “Outdoor dining” means and includes both sidewalk dining and street dining decks.
 2. **Sidewalk Dining.** “Sidewalk dining” means the use of an outdoor sidewalk area within the public-right-of-way, by a private business that is an eating and drinking establishment, for eating and drinking activities.
 3. **Street Dining Deck.** A street dining deck means a platform or similar level surface within the public right-of-way and extending beyond the curb and into a roadway or on-street parking area for use by a private business that is an eating or drinking establishment.
 - a. **Custom Street Dining Deck.** A custom street dining deck is a street dining deck designed by the applicant.
 - b. **Prototype Street Dining Deck.** A prototype street dining deck is a street dining deck utilizing a design that has been preauthorized by the Planning Commission.
- C. Where Allowed.**
1. **Sidewalk Dining.**
 - a. Sidewalk dining is allowed in the MU-N, MU-V, C-C, and C-R zoning districts.
 - b. In the MU-V zoning district, sidewalk dining is allowed only on Monterey Avenue and on the Capitola Wharf.
 2. **Street Dining Decks.** Street dining decks are allowed only in the MU-V zoning district.
- D. Maximum Number of On-Street Parking Spaces.** A maximum of 25 total on-street parking spaces may be used for street dining decks. Spaces shall be allocated by the City Manager in accordance with administrative policies issued pursuant to this section.
- E. Permits and Approvals.**
1. **Required Permits.** Table 17.96-2 shows permits required for sidewalk dining and street dining decks.

Table 17.96-2: Permits Required for Outdoor Dining in Public Right-of-way

Type of Outdoor Dining	Permit Required [2] [3]	Zoning Code Chapter
Sidewalk Dining	Administrative Permit	17.116
Street Dining Decks		
Prototype Street Dining Deck [1]	Administrative Permit	17.116
Custom Street Dining Deck	Design Permit	17.120

[1] Prototype dining deck designs are identified in the adopted Village Outdoor Dining Program Administrative Policy No. I-36.

[2] Outdoor dining in the public right-of-way also requires an encroachment permit pursuant to Municipal Code Chapter 12.56. Minor encroachment permits for applications for prototype street dining decks may be issued by the Public Works Director and major encroachment permits for custom street dining decks may be issued by the Planning Commission.

[3] A street dining deck or sidewalk dining area located in the coastal zone may require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone).

2. **Administrative Permit Standards.** All applications for an Administrative Permit are reviewed and acted on by the Community Development Director and must comply with the following standards:
 - a. Any included street dining deck must be designed consistent with a prototype design approved by the Planning Commission.
 - b. The sidewalk dining area or street dining deck must comply with all applicable requirements of this section, the Zoning Code, , and all other applicable laws, administrative policies, rules, and regulations.
 - c. If located in the coastal zone, the sidewalk dining area or street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
 - d. The street dining deck or sidewalk dining area must utilize high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
 - e. A prototype street dining decks must use a design authorized by a valid coastal development permit.
3. **Design Permit Findings.** All applications for a Design Permit are viewed and acted on by the Planning Commission. Notwithstanding Municipal Code Section 17.120.080 (Findings for Approval), the Planning Commission shall not make the Design Permit findings in Section 17.120.080, and instead shall make the following findings:
 - a. The street dining deck complies with all applicable requirements of this section, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.

- b. If located in the coastal zone, the street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
 - c. The design of the street dining deck supports a safe, inviting, and lively public realm consistent with the purpose of the MU-V zoning district as provided in Section 17.20.040 (Purpose of the Mixed Use Zoning Districts).
 - d. The street dining deck materials include high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
4. **Good Standing.** In the past twenty-four months, the applicant has not been issued a notice of abatement, violation, or code enforcement related to an ABC license, entertainment permit, or use permit. Any courtesy code enforcement notices received by the applicant was corrected by the applicant within the date specified on the courtesy notice.
5. **Other Permits and Approvals.**
- a. Sidewalk and street dining decks are subject to all other permits, licenses and/ or entitlements required by State or local law.
 - b. A street dining deck or sidewalk dining area located in the coastal zone may require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in Section 17.44.130 (Findings for approval).
6. **Use of Permit Fees in Coastal Zone.** For sidewalk dining and street dining decks in the coastal zone, the City shall utilize no less than 50 percent of permit fees received for coastal access programs, maintenance, and improvements.

F. Administrative Policies.

- 1. The City Manager is authorized to issue administrative policies regarding the administration and leasing of the public right-of-way for sidewalk dining and street dining decks, including but not limited to the application and selection process for applicants, maintenance requirements, and other related policies.
- 2. In the event of any conflict between the provisions of this chapter and the administrative policy, the more restrictive requirement shall control.

G. Operating and Development Standards.

- 1. **Must Serve Eating and Drinking Establishment.** Outdoor dining in the public right-of-way is allowed only when incidental to and a part of an “eating and drinking establishment” as defined in Chapter 17.160 (Glossary).
- 2. **One Facility Only.** An eating establishment may have either sidewalk dining or a street dining deck. An eating establishment may not have both sidewalk dining and a street dining deck.
- 3. **Limited to Eating Establishment Frontage.**

- a. Sidewalk dining is allowed on the sidewalk directly adjacent to the eating establishment street frontage.
 - b. Street dining decks in the public right-of-way are only allowed on parking spaces that are:
 - (1) Wholly or partially located in the right-of-way; and
 - (2) Directly adjacent to the eating establishment street frontage unless authorized by paragraph (b) below.
 - c. The City may allow an outdoor dining area to extend beyond the eating and drinking establishment frontage if:
 - (1) Due to the road and parking space layout, the outdoor eating area cannot be designed without extending the area beyond immediately adjacent parking spaces;
 - (2) Extending the outdoor dining area will not have significant impact on adjoining businesses as determined by the permit review authority; and
 - (3) Extending the outdoor dining area will not adversely impact coastal access.
4. **Sidewalk Width.** Outdoor dining areas in the public right-of-way shall provide a minimum clear width within the sidewalk of at least:
 - a. 5 feet in the MU-V zoning district; and
 - b. 4 feet in all other zoning districts.
 5. **Signs.** All signs associated with an outdoor dining area in the public right-of-way must comply with Zoning Code Chapter 17.80 (Signs).
 6. **Trash and Maintenance.** An outdoor dining area in the public right-of-way shall be maintained in a clean and safe condition as determined by the City.
 7. **Amplified Sound.** Amplified sound, including amplified music, is not allowed in an outdoor dining area.
 8. **Bicycle Parking for Street Dining Decks.**
 - a. A street dining deck that eliminates an on-street parking space must include a bicycle parking rack integrated in the street dining deck design or within the private property of the eating or drinking establishment.
 - b. The bicycle parking rack must provide a minimum of two bicycle parking spaces for each eliminated vehicle parking space.
 9. **Hours of Operation.**
 - a. Outdoor dining in the public right-of-way may occur between 7 a.m. and 10 p.m. seven days a week.
 - b. The City may allow extended hours for street dining decks for special events and holidays.

H. Enforcement.

1. **General.**

- a. The City shall have all enforcement remedies permitted by law, including but not limited to those in Municipal Code Title 4 (General Municipal Code Enforcement).
 - b. Any outdoor dining facility may be subject to inspection by the City on an annual basis or as needed to ensure compliance with this section, conditions of approval, and administrative procedures.
 - c. The Community Development Director is authorized to issue administrative citations pursuant to Municipal Code Chapter 4.14 (Administrative Citations), in amounts set forth by separate resolution of the City Council.
2. **Revocation of Permit.** After a permit holder is issued a fourth administrative citation, the Community Development Director or Public Works Director may revoke any Administrative Permit and the Planning Commission may revoke any Design Permit. Grounds for revocation shall be the permit-holder’s lack of compliance with the requirements in this section or any permit issued pursuant to this section. The decision regarding revocation is appealable pursuant to the procedures in Chapter 2.52 (Appeals to City Council).

17.96.175 Outdoor Dining on Private Property

- A. **Conditional Use Permit.** An eating establishment may provide outdoor dining on private property with a Conditional Use Permit and consent of private property owner that such use is permitted on the property.
- B. **Coastal Development Permit.** Outdoor dining on private property in the coastal zone may require a Coastal Development Permit pursuant to Chapter 17.44 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

Chapter 17.120 Design Permits

17.120.030 When Required

- C. **Types of Projects.** The types of projects that require a Design Permit, and the type of Design Permit for each project, are listed in Table 17.120-1. If a type of development project or activity is not specifically listed in Table 17.120-1, a Design Permit is not required.

TABLE 17.120-1: PROJECTS REQUIRING DESIGN PERMITS

Type of Project	Type of Permit
Single-Family Residential Projects	
Ground floor additions to existing single-family homes where the addition is visible from a public street and does not exceed 15 ft. in height, except for exempt additions (Section 17.120.030.B)	Minor Design Permit
Accessory structures greater than 10 ft. in height and/or 120 sq. ft. to 300 sq. ft.	Minor Design Permit
Accessory structures greater than 300 sq. ft.	Design Permit
Upper floor decks and balconies on the side or rear of a home that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Upper floor additions to an existing single-family homes	Design Permit
New single-family homes	Design Permit
Multifamily Residential Projects	
Ground-floor additions less than 15% of total floor area of an existing multifamily structure	Minor Design Permit
Upper floor decks and balconies on the side or rear of a structure that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Accessory structures including garbage and recycling enclosures	Minor Design Permit
Ground-floor additions 15% of total floor area or more to an existing multifamily structure	Design Permit
Upper floor additions to an existing multifamily structure	Design Permit
New multifamily residential structures	Design Permit
Non-Residential Projects (Including Mixed-Use)	
Exterior modifications to an existing structure that do not increase the floor area of the structure	Minor Design Permit
Accessory structures 120 sq. ft. to 300 sq. ft. including garbage and recycling enclosures	Minor Design Permit
Accessory structures greater than 300 sq. ft. including garbage and recycling enclosures	Design Permit
Additions less than 15% of the floor area of an existing non-residential structure where the addition is not visible from the primary street frontage	Minor Design Permit
Additions 15% or more of the floor area of an existing non-residential structure where the addition is visible from the primary street frontage	Design Permit
Additions to an existing non-residential structure of 3,000 sq. ft. or more	Design Permit
New non-residential structures	Design Permit
Custom outdoor dining decks	Design Permit

D. Single-Family Exemptions. The following additions to a single-family dwelling are exempt from the Design Permit requirement:

1. Ground-floor single-story additions up to 400 square feet at the rear of the home.
2. Enclosure of an existing recessed entrance up to 25 square feet.
3. Enclosure of an existing open porch up to 50 square feet.
4. Installation of bay windows.
5. A single accessory structures that does not exceed 120 square feet in floor area and 10 feet in height with no connection to water or sewer.
6. Minor exterior modification or replacement of materials on an existing structure including siding, windows, doors, and roof.
7. Other similar minor additions to a single-family dwelling as determined by the Community Development Director.
8. Upper floor decks and balconies immediately adjacent to a street or public open space.

E. Non-Residential Exemptions.

1. Prototype outdoor dining decks that comply with Section 17.96.170 (Outdoor Dining in Public Right of Way) are exempt from the Design Permit requirement.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 7, 2021

SUBJECT: **Presentation on Nonconforming Structures and Permissible Structural Alterations**

Discussion on non-conforming structures and permissible structural alterations.

Representative: Katie Herlihy, Community Development Director

BACKGROUND

In 1993, Municipal Code Chapter 17.92 Nonconforming Uses was adopted. This section of code is currently in effect citywide.

In 2018, the City adopted an updated zoning code with a new chapter on Nonconforming Structures and Nonconforming Uses. After adopting the zoning code, the City began working with Coastal Commission staff to certify the code.

In March of 2018, the Coastal Commission published the [Sea Level Rise Adaptation Guide for Residential Development](#). This document, although not yet formally adopted, took a much different approach to nonconforming structures within the Coastal Zone. The guide created new thresholds for when a development proposal become a redevelopment and must come into conformance with all coastal resource protection policies and Local Coastal Plan. The new sea level rise document has been controversial and yet to be officially adopted by the Coastal Commission, in part due to a 50 percent threshold for redevelopment and including all improvement on a property in the valuation since the Coastal Act came into effect.

In April of 2018, city staff submitted the updated zoning code to the Coastal Commission staff for review. Coastal staff provided redlines to the City for the majority of the zoning code, except for the two chapters on geologic hazards and non-conforming uses and structures. The Coastal Staff recommended City consult the Seal Level Rise adaptation guide and review recent recommendations made to Marin County which included sea level rise adaptation guide strategies for residential development, specifically focused on coastal retreat.

Since the Sea Level Rise Adaptation Guide had not been adopted, Coastal Commission staff and City staff agreed to remove the updated chapter as it would likely hold up the certification of the updated Zoning Code. Currently, the 1993 version of the Non-Conforming use chapter continues to apply citywide.

During the August 19, 2021, Planning Commission meeting, Commissioner Newman requested an overview on the code section for permissible structural alteration to non-conforming structures.

DISCUSSION

Section 17.92.070 for permissible structural alterations reads as follows:

“Structural alterations of nonconforming structures, as defined in Section 17.160.020, shall be limited as follows: at the time application for a structural alteration is made, the building official shall determine the cost at prevailing contractor rates of the total work of the improvements involved, excluding permit costs, landscaping costs and architectural costs. If that cost, added to the costs (similarly calculated) of other work involving structural alterations, commenced in the preceding five years, exceeds eighty percent of the present fair market value of the structure (as it would be without any of the structural alterations), the proposed structural alterations may not be made.”

The building official currently utilizes the following values for values/costs:

Existing residence:	\$200/square foot
Existing garage:	\$90/square foot
Existing deck:	\$25/square foot
New conditioned space:	\$200/square foot
New garage:	\$90/square foot
New deck	\$25 square foot
Remodel Costs	(50% of new construction costs)
Remodel cond. space	\$100/square foot
Remodel garage	\$45/square foot
Remodel deck	\$12.50 square foot.

The calculation requires an applicant to come into compliance with the development standards if a development application exceeds 80 percent of present fair market value. Three examples are included as attachments of different scenarios for a 1,000 square foot home that has a 200 square foot garage and a 100 square foot deck. Scenario one shows a property owner can remodel the entire structure and would be at 50% of existing value. Scenario two shows that a property owner could remodel their entire structure and add a 33 percent addition and be at the 80% maximum. Scenario three shows no remodel with an 80% increase in square footage for additions would result in an 80% valuation. The outcome of the calculation is that a non-conforming structure may be remodeled in its entirety but is limited in the amount of square footage allowed for an addition.

ATTACHMENTS:

1. Example 1 Full remodel
2. Example 2. Full remodel with 33 percent addition
3. Example 3. 80% Addition

Prepared By: Katie Herlihy
Community Development Director

CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

Existing Building Costs:

STAFF

Existing Residence:	1000 square feet	=	\$ 200,000.00
	\$ 200.00 square foot		
Existing Garage:	200 square feet	=	\$ 18,000.00
	\$ 90.00 square foot		
Existing Deck:	100 square feet	=	\$ 2,500.00
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 220,500.00</u>
80% of Total Existing Value			\$ 176,400.00

New Construction Costs:

New Conditioned Space:	square feet	=	
	\$ 200.00 square foot		
New Garage:	square feet	=	
	\$ 90.00 square foot		
New deck/porch:	square feet	=	
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>_____</u>

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	1000 square feet	=	\$ 100,000.00
	\$ 100.00 square foot		
Remodel Garage:	200 square feet	=	\$ 9,000.00
	\$ 45.00 square foot		
Remodel Deck:	100 square feet	=	\$ 1,250.00
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u>\$ 110,250.00</u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 110,250.00</u>
% of Existing Value			50.0%

Attachment: Example 1 Full remodel (NonConforming Structures)

CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

Existing Building Costs:

STAFF

Existing Residence:	1000 square feet	=	\$ 200,000.00
	\$ 200.00 square foot		
Existing Garage:	200 square feet	=	\$ 18,000.00
	\$ 90.00 square foot		
Existing Deck:	100 square feet	=	\$ 2,500.00
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 220,500.00</u>
80% of Total Existing Value			\$ 176,400.00

New Construction Costs:

New Conditioned Space:	330 square feet	=	\$ 66,000.00
	\$ 200.00 square foot		
New Garage:	square feet	=	
	\$ 90.00 square foot		
New deck/porch:	square feet	=	
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>\$ 66,000.00</u>

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	1000 square feet	=	\$ 100,000.00
	\$ 100.00 square foot		
Remodel Garage:	200 square feet	=	\$ 9,000.00
	\$ 45.00 square foot		
Remodel Deck:	100 square feet	=	\$ 1,250.00
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u>\$ 110,250.00</u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 176,250.00</u>
% of Existing Value			79.9%

Attachment: Example 2. Full remodel with 33 percent addition (NonConforming Structures)

CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

Existing Building Costs:

STAFF

Existing Residence:	1000 square feet	=	\$ 200,000.00
	\$ 200.00 square foot		
Existing Garage:	200 square feet	=	\$ 18,000.00
	\$ 90.00 square foot		
Existing Deck:	100 square feet	=	\$ 2,500.00
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 220,500.00</u>
80% of Total Existing Value			\$ 176,400.00

New Construction Costs:

New Conditioned Space:	800 square feet	=	\$ 160,000.00
	\$ 200.00 square foot		
New Garage:	160 square feet	=	\$ 14,400.00
	\$ 90.00 square foot		
New deck/porch:	80 square feet	=	\$ 2,000.00
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>\$ 176,400.00</u>

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	square feet	=	
	\$ 100.00 square foot		
Remodel Garage:	square feet	=	
	\$ 45.00 square foot		
Remodel Deck:	square feet	=	
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u></u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 176,400.00</u>
% of Existing Value			80.0%

Attachment: Example 3. 80% Addition (NonConforming Structures)