



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, March 1, 2018 – 7:00 PM

Chairperson Sam Storey
Commissioners Linda Smith
 Ed Newman
 TJ Welch
 Susan Westman

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. NEW BUSINESS

A. Commission Roster Update

i. Traffic & Parking Commission

3. 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

4. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Jan 18, 2018 7:00 PM

2. Planning Commission - Regular Meeting - Feb 1, 2018 7:00 PM

5. 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. 409 Pilgrim Drive 17-0501 035-101-11

Design Permit for a single-family home which includes an attached secondary dwelling unit located at 409 Pilgrim Drive within the R-1 (Single-Family) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit that is not appealable.

Environmental Determination: Categorical Exemption

Property Owner: John & Tricia Slater

Representative: Dennis Norton. Filed: 12-15-2017

6. 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. 1810 Wharf Road #17-0381 APN: 035-111-02

Design Permit, Conditional Use Permit, and Coastal Development Permit for an addition to a historic single-family residence with a detached garage in the R-1/AR (Single Family/Automatic Review) Zoning District. The proposal includes a variance for height of the water tower, the front yard setback of the detached garage, reduction of onsite parking, and for exceeding the maximum value of a non-conforming structure.

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

Environmental Determination: Categorical Exemption

Property Owner: Benjamin Strock

Representative: Benjamin Strock, filed: 6/27/16

B. General Plan Clean-up Discussion**7. DIRECTOR'S REPORT****8. COMMISSION COMMUNICATIONS****9. 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. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. 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.



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, JANUARY 18, 2018
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. NEW BUSINESS

A. Election of Chair and Vice Chair

Commissioner Smith moved, seconded by Commissioner Welch to elect Commissioner Storey as chair and Commissioner Westman as Vice Chair. The motion passed unanimously

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Smith, Commissioner |
| SECONDER: | Welch, Commissioner |
| AYES: | Newman, Smith, Storey, Welch, Westman |

B. Commission Appointments

i. Art & Cultural Commission

MOTION: Appoint Chairperson Storey to the Art and Cultural Commission

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Westman, Commissioner |
| SECONDER: | Smith, Commissioner |
| AYES: | Newman, Smith, Storey, Welch, Westman |

ii. Traffic & Parking Commission

MOTION: Appoint Commissioner Welch to the Traffic and Parking Commission

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Edward Newman, Commissioner |
| SECONDER: | Westman, Commissioner |
| AYES: | Newman, Smith, Storey, Welch, Westman |

3. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda - None

B. Public Comments - None

C. Commission Comments

Commissioner Westman reported that she attended last week's City Council meeting when they had the presentation on the rail right-of-way. She appreciated hearing both sides and recommended that

Minutes Acceptance: Minutes of Jan 18, 2018 7:00 PM (Approval of Minutes)

anyone who may have missed the meeting to consider viewing the meeting presentations by both sides. It may be a big issue in our county and this would be a good opportunity to get educated on this topic.

Commissioner Smith invited interested persons to attend the City's meeting to discuss the Capitola Mall Redevelopment, next Wednesday, January 24, 2018, at 6 p.m., at the Capitola Community Center, 4400 Jade Street, Capitola.

D. Staff Comments

Director Grunow reported that the final adoption of the Zoning Code will be presented at the next City Council meeting of January 25. He invited the Commissioners to attend the meeting, which will be followed by a celebration immediately following the meeting to recognize everyone's hard work on this effort. Mr. Grunow reported that he has been working on a clean-up of the General Plan and has a few amendments that he would like to propose, mostly land use map changes to align with the new zoning map, and a couple of other minor items. He invited the Commissioners to review and comment, or recommend any other items they would like to address in advance of the process.

4. CONSENT CALENDAR

A. 201 Central Ave #17-0472 APN: 036-111-09

Design Permit and Conditional Use Permit for modifications to a historic resource located at 201 Central Avenue in the R-1 (Single Family Residential) Zoning District.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Mike Eugster

Representative: Susan Dee Cummins Filed: 3/20/2017

Commissioner Smith requested adding condition to take photographs of the existing windows inside and the porch posts that are inside the building now, before demolition, and to provide photos to the Capitola Museum. Project representative Susan Dee Cummins responded in agreement with the condition requested.

MOTION: Approve the Design Permit and Conditional Use Permit with the following amended conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of rehabilitation of a 1,037 square-foot home. The maximum Floor Area Ratio for the 1,650 square foot property is 58% (957 square feet). The total FAR of the project is 61% with a total of 1,025 square feet, which is existing noncompliant 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 January 18, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to issuance of building permit, applicant shall provide photo documentation of the front porch posts, the (now-interior) original front windows, and any original trim and file it with the City.
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 final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
8. Prior to issuance of building permit, all Planning fees associated with permit #17-0472 shall be paid in full.
9. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid 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 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.
14. 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.
15. 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

16. 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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. 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.
18. 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 17.81.160.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. 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.

FINDINGS

- **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The integrity of the historic resource will be maintained within the proposed design.
- **The application will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the historic resource. The modifications will not significantly alter the historic structure. The design does not compromise the integrity of the historic resource. The project will maintain the character and integrity of the neighborhood.
- **This project is categorically exempt under Section 15331 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15331 of the CEQA Guidelines exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. This project involves modification of an existing historic resource located in the R-1 (single

family) zoning district. The project is consistent with the Secretary of the Interior's Standards and therefore qualifies for the CEQA exemption.

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| RESULT: | APPROVED AS AMENDED [UNANIMOUS] |
| MOVER: | Edward Newman, Chairperson |
| SECONDER: | Susan Westman, Commissioner |
| AYES: | Smith, Newman, Welch, Westman, Storey |

B. 510 El Salto #15-174 APN: 036-125-16

Request for a one year extension of a previously approved Design Permit and Variance for a single-story addition to an existing home in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: John McEnery III

Representative: Derek Van Alstine, filed 10/20/15

Commissioner Welch and Chairperson Storey recused themselves due to proximity.

MOTION: Approve one year extension with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 700-square-foot addition to an existing single-family home and approval of a variance to the on-site parking requirements. The maximum Floor Area Ratio for the 7,528-square-foot property is 48% (3,613 square feet). The total FAR of the project is 32% with a total of 2,411 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 December 3, 2015, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The December 3, 2015 design permit and variance was granted a one year extension on January 18, 2018. The design permit and variance will remain valid through January 18, 2019.
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 building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
5. The applicant is required to provide one additional 9' by 20' parking space on-site in addition to the existing two covered garage spaces (§17.15.130).
6. 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.

7. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
8. 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.
9. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
10. Prior to issuance of building permit, all Planning fees associated with permit # 15-174 shall be paid in full.
11. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
12. 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.
13. 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.
14. 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).
15. 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. Erosion and sediment control shall be installed prior to the commencement of construction and maintained throughout the duration of the construction project.
16. 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.
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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
19. 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.
20. 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 17.81.160.
21. 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.
22. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

- A. **A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 3rd, 2015. A one-year extension of the permit to December 3rd, 2018, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.**
The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on December 3rd, 2015. Therefore, a one-year extension (to January 18, 2019) of said permit is appropriate.
- B. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
The proposed addition at 510 El Salto will conform to the development standards of the Zoning Ordinance with addition of one on-site parking as conditioned.
- C. **The application will maintain the character and integrity of the neighborhood.**
The proposed addition will maintain the existing single-family character and integrity of the Depot Hill neighborhood, as conditioned. The proposed materials within the addition blend seamlessly into the existing home.
- D. **This project is categorically exempt under Section 15301-E of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
This project involves the addition to an existing single-family residence in the R-1 (Single-Family Residential) Zoning District. Section 15301-E of the CEQA Guidelines exempts additions to existing homes in a residential zone.

- E. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**

The existing hedge located in the public right-of-way is considered to be a character-defining feature of the property and a significant asset to the neighborhood. The hedge is viewed as a special circumstance applicable to the topography and use of the subject property. The location of the existing hedge constitutes a special circumstance and makes it difficult to locate two off-street parking spaces; therefore, a variance is approved to preserve the hedge.

- F. **The grant of a variance permit would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**

The grant of a variance permit would not constitute the grant of a special privilege. Many of the adjacent properties in the Depot Hill neighborhood use this same right-of-way area for parking and other miscellaneous property improvements. In addition, the city has no plans to install sidewalks or any other improvements in this ten-foot wide public right-of-way area. The existing character-defining hedge constitutes a special circumstance prohibiting the applicant from meeting parking requirements on site.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages

to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 510 El Salto Dr. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along El Salto Dr. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property on El Salto Dr. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public

recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located in a residential lot.

b. Topographic constraints of the development site;

- The project is located on a relatively flat lot.

c. Recreational needs of the public;

- The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single family home on a residential lot of record.

SEC. 30250(c)

Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single family home on a residential lot of record.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project involves the construction of a single family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the soquel creek water district.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is a principally permitted use consistent with the Single Family zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures with the approved variance.

(D) (23) Project complies with the Capitola parking permit program as follows:

The project site is not located within the area of the Capitola parking permit program.

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| RESULT: | APPROVED [3 TO 0] |
| MOVER: | Linda Smith, Commissioner |
| SECONDER: | Susan Westman, Commissioner |
| AYES: | Smith, Newman, Westman |
| RECUSED: | Welch, Storey |

5. PUBLIC HEARINGS

A. 332 Riverview Avenue 17-0309 035-172-33

Design Permit for a third story addition and garage remodel in the CV (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Robert Mendes

Representative: Dennis Norton, filed: 08/11/17

Commissioner Newman recused himself due to owning property in proximity, and left the dais. Assistant Planner Orbach provided the presentation. Commissioner Smith had concerns about any potential future roof deck and requested that a condition be added that any roof deck proposal would be brought back to Planning Commission for approval.

MOTION: Approve Design Permit with the following amended conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 406 square foot third story addition to a single-family home. The total floor area of the project is 2,354 square feet. The addition does not exceed 10 percent of the existing floor area and therefore no addition parking is required. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on January 18th, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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
3. 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.
4. 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.
5. The permit approval includes 179 sq. ft. of third story deck. Any future expansion or introduction of deck areas shall require Planning Commission approval.
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, all Planning fees associated with permit #17-0309 shall be paid in full.
8. 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.
9. 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.
10. 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).

11. 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.
12. 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.
13. 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
14. 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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
15. 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.
16. 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 17.81.160.
17. 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.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

A. The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed construction of a 406 square foot third story addition, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The addition would comply with all development standards of the Central Village Zoning District.

B. The application will maintain the character and integrity of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the construction of a 406 square

foot third story addition. The new addition will blend in seamlessly with the existing structure while maintaining the character and integrity of the Riverview Avenue neighborhood.

C. This project is categorically exempt under Section 15301(b) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e) of the CEQA Guidelines exempts small additions to existing structures. The project involves a 406 square foot 3rd story addition to an existing single-family residence. Staff has not identified any possible environmental impacts associated with the project.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 332 Riverview Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of

that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along Riverview Avenue. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property on Riverview Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

- a. *The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;*
- b. *Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;*
- c. *Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.*
 - The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

- a. *Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;*
 - The project is located in a residential lot.
- b. *Topographic constraints of the development site;*
 - The project is located on a flat lot.
- c. *Recreational needs of the public;*
 - The project does not impact recreational needs of the public.
- d. *Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;*
- e. *The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;*
- f. *Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.*

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single-family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single-family home on a residential lot of record.

SEC. 30250(c)

Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single family home on a residential lot of record.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project involves a minor addition to a single-family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is a minor addition to a single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch

Butterflies have been encountered, identified, and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is consistent with the Central Village zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is located within the area of the Capitola parking permit program and has no impact on the parking permit program.

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| RESULT: | APPROVED AS AMENDED [4 TO 0] |
| MOVER: | TJ Welch, Commissioner |
| SECONDER: | Susan Westman, Commissioner |
| AYES: | Smith, Welch, Westman, Storey |
| RECUSED: | Newman |

B. 1810 Wharf Road #17-0381 APN: 035-111-02

Design Permit, Conditional Use Permit, and Coastal Development Permit for an addition to a historic single-family residence with a Variance to front yard setbacks for a new detached garage with accessory dwelling unit (ADU) above and additional height for recreated historic water tower located in the R-1/AR (Single Family/Automatic Review) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Benjamin Strock

Representative: Benjamin Strock, filed: 6/27/16

Commissioner Westman recused herself and excused herself from the meeting. Senior Planner Herlihy provided the project review and noted that there was a last-minute change to the parking configuration after the report recommending approval was prepared. Staff recommended continuing the item in order to allow time to receive Commission feedback on the proposed changes, and to consider the detached second story options.

Project designer Derrick Van Alstine reviewed the project and responded to some of the concerns raised by the public, staff, and the Commissioners. Director Grunow reported there was no mention of potential loss of public parking in the initial notice and this proposed change would need to be disclosed in future noticing. Joanne Kisling, a neighbor, recapped her concerns that were documented in the emails she had previously sent to the Planning Commission.

MOTION: Continue the public hearing to the meeting of March 1, 2018

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| RESULT: | CONTINUED [4 TO 0] |
| MOVER: | Edward Newman, Chairperson |
| SECONDER: | TJ Welch, Commissioner |
| AYES: | Smith, Newman, Welch, Storey |
| RECUSED: | Westman |

6. DIRECTOR'S REPORT - NONE

7. COMMISSION COMMUNICATIONS

Commissioner Smith stated that she will be out of town and would not be attending the next regular Planning Commission on February 1, 2018.

8. ADJOURNMENT

Jacqueline Aluffi, Clerk to the Commission



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 1, 2018
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioner Newman and Commissioner Smith are absent.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Item 5.B to be continued to March meeting due to absence of some Commissioners.

B. Public Comments

Dennis Norton thanked the Planning Commission and staff for updating the zoning code.

Mr. Norton had concerns about an ADU item in the Zoning Code, Section 17.99.080 Building Heights and ADUs, and second stories in ADUs. The Code currently does not allow building second story ADU on a single-story building. The height limit restricts ADUs to be at or below the height of the existing structure, so a single-story house would not be allowed to build an attached second-story ADU. Mr. Norton noted that this is a flaw in the code that could be corrected.

C. Commission Comments

Commissioner Welch commended the staff for all of the work on the zoning code update process.

D. Staff Comments

None.

3. ADOPTION OF MINUTES

1. Planning Commission - Regular Meeting - Dec 7, 2017 7:00 PM

Motion by Commissioner Welch, seconded by Commissioner Westman, to accept the minutes of December 7, 2017. The motion passed unanimously.

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | TJ Welch, Commissioner |
| SECONDER: | Susan Westman, Commissioner |
| AYES: | Welch, Westman, Storey |
| ABSENT: | Smith, Newman |

Minutes Acceptance: Minutes of Feb 1, 2018 7:00 PM (Approval of Minutes)

4. PRESENTATION

A. Update on Liquor Licenses

Senior Planner Herlihy gave the presentation.

Sergeant Marquis Booth from the Capitola Police Department (CPD) oversees the Village program and the City's Department of Alcoholic Beverage Control (ABC) grant. Sgt. Booth provided an overview on the work that they are doing in the Village and the participation of the Village businesses.

The CPD oversees the liquor license application process before recommendation to the Planning Commission for approval of any new conditional use permits.

5. PUBLIC HEARINGS

A. 623 Gilroy Drive #17-0468 APN: 035-062-08

Design Permit for a new single-family home located at 623 Gilroy Drive 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 after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: John & Lynn Plecque

Representative: Dennis Norton Filed: 11-29-2017

Assistant Planner Matt Orbach gave the presentation.

Commissioner Westman moved, seconded by Commissioner Welch, to approve the Design Permit application with the condition that the lower level can be either stucco or the horizontal siding, whichever they choose. The motion passed unanimously.

MOTION: Approve Design Permit and Coastal Development Permit with the following amended conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a new 1,592-square-foot single-family residence. The maximum Floor Area Ratio for the 2,800-square-foot property is 57% (1,596 square feet). The total FAR of the project is 56.8% with a total of 1,592 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 February 1, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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
3. 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.

4. 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.
5. 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.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #17-0468 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. 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.
10. 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.
11. 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).
12. 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.
13. 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.
14. 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
15. 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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.

16. 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.
17. 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 17.81.160.
18. 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.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. 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.

FINDINGS

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed single-family residence complies with the development standards of the Single-Family District. The project secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the new single-family home. The design of the home features: shingle siding on the second story and horizontal siding on the first story; craftsman style features, including the barn door style garage door, exposed rafters, false beams at gable ends; and piers with slanted sides supporting the front trellis. The design of the home fits in nicely with the existing homes on the street and will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15303(a) of the CEQA Guidelines exempts one single family residence, or a second dwelling unit, in a residential zone. This project involves a new single-family residence within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS**D. Findings Required.**

1. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:
2. **Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**
 - a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 623 Gilroy Drive. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas:
- The proposed project is located along Gilroy Drive. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use):
- There is not a history of public use on the subject lot.
- d. Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline:
- The proposed project is located on private property on Gilroy Drive. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls,

signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.

3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

- The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
- Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
- Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

- Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
- Topographic constraints of the development site;
 - The project is located on a flat lot.
- Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
- Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

- e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
- f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

5. Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project.

6. Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single-family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single-family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single-family home on a residential lot of record.

7. Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project involves the construction of a single-family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.

8. Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

9. Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

10. Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

11. Provisions of minimum water flow rates and fire response times;

- The project is located several blocks from the Capitola fire department. Water is available at the location.

12. Project complies with water and energy conservation standards;

- The project is for a single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

13. Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

14. Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

15. Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

16. Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

18. Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

20. Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

21. The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Single-Family zoning district.

22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and

- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.

23. Project complies with the Capitola parking permit program as follows:

- The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
- The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
- The village area preferential parking program shall be limited to three hundred fifty permits.
- Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends.
 - The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
- Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.

- f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.

RESULT: **APPROVED AS AMENDED [UNANIMOUS]**
MOVER: Susan Westman, Commissioner
SECONDER: TJ Welch, Commissioner
AYES: Welch, Westman, Storey
ABSENT: Smith, Newman

B. General Plan Clean-up Discussion

Motion by Commissioner Welch, second by Commissioner Westman, to continue Item 5.B meeting of March 2018 due to absence of two commissioners. The motion passed unanimously.

RESULT: **CONTINUED [UNANIMOUS]**
MOVER: TJ Welch, Commissioner
SECONDER: Susan Westman, Commissioner
AYES: Welch, Westman, Storey
ABSENT: Smith, Newman

6. DIRECTOR'S REPORT

Director Grunow reported that there was a lively discussion of the Jewel Box neighborhood traffic control improvements at the last City Council meeting. The Council deliberated on a number of options and ultimately decided to direct staff to install bollards along 47th Avenue to prevent cut-through traffic.

Director Grunow recognized Senior Planner Katie Herlihy's hard work and dedication throughout the zoning code update process, as well as the Planning Commission for all of the time and guidance that they contributed.

He also noted that there will be an item to discuss the City's current ordinance to prohibit commercial marijuana uses in the City on the next City Council agenda, to request direction from the Council to consider the idea, provide direction, and explore options for allowing some types of commercial uses.

7. COMMISSION COMMUNICATIONS

Commissioner Welch clarified that the Traffic and Parking Commission has been working with the Topaz Street (Jewel Box) group for the past three years trying to resolve the cut-through problem. The traffic engineer counted on two different occasions an average of 1,330 cars per day on Topaz, with an average speed of 20-21 mph. While the changes may impact the rest of the community, the hope is that it benefits everyone.

8. ADJOURNMENT

Jacqueline Aluffi, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 1, 2018
 SUBJECT: **409 Pilgrim Drive 17-0501 035-101-11**

Design Permit for a single-family home which includes an attached secondary dwelling unit located at 409 Pilgrim Drive within the R-1 (Single-Family) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit that is not appealable.

Environmental Determination: Categorical Exemption

Property Owner: John & Tricia Slater

Representative: Dennis Norton. Filed: 12-15-2017

APPLICANT PROPOSAL

The applicant is proposing a new single-family home with an attached Accessory Dwelling Unit (ADU) located at 409 Pilgrim Drive within the R-1 (Single-Family Residential) zoning district.

BACKGROUND

The Architectural and Site Review Committee reviewed the application on February 14th, 2018, and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: outlined challenges to putting one of the required parking spaces at the northeast corner of the lot due to existing utilities. Mrs. Uharriet also went through the list of additional stormwater documentation that would be required prior to issuance of a building permit.

Building Official, Fred Cullum: had no comments.

Local Architect, Frank Phantom: asked the applicant to show the location of existing houses and trees on neighboring properties so that the Planning Commission could address any privacy concerns. Mr. Phantom said that the design of the home is consistent with other properties in the area and works well with the neighboring properties.

City Planner, Matt Orbach: requested that the applicant meet with the City Tree Inspector prior to the Planning Commission meeting to assess the status of the liquid amber and the fir that the applicant is proposing to remove. Mr. Orbach also stated that the location of the liquid amber and a two-foot landscape strip between the required parking spots in the driveway and the property line must be indicated on the site plan.

Following the Architectural and Site Review hearing, the applicant submitted revised plans which addressed the committee's comments including removing the parking space from the northeast corner of the property, adding the footprints of the neighboring structures, adding the two foot landscape strip, and meeting with the City Tree Inspector.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1 (Single-Family) Zoning District. The proposed single-family home with attached ADU complies with all development standards of the R-1 zone.

R-1 (Single Family Residential) Zoning District

| Development Standards | | | |
|---|---|--------------------------|----------------------------|
| R-1 Height Regulation | | Proposed Height | |
| 25 ft. | | 24 ft. 5 in. | |
| Floor Area Ratio (FAR) | | | |
| Lot Size | | 5,271 sq. ft. | |
| Maximum Floor Area Ratio (with ADU – 60%) | | 3,163 sq. ft. | |
| Proposed New Floor Area | | 3,121 sq. ft. | |
| TOTAL FAR | | 59% | |
| Yards | | | |
| | R-1 Regulation | | Proposed |
| Front Yard | 15 ft. | | 15 ft. |
| Front Yard 2 nd Story & Garage | 20 ft. | | 20 ft. & 20 ft. |
| Side Yard | 10% lot width & street side: ≥ 10 ft. | Lot width 60: 6 ft. min. | 7 ft. & 15 ft. |
| Rear Yard | Side setback of adjacent lot | ≥ 4 ft. | 9 ft. 9 in. |
| Parking | | | |
| | Required | | Proposed |
| Residential (2,601 to 4,000 sq. ft.) | 4 spaces total - 1 covered, 3 uncovered | | 4 – 2 covered, 2 uncovered |
| Underground Utilities: required with 25% increase in area | | | Required |

DISCUSSION

The existing residence at 409 Pilgrim Drive is a single-story, single-family residence. The applicant is proposing to demolish the existing residence and construct a new two-story single-family residence with an attached Accessory Dwelling Unit. The lot is located in the upper village neighborhood. It is surrounded by one- and two-story single-family homes. The proposed residence features horizontal siding on the second story and stucco siding with stone wainscot on the first story. The residence has a contemporary design with a trellis above the front entry way.

The ADU complies with all the development standards for an attached ADU. The accessory dwelling unit is 487 square feet, which is under the 500 square foot limit on the 5,271 square foot lot. An attached ADU complies with the height limit matching the height of the proposed residence. The attached ADU is at the same height as the primary structure and therefore complies. The design and site planning are in compliance with the standards outline in §17.99.060. Conditions of approval have been added to ensure the ADU is deed restricted to comply with all the ADU requirement.

The applicant is proposing the removal of the two existing trees in the front yard, a liquid amber and a fir tree, and replacing them with four ginkgo biloba trees. The city tree inspector inspected the liquid amber and fir tree and determined that, because of the liquid amber's close proximity to the public right-of-way and the fir tree's history of being topped and extensively trimmed, it was acceptable for the trees to be removed and replaced. One elm tree along the north property line was previously removed. Two Chinese elms will be planted along the property line.

The proposed 3,121 square foot residence is required to have four on-site parking spaces, one of which must be covered. The proposal includes four parking spaces: two in the garage and two in the driveway. The proposal complies with all relevant code requirements and limitations.

CEQA

Section 15303(b) of the CEQA Guidelines exempts a duplex or similar multi-family residential structure, totaling no more than four dwelling units. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #17-0501.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 3,121 square-foot single-family home with an attached accessory dwelling unit. With the increased allowance for the accessory dwelling unit, the maximum Floor Area Ratio for the 5,271 square foot property is 60% (3,163 square feet). The total FAR of the project is 59% with a total of 3,121 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 March 1, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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
3. 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.
4. 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.
5. 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.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect

the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.

7. Prior to issuance of building permit, all Planning fees associated with permit #17-0501 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. 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.
10. 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.
11. 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).
12. 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.
13. 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.
14. 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
15. 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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. 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.
17. 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.

18. 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 17.81.160.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. 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.
22. The floor area for secondary dwelling units shall not exceed 487 square feet as approved by the Planning Commission.
23. At time of submittal for building permit review, a water will serve letter for the second dwelling unit must be submitted to the City or a letter of understanding that the owner will not be granted occupancy until such letter is submitted to the City.
24. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The secondary dwelling unit shall not be sold separately;
 - b. The unit is restricted to the approved size of 487 square feet;
 - c. The administrative review or the design permit, whichever applies, for the secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - d. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
 - e. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed single-family residence and accessory dwelling unit comply with the development standards of the Single-Family District. In addition, all of the ADU development requirements of Capitola Municipal Code §17.99.050 have been met. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

B. The project will maintain the character and integrity of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the new single-family home with an attached accessory dwelling unit. The design of the home with horizontal siding on the second story, stucco siding with stone wainscot on the first story, and the trellis above the front entry way will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15303(b) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15303(b) of the CEQA Guidelines exempts a duplex or similar multi-family residential structure, totaling no more than four dwelling units. This project involves a new single-family residence with an attached accessory dwelling unit within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

1. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:
2. **Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**

- a. **Project Effects on Demand for Access and Recreation.** Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 409 Pilgrim Drive. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
- b. **Shoreline Processes.** Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
 - The proposed project is located along Pilgrim Drive. No portion of the project is located along the shoreline or beach.
- c. **Historic Public Use.** Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the

area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not a history of public use on the subject lot.
- d. Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on Pilgrim Drive. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.

3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.

4. **Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
5. **Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**
- No legal documents to ensure public access rights are required for the proposed project.
6. **Project complies with visitor-serving and recreational use policies;**

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single-family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single-family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single-family home on a residential lot of record.
- 7. Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
 - The project involves the construction of a single-family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
 - 8. Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
 - The project complies with the design guidelines and standards established by the Municipal Code.
 - 9. Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**
 - The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.
 - 10. Demonstrated availability and adequacy of water and sewer services;**
 - The project is located on a legal lot of record with available water and sewer services.
 - 11. Provisions of minimum water flow rates and fire response times;**
 - The project is located several blocks from the Capitola fire department. Water is available at the location.
 - 12. Project complies with water and energy conservation standards;**
 - The project is for a single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
 - 13. Provision of park dedication, school impact, and other fees as may be required;**
 - The project will be required to pay appropriate fees prior to building permit issuance.

14. Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

15. Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

16. Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

18. Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

20. Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

21. The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Single-Family zoning district.

22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and

- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.

23. Project complies with the Capitola parking permit program as follows:

- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.

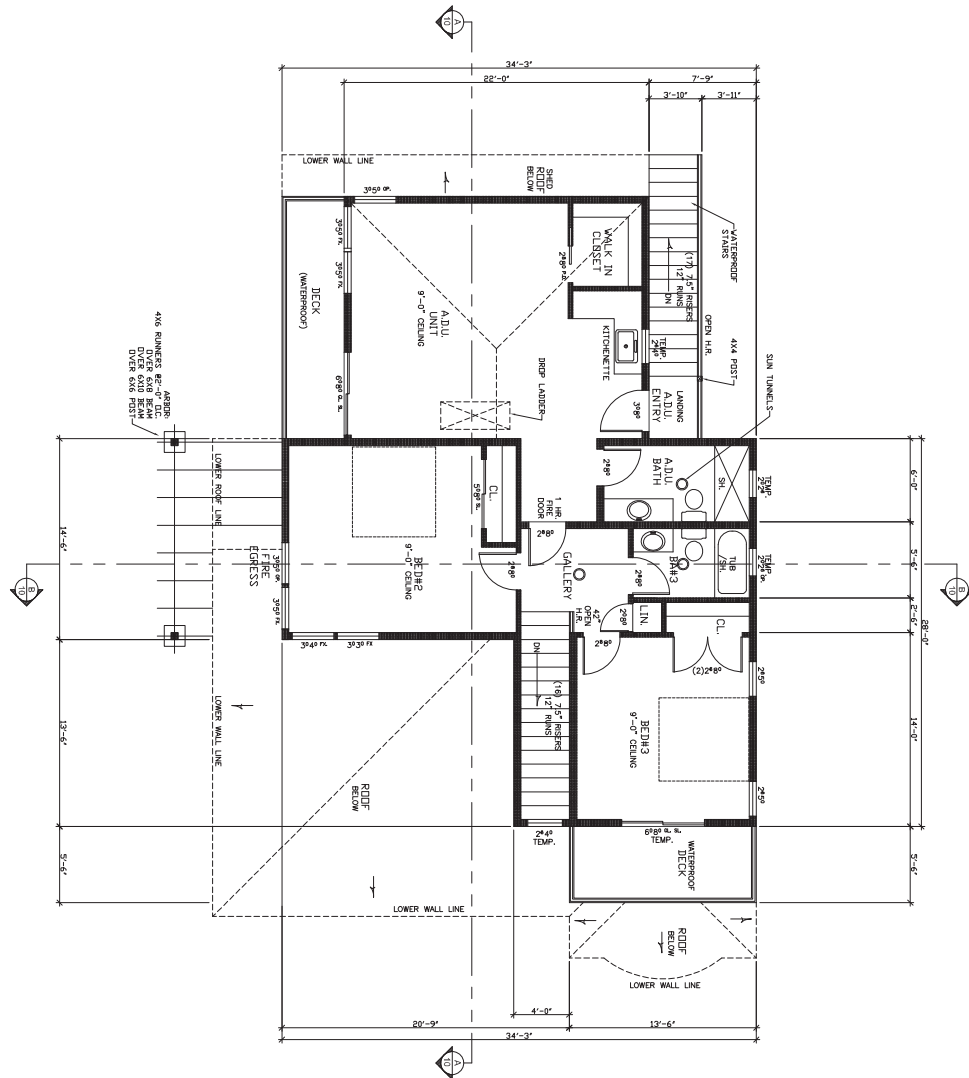
ATTACHMENTS:

1. Attachment 1 - Pilgrim Drive - 409 - #17-0501 - Full Plan Set - Letter.pdf

Prepared By: Matt Orbach
Assistant Planner







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

PROPOSED S.F.:
1ST FLOOR = 1,363 S.F.
2ND FLOOR = 570 S.F.
SUBTOTAL = 1,933 S.F.
2ND FLOOR DECK = 74 S.F.
COVERED PORCH = 10 S.F.
GARAGE = 543 S.F.
TOTAL = 2,660 S.F.

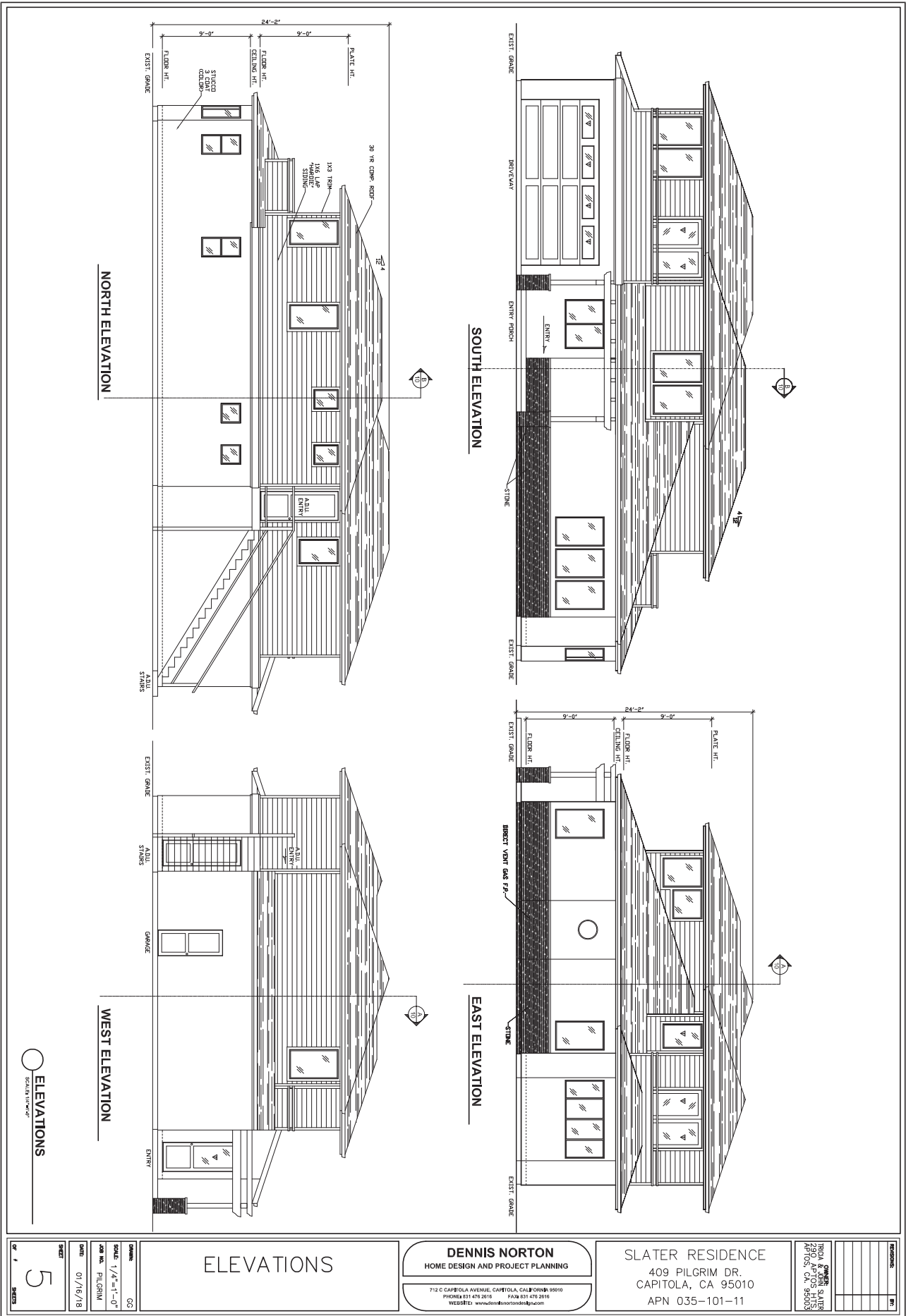
PROPOSED UPPER FLOOR PLAN

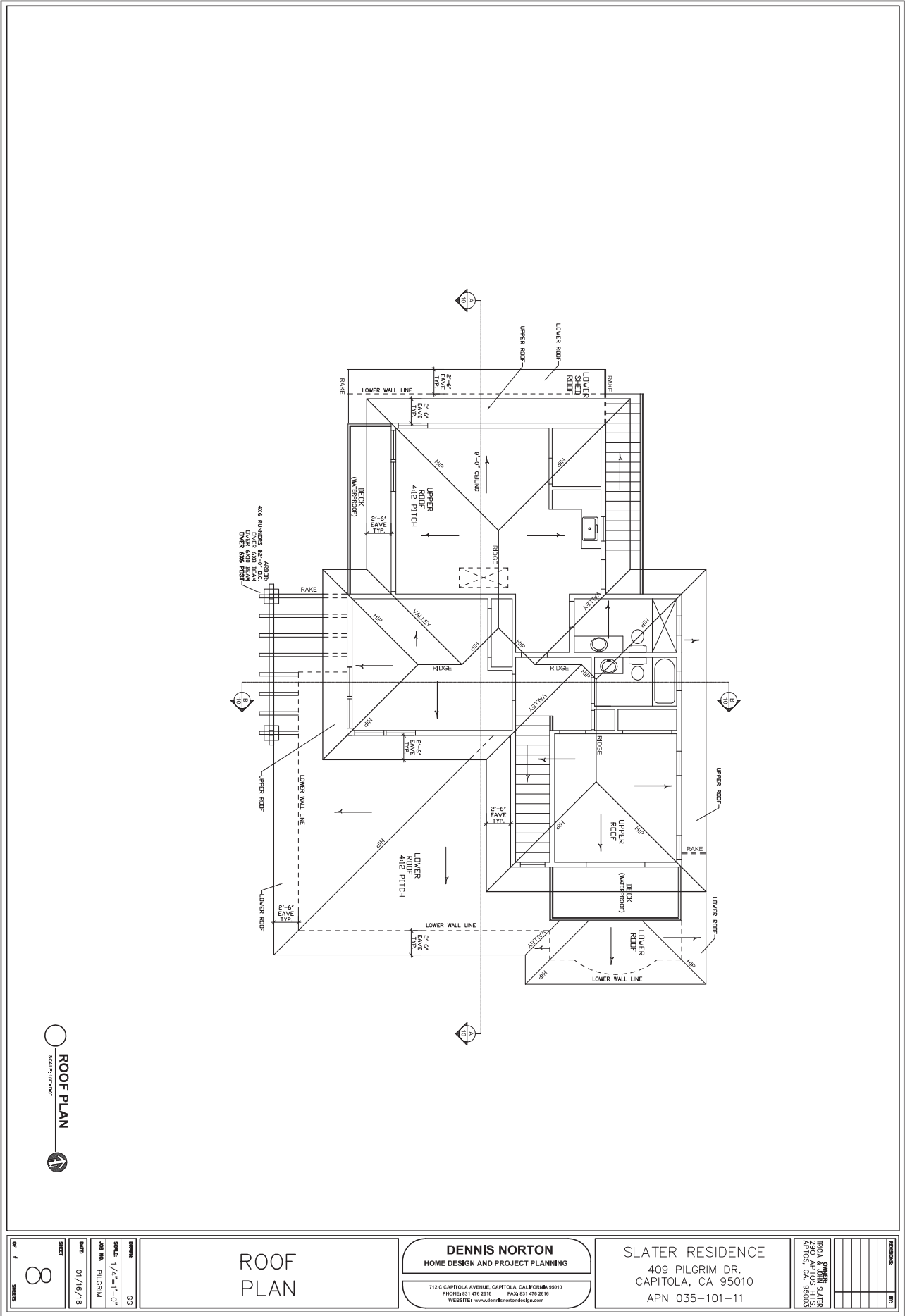
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennisonortondesign.com

SLATER RESIDENCE
409 PILGRIM DR.
CAPITOLA, CA 95010
APN 035-101-11

OWNER:
TRICIA & JOHN SLATED
290 APTOS HTS
APTOS, CA. 95003





ROOF PLAN

| <p>8</p> <p>SHEET</p> | <p>DATE: 01/16/18</p> | <p>CONTRACT:</p> <p>SCALE: 1/4"=1'-0"</p> <p>JOB NO. PILGRIM</p> | <p>OWNER:</p> <p>CC</p> | <p>ROOF PLAN</p> | <p>DENNIS NORTON</p> <p>HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AVENUE, CAPITOLA, CA 95010</p> <p>PHONE: 831.475.2018 FAX: 831.475.2018</p> <p>WEBSITE: www.dennisonortondesign.com</p> | <p>SLATER RESIDENCE</p> <p>409 PILGRIM DR.</p> <p>CAPITOLA, CA 95010</p> <p>APN 035-101-11</p> | <p>TRICIA A. SLATER</p> <p>2390 APOTOS HTS.</p> <p>APITOS, CA 95003</p> | <p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table> | NO. | DESCRIPTION | | | | | | | | |
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| <p>OF 4</p> | <p>SHEET</p> | <p>DATE: 01/16/18</p> | <p>CONTRACT:</p> <p>SCALE: 1/4"=1'-0"</p> <p>JOB NO. PILGRIM</p> | <p>OWNER:</p> <p>CC</p> | <p>DENNIS NORTON</p> <p>HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AVENUE, CAPITOLA, CA 95010</p> <p>PHONE: 831.475.2018 FAX: 831.475.2018</p> <p>WEBSITE: www.dennisonortondesign.com</p> | <p>SLATER RESIDENCE</p> <p>409 PILGRIM DR.</p> <p>CAPITOLA, CA 95010</p> <p>APN 035-101-11</p> | <p>TRICIA A. SLATER</p> <p>2390 APOTOS HTS.</p> <p>APITOS, CA 95003</p> | | | | | | | | | | | |

Diagram illustrating the cross-section of a road pavement structure, showing the following layers and materials:

- 2.5 ASPHALT CONCRETE PAVING WITH 1/2" DEEP V CHANNEL**
- 7" CLASS 2 AGGREGATE BASE (1/2" MAX AGGREGATE SIZE)**
- 4" CLASS 57 STONE OPEN GRADED BASE**
- 7" CLASS 2 AGGREGATE OVER 3/4" MAX AGGREGATE SIZE**
- SOILS COVER PLATE (FOOTING ON SOILS) 24" x 24" x 18" DEEP**
- OVER 2.5" MIN. NO. 4 REINFORCEMENT WITH NO. 4 CLOSURE & ANCHOR**
- #3 BAR TYPE A BOLT**

A cross-sectional diagram of a bridge pier. The pier is shown with a rectangular cross-section. The top part is a concrete cap, labeled "CONC. CAP - 6' WIDE X 12' DEEP". Below the cap is a layer of "SPRINKLE PAVEMENT PER P.M. OVER 2" HOT V.C. COMPACTED ROCK". The main body of the pier is labeled "CONCRETE PIER". The bottom part of the pier is labeled "43 BARS TOP & BOT". The pier is shown resting on a foundation, with a "PIER GRADE" line indicated at the top of the pier. The diagram is labeled "FIG. 10-10" and "FIG. 10-11".

TYPICAL FIBER ROLL INSTALLATION

N.T.S.

Vertical Sealing
Fiber Roll
Fiber Pad
Roller
Sealing Material
Fiber Roll
Fiber Pad
Roller
Sealing Material

Horizontal Sealing
Fiber Roll
Fiber Pad
Roller
Sealing Material
Fiber Roll
Fiber Pad
Roller
Sealing Material

Dimensions:
Top Method: 47' 0" x 47' 0"
Bottom Method: 47' 0" x 47' 0"

The drawing consists of two parts: a plan view (top) and a cross-section view (bottom).

Plan View: Shows a rectangular sediment barrier structure. The top boundary is labeled "EXISTING PAVED ROADWAY". The left side is labeled "Existing Catchment Gully". The right side is labeled "100' R Min". The structure has a width of "50' Min" and a length of "B". A "temporary pipe culvert as needed" is indicated on the right side. The structure is labeled "SEDIMENT TRAPPING DEVICE".

Cross-section View: Shows the vertical profile of the barrier. The top layer is labeled "Gravel (approximately 18 inches thick)". Below this is a layer of "12" - 18" stones (approximately 18 inches thick)". The bottom layer is labeled "Original ground". The structure is labeled "SEDIMENT TRAPPING DEVICE".

NOTE: Construct sediment barrier structure to prevent sediment from entering the gully.

SECTION B-B

[illegible]

ex. tree to remain (typ.)
ex. tree to be removed (typ.)
X

MAN F. D. LANGRISH
 DRAWN FOR THE
 DISTRICT ENGINEER
 OVER THE
 CLASS OF STONE OPEN GROUND BASE

PLAN

6'-0" MIN.

MIN. 0'-6"

12" MIN.

ALL CHEMICALS SHALL BE STORED IN WATERPROOF CONTAINERS (WITH APPROPRIATE LABELING) AND BE KEPT SEPARATE FROM FRESH SURFACES (OR LAYERS) OR IN A STORAGE SHED (COMPETITIVE DISCLOSED).

FOR THE USE OF PROTECTION MATERIALS TO RESISTION, THEY SHALL BE LAYED, THIS DOES NOT INCLUDE MATERIALS AND EQUIPMENT THAT ARE DESIGNED TO BE OXIDIZED AND EXPOSED TO ENVIRONMENTAL CONDITIONS (E.G. POLES, EQUIPMENT PILES, CHAINS, CONDUCTORS, INSULATORS, BRICKS, ETC.).

BEST MANAGEMENT PRACTICES TO PREVENT THE OFF-SITE TRACKING OF LOOSE CONSTRUCTION AND LANDFILL MATERIALS SHALL BE IMPLEMENTED.

[illegible]

LANDSCAPE ARCHITECTS SHALL BE REQUIRED TO PREPARE ALL GRASSES, OR FILL, TO EXIST IN THE DESIGN. ALL EQUIPMENT OR VEHICLES WHICH ARE TO BE PLACED, MAINTAINED AND STORED ON SITE SHALL BE IN A DISCREETLY LOCATED AND FILLED WITH APPROPRIATE PLANTS. PLANTS SHALL BE A MEDIUM TO GROWN AND LIVED VASCULARS SHALL BE GROWN OR PROPAGATED. COATING PROTECTED MATERIALS SUCH AS METALS AND TYPICAL WITH METAL AND ALUMINUM SHALL BE USED.

CONCERN PROTECTION AND OTHER LANDSCAPE MATERIALS WITH THEM ARE NOT ACTUALLY BEING USED.

ANY PROPOSED LANDSCAPE MATERIALS, PLANTS AND PLANTATIONS SHALL BE ACCORDING TO THE FOLLOWING: LANDSCAPE MATERIALS SHALL BE PLACED IN THE DESIGN WITHIN 2 DAYS OF THE DESIGN. LANDSCAPE MATERIALS SHALL BE PLACED IN THE DESIGN WITHIN 2 DAYS OF THE DESIGN. LANDSCAPE MATERIALS SHALL BE PLACED IN THE DESIGN WITHIN 2 DAYS OF THE DESIGN.

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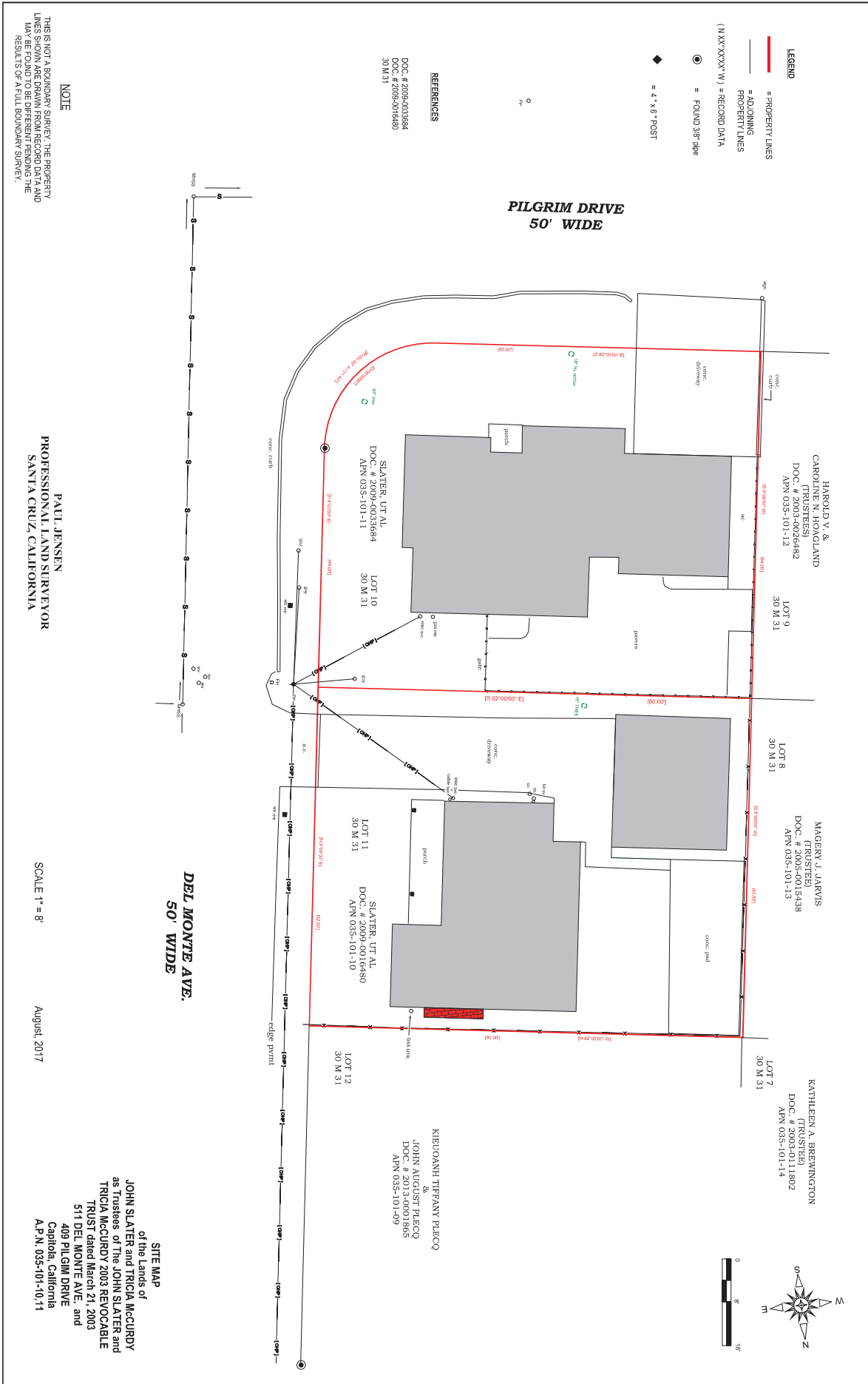
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712 C CAPITOLA AV • CAPITOLA, CA 95010 • 831 476 2616
FAX: 831 476 2806

| REVISIONS: | BY: |
|------------|-----|
| | |
| | |
| | |
| | |
| | |

OWNER:
 TRICIA & JOHN SLATER
 290 APTOS HTS.
 APTOS, CA. 95003

Packet Pg. 56



PLANT LIST-FRONT YARD

| CODE | NAME | # | SIZE |
|------|--|----|------|
| AC | AEONIUM CANARIENSIS | 5 | 2 |
| BG | BOUTELLOUA G. 'BLONDE AMBITION' | 10 | 1 |
| CH | CEANOTHUS 'M. 'HEARTSTORJON' | 1 | 5 |
| EI | ECHVEARIA IMBRICATA | 1 | 1 |
| GE | GINKO BILOBA (STD-FEMALE ONLY) | 4 | 15 |
| JP | JUNCUS PATENS | 13 | 1 |
| MC | MUHLBERGIA C. 'WHITE CLOUD' | 4 | 5 |
| PD | PHORMIUM 'DARK DELIGHT' | 2 | 5 |
| RC | RHAMNUS C. 'MOUND SAN BRUNO' | 10 | 5 |
| TP | THYMUS 'PINK CHINTZ' | 2 | 1 |
| VB | VERBENA BONARIENSIS | 3 | 1 |
| B | BOULDERS (FIVE-1'x1' SIZE & FOUR-2'x2' SIZE) | | |
| F | FLAGSTONE (THREE-2'x2') | | |

SITE ADDRESS: 409 PILGRIM DRIVE CAPITOLA, CA 95010

CLIENT: JOHN AND TRICIA SLATER 650-520-0794

DRAWN BY:



Cathleen's Garden Creations
Owner: Cathleen Quinn
831-325-9137
www.cathleensgardencreations.com

DRAWING #
1/1

DATE: JANUARY
2018

Produced on a 24"x36" size sheet
Scale: 1" = 4'

Business
License
5987



Scale 1"=4'

0 4 8 12 16 feet

NOTES AND SPECIFICATIONS

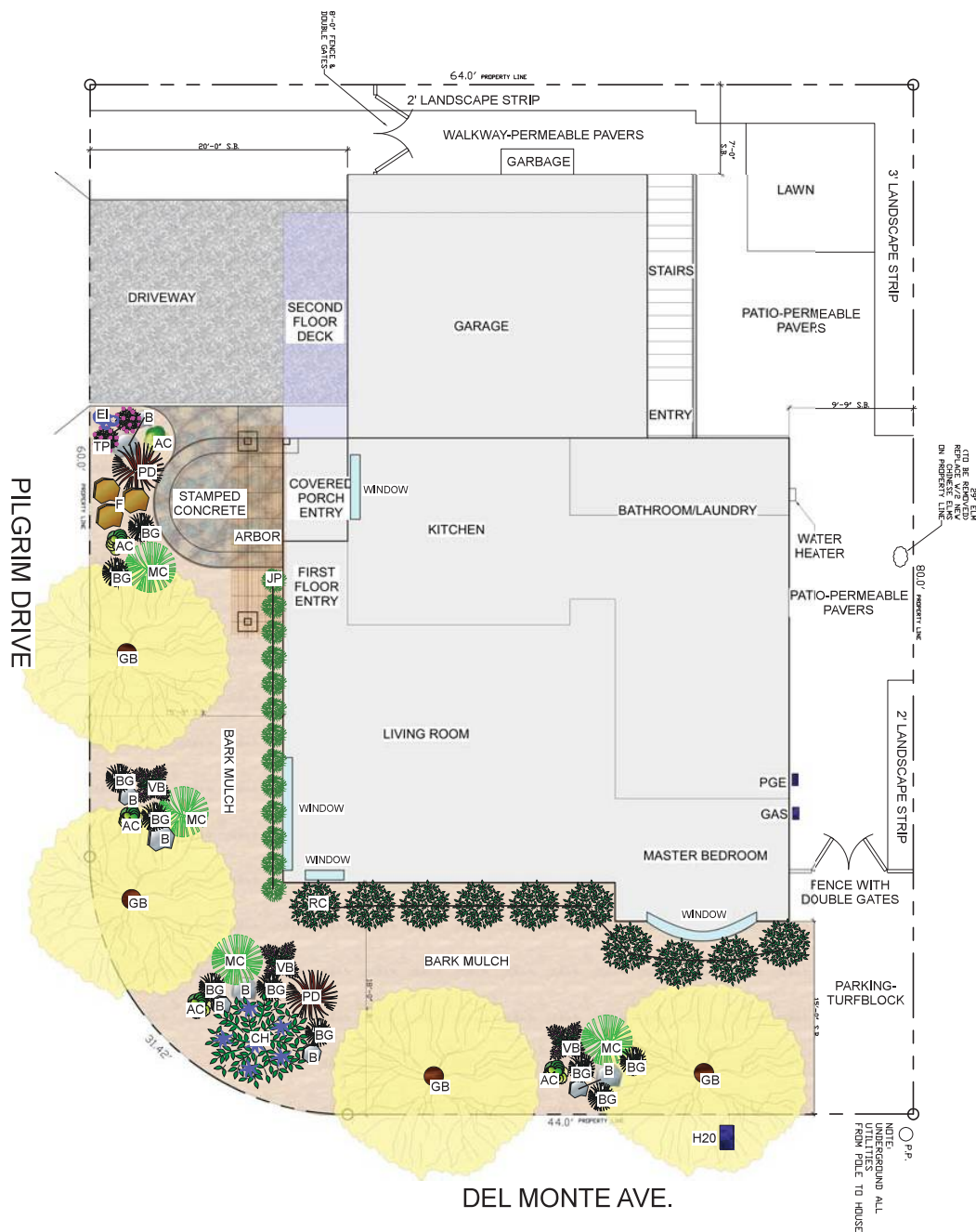
NOTES AND SPECIFICATIONS
-PLANTS SHALL BE INSTALLED AT LOCATIONS INDICATED ON DESIGN IN GOPHER BASKETS WITH ADDED ORGANIC FERTILIZER IN EACH PLANTING HOLE. PLANT HOLE SIZE SHALL BE TWICE THE SIZE OF POT WITH ADDED SOIL AMENDMENT MIXED WITH EXISTING SOIL AS BACKFILL WHEN PLANTED.

-INSTALLATION CONTRACTOR SHALL DESIGN AND INSTALL DRIP IRRIGATION SYSTEM ALONG WITH IRRIGATION VALVES AND CONTROLLER AT LOCATION CHOSEN BY CONTRACTOR AND CLIENT. IRRIGATION LINES SHALL BE COVERED BY BARK MULCH.

-APPLY BARK MULCH TO ENTIRE FRONT YARD (TOTAL AREA TO BE MULCHED IS APPROXIMATELY 1400 SQUARE FEET). CLIENT SHALL CHOOSE BARK MULCH TYPE.

-BOULDERS ARE TO BE PLACED AT LOCATIONS INDICATED ON DESIGN. TYPE OF BOULDER SHALL BE CHOSEN BY CLIENT

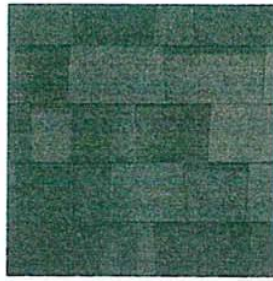
-FLAGSTONE PATH SHALL BE INSTALLED AT LOCATION INDICATED ON DESIGN. TYPE OF FLAGSTONE SHALL BE CHOSEN BY CLIENT.



DEL MONTE AVE.

Malarkey roofing 2/2/18

MIDNIGHT



Midnight
BLACK
Leacy Shingles

McCurdy-Slater
409 Pilgrim



KM5803 American River

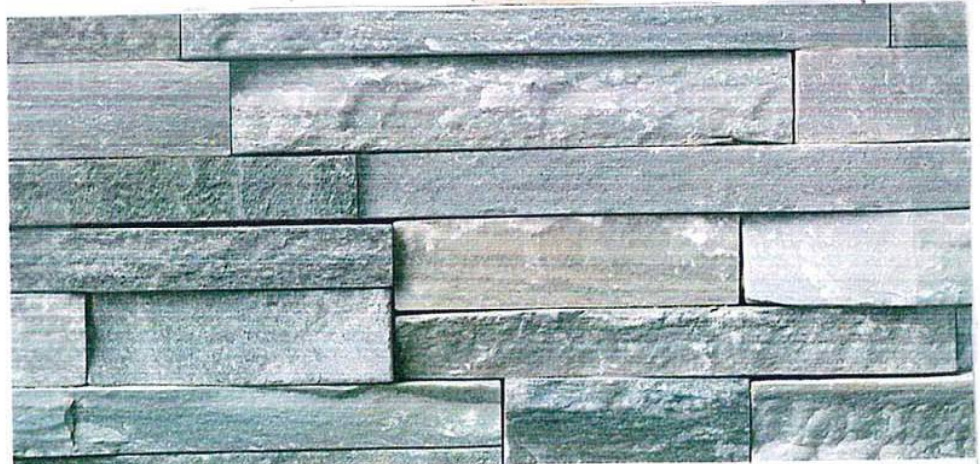
Siding C

Kelly-Moore
Paint

KM4947 Subtle Shadow

Siding C

MS International
Hardscape Collection



SIERRA BLUE 6" x 24" & "L" Shaped Corner 6" x 18" x 6"



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 1, 2018

SUBJECT: **1810 Wharf Road #17-0381 APN: 035-111-02**

Design Permit, Conditional Use Permit, and Coastal Development Permit for an addition to a historic single-family residence with a detached garage in the R-1/AR (Single Family/Automatic Review) Zoning District. The proposal includes a variance for height of the water tower, the front yard setback of the detached garage, reduction of onsite parking, and for exceeding the maximum value of a non-conforming structure.

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

Environmental Determination: Categorical Exemption

Property Owner: Benjamin Strock

Representative: Benjamin Strock, filed: 6/27/16

APPLICANT PROPOSAL

The applicant is proposing an addition to the existing historic single-family home at 1810 Wharf Road in the R-1/AR (Single Family/Automatic Review) zoning district. The property is located within the environmentally sensitive lands overlay due to its proximity to the Soquel Creek riparian corridor. The 2,232 square-foot home will be increased to 2,964 square-feet. The applicant is also proposing a detached 851 square-foot, two-car garage. The proposal includes four variance requests: 1) a height variance for a water tower to exceed the maximum height limit of 25 feet, 2) a decreased front yard setback for the garage, 3) existing non-conformity to remain despite the project exceeding the 80% valuation threshold, and 4) a decrease in the required onsite parking. The application also includes a request for a fence permit height exception to allow a new, six-foot high fence along the front property line.

BACKGROUND

On January 18, 2018, the Planning Commission reviewed the application and continued the hearing to March 1, 2018 (Attachment 7: January 18, 2018 Staff Report). The original application included a two-story garage with an accessory dwelling unit (ADU) on the second story. The code limits detached accessory structures and detached ADU to a single story. The application also included a single parking space on the south end of the property that would displace one on-street parking space. The Planning Commission directed the applicant to remove the second story ADU, modify the parking to not displace street parking, to provide documentation of the height of the previous water tower, and to submit a landscape plan. The applicant modified the application to remove the second story ADU and the single parking space on the south end of the property. Rather than modify the site layout to comply with the required

onsite parking spaces, the applicant is requesting a variance to decrease the onsite parking requirement from four to three spaces.

The Planning Commission also asked staff to provide information on the planning permit and any variances for the adjacent property at 1816 Wharf Road that was approved in 2008. The project was approved with variances for the first and second story front yard setback, the rear yard (riparian habitat) setback, the garage setback, and to allow the uncovered parking within the city's right-of-way. The project was denied by Planning Commission, and then approved by the City Council on appeal by the applicant (Attachment 6: May 8, 2008 City Council report).

DISCUSSION

The property is located along a narrow section of Wharf Road in an area characterized by a mix of single-family homes and a large visitor serving restaurant. The homes on the east side of Wharf Road back up to the Soquel Creek and are situated toward the front of the lots due to the steep slope that extends down to the creek.

The following table breaks down the development standards of the R-1 (Single-Family) zoning district relative to the application.

R-1 (Single Family Residential) Zoning District

| Development Standards | | | |
|--|---|----------------------------|---|
| Building Height | R-1 Regulation | | Proposed |
| Main Building | 25 ft. 27 ft. may be permitted by Planning Commission for buildings that use historic design elements. | | 25 ft. 9 in. Main Home 31 ft. water tower Request for variance. |
| Floor Area Ratio (FAR) | | | |
| Lot Size | | | 13,283 sq. ft. |
| Maximum Floor Area Ratio | | | 60% (Max 7,970 sq. ft.) |
| First Story Floor Area | | | 1,382 sq. ft. |
| Second Story Floor Area | | | 1,232 sq. ft. |
| Third Story Floor Area | | | 144 sq. ft. |
| Detached Garage | | | 851 sq. ft. |
| Decks | | | 335 sq. ft. (485 -150) |
| TOTAL FAR | | | 3,944 sq. ft. |
| Yards (setbacks are measured from the edge of the public right-of-way) | | | |
| Main Structure | R-1 Regulation | | Proposed |
| Front Yard 1 st Story | 15 ft. | | 19 ft. Main Structure |
| Front Yard 2 nd Story & Garage | 20 ft. | | 19 ft. Main Structure 2 nd story Existing Non-Conforming |
| Side Yard 1 st Story | 10% lot width | 7 ft. Min | 12 ft. |
| Side Yard 2 nd Story | 15% of width | 10 ft. Min | 12 ft. |
| Rear Yard 1 st Story | 20% of lot depth | 25 ft. Min | 80 ft. from high water mark |
| Riparian Edge | 35 ft. | 35 ft. Minimum | 75 ft. from riparian edge |
| Detached Garage/ADU | Garage Standard | ADU standard | Proposed |
| Front Yard | 40 ft. | Same as primary structure. | 18 ft. Garage/ADU Variance Request |

| | | | |
|---|--|-------|--|
| Side Yard | 3 ft. | 5 ft. | 7 ft. |
| Rear Yard | 8 ft. | 8 ft. | 80 ft. from high water mark |
| Parking | | | |
| | Required | | Proposed |
| Residential 2,601 - 4000 square feet | 4 spaces total 1 covered 3 uncovered | | 3 spaces total 2 covered 1 uncovered Variance Requested |
| Underground Utilities: required with 25% increase in area | | | Required |

Non-conforming Structure

The existing home is non-conforming as it does not comply with the front yard setback on the second story. This historic home is located 19 feet from the front property line. In the R-1 zone, the second story front yard setback is 20 feet. Pursuant to code section 17.72.070, an existing non-complying structure that will be improved beyond 80% of the present fair market value of the structure, may not be made unless the structure is brought into compliance with the current zoning regulations. The new addition and remodel are valued at 94% and therefore the application requires a variance to the 80% maximum. (Attachment 3)

Variance

The application includes four variance requests, one for the height of the water tower at 31 feet, the second for exceeding the 80 percent maximum valuation for a non-conforming structure, third for the front setback of the detached garage, and the forth to decrease the onsite parking requirement.

Height of Water Tower

Local Historian, Carolyn Swift, provided the applicant with photo documentation of the historic home including with the original water tower. The home designer incorporated the element into the project in the exact location in an attempt to reintroduce a historic element that had been lost. The height of the water tower was based on the photo documentation relative to the existing structure. The applicant provided an exhibit scaling the photo showing the floor level measured from the porch post to the height under the eave of the water tower (Attachment 2). The proposed water tower measures 24 feet to the eave and 31 feet, nine inches to the roof peak.

Non-conforming Calculation

The historic structure does not comply with the second story front yard setback regulations of the zoning code; and therefore, is a non-conforming structure. Pursuant to code section 17.72.070, an existing non-complying structure that will be improved beyond 80% of the present fair market value of the structure, may not be made unless the structure is brought into compliance with the current zoning regulations. The new addition and remodel are valued at 94% and therefore requires a variance to the 80% maximum.

Onsite Parking

The applicant is requesting a variance to decrease onsite parking from four spaces to three spaces. The project requires one covered onsite parking space and three uncovered onsite parking spaces. As currently configured, a fourth space cannot be created due to the limited space between the existing 36-inch tree and the proposed garage.

Setbacks for Detached Garage

A detached garage has a required front setback of 40 feet. The proposed detached garage is located 18 feet from the property line. The applicant is seeking a variance to the setback requirement to accommodate a 47 foot, eight-inch deep tandem garage onsite.

Pursuant to §17.66.090, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

- A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

Staff finds that the following special circumstances are applicable to the subject property:

There are several special conditions related to the property at 1810 Wharf Road that could support variance findings. The property slopes significantly down toward Soquel Creek, making it difficult to build along the rear property. Additional, development on the property is subject to the increased 35 feet setback from the edge of riparian vegetation. Mature vegetation exists within the rear slope as well as along the front property line. The large tree at the driveway entrance limits the ability for the driveway to be widened to accommodate a second uncovered space in front of the proposed garage. These unique factors associated with the property could be relied upon to make variance findings.

The grant of a variance for the garage and parking would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity. Staff conducted a survey of the east-side properties to the north (1816 to 1920 Wharf Road) which are under identical zoning. Of the 11 properties, only one appeared to comply with the 15 foot front yard setback. The one single family property to the south at 1800 Wharf Road complies with the 15 foot setback. The location of the proposed tandem garage limits the ability to have a two uncovered parking spaces onsite due to the large tree adjacent to the driveway entrance and limited turning room. (Attachment 5: Aerial)

An additional consideration, although not a special circumstance related to the physical characteristic of the property, is the presence of one of the oldest structures in Capitola. The code limits structural alterations to non-conforming structure to 80% of the existing value. To exceed the 80% valuation, the non-conformity must be brought into compliance. Although the home could be moved one foot to be brought into compliance, best practices for historic preservation are to leave the historic structure in its historic location. Reintroducing historic features that have been lost is also a supported practice within historic preservation. The City has approved similar requests for exceeding the maximum non-conforming valuation at 124 Central Avenue and 109 Central Avenue that are also historic structures within the R-1 zone. At 1570 Prospect Avenue, the City allowed the reintroduction of an over-height water tower up to 28 feet two inches for the reconstruction of the Lent House.

As an alternative to granting variances for the garage setback and number of onsite parking spaces, the Planning Commission could direct the applicant to redesign the project to provide a single car garage which complies with setbacks and provide three uncovered spaces in front of the garage. This approach would eliminate the need for two of the requested four variances

(garage setbacks and inadequate onsite parking).

Conditional Use Permit

A conditional use permit is required for a modification to a historic structure. The full analysis of the addition to the historic structure is included in the January 18, 2018, Planning Commission report (Attachment 6). The one item the Architectural Historian suggested to be changed is the exterior siding preservation plan. Sheet A3.3, includes notes that the existing exterior boards will be removed and carefully stored to be reused after the building has been sheared and waterproofed with priority given to the area visible from the public street. New siding and battens would be milled to the exact dimensions and used only where existing siding is insufficient to cover an area. The Architectural Historian would prefer that the siding be stabilized in place rather than disassembled. The Planning Commission discussed the applicants request during the January 18, 2018 meeting and suggested support for the proposed preservation plan.

Fence Height Exception

Pursuant to §17.54.020.B, the Planning Commission has the ability to approve alternative locations, heights, and materials for fences. Fences located between the front property line and the front yard are limited to three feet six inches in height. The applicant currently has a mix of fencing with portions that are solid vertical panels that extend to five feet ten inches to areas with lattice that extend to six feet 8 in height along the front property line. The applicant is proposing to replace the existing fence with a new 6 foot high solid fence.

The stretch of Wharf Road north of Shadowbrook Restaurant is characterized by over-height fences. Attachment 4 is an aerial of the neighborhood with the existing fence heights labeled on the aerial. As part of staff's neighborhood survey, fence height and location were also reviewed. Of the 11 properties to the north, six benefit from having fences that exceed the height limit, three do not have sufficient room to install a fence, one property does not have a front fence, and one property conforms with the 42 inch fence height. The property adjacent to the north, 1820 Wharf Road, has a solid fence that extends five feet five inches in height. The property to the south, at 1800 Wharf Road, exceeds the fence height with a five feet three inch high solid fence in the front yard.

Sidewalk, Curb, and Gutter

The project is located within the curb, gutter, and sidewalk exempt areas as designated by the City through Resolution 1617 adopted on January 24th, 1980 (Attachment 4). Prior to modifying the 1980 map, the City would study the existing characteristics of the street and determine if curb, gutter, and sidewalks would be appropriate under current circumstances. At this time, the City has not been directed by the City Council to initiate a review of this area, and therefore requiring curb, gutter, and sidewalk would not be consistent with the resolution.

CEQA

Section 15301 of the CEQA Guidelines exempts minor alterations to existing structures when the addition to the existing structure is less than 50 percent of the floor area of the existing home. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #17-0381 based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval consists of a 732 square foot addition to an existing 2,232 square-foot home. The project also includes an 815 square-foot detached garage. The maximum Floor Area Ratio for the 13,283 square foot property is 60% (7,910 square feet). The total FAR of the project is 3,944 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 March 1, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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.
3. 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.
4. 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.
5. 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.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #17-0381 shall be paid in full.
8. Prior to issuance of building permit, all drainage improvements shall be approved by the Public Works Director.
9. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid 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 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.
14. 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.
15. 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
16. 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 replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. 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.
18. 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 17.81.160.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. 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.

FINDINGS

A. The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The integrity of the historic resource will be maintained within the proposed design.

B. The application will maintain the character and integrity of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the historic resource. The new addition will not overwhelm the historic structure. The design does not compromise the integrity of the historic resource. The application will maintain the character and integrity of the neighborhood reinforcing the development pattern of homes being located close to the street and large setbacks from the creek.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act

Section 15301 of the CEQA Guidelines exempts minor alterations to existing structures when the addition to the existing structure is less than 50 percent of the floor area of the existing home. No adverse environmental impacts were discovered during review of the proposed project.

D. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

The special circumstances applicable to the property is that the subject property is a historic site, with a very steep grade on the rear 2/3 of the lot extending down to the Soquel Creek and an expanded setback requirement from the riparian corridor. Multiple properties along Wharf Road extend into the front yard setbacks due to steepness of the lots.

E. The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.

Multiple properties along Wharf Road extend into the front yard setbacks due to steepness of the lots.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with

the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 1810 Wharf Road. The rear property line is located along the Soquel Creek. The project will not directly affect public access and coastal recreation areas as it involves a single family home located along the frontage of Wharf Road. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along Wharf Road. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and

improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not historic public use on the property.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property on Wharf Road. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is adequately setback from the edge of the riparian corridor.

b. Topographic constraints of the development site;

- The project is located on the flat portion of the lot. The steep slope on the rear of the lot will not be built upon.

c. Recreational needs of the public;

- Public recreation is not impacted by the project.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single family home on a residential lot of record.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project involves the construction of a singlefamily home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not result negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within a mile of the Capitola fire department. Water is available at the location

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the soquel creek water district.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Single Family/Automatic Review

zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is not located within the area of the Capitola parking permit program.

ATTACHMENTS:

1. 1810 Wharf Road Revised Plans.pdf
2. Water Tower Height Diagram 1810 Wharf
3. 1810 Wharf Nonconforming Valuation
4. Resolution 1617 Curb, Gutter, Sidewalk Exempt Areas
5. 1810 Wharf Rd Aerial
6. 1816 Wharf Rd Appeal May 8, 2008 CC Meeting
7. 1810 Wharf Road Staff Report PC January 18, 2018

Prepared By: Katie Herlihy
Senior Planner

[illegible][illegible]

| STRUCTURAL DATA | | | |
|------------------|----------------|-----------------------|-----------------------|
| SETTINGS | | | |
| FRONT YARD | DEFINITION | REQUIRED | EXISTING V.L.F. |
| 1st STORY | 19'-2 1/2" = | 20' | 17'-3 1/4" = |
| 2nd STORY | 19' | 20' | 19'-2 1/2" V.L.F. |
| REAR YARD | 1st STORY | 25' | 19'-2 1/2" V.L.F. |
| 2nd STORY | 25' | 25' | 14'-5 1/2" = |
| SIDE YARD | 1st STORY | 27'-1 1/4" (12'-7"WS) | 14'-5 1/2" = |
| 2nd STORY | 27' (11.8' WS) | 27'-1 1/4" (12'-7"WS) | 7'-10 1/2" (12'-7"WS) |
| HEIGHT | 27' | 25'-9" | 25'-9" |
| FLOOR AREA RATIO | | | |
| LOT SIZE = | MAX (20%) | PROPOSED (20%) | |
| 13,263 sq. ft. | 7,970 sq. ft. | 3,615 sq. ft. | |

| | |
|---|---|
| BUILDING INFORMATION PROJECT DESCRIPTION: REPAIR AND MAINTENANCE OF THE EXISTING WATER TOWER AND CONSTRUCTION OF A NEW TWO STORY WATER TOWER. THE NEW TOWER WILL BE 20 FEET IN DIAMETER AND 20 FEET TALL. IT WILL INCLUDE THE ADDITION OF A THIRD STORY RETAINING THE WATER TOWER TO ITS EXISTING FOUNDATION. | PROJECT ADDRESS: 123 TO WINTER WOOD OFFICE, CA 95010 |
| | |
| ZONING DESIGNATION: OCCUPANCY CLASSIFICATION: | DATE: 10/1/2003 |

CONTACTS

OWNER:
BENI STROCK
10000 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
(303) 241-0922

PROJECT DESIGNER:
DEZEE VAN NESTER RESIDENTIAL DESIGN, INC.
10000 W. 10TH AVE. SUITE 200
DENVER, CO 80202
DENVER@DEZEE.COM
(303) 241-0922

SUBCONTRACTOR:
MCCOY LAND SERVICES
10000 W. 10TH AVE. SUITE 100
DENVER, CO 80202
DENVER@MCCOYLANDSERVICES.COM
(303) 425-1617

STRUCTURAL ENGINEER:

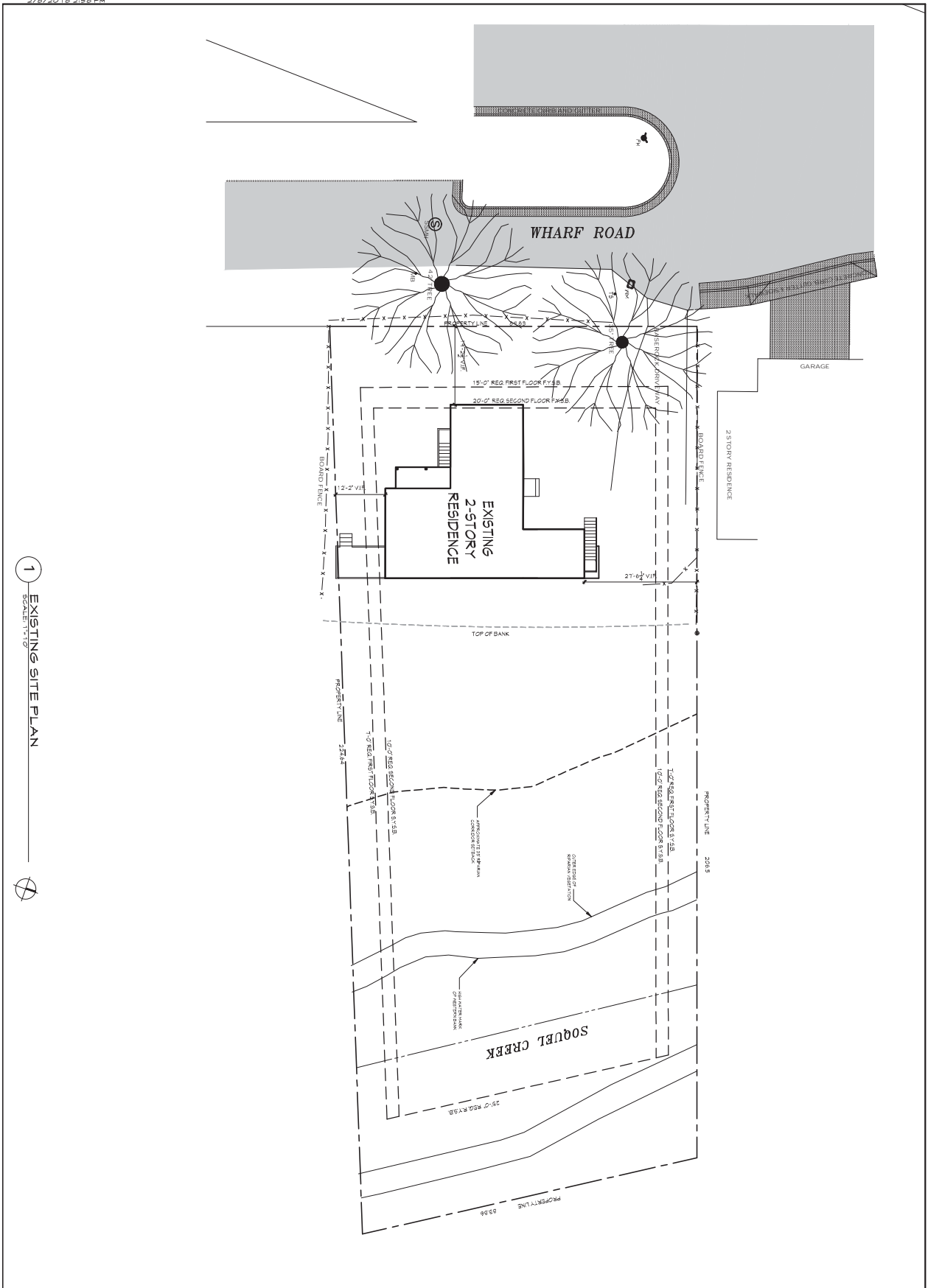
| BUILDING DESIGN | |
|-----------------|-----------------------------------|
| 1 | TITLE SHEET |
| 2 | SITE PLAN |
| 3 | SECTION ELEVATION |
| 4 | LANDSCAPE PLAN |
| 5 | EXISTING SITE PLAN |
| 6 | PROPOSED SITE PLAN |
| 7 | PROPOSED LOWER + UPPER FLOOR PLAN |
| 8 | PROPOSED ELEVATION |
| 9 | PROPOSED ELEVATION |
| 10 | PROPOSED UPPER FLOOR PLAN |
| 11 | PROPOSED UPPER FLOOR PLAN |
| 12 | PROPOSED UPPER WATER TOWER PLAN |
| 13 | PROPOSED ELEVATION |
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| 100 | PROPOSED ELEVATION |

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(831)426-0400 PHONE (831)426-8446 FAX





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STROCK RESIDENCE
1810 WHARF ROAD
CAPITOLA, CA 95010

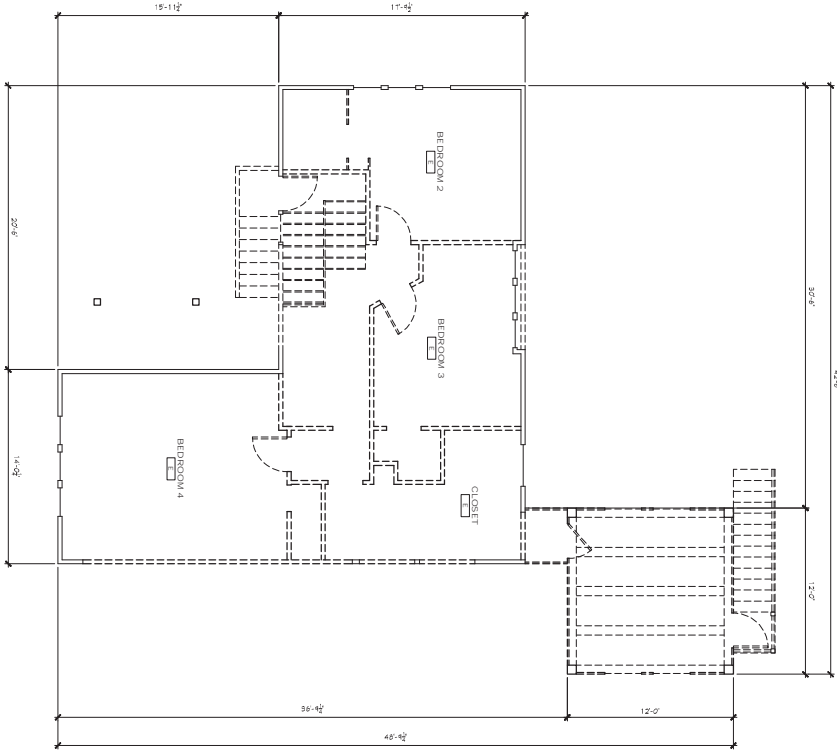
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DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(831) 426-8400 PHONE (831) 426-8446 FAX

REVISIONS

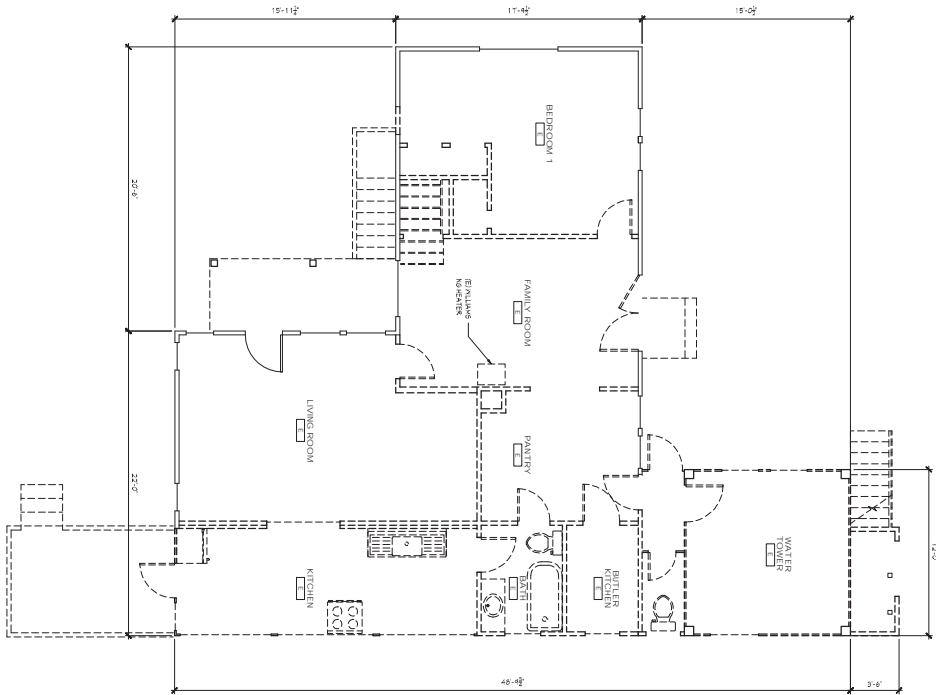
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| 98 | 03/15/11 | 02 |
| 99 | 03/15/11 | 02 |
| 100 | 03/15/11 | 02 |

EXISTING SITE PLAN

2 EXISTING UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 EXISTING LOWER FLOOR PLAN
SCALE: 1/4"=1'-0"



WALL LEGEND

| | |
|---|------------------------------|
|  | EXISTING WALLS TO BE REMOVED |
|  | EXISTING WALLS TO REMAIN |

| ISSUE DESCRIPTION | SCHEDULED SESSION |
|-------------------|---|
| | FEBRUARY 01, 2017 DESIGN DEVELOPMENT |
| | SEPTEMBER 25, 2017 PLANNING SUBMITTAL |
| | SEPTEMBER 27, 2017 BUILT AND SUBMITTAL |
| | REVISIONS |
| | NOVEMBER 9, 2017 ARC COMMENTS |
| | NOVEMBER 30, 2017 ARC COMMENTS |
| | JANUARY 10, 2018 ARC COMMENTS |
| | FEBRUARY 06, 2018 ARC COMMENTS |

PROJECT CODE:
 AAD LIMITED HIGHWAY
 PLANS
A2.C

STROCK RESIDENCE
1810 WHARF ROAD
CAPITOLA, CA 95010

DVRD
DECK VAND ALSTHE
DISCOURI

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(831) 426-8400 PHONE (831) 426-8446 FAX



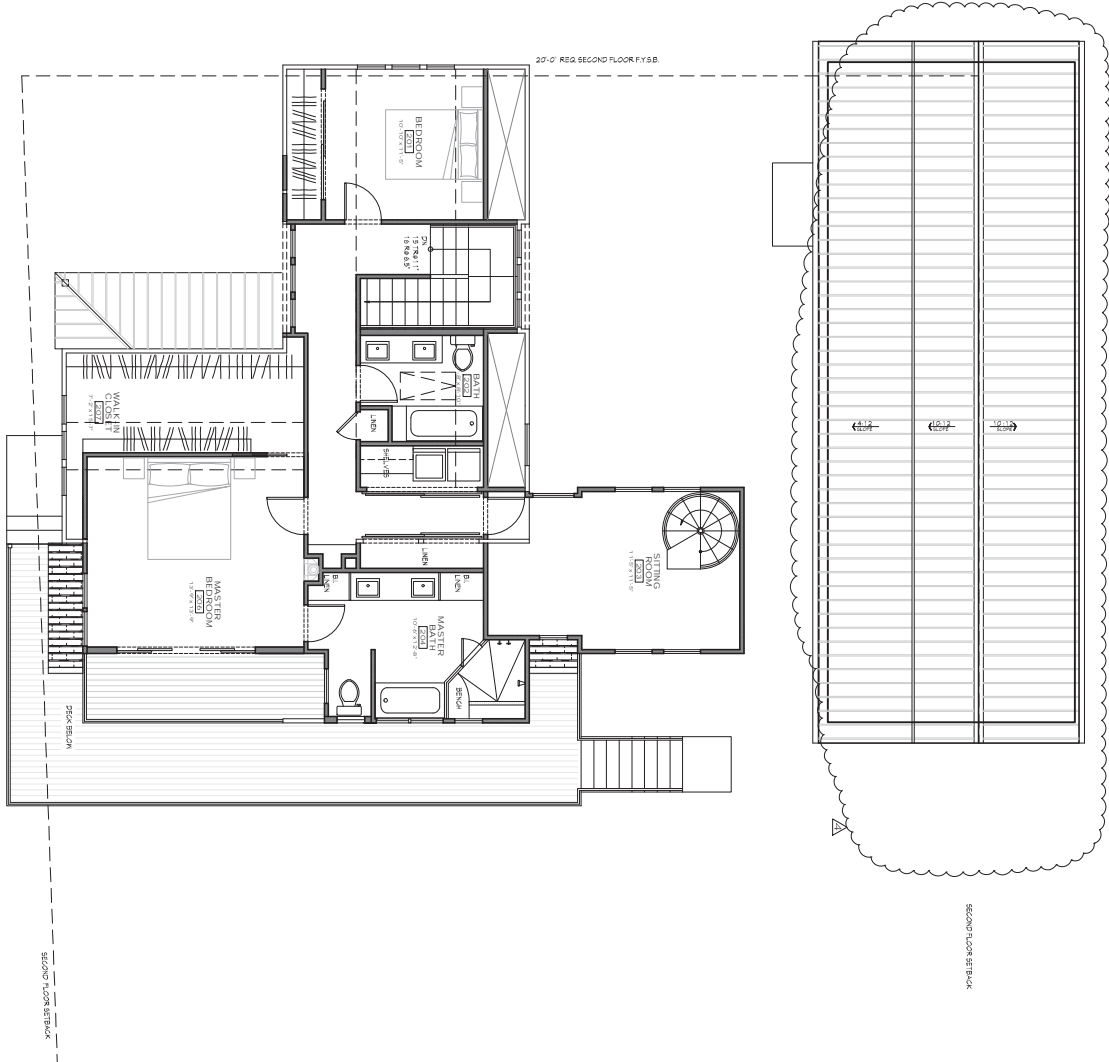
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1 PROPOSED UPPER FLOOR PLAN

SCALE 1/4" = 1'-0"



| WALL LEGEND | |
|-------------|------------------------------|
| | NEW 5/8" STUB WALL |
| | EXISTING WALLS TO BE REMOVED |
| | EXISTING WALLS TO REMAIN |



A3.1

STROOK RESIDENCE

1810 WHARF ROAD

CAPITOLA, CA 95010

DEREK VAN ALSTINE

RESIDENTIAL DESIGN INC.

1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA

(831) 426-8400 PHONE (831) 426-8446 FAX

DATE: 01.11.18

PROJECT: STROOK RESIDENCE

DESIGNER: DEREK VAN ALSTINE

DATE: 01.11.18

PROJECT: STROOK RESIDENCE

DESIGNER: DEREK VAN ALSTINE

DATE: 01.11.18

PROJECT: STROOK RESIDENCE

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DATE: 01.11.18

PROJECT: STROOK RESIDENCE

DESIGNER: DEREK VAN ALSTINE

DATE: 01.11.18

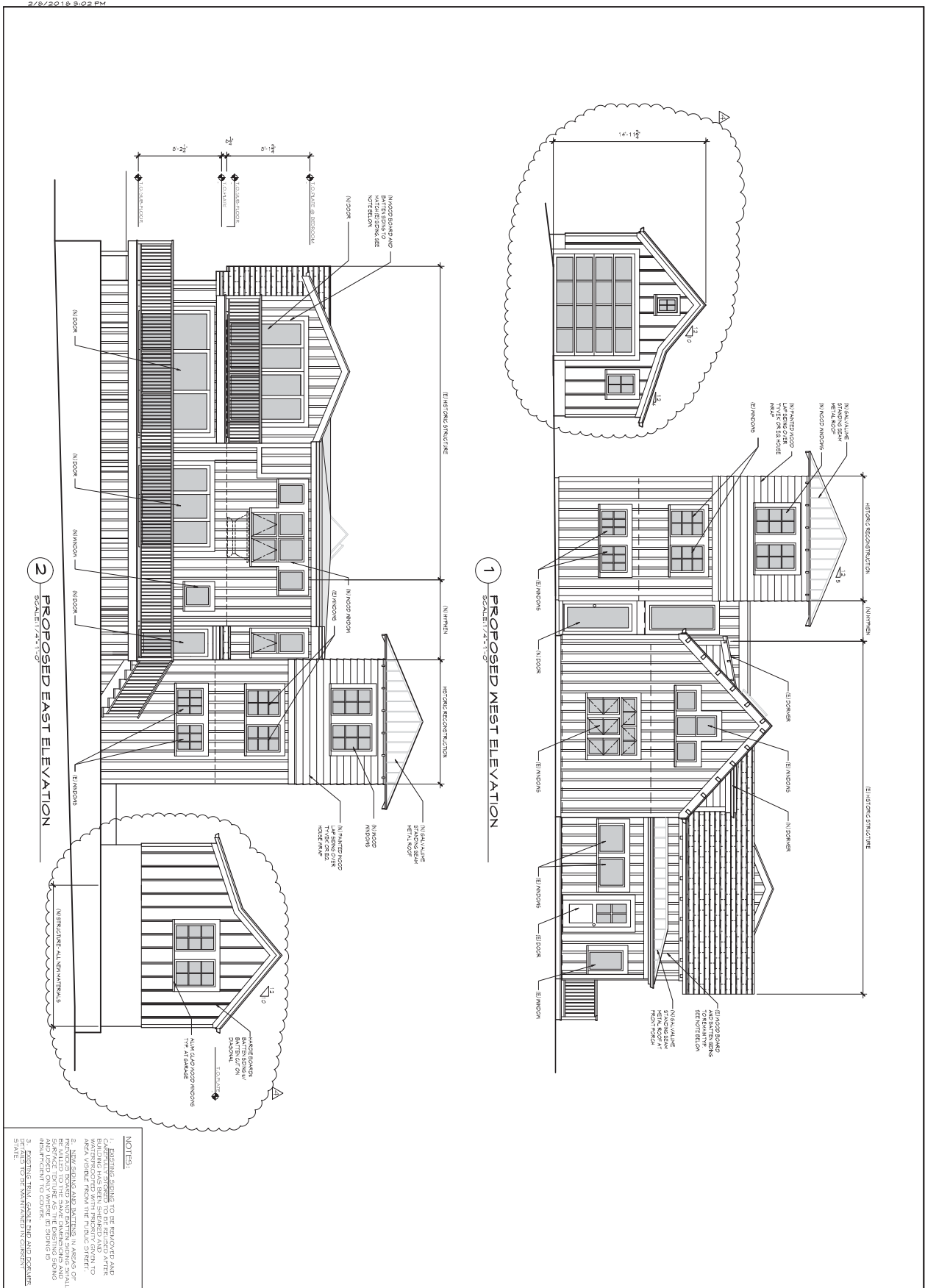
PROJECT: STROOK RESIDENCE

DESIGNER: DEREK VAN ALSTINE

DATE: 01.11.18

PROJECT: STROOK RESIDENCE

DESIGNER: DEREK VAN ALSTINE



| | | |
|---|---|--|
| <p>A3.3</p> <p>PROPOSED ELEVATIONS</p> | <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> | <p>DEREK VAN ALSTINE</p> <p>RESIDENTIAL DESIGN INC.</p> <p>1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA</p> <p>(831) 426-8400 PHONE (831) 426-8446 FAX</p> |
| | <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> | <p>DEREK VAN ALSTINE</p> <p>RESIDENTIAL DESIGN INC.</p> <p>1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA</p> <p>(831) 426-8400 PHONE (831) 426-8446 FAX</p> |
| | <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> <p>DATE: 01.11.18</p> <p>SCALE: 1/4" = 1'-0"</p> <p>PROJECT: STROOK RESIDENCE</p> <p>LOCATION: 1810 WHARF ROAD, CAPITOLA, CA 95010</p> <p>DESIGNER: DEREK VAN ALSTINE</p> | <p>DEREK VAN ALSTINE</p> <p>RESIDENTIAL DESIGN INC.</p> <p>1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA</p> <p>(831) 426-8400 PHONE (831) 426-8446 FAX</p> |
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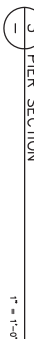


NOTES:

- 5 REBAR OFFSET AND LAP SPLICE

1

PIER SECTION



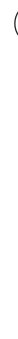
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(



BEN STROCK

**THE STROCK
RESIDENCE**

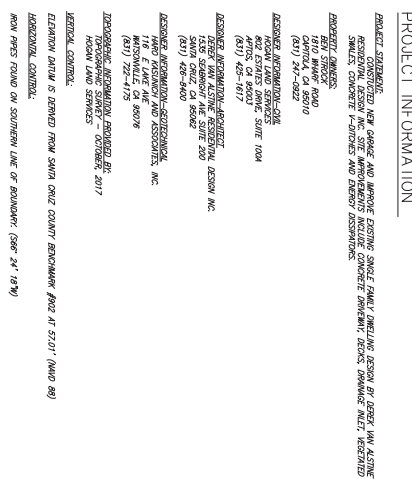
1810 WHARF RD
CAPITOLA, CA 95010**SCALE : AS NOTED**

CHECK : 573

| | |
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| | |
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S-2

1810 WHARF ROAD
APN: 035-111-02



EARTHWORK QUANTITIES TOTAL

SEE ROW -

GUT = C/R

FILL = C/R

DRAINAGE =

GUT = C/R

FILL = C/R

BUILDING FOUNDATION -

GUT = C/R

FILL = C/R

OVERFLOWING AND REDEMPTION = C/R

NET = C/R (GUT/DRAINAGE)

DRAINAGE AREA = ACRES

NOTE: PREPARED BY JOHN QUINCY, PROVIDED FOR ROAD IMPACTION. ALL QUANTITIES TO BE CONSIDERED FOR ESTIMATING AND BIDDING PURPOSES.

[illegible]

ACFEC
AMERICAN COUNCIL OF ENGINEERING COMPANIES

ON-SITE IMPROVEMENT PLANS

FOR THE LANDS OF
BEN STROCK
LOCATED AT
1810 WHARF ROAD
APN: 035-111-02

TITLE SHEET

C1 of 7

1810 WHARF ROAD
CAPITOLA, CALIFORNIA

APN: 035-111-02

HOGAN LAND SERVICES
A CALIFORNIA CORPORATION

802 ESTATES DRIVE, SUITE 100A
APTOS, CA 95003

www.hoganls.com

TEL (831) 425-1611
FAX (831) 425-0224

| | | |
|--------|----------|--|
| DRN: | RS | THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF BEN STROCK IN NOVEMBER, 2017 |
| CHK: | GTF | |
| PM: | GTF | |
| DATE: | 11-14-17 | |
| JOB #: | 2657 | |

PRELIMINARY

GEOFF FLEISSNER P.C.E. 82889

1. THE FURNISH AND THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE WORK TO BE PERFORMED IN COMPLIANCE WITH THE APPROVED PLANS AND SPECIFICATIONS AND ANY FURTHER CONDITIONS. WORK SHALL BE SUBJECT TO INSPECTION AS REQUIRED BY CITY OF CARROLL PLANNING DEPARTMENT, TO VERIFY COMPLIANCE. THE CONTRACTOR SHALL CONSULT THE PROJECT JOB CARD FOR COORDINATION OF INSPECTION REQUESTS.
2. PRIOR TO THE START OF ANY GRADING WORK THE PERMITTEE SHALL HAVE A PRE-CONSTRUCTION MEETING WITH THE CITY OF CARROLL PLANNING DEPARTMENT TO DISCUSS THE PROJECT CONSTRUCTION AND THE PERMITTEE SHALL BE RESPONSIBLE FOR THE COST OF THE PRE-CONSTRUCTION MEETING.

- [illegible]

9. IN THE EVENT CULTURAL RESOURCES (I.E. HISTORICAL, ARCHEOLOGICAL, RESOURCES, AND HUMAN REMAINS) ARE DISCOVERED DURING DRILLING OR OTHER CONSTRUCTION ACTIVITIES, WORK SHALL IMMEDIATELY BE HALTED WITHIN THE VICINITY OF THE FIND. THE CITY OF CARROLL PLANNING DEPARTMENT SHALL BE NOTICED AT (817) 475-1200. A QUALIFIED ARCHEOLOGIST SHALL BE CONSULTED FOR AN ON-SITE EVALUATION. IMMEDIATE ACTION MAY BE REQUIRED BY THE COUNTY REE. THE ARCHEOLOGIST'S RECOMMENDATIONS AND CMC 17.11 F.H.M. REMAINS DOCUMENT. THE CONTRACTOR SHALL NOTIFY THE COUNTY REE AT (817) 454-2780.

- [illegible]

1. PERFORM EROSION PREVENTION AND SEDIMENT CONTROL IN ACCORDANCE WITH THE CAPITAL MUNICIPAL CODE (CMC) & THE STATE ISSUED GENERAL CONSTRUCTION PERMIT SPECIFICATIONS (SWPPP) (IF OVER 1 ACRE DISTURBED).
2. THE APPROVED PLANS SHALL CONFORM WITH THE CITY OF CARROLLA PLANNING DEPARTMENT

- [illegible]

APPLICATIONS SHALL BE BROADCAST MECHANICALLY OR MANUALLY AT THE RATES SPECIFIED BELOW USED MAY AND FERTILIZER SHALL BE WORKED INTO THE SOIL BY ROLLING OR TAMPING. IF STRAW IS USED AS MULCH STRAW SHALL BE DERIVED FROM WHEAT, RICE, OR BARLEY AND BE APPROXIMATELY 6 TO 8 INCHES IN LENGTH. STABILIZATION OF MULCH SHALL BE DONE HYDRAULICALLY BY APPLYING AN EMULSION OR MECHANICALLY BY CHURNING OR PUNCHING THE MULCH INTO THE SOIL. EROSION-CONTROL METHODS AND MATERIALS MAY BE USED ONLY IF THEY ADEQUATELY PROMOTE VEGETATION GROWTH.

- [illegible]

C2 OF 7

APN: 035-111-02

HOGAN LAND SERVICES
A CALIFORNIA CORPORATION

802 ESTATES DRIVE, SUITE 100A
SAN JOSE, CA 95128

TEL (831) 425-1617
FAX (831) 425-0234

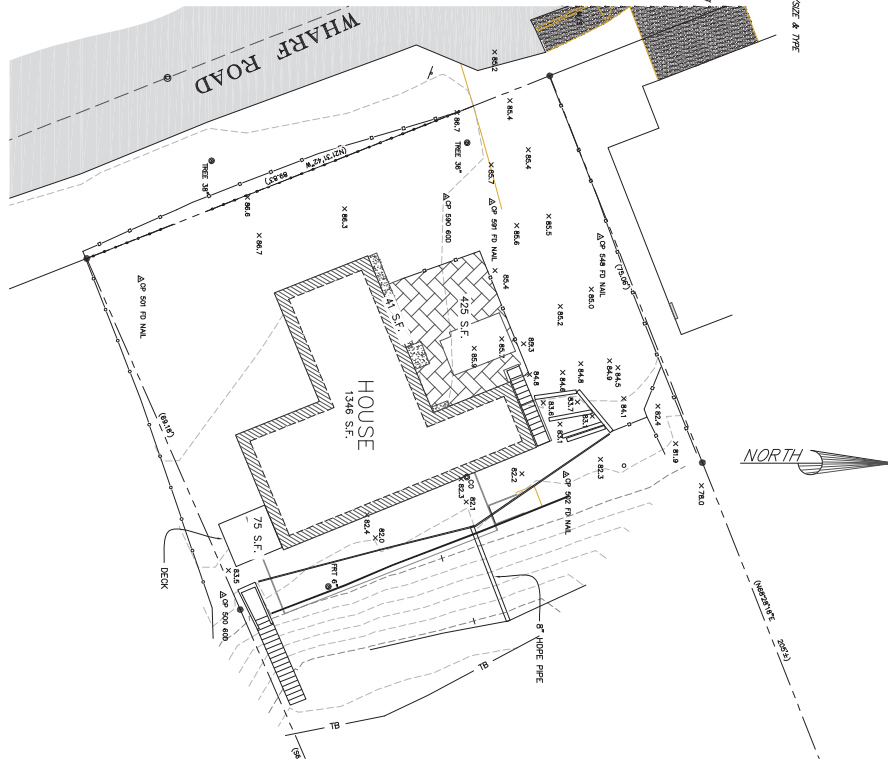
www.hoganls.com

| | | |
|--------|----------|--------------------------------------|
| DRN: | RS | THESE PLANS WERE PREPARED BY ME OR |
| CHK: | GTF | UNDER MY DIRECTION AT THE REQUEST OF |
| PM: | GTF | BEN STROCK IN NOVEMBER, 2017 |
| DATE: | 11-14-17 | PRELIMINARY |
| JOB #: | 2857 | GEORGE FLORESER, P.C. #2289 |

LEGEND

- RECORD BOUNDARY LINE
 FLOW LINE
 WOOD FENCE
 WIRE FENCE
 EXISTING MAJOR CONTOUR
 EXISTING MINOR CONTOUR
 PROPOSED MAJOR CONTOUR
 PROPOSED MINOR CONTOUR
 (C) CLUTTER/STUMPDOWN W/ SIZE & TYPE
 (P) REMOVED FENCE
 (P) CONCRETE SURFACE
 (P) DECK
 RANDOM CONTROL POINT W/ 1/4"

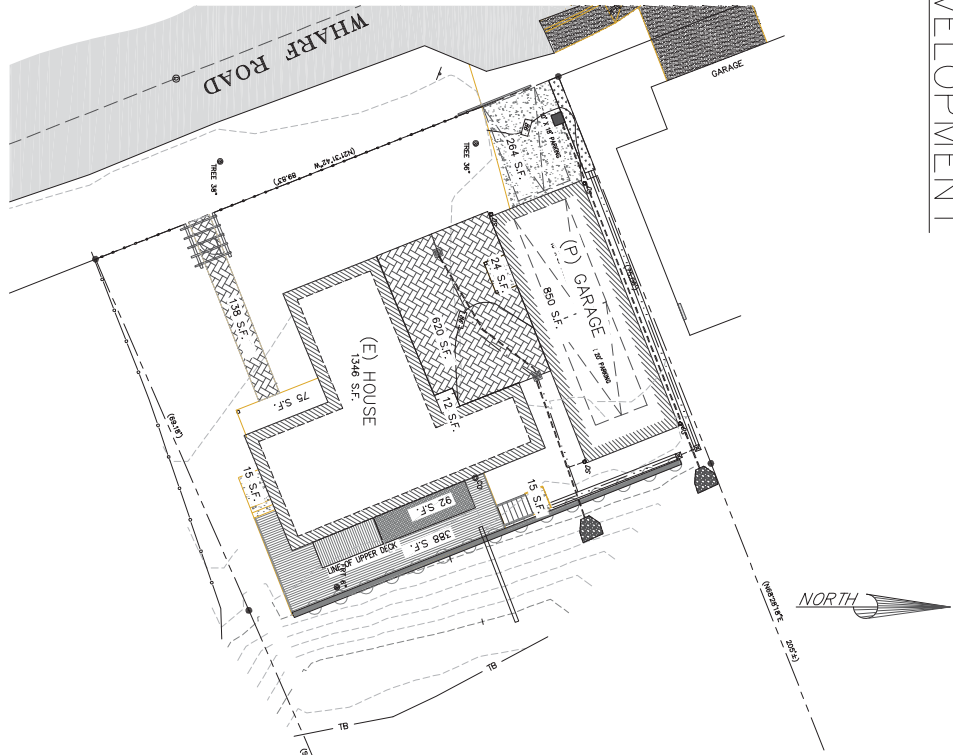
PRE & POST DEVELOPMENT



SURFACING SUMMARY

| TYPE | TOTAL AREA |
|----------------|------------|
| EXISTING HOUSE | 1346 |
| EXISTING DRIVE | 468 |
| EXISTING DECK | 75 |
| EXISTING DRIVE | 1912 |

* PRE-PROJECT AREA DOES NOT INCLUDE THE DECK

PRE-DEVELOPMENT SITE PLAN
SCALE 1" = 10'

SURFACING SUMMARY

| TYPE | TOTAL AREA |
|-------------------|------------|
| NEW GARAGE | 690 |
| NEW HOUSE | 1346 |
| CONCRETE DRIVEWAY | 249 |
| PROPOSED DRIVE | 1912 |
| PROPOSED DRIVE | 2003 |

* POST-PROJECT AREA DOES NOT INCLUDE THE DECK OR REMOVED FENCES AREAS

POST-DEVELOPMENT SITE PLAN
SCALE 1" = 10'

PRE & POST DEVELOPMENT

1810 WHARF ROAD
CAPITOLA, CALIFORNIA

APN: 035-111-02

HOGAN LAND SERVICES
A CALIFORNIA CORPORATION

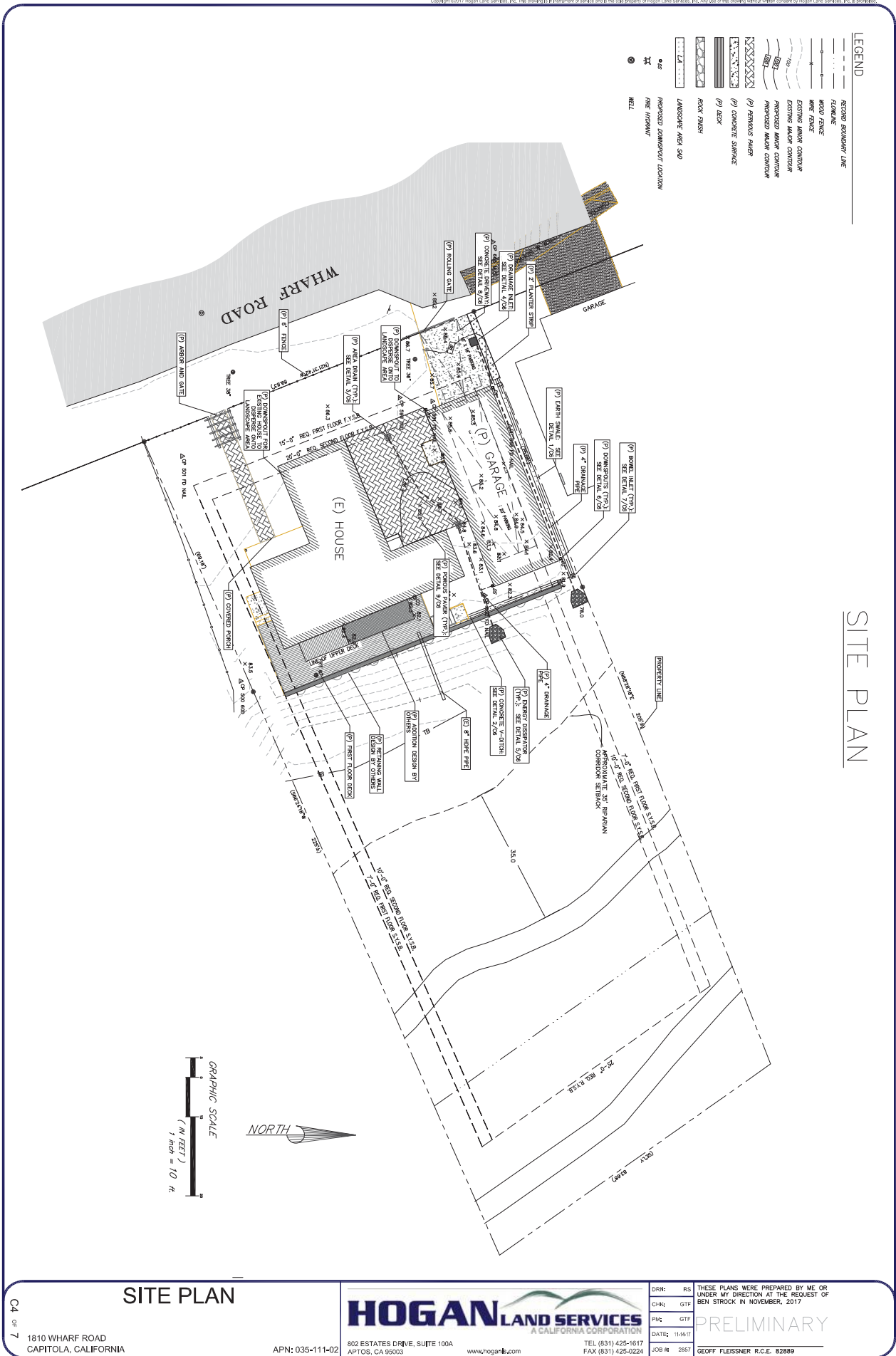
802 ESTATES DRIVE, SUITE 100A
APTOS, CA 95003

TEL (831) 425-1617
FAX (831) 425-0224

www.hoganls.com

DRK: RS
 CHK: GTE
 PNC: GTF
 DATE: 11/04/17
 JOB #: 2851

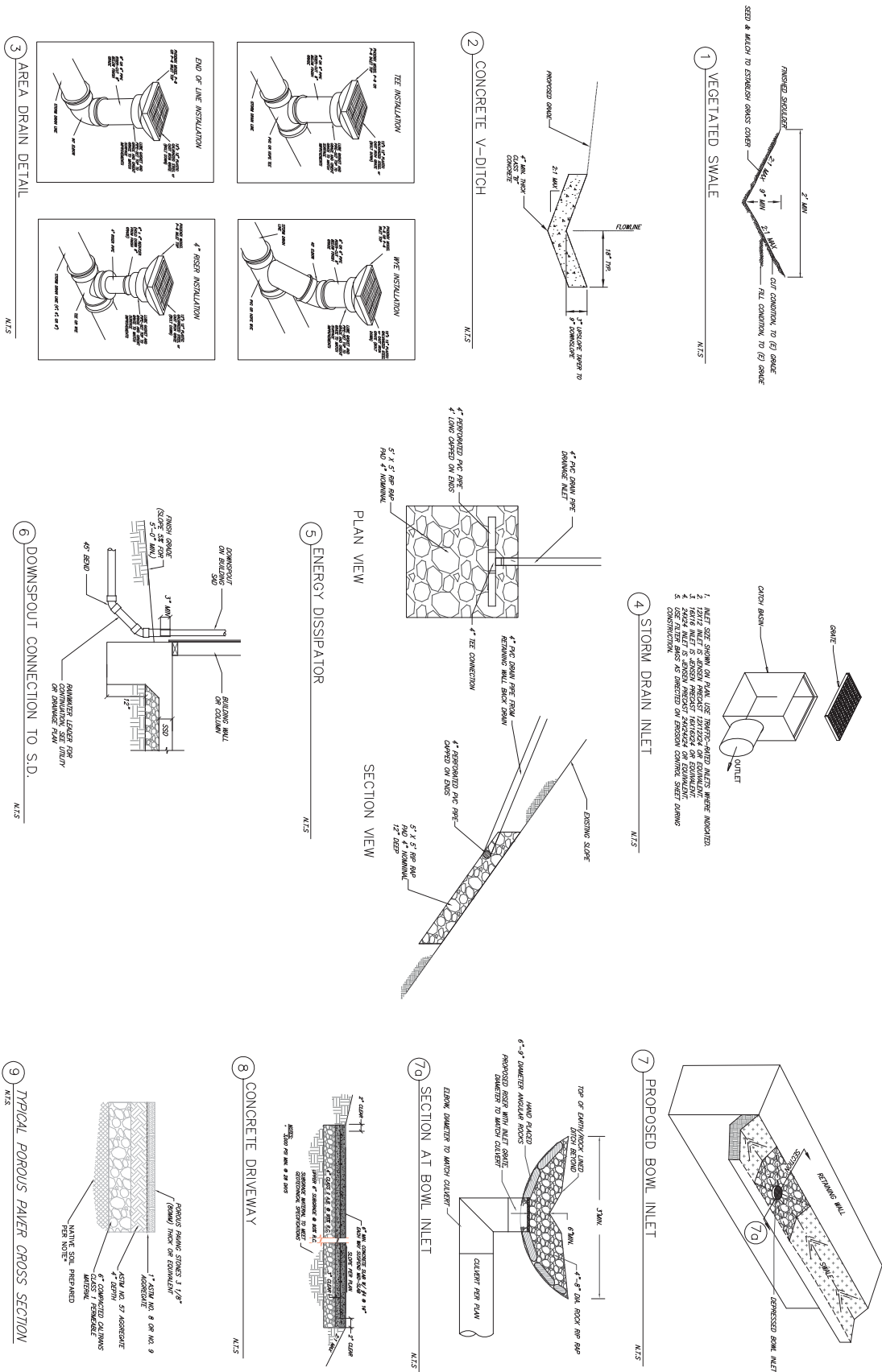
THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF BEN STROCK IN NOVEMBER, 2017
 PRELIMINARY
 GEOFF FLESSNER R.C.E. 82889



LEGEND



CONSTRUCTION DETAILS



CONSTRUCTION DETAILS

1810 WHARF ROAD
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JOB #: 2857
GEOFF FLEISSNER R.C.E. 82889

SITE HOUSEKEEPING REQUIREMENTS

CONSTRUCTION MATERIALS

1. ALL LOOSE STOCKPILED CONSTRUCTION MATERIALS SHALL BE KEPT AWAY FROM ADJACENT AREAS AND SHALL BE COVERED AND BARRICADED WITH A MINIMUM 12" HIGH FENCE.
2. ALL MATERIALS SHALL BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING BLOWN AWAY BY THE WIND.
3. ALL MATERIALS SHALL BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING BLOWN AWAY BY THE WIND.
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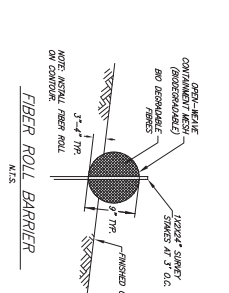
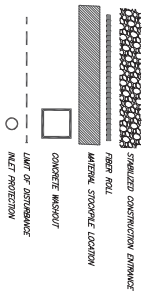
WASTE MANAGEMENT

1. DISPOSAL OF AND REMOVAL OF WASTE MATERIALS OR MATERIALS ON IMPROVEMENTS OR IMPROVEMENTS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES ORDINANCES.
2. WASTE MATERIALS SHALL BE REMOVED FROM THE SITE AS SOON AS POSSIBLE AND SHALL BE PLACED IN A MANNER THAT PREVENTS THEM FROM BEING BLOWN AWAY BY THE WIND.
3. WASTE MATERIALS SHALL BE REMOVED FROM THE SITE AS SOON AS POSSIBLE AND SHALL BE PLACED IN A MANNER THAT PREVENTS THEM FROM BEING BLOWN AWAY BY THE WIND.
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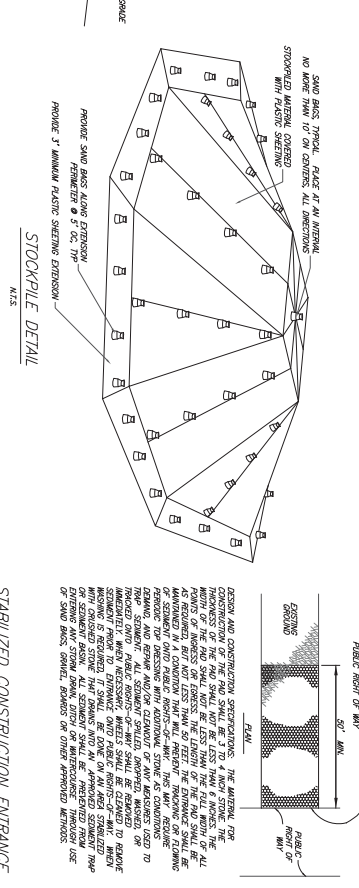
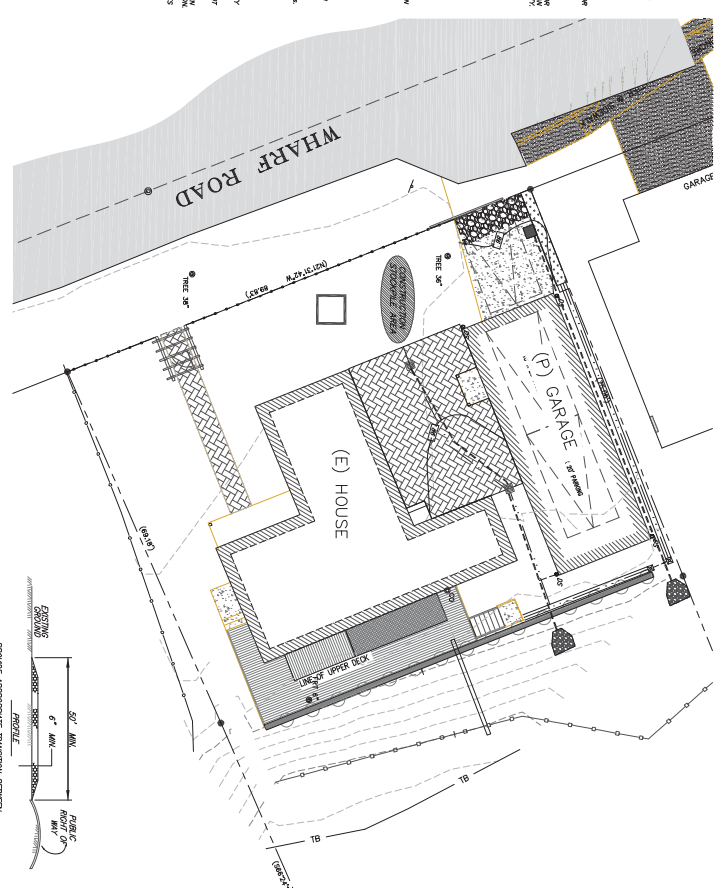
LANDSCAPE MATERIALS

1. LANDSCAPE MATERIALS SHALL BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING BLOWN AWAY BY THE WIND.
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EROSION CONTROL LEGEND



STORMWATER POLLUTION CONTROL PLAN



PROJECT INFORMATION

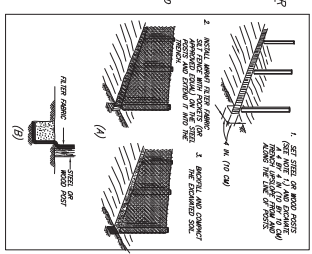
OWNER/DESIGNER:
1810 WHARF ROAD
CAPITOLA, CA 95003
S&B/C/P PROJECTING SERVICES
1810 WHARF ROAD
CAPITOLA, CA 95003
TEL: (831) 425-1617
FAX: (831) 425-0224
TOTAL AREA OF DISTURBANCE = 0.11 ACRES (694 S.F.)

EROSION CONTROL NOTES

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
2. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
3. ALL EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
4. ALL EROSION CONTROL MEASURES SHALL BE REPLACED IF DAMAGED OR DESTROYED.
5. ALL EROSION CONTROL MEASURES SHALL BE INSPECTED AND REPAIRED AS NEEDED.
6. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
7. ALL EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
8. ALL EROSION CONTROL MEASURES SHALL BE REPLACED IF DAMAGED OR DESTROYED.
9. ALL EROSION CONTROL MEASURES SHALL BE INSPECTED AND REPAIRED AS NEEDED.
10. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

INSTALLATION OF SILT FENCE/SEDIMENT BARRIER

1. LAY OUT A STABLE FENCE LINE AND SET POSTS ALONG AS CLOSE AS POSSIBLE TO THE FENCE LINE.
2. CUT THE FIBER ROLL FROM A CONTINUOUS ROLL AND PLACE IT OVER THE POSTS.
3. SECURE THE FIBER ROLL TO THE POSTS WITH RINGS OR STAPLES.
4. PREPARE THE SILT FENCE WITH POSTS MAY BE USED AS AN ALTERNATE TO SETTING STEEL OR WOOD POSTS.



EROSION CONTROL PLAN

1810 WHARF ROAD
CAPITOLA, CALIFORNIA

APN: 035-111-02

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PRELIMINARY
DATE: 11/04/17
JOB #: 2857
GEOFF FLESSNER R.C.E. 82899



HISTORIC WATER TOWER

SCALE: $\frac{1}{8}'' = 1'-0''$

Attachment: Water Tower Height Diagram 1810 Wharf (1810 Wharf Road)

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.

1535 SEABRIGHT AVENUE #200, SANTA CRUZ, CALIFORNIA
(831)426-8400 PHONE (831)426-8446 FAX

DVRD

DEREK VAN ALSTINE
DESIGNER

2018 COPYRIGHT
ALL RIGHTS RESERVED

STROCK RESIDENCE

1810 WHARF ROAD, CAPITOLA, CA 95010

APN: 035-111-02

STROCK COST BREAKDOWN PER Section 17.72.070

Existing Building Costs:

| | | |
|---------------------|------------------------|--------------|
| Existing residence: | 2,162 square feet | |
| | @ \$200.00/square foot | \$432,400.00 |

| | | |
|------------------|-----|--|
| Existing garage: | N/A | |
|------------------|-----|--|

| | | |
|----------------|-----------------------|------------|
| Existing deck: | 70 square feet | |
| | @ \$25.00/square foot | \$1,750.00 |

| | | |
|-----------------------|--|--------------|
| Total Existing Value: | | \$434,150.00 |
|-----------------------|--|--------------|

80% of Total Existing Value \$347,320.00

New Construction Costs:

| | | |
|------------------------|------------------------|--------------|
| New conditioned space: | 1,153 square feet | |
| | @ \$200.00/square foot | \$230,600.00 |

| | | |
|-------------|-----------------------|-------------|
| New garage: | 615 square feet | |
| | @ \$90.00/square foot | \$55,350.00 |

| | | |
|-----------------|-----------------------|------------|
| New deck/porch: | 281 square feet | |
| | @ \$25.00/square foot | \$7,025.00 |

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

| | | |
|----------------------------|------------------------|--------------|
| Remodel conditioned space: | 2,162 square feet | |
| | @ \$100.00/square foot | \$216,200.00 |

| | | |
|-----------------|-----------------------|-----|
| Remodel garage: | 0 | |
| | @ \$45.00/square foot | n/a |

| | | |
|---------------|-----------------------|-----|
| Remodel deck: | 0 | |
| | @ \$12.50/square foot | n/a |

Total ReConstruction/Remodel and Addition Cost: \$509,175.00 (147%)

RESOLUTION NO. 1617

RESOLUTION DESIGNATING AREAS
OF THE CITY WHICH ARE EXEMPT
FROM THE GENERAL REQUIREMENTS
OF ORDINANCE NO. 463 REGARDING
CURB, GUTTER, AND/OR SIDEWALK

WHEREAS, Ordinance No. 463 requires that properties within the City of Capitola shall install curbs, gutters, and sidewalks; and

WHEREAS, Section 12 of said Ordinance No. 463 allows for certain designated areas to be exempt from the specific requirements of the ordinance; and

WHEREAS, exemptions from the provisions may include curb, gutter, or sidewalks, or curb, gutter, and sidewalks.

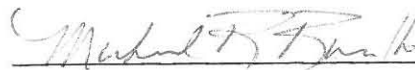
NOW, THEREFORE, BE IT RESOLVED that those areas designated on attached Exhibit (A) are exempt from the general requirements as specified and interpreted by legend in the exhibit.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted on the 24th day of January, 1980, by the following vote:

AYES: Council Members Garcia, Graves, Clarke and Mayor Routh

NOES: None

ABSENT: Council Member Mudgett



Mayor

ATTEST:

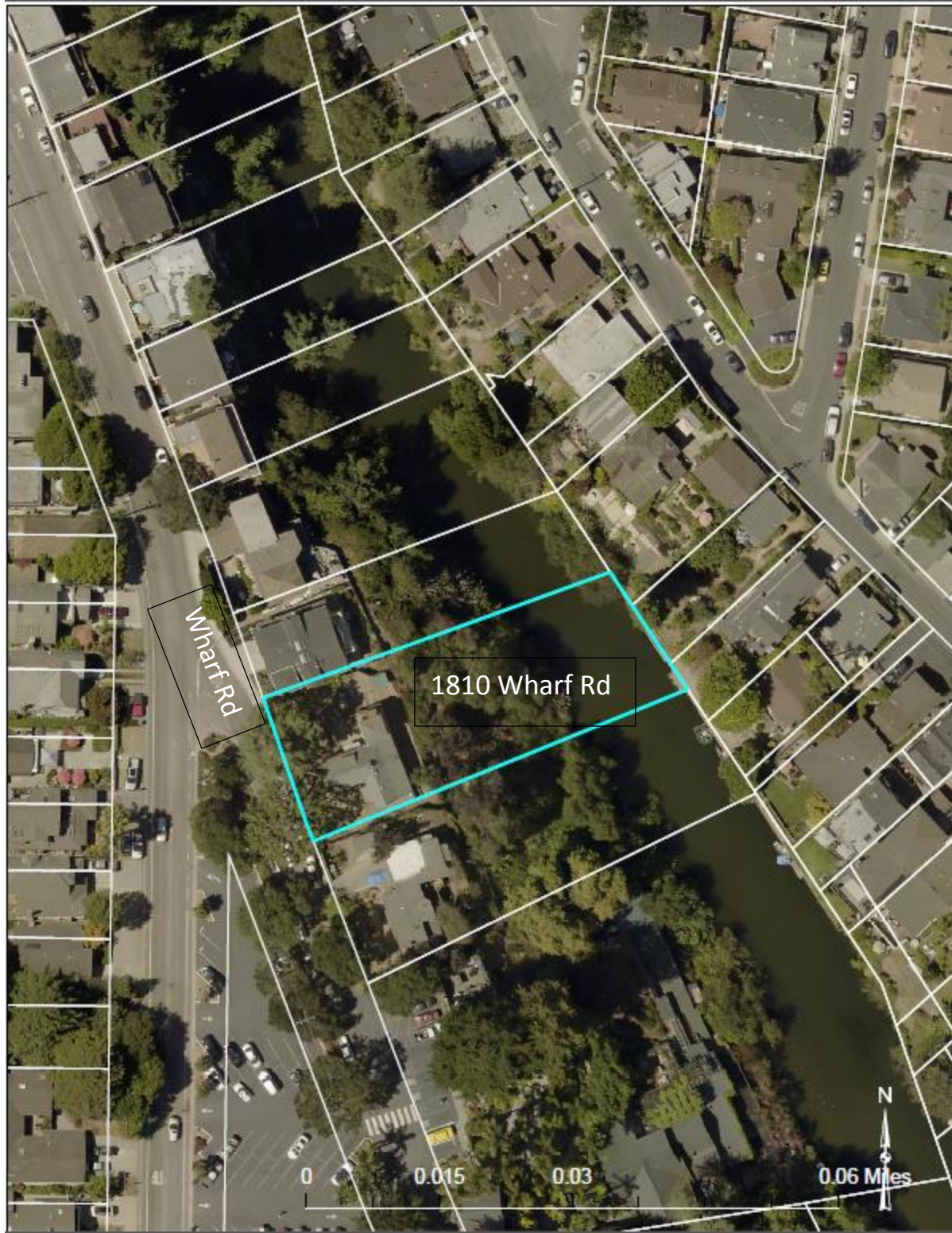


City Clerk



AY

— exempt from
RESOLUTION NO. 1617



file

6.A.6



Item #: 4.B.

CITY COUNCIL AGENDA REPORT

MEETING OF MAY 8, 2008

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: APRIL 29, 2008

SUBJECT: **1816 WHARF ROAD - PROJECT APPLICATION #07-052**

APPEAL OF THE PLANNING COMMISSION'S DENIAL OF COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE WITH A REQUEST FOR VARIANCES TO THE FRONT YARD AND RIPARIAN HABITAT SETBACKS AND PARKING, IN THE AR/R-1 (AUTOMATIC REVIEW/ SINGLE-FAMILY RESIDENCE) ZONING DISTRICT. (APN 035-111-17) FILED 08/06/07 *2

PROPERTY OWNER/APPLICANT: NIELS & JOANNE KISLING
REPRESENTATIVE: FRANK PHANTON

Recommended Action: By motion, it is recommended that the City Council uphold the appeal and approve Project Application #07-052 subject to the Conditions of Approval and Findings of Evidence for 1816 Wharf Road (Attachment 1).

PROJECT DESCRIPTION

The project at 1816 Wharf Road consists of a lot line adjustment and the construction of a new 3,424 square foot, two-story single-family residence and garage. The total square footage consists of 2,415 square feet of habitable space, 606 square feet of garage and 363 square feet of second floor deck space. This total square footage adds up to a 31% Floor Area Ratio (F.A.R.), falling well within the 48% F.A.R. permitted.

The project site is approximately 10,600 sq. ft. and is currently a vacant parcel of land. The proposed Lot Line Adjustment (which would be approved administratively) would reduce the size of the parcel to 10,018 sq. ft. The parcel is off Wharf Road and is adjacent to single-family residences to the north and south. To the east lies Soquel Creek, with more single-family residences on the opposite side. The flat, buildable area of the parcel is approximately 3,250 sq. ft. and is adjacent to Wharf Road. The remainder of the parcel (approximately 7,410 square feet) slopes at a steep angle towards Soquel Creek.

The house is proposed on the flat portion of the site closest to Wharf Road. The steep lower portion of the site is overgrown with vegetation and would remain in its current natural state.

The design is generally consistent with the General Plan, Zoning Ordinance and Local Coastal Plan, however variances are being requested for the first and second story front yard setback, the rear yard (riparian habitat) setback, the garage setback and for the 2 uncovered parking spaces proposed within the city's right-of-way (ROW).

Attachment: 1816 Wharf Rd Appeal May 8, 2008 CC Meeting (1810 Wharf Road)

BACKGROUND

The Planning Commission considered the item on March 20, 2008. The application was denied 3-0, with commissioners Newman, Burke and Harlan voting. Commissioner Norton recused himself due to living within 500 feet of the project site and Commissioner Marlatt was absent.

The Planning Commission supported certain aspects of the proposed project and also expressed their concerns.

- Commissioner Newman supported the lot line adjustment but had concerns with the variances requested. Mr. Newman stated that the ordinance specifies that a reduction of the standard riparian setback may be permitted in order to allow for a minimum level of development, however, he did not consider the design minimal development. He felt that parking is also an issue and that he could not support the front yard setback variance, even though other homes in the surrounding neighborhood have similar front yard setbacks as to what is being proposed. Commissioner Newman supported a redesign of a smaller home that does not require variances and stated that for a vacant residential lot, the design should be within the current, allowed development standards.
- Commissioner Burke supported the lot line adjustment and variance to the riparian area if the front setback could be conditioned at 20' to allow for the parking within the driveway. Mr. Burke also supported a redesign of the parking configuration to accommodate at least three parking spaces.
- Chairperson Harlan stated that for a vacant lot, the new proposed structure should be built to the current requirements and not require any variances. She supported a redesign without variances.

Staff suggested that the Commission consider continuing the project for a redesign, and direct the applicant to eliminate the parking and front yard variances, and to allow for a 15' setback to the riparian area. It was pointed out that if the project were to be redesigned without variances, the resulting home would need to fit within a 720 sq.ft. buildable area. The commission however, reiterated that the new proposed structure should be built to the current requirements and should not require any variances.

The applicant requested that the Commission deny the application so that it could be appealed to council.

DISCUSSION

The applicant is requesting variances for the riparian setback, first and second story front yard setbacks, garage setback and the parking.

Riparian Setback

The zoning code requirements for riparian setbacks in sensitive habitats is 35 feet from the outer edge of the riparian vegetation. However, per zoning code section 17.95.010 (D) it states that, "In limited circumstances, where a vacant parcel lacking structure-siting flexibility exists, a reduction of the standard setback may be permitted in order to allow for a minimum level of development, providing that it can be ensured that encroachment into the setback area will not have a significant effect on the natural area". Based on findings in the Riparian Assessment developed for the project, it is the biologist's opinion that the proposed development does not represent a significantly new biological impact to the area and that a 35-foot riparian setback is not necessary. It is recommended that a 15 to 20 foot setback be established between the edge of the riparian habitat and the proposed structure. The construction of the proposed home is 18 to 20 feet away from the riparian habitat. It should also be noted that based on this regulation, a variance is not actually necessary, as this section allows the setback to be reduced.

The issue of what is considered "minimum level of development" relative to riparian setbacks is a matter of interpretation, for which the City does not have guidelines or much precedence to follow in circumstances such as this. For this particular project, a single-family home could be considered a minimum level of development. As the proposed project is set back less than the level of development that would result in impact to the riparian habitat, it could be considered minimized in that aspect. In any case, the project is set back from the top of the steep slope of the riparian area, much further than the existing homes along the westerly side of Soquel Creek. The riparian area would not be impacted, thus the reduction in setback is justified.

First and Second Story Front Yard Setbacks

Per the R-1 zoning requirements, the required front yard set back for the first floor is 15 feet and the second floor is 20 feet. Due to the limited buildable area of the lot and the required riparian setback, the applicant is proposing to locate the house closer to Wharf Road than is permitted by the development standards. The proposed structure has a first floor set back of 5' feet and the second floor is setback 11' from the property line. The garage would be set back further.

Parking and Garage Setback

The project requires four off-street parking spaces, one of which must be covered. The applicant is proposing a two-car garage with a driveway approach that can accommodate two cars. The issue that arises is that a portion of the required two driveway spaces encroach into the public ROW and are not entirely on the project site. Therefore, a variance to parking standards is required.

In addition, per the R-1 zoning requirements, the required garage setback is 20' from the front property line, with 18' allowed if approved by Planning Commission (or Council). The proposed garage is setback 9' from the front property line. However, it should be noted that there is approximately 12' of public right of way between the edge of pavement and the front property line, for a total distance of 21' proposed between the pavement and the garage. While 21' would normally be adequate to accommodate the length of a vehicle, the city must take into consideration the installation of a 5' sidewalk sometime in the future. Installation of the sidewalk would reduce the length of the driveway for parking of the vehicle to 16', which is not adequate in staff's opinion. A condition of approval has been added that will require the garage be setback an additional 2'. The condition reads as follows:

"The project shall be redesigned to setback the garage to provide a minimum 18' driveway in front of the garage in addition to a 5' sidewalk with curb and gutter, subject to the approval of the Director of Public Works, and designed to meet City standards."

Variance Findings

Per Code Section 17.66.090, a variance permit may be granted when the Planning Commission finds:

1. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
2. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The following special circumstances applicable to the lot support issuance of variances:

1. Steep topography and separation of grade between Soquel Creek and the upper bluff where the development will take place;

MAY 8, 2008 AGENDA REPORT: 1816 WHARF ROAD APPEAL

4

2. Recommended riparian setback of 15 to 20 feet for the residence;
3. Shallow buildable area of the lot;
4. Existing right-of-way that would provide additional space to locate the 2 uncovered parking spaces. A 12-foot right-of-way section exists between the edge of roadway and the property line, allowing space for the designated uncovered parking spaces without encroaching into the roadway; and
5. Strict application of the zoning standards would result in a 750 square foot building footprint.

In terms of the surrounding neighborhood, a majority of the homes on the same side of Wharf Road have nonconforming setbacks and nonconforming parking. Most homes to the north of the subject property are developed with substandard front yard setbacks, with no driveway or uncovered parking spaces and extend to the top of the creek bank in the rear. An analysis was completed by staff on seven (7) of the homes that are immediately adjacent to the proposed project site. Most homes also have multiple levels of decks in the back, often cantilevering over the slope. The analysis shows that these adjacent homes have greater lot coverage and range in size from 1,689 sq. ft. to 5,276 sq. ft., with the average square footage being 3,615 sq. ft. The proposed structure would be approximately 200 sq. ft. smaller than the average size home in the immediate surrounding area.

The zoning codes were established, and recently revised to address community concerns with increasing massing, size, and design issues, contrary to neighborhood compatibility. The proposed setback and parking variances would not be inconsistent with the existing neighborhood along Soquel Creek and would not constitute a grant of a special privilege. Alternatively, limiting the proposed development would unreasonably restrict the development to a smaller size than has been developed in the immediate neighborhood with similar site constraints.

ATTACHMENTS

- Attachment 1 – Conditions of Approval and Findings
- Attachment 2 – March 20, 2008 PC Staff Report
- Attachment 3 – March 20, 2008 PC Minutes
- Attachment 4 – Appeal letter from applicant Niels & Joanné Kisling dated April 3, 2008
- Attachment 5 – Reduced original plan last dated 07/07/07
- Attachment 6 – Original Set of Plans, last dated 07/07/07 (*Council Members only. Plans are available for review at the Community Development Department*)

Report Prepared By: John Akeman
Associate Planner

Approved by: _____
Juliana Rebagliati, Community Development Director

**Reviewed and Forwarded
By City Manager:** _____



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: JANUARY 18, 2018
 SUBJECT: **1810 Wharf Road #17-0381 APN: 035-111-02**

Design Permit, Conditional Use Permit, and Coastal Development Permit for an addition to a historic single-family residence with a Variance to front yard setbacks for a new detached garage with accessory dwelling unit (ADU) above and additional height for recreated historic water tower located in the R-1/AR (Single Family/Automatic Review) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Benjamin Strock

Representative: Benjamin Strock, filed: 6/27/16

APPLICANT PROPOSAL

The applicant is proposing an addition to the existing historic single-family home at 1810 Wharf Road in the R-1/AR (Single Family/Automatic Review) zoning district. The property is located within the environmentally sensitive lands overlay due to its proximity to the Soquel Creek riparian corridor. The 2,232 square-foot home will be increased to 2,964 square-feet. The applicant is also proposing a 614 square-foot garage with a 705 square-foot accessory dwelling above. The proposal requires a variance for height of the water tower, the front yard setback of the detached garage, and for exceeding the maximum value of a non-conforming structure.

BACKGROUND

On June 27, 2016, the owner applied for a historic determination of the property at 1810 Wharf Road. The City contracted Archives and Architecture to review the historical significance of the property. Architectural Historian, Leslie Dill, made findings that portions of the home were built as early as the 1850s and the home is likely one of the oldest structures remaining in Capitola (Attachment 2). On February 10, 2017, Ms. Dill wrote an addendum to her October 6, 2016 letter, identifying additional details of the evolution of the home and photographs of a third story on the water tower (Attachment 3).

On May 4, 2017, the applicant submitted a design permit for an addition to the single-family home. The original submittal was reviewed by Ms. Dill and numerous suggestions were made to amend the design to be more in line with the Secretary of Interior Standards. The current plans are the result of modification to incorporate Ms. Dill's recommendations. On December 11, 2017, Ms. Dill provided an updated review and made findings of compliance with the

Secretary of Interior Standards with additional conditions to retain original materials (Attachment 4).

On December 12, 2017, the application was reviewed by the Architectural and Site review committee. The following suggestions were provided to the applicant:

Local Architect, Frank Phanton: complimented the design emphasizing appreciation of reintroducing the unique water tower and keeping the majority of addition within a detached structure to preserve the integrity of the main residence.

Local Historian, Carolyn Swift: complimented the design and expressed that the work that has been done to preserve this home, likely the oldest in town, is a treasure for the City. She underscored the recommendation provided in the Archives and Architecture report that “the original siding and structure of the house be stabilized in place, rather than dismantled, salvaged, and reused” but also recognizing that certain situations require reconstruction to reframe, waterproof, and reattach/replicate.

Public Works Representative, Danielle Uharriet: informed the applicant that an engineered drainage plan is required.

Building Department Representative, Fred Cullum: informed the applicant that sprinklers would be required.

Senior Planner, Katie Herlihy: informed the applicant that two-story secondary dwelling units are not permissible under the existing code and noted that two variances were being requested within the application. The applicant was also informed that one additional parking space is required by code.

Following the Architectural and Site review meeting, the applicant updated the plans to add one more parking space. As described later in this report, staff determined that a variance is not the appropriate permit process to lift the zoning code prohibition on two-story secondary dwelling units. Consequently, this application does not include a variance request for the two-story secondary unit.

DISCUSSION

The property at 1810 Wharf Road has several unique natural attributes. The lot is relatively flat along Wharf Road where the existing home is sited. Beyond the home, the lot becomes extremely steep dropping down toward Soquel Creek. The lot is located within the Soquel Creek Riparian Corridor, an area protected from development through increased setbacks requirements. A riparian delineation was completed to ensure that the riparian corridor and the required 35 foot setback are adhered to protect the natural area.

R-1 (Single Family Residential) Zoning District

| Development Standards | | |
|-------------------------------|---|--|
| Building Height | R-1 Regulation | Proposed |
| Main Building | 25 ft. 27 ft. may be permitted by Planning Commission for buildings that use historic design elements. | 31 ft. water tower 25 ft. 9 in. Main Home Request for variance. |
| Floor Area Ratio (FAR) | | |
| Lot Size | | 13,283 sq. ft. |

| | | |
|---|--|--|
| Maximum Floor Area Ratio | | 60% (Max 7,970 sq. ft.) |
| First Story Floor Area | | 1,525 sq. ft. |
| Second Story Floor Area | | 1,295 sq. ft. |
| Third Story Floor Area | | 144 sq. ft. |
| Detached Garage | | 615 sq. ft. |
| ADU | | 702 sq. ft. |
| TOTAL FAR | | 4,281 sq. ft. |
| Yards (setbacks are measured from the edge of the public right-of-way) | | |
| Main Structure | R-1 Regulation | |
| Front Yard 1 st Story | 15 ft. | |
| Front Yard 2 nd Story & Garage | 20 ft. | |
| Side Yard 1 st Story | 10% lot width | 7 ft. Min |
| Side Yard 2 nd Story | 15% of width | 10 ft. Min |
| Rear Yard 1 st Story | 20% of lot depth | 25 ft. Min |
| Riparian Edge | 35 ft. | 35 ft. Minimum |
| Detached Garage/ADU | Garage Standard | ADU standard |
| Front Yard | 40 ft. | Same as primary structure. |
| Side Yard | 3 ft. | 5 ft. |
| Rear Yard | 8 ft. | 8 ft. |
| Parking | | |
| | Required | Proposed |
| Residential greater then 4000 square feet may require additional parking at the discretion of the Planning Commission beyond the three uncovered and one covered space | 4 spaces total 1 covered 3 uncovered | 4 spaces total 2 covered 2 uncovered |
| Underground Utilities: required with 25% increase in area | | Required |

The historic home is "T" shaped with the rectangular front wing being the first part of the home built in the 1850s. The home had asbestos siding on the exterior that was removed during the historic evaluation to identify the original board and batten siding. The two-story base of a previous water tower structure is attached to the northeast corner of the home. The roof is cross-gabled. The architectural historian noted that the home currently is a complex design due to its many small alterations over the years including a one-story rear wing that enclosed former recessed porch, a covered front stoop, and multiple exterior staircases. The home sits on sloped land with the front of the home on wood plates and the rear is set on a pony wall above a crawlspace. The parcel drops off steeply behind the home extending to the creek.

Prior to designing the addition, the owner applied for a third party technical review of the home's historic significance and requested the review identify the character defining historic features that should be preserved and the appropriate location for an addition. The architectural historian produced an in-depth analysis of the existing conditions of the home, a list of character

defining features to be preserved/restored, and guidance on elements that would be acceptable as additions (Attachment 3). Of exceptional note regarding this application is the historian's guidance that a detached garage or outbuilding to the northeast of the water tower would be an acceptable area for expansion and that a single or two-story addition that would wrap the existing wings of the home would be unacceptable. The application includes a two-story detached garage with a secondary dwelling unit above.

Design Permit and Historic Review

The original May 4th plans were reviewed by the City's contracted Architectural Historian, Leslie Dill. Ms. Dill made numerous suggestions to the original design. The applicant modified the plans in draft form and requested a meeting with the Architectural Historian for guidance on the draft concept. The current submittal is the outcome of the multiple reviews. On December 11, 2017, Ms. Dill provided an updated review and made findings of compliance with the Secretary of Interior Standards. Included in the report is a recommendation that the original siding and structure of the house be stabilized in place, rather than dismantled, salvaged, and reused (Attachment 4).

The final design preserves the cross-gabled roof design, the massing of the original T-shaped main structure, and reintroduces the water tower. The character defining gable ends, trim, and dormers will be preserved in place. The unique stepped windows will also be preserved. The new addition is proposed on the rear of the structure and within a new detached structure.

The rear elevation of the historic structure faces Soquel Creek and can be seen from different vantage points on the east side of the creek. Through photo documentation, it is apparent that the rear façade has been modified extensively over the years. The new addition will be located on the rear of the home tucked below the main roofline and extremities of the north and south wings in an effort to maintain the perception of the historic structure from the street. The roof design on the rear of the home will be modified to incorporate a two-story addition. New windows and doors are proposed throughout the rear addition while maintaining two original windows in the second story of the water tower. The windows throughout the new addition have been designed to include similar trim and compatible dimensions to the original windows. The third story of the water tower will introduce wood lap siding. Also, to differentiate existing from new, the detached garage will incorporate fiber cement board and batten cut on diagonal with larger board width.

The one item the Architectural Historian suggested to be changed is the exterior siding preservation plan. Sheet A3.3, includes notes that the existing boards will be removed and carefully stored to be reused after the building has been sheared and waterproofed with priority given to the area visible from the public street. New siding and battens would be milled to the exact dimensions and used only where existing siding is insufficient to cover an area. The Architectural Historian would prefer that the siding be stabilized in place rather than disassembled. The Planning Commission has the discretion in issuing the design permit to require the recommended historic preservation of stabilizing the structure in place or may allow the applicant to disassemble and reassemble the building as proposed. Staff will request direction from the Planning Commission during the hearing on the preservation method.

Non-conforming Structure

Variance

The application includes three variance requests, one for the height of the water tower at 31 feet, the second for the front setback of the detached garage, and a third for exceeding the 80 percent maximum valuation for a non-conforming structure.

Height of Water Tower

Local Historian, Carolyn Swift, provided the applicant with photo documentation of the historic home including with the original water tower. The home designer reincorporated the element into the project in the exact location in an attempt to reintroduce a historic element that had been lost. The height of the water tower was based on the photo documentation relative to the existing structure. The water tower exceeds the zone height of 25 feet by 6 feet.

Setbacks for Detached Garage

A detached garage has a required front setback of 40 feet. The proposed detached garage is located 18 feet from the property line on the first story and 15 feet on the second story. The applicant is seeking a variance to the setback requirement due to the steep slope at the rear of the lot and to maintain the view corridor for the neighboring property to the north.

Non-conforming Calculation

The historic structure does not comply with the second story front yard setback regulations of the zoning code; and therefore, is a non-conforming structure. Pursuant to code section 17.72.070, an existing non-complying structure that will be improved beyond 80% of the present fair market value of the structure, may not be made unless the structure is brought into compliance with the current zoning regulations. The new addition will exceed the 80% and therefore requires a variance to the 80% maximum.

Pursuant to §17.66.090, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

- A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

Staff finds that the following special circumstances are applicable to the subject property:

- A. Height of water tower. The application reintroduces a water tower that had historically been on the site at approximately the same height as proposed. Re-introducing elements that have been lost is consistent with historic preservation practices outlined in the Secretary of Interior Standards. To accurately preserve the site the water tower should be in the same location at approximately the same height. The zoning code allows additional height, up to 27 feet, for buildings that use historic design elements. The water tower extends beyond the 27 feet limit, and therefore requires a variance. Allowing additional height for the historic feature would be in keeping with the City's historic preservation goals and consistent with past practice. Allowing the additional height would not be the grant of special privilege due to the unique history of the site having a water tower. An example of a similar allowance is the Lent house at 1570 Prospect Avenue.
- B. Front Yard Setback. The lot is exceptionally steep on the portion of the lot that extends from the rear of the existing home down to Soquel Creek. The detached garage has been designed to incorporate two covered spaces in tandem configuration. The garage is 44 feet in depth. At the advice of the Architectural

Historian, the plans include a detached garage rather than an attached garage to preserve the form of the historic home as viewed from the street. In doing so, the only reasonable location for the garage is along the north property line. The unique circumstances include the steep slope at the rear of the lot and the preservation of the historic structure. A variance for a front yard setback requirement would not constitute a grant of special privilege as other properties along Wharf Road encroach into the front yard setback due to the steepness of the rear yards. When considering building placement, the designer set the home closer to road in an effort to maintain the neighbor's view from their second story window.

- C. Non-conforming Structure. The special circumstances related to the non-conforming structure is that it is a historic structure that is in its original location. To bring the structure into conformity the home would have to be moved back a foot. To do so would reorient the structure on the site and would be contrary to the Secretary of Interior Standards for rehabilitation. To allow the structure to stay within its current location would not constitute a grant of special privilege inconsistent with other properties in the area. Historic preservation is a priority within the City of Capitola. Goal LU-2 of the Capitola General Plan states “*Preserve historic and cultural resources in Capitola.*” The General Plan includes the following policy statements in support of the variance for the historic cottage and applications of the Secretary of Interior's Standards:

GP-Policy LU-2.1: Historic Structures. Encourage the preservation, restoration, rehabilitation, maintenance, and adaptive reuse of important historic structures in Capitola.

GP-Policy LU 2.2: Modification Standards. Use the U.S Secretary of the Interior's Standards for the Treatment of Historic Properties as a guide for exterior modification to identified historic resources.

Secondary Dwelling Unit

The application includes a 702 square-foot secondary dwelling unit above the garage. Two-story secondary dwelling units are expressly prohibited under the current zoning code (§17.99.040 and §17.00.060(5)). The applicant initially proposed a variance to allow the proposed two-story, detached second unit; however, staff determined that a variance is not an appropriate mechanism to lift a clear prohibition which was adopted by the City Council through the legislative process. The proper procedure to remove such a prohibition would be a zoning code amendment reviewed by the Planning Commission and approved by the City Council.

Although the current code clearly prohibits two-story secondary dwelling units, recent changes in state law (Senate Bill 1069 and Assembly Bill 2299) require local agencies to relax development standards to facilitate development of accessory (secondary) dwelling units. The City has proposed several changes to its secondary dwelling unit regulations to comply with new state laws through the zoning code update process, including an allowance for second-story units.

Proposed changes to secondary dwelling unit regulations cannot be applied until the zoning code update is adopted; however, the Planning Commission could allow the proposed two-story secondary dwelling unit if they find that the City's current regulations are overly restrictive and therefore inconsistent with state law.

Alternatively, the Planning Commission could approve a modified project without the proposed secondary dwelling unit. Under this approach, the applicant could apply for a conditional use permit and design permit to allow the secondary dwelling unit once the zoning code update is

adopted and subsequently certified by the California Coastal Commission.

CEQA

Section 15301 of the CEQA Guidelines exempts minor alterations to existing structures when the addition to the existing structure is less than 50 percent of the floor area of the existing home. This project involves an addition to a Historic Property. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #17-0381 based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval consists of rehabilitation of a 2,232 square-foot home with a 732 square foot addition. The project also includes a 614 square-foot garage with a 705 square-foot accessory dwelling above. The maximum Floor Area Ratio for the 13,283 square foot property is 60% (7,910 square feet). The total FAR of the project is 31% with a total of 4,138 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 January 18, 2018, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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
3. 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.
4. 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.
5. 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.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #17-0381 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: MARCH 1, 2018
SUBJECT: **General Plan Clean-up Discussion**

BACKGROUND

The General Plan Update was adopted by the Capitola City Council on June 26, 2014. The General Plan Update represented a comprehensive overhaul of the City's previous 1989 General Plan and included new and revised goals, policies, actions, and an amended land use map.

Following adoption of the General Plan, staff turned its focus to updating the City's 1975 Zoning Code. Over the next three years, the City conducted extensive public outreach, held dozens of public hearings, and prepared several drafts of the new Zoning Code. The Zoning Code Update process culminated on January 25, 2018 when the new code was adopted by the City Council.

DISCUSSION

Regular maintenance of the General Plan and Zoning Code is essential to ensure the City's regulatory framework remains current and consistent with state and federal law. Since the 2014 adoption of the General Plan Update, there have been physical and regulatory changes that should be reflected in the General Plan. Accordingly, staff proposes to process a General Plan Amendment later this year to update outdated information, provide clarifications, and to correct inconsistencies with the new zoning code.

Prior to initiating a General Plan Amendment process, staff is presenting the proposed revisions to the Planning Commission and City Council to receive feedback and to offer decision-makers an opportunity to add any other desired amendments. Once direction is received, staff will prepare a General Plan Amendment package and release the information to the public for a 45-day review period. The General Plan Amendment would then be presented to the Planning Commission for a recommendation to the City Council.

The proposed General Plan Amendment would include the following revisions:

1. **Land Use Map (page LU-16):** The zoning designations for several properties were changed as part of the Zoning Code Update resulting in inconsistencies between the zoning map and General Plan land use map. In addition, staff has identified a number of errors in the current land use map which should be corrected. A complete list of properties with inconsistent zoning and land use designations is provided in Attachment 1.

2. **Table LU-1, Existing Parks (page LU-9):** Staff proposes to revise this table to add the planned Rispin Mansion Park and to delete the word “planned” from the now completed McGregor Park.
3. **Figure LU-3, Public Facilities and Parks (page LU-10):** This figure would be revised to show the planned Rispin Mansion Park location.
4. **Development Intensity Controls (page LU-14):** The General Plan controls development intensity in commercial and mixed-use designations through floor area ratio limits whereas intensity in residential designations is controlled by density. Staff proposes to clarify that residential development in commercial and mixed-use designations is subject only to FAR and other zoning standards.
5. **Multi-Family Residential Designation Description (page LU-17 and LU-18):** The general plan establishes a maximum density of 20 dwelling units per acre (du/ac) for all properties with a R-MF (Multi-Family Residential) land use designation. The zoning code establishes three different multi-family zones: RM-L, RM-M, and RM-H (Multi-Family Low, Medium, and High). These zoning designations allow densities of 10 du/ac, 15 du/ac, and 20 du/ac, respectively.

While processing a recent application which included a state density bonus request, it was revealed that the City is obligated under state law to allow the highest density permitted by either the general plan or zoning code. For example, if a property had a R-MF general plan land use designation and a RM-L zoning classification, the property owner would be entitled to 20 du/ac rather than the more restrictive 10 du/ac limit established by the zoning code.

To close this loophole, staff proposes to add a statement on page LU-17 and LU-18 that more restrictive density limits established by the zoning code shall prevail. Staff will work with the City Attorney’s office to develop legally enforceable language.

6. **Visitor Accommodations Land Use Designation (page LU-19):** The new zoning map eliminates the previous VS (Visitor-Serving) zoning district and adds a VS overlay zone to properties with important visitor serving amenities. There are currently three properties designated as VA (Visitor Accommodations) under the General Plan: Monarch Cove, Shadowbrook, and Depot Hill Inn). Staff proposes to eliminate the VA designation and replace the land use designation for these three properties to the corresponding zoning designation and a VS overlay (as applicable) as shown in Attachment 1.
7. **Action LU-7.3, Hotel Floor Area Ratio (page LU-33):** During a previous Planning Commission hearing, one or more Commissioners commented that the additional floor area ratio provision was intended to apply only to a future hotel on the former Capitola Theater property. As written, this action item suggests that the additional floor area ratio could be granted to any hotel in the Village. Staff is seeking direction from the Planning Commission and City Council on whether this language should be modified to explicitly limit the additional FAR to the former theater property.
8. **Action LU-9.3, Increased Floor Area Ratio (page LU-39):** Staff proposes to add clarification that the increased FAR allowance for properties within the 41st Avenue corridor applies to the mall property.

CEQA It is anticipated that an Addendum to the General Plan Update Environmental Impact Report will be prepared.

RECOMMENDATION: Provide Direction.

ATTACHMENTS:

1. Proposed Land Use Map Revisions
2. General Plan Revision Pages

Prepared By: Rich Grunow
Community Development Director

| Address | APN | Current Zone | Proposed Zone | Current GP Designation | Proposed GP Designation | Notes |
|------------------|---|-----------------|----------------|------------------------|-------------------------|---|
| 500 Bay Ave | 036-062-37 | CN | MU-N | R-MF | MU-N | Gayle's site. GP mapping error. |
| 502 Bay Ave | 036-062-38 | CN | MU-N | R-MF | MU-N | |
| 402 Blue Gum | 035-131-20 | R-1 | R-1 | MU-N | R-SF | GP mapping error |
| 404 Blue Gum | 035-131-21 | R-1 | R-1 | MU-N | R-SF | |
| 406 Blue Gum | 035-131-22 | R-1 | R-1 | MU-N | R-SF | |
| 408 Blue Gum | 035-131-23 | R-1 | R-1 | MU-N | R-SF | |
| 3865 Brommer | 034-164-43 | CC | RM-H | CC | R-MF | Property owners requested different designation during ZO update |
| 3881 Brommer | 034-164-16 | CC | RM-H | CC | R-MF | |
| 3891 Brommer | 034-164-14 | CC | RM-H | CC | R-MF | |
| 3895 Brommer | 034-164-15 | CC | RM-H | CC | R-MF | |
| 911 Capitola Ave | 036-011-11, 036-011-12, 036-011-14, 036-011-13 | AR/CN & AR/RM-M | MU-N | R-MF | MU-N | Tea House property. GP amend to align with zone change |
| 912 Capitola Ave | 036-021-37 | RM-M | RM-M | R-MH | R-MF | GP mapping error |
| 610 Center St | 035-021-38 | RM-LM | RM-L | R-SF | R-MF | GP mapping error |
| 620 Center St | 035-021-44 | RM-LM | RM-L | R-SF | R-MF | |
| 640 Center St | 035-021-45 | RM-LM | RM-L | R-SF | R-MF | |
| 219 Central Ave | 036-111-20 | RM-LM | RM-L | R-SF | R-MF | GP mapping error |
| 1207 Dazzle Lane | 034-641-06 | PD | PD | CC | R-SF | GP mapping error |
| 1215 Dazzle Lane | 034-641-05 | PD | PD | CC | R-SF | |
| 1223 Dazzle Lane | 034-641-04 | PD | PD | CC | R-SF | |
| 1231 Dazzle Lane | 034-641-03 | PD | PD | CC | R-SF | |
| 1249 Dazzle Lane | 034-641-02 | PD | PD | CC | R-SF | |
| 1257 Dazzle Lane | 034-641-01 | PD | PD | CC | R-SF | |
| 609 El Salto Dr | 036-143-11 | R-1 | R-1 | R-SF/VS Overlay | R-SF | Depot Hill Visitor-Serving Properties. Properties rezoned during ZO update. GP amendment to align designations. |
| 620 El Salto Dr | 036-143-31, 036-142-27, 036-142-28 | VS | R-1/VS Overlay | VA | R-SF/VS Overlay | |
| 700 El Salto Dr | 036-142-29 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 701 El Salto Dr | 036-143-19 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 705 El Salto Dr | 036-143-24 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 709 El Salto Dr | 036-143-26 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 710 El Salto Dr | 036-142-30 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |

| Address | APN | Current Zone | Proposed Zone | Current GP Designation | Proposed GP Designation | Notes |
|--------------------|---------------------------|--------------|----------------|------------------------|-------------------------|---|
| 720 El Salto Dr | 036-142-32 | VS/R-1 | R-1 | VA | R-SF | |
| 723 El Salto Dr | 036-143-35 | VS/R-1 | R-1/VS Overlay | VA | R-SF/VS Overlay | |
| 701 Escalona Dr | 036-142-18 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 705 Escalona Dr | 036-142-20 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 709 Escalona Dr | 036-142-31 | VS/R-1 | R-1 | VA | R-SF | |
| 410 Kennedy Lane | 036-041-24 | I | I | P/QP | I | GP mapping error |
| 101 Livermore Ave | 036-143-14 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | Part of Depot Hill VS changes during ZO update |
| 102 Livermore Ave | 036-143-34 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 103 Livermore Ave | 036-143-15 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 105 Livermore Ave | 036-143-20 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 107 Livermore Ave | 036-143-12 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 106 Livermore Ave | 036-143-32 | AR/R-1 | R-1 | R-SF/VS Overlay | R-SF | |
| 250 Monterey Ave | 036-121-38, 036-121-33 | AR/VS | R-1/VS Overlay | VA | R-SF/VS Overlay | Inn at Depot Hill site. Zone change during ZO update. GP amend to align designations. |
| 865 Monterey Ave | 036-041-28 | P/OS | R-1 | P/OS | R-SF | Shoreline Church. GP mapping error |
| 4800 Opal Cliff Dr | 034-462-05 | AR/R-1 | RM-M | R-SF | R-MF | Opal Cliffs Condos. Developed with MF. Zone change during ZO update. |
| 4820 Opal Cliff Dr | 034-463-04 | AR/R-1 | RM-M | R-SF | R-MF | |
| 402 Riverview Ave | 035-131-12 | R-1 | R-1 | MU-N | R-SF | |
| 410 Riverview Ave | 035-131-15 | R-1 | R-1 | MU-N | R-SF | |
| 412 Riverview Ave | 035-131-32 | R-1 | R-1 | MU-N | R-SF | |

| Address | APN | Current Zone | Proposed Zone | Current GP Designation | Proposed GP Designation | Notes |
|-----------------------------------|------------|--------------|-----------------|------------------------------------|-------------------------|--|
| 414 Riverview Ave | 035-131-34 | R-1 | R-1 | MU-N | R-SF | GP mapping error, area also includes Blue Gum parcels shown above. |
| 416 Riverview Ave | 035-131-17 | R-1 | R-1 | MU-N | R-SF | |
| 418 Riverview Ave | 035-131-18 | R-1 | R-1 | MU-N | R-SF | |
| 420 Riverview Ave | 035-131-19 | R-1 | R-1 | MU-N | R-SF | |
| 489 Riverview Dr | 035-131-24 | R-1 | R-1 | MU-N | R-SF | |
| 727 Rosedale | 036-062-21 | RM-M | RM-M | P/QP | R-MF | GP mapping error |
| 1750 Wharf Rd | 035-111-04 | AR/VS | MU-N/VS Overlay | VA (restaurant); R-1 (parking lot) | MU-N/VS Overlay | Zoning change during ZO update. GP amend to align designations. |
| Unaddressed - Shadowbrook Parking | 034-024-01 | AR/R-1 | MU-N | R-SF | MU-N | Zone change during ZO update. GP amend to align designations |

| 500 AND 502 BAY AVENUE | | | |
|--|----------|----------------|----------|
| Zoning | | GP Designation | |
| Current | Proposed | Current | Proposed |
| CN | MU-N | R-MF | MU-N |
| APN(s): 036-062-37, 036-062-38 | | | |
| Notes: Sites currently occupied by Gayle's Bakery. Proposed change would align zoning and general plan designations and be consistent with the existing use type. | | | |



| BLUE GUM AND RIVERVIEW PARCELS | | | |
|--|----------|----------------|----------|
| Zoning | | GP Designation | |
| Current | Proposed | Current | Proposed |
| R-1 | R-1 | MU-N | R-SF |
| APN(s): 035-131-21, 035-131-22, 035-131-23, 035-131-12, 035-131-15, 035-131-32, 035-131-34, 035-131-17, 035-131-18, 035-131-19, 035-131-24 | | | |
| Notes: Sites currently developed with residential uses. Proposed change would correct a mapping error and align zoning and general plan designations. | | | |



BROMMER STREET PARCELS

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| CC | RM-H | CC | R-MF |

APN(s): 034-164-43, 034-164-16, 034-164-14, 034-164-15

Notes: Property owners requested rezone from community commercial to multi-family. Proposed change would align multi-family residential designations.



911 CAPITOLA AVENUE

| Zoning | | GP Designation | |
|-----------------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| AR/CN & AR/RM-M | MU-N | R-MF | MU-N |

APN(s): 036-011-11, 036-011-12, 036-011-14, 036-011-13

Notes: Site currently occupied by day spa and former English tea shop. Proposed change would unify zoning and general plan designations over each of the property's four separate parcels.



912 CAPITOLA AVENUE

| Zoning | | GP Designation | |
|--|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| RM-M | RM-M | R-MH | R-MF |
| APN(s): 036-021-37 | | | |
| Notes: Site occupied by multi-family apartments. Proposed change would correct mapping error. | | | |



CENTER STREET PARCELS

| Zoning | | GP Designation | |
|--|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| RM-LM | RM-L | R-SF | R-MF |
| APN(s): 035-021-38, 035-021-44, 035-021-45 | | | |
| Notes: Site occupied by multi-family apartments. Proposed change would correct mapping error. | | | |



219 CENTRAL AVENUE

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| RM-LM | RM-L | R-SF | R-MF |

APN(s): 036-111-20

Notes: Site currently occupied by multi-family development. Proposed change would align multi-family zoning and general plan designations.



DAZZLE LANE PARCELS

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| PD | PD | CC | R-SF |

APN(s): 034-641-06, 034-641-05, 034-641-04, 034-641-03, 034-641-02, 034-641-01

Notes: Site currently occupied by single-family development permitted as a planned development. Proposed change would align multi-family zoning and general plan designations.



DEPOT HILL VISITOR-SERVING PARCELS

| PROPERTIES | ZONING | | GP DESIGNATION | |
|--|---------|----------------|-----------------|-----------------|
| | Current | Proposed | Current | Proposed |
| 609 El Salto | R-1 | R-1 | R-SF/VS overlay | R-SF |
| 620 El Salto (Monarch Cove) | VS | R-1/VS overlay | VA | R-SF/VS overlay |
| 700, 701, 705, 709, 710 El Salto | AR/R-1 | R-1 | R-SF/VS overlay | R-SF |
| 720 El Salto | VS/R-1 | R-1 | VA | R-SF |
| 723 El Salto | VS/R-1 | R-1/VS overlay | VA | R-SF/VS overlay |
| 701, 705 Escalona | AR/R-1 | R-1 | R-SF/VS overlay | R-SF |
| 709 Escalona | VS/R-1 | R-1 | VA | R-SF |
| 101, 102, 103, 105, 106, 107 Livermore | AR/R-1 | R-1 | R-SF/VS overlay | R-SF |
| Unaddressed – Livermore/Grand Ave parcel | AR/R-1 | R-1 | R-SF/VS overlay | R-SF |
| Unaddressed – Bluff near Monarch Cove | P/OS | P/OS | VA | P/OS |

APN(s): 036-143-33, 036-143-36, 036-143-14, 036-143-34, 036-143-15, 036-143-20, 036-143-12, 036-143-32, 036-143-11, 036-143-31, 036-142-27, 036-142-28, 036-142-29, 036-143-19, 036-143-24, 036-143-26, 036-142-30, 036-142-32, 036-143-35, 036-142-18, 036-142-20, 036-142-31

Notes: Proposed change would remove Visitor Accommodation (VA) general plan designation and replace it on select parcels with a Visitor Service (VS) overlay. Changes would align zoning and general plan designations. See below for details on proposed changes.



410 KENNEDY DRIVE

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| I | I | P/QP | I |

APN(s): 036-041-24

Notes: Site currently occupied by industrial uses. Proposed change would correct a mapping error.



250 MONTEREY AVENUE

| Zoning | | GP Designation | |
|---------|----------------|----------------|-----------------|
| Current | Proposed | Current | Proposed |
| AR/VS | R-1/VS overlay | VA | R-SF/VS overlay |

| |
|--------------------------------|
| APN(s): 036-121-38, 036-121-33 |
|--------------------------------|

Notes: Site occupied by Inn at Depot Hill. Zoning Code update eliminates Automatic Review (AR) zone. Proposed change would align zoning and general plan designations to single-family with visitor serving overlay.



865 MONTEREY AVENUE

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| P/OS | R-1 | P/OS | R-SF |

| |
|--------------------|
| APN(s): 036-041-28 |
|--------------------|

Notes: Site occupied by Shoreline Community Church and multi-family housing owned by the church. Proposed change would correct mapping error.



4800 AND 4820 OPAL CLIFFS DRIVE

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| AR/R-1 | RM-M | R-SF | R-MF |

APN(s): 034-462-05, 034-463-04

Notes: Sites occupied by multi-family condos. Properties being rezoned to multi-family to reflect on the ground conditions. Proposed change would align zoning and general plan designations.



727 ROSEDALE AVE

| Zoning | | GP Designation | |
|---------|----------|----------------|----------|
| Current | Proposed | Current | Proposed |
| RM-M | RM-M | R/QP | R-MF |

APN(s): 036-062-21

Notes: Site is developed with a single-family home. Proposed change would correct a mapping error.



| SHADOWBROOK PARCELS | | | |
|---|-----------------|------------------------------------|-----------------|
| Zoning | | GP Designation | |
| 1750 Wharf Rd | | | |
| Current | Proposed | Current | Proposed |
| AR/VS | MU-N/VS overlay | VA (restaurant); R-1 (parking lot) | MU-N/VS overlay |
| Shadowbrook Parking Lot Parcel | | | |
| AR/R-1 | MU-N | R-SF | MU-N |
| APN(s): 035-111-04, 034-024-01 | | | |
| <p>Notes: Automatic Review zone (AR) would be eliminated in zoning code update. Proposed change would reclassify Shadowbrook properties as MU-N with a visitor-serving overlay on the restaurant site.</p> | | | |

Shadowbrook Parcels

1818 1817
1812 1811
1806 1805
1790 1795
1780 1785
1770 1775
1760 1755
1750
1745
1730 1735
1720 1705
1710 1701

1810
1800
1750
1730
1705

509A 509 507
504 503 501
443 439

0 40 80 120 160 ft
October 23, 2017



Parks and Recreation

As shown in Table LU-2, there are eight City parks in Capitola, totaling over 18 acres. Seven of these parks are smaller neighborhood parks, and one park (Jade Street) is a larger park with a community center intended to serve the entire community. Although not a City park, New Brighton State Beach is also located within Capitola. The Soquel Union Elementary School District (SUESD), which owns the Jade Street park property, intends to construct a new elementary school on a portion of the Jade Street park property. Table LU-2 generally describes the amenities provided at each park. The location of these parks is shown in Figure LU-3.

TABLE LU-2 EXISTING PARKS

| Name | Size | Type | Amenities |
|----------------------------|------------------|---------------------------|---|
| Cortez Park | 1.1 acres | Neighborhood Park | Open field and playground equipment |
| Esplanade Park | 1.2 acres | Neighborhood Park | Oceanfront seating and grassy field |
| Jade Street Park* | 9.9 acres | Community Center and Park | Community center, open field, and athletics fields, tennis courts, playground equipment |
| McGregor Park | 1 acre | Community Park | Planned bicycle, skateboard, and dog run amenities |
| Monterey Park | 4.0 acres | Neighborhood Park | Baseball diamond and athletic fields |
| New Brighton State Beach** | 86.5 acres | State Park | Picnic areas, camping, and trails |
| Noble Gulch Park | 1.3 acres | Neighborhood Park | Open field and picnic tables |
| Peery Park | 0.8 acres | Neighborhood Park | Soquel Creek wooded area |
| Stockton Bridge Park | 2,500 sq. ft. | Neighborhood Park | Walking trail, bench, interpretive signage |
| Total | 105 acres | | |

* Property owned by SUESD.

**State park area within Capitola city limit

Commented [GR1]: Add Rispin Mansion Park

land use element
capitola general plan

LU-9

Source: City of Capitola, 2011.

FIGURE LU-3 PUBLIC FACILITIES AND PARKS



Source: Santa Cruz County and RBF Consulting, 2011.

Commented [GR2]: Add Rispin Mansion Park and remove "future" from McGregor

Land Use Map and Designations

This section outlines land use designations for land within city limits, as shown in Figure LU-4. All new development in the city must conform to these designations.

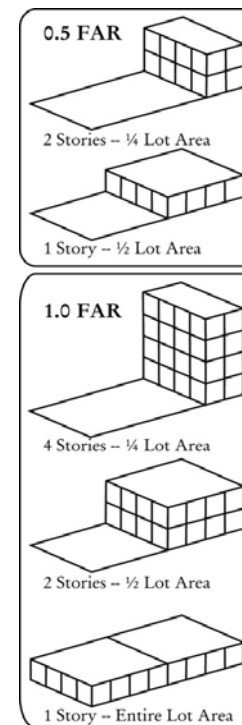
This General Plan defines various land use designations by their allowable uses and maximum densities and intensities. The land use designations in the Land Use Element establish a range of densities and intensities of use in order to provide flexibility for development while still maintaining Capitola's existing character. The development levels listed here do not create entitlements to a specific number of dwelling units or amount of floor area. Densities on individual parcels may be lower due to site constraints or other City regulations such as minimum lot sizes as specified in the zoning code.

In this General Plan, standards of building intensity for residential uses are stated as the allowable range of dwelling units per gross acre; this means that the number of allowable units on a parcel can be calculated by multiplying the total number of acres by the allowable density. The zoning code also establishes maximum floor area ratios for residential uses.

Standards of building intensity for non-residential uses are stated as maximum floor-area ratio (FAR) based on gross acreage. FAR is a ratio of the gross building square footage permitted on a lot to the gross square footage of the lot. Generally, FAR decreases as lot size increases. For example, on a site with 10,000 square feet of land area, a FAR of 1.0 will allow 10,000 gross square feet of building floor area to be built. On the same site, a FAR of 2.0 would allow 20,000 square feet of floor area. This could take the form of a two-story building with 100 percent lot coverage, or a four-story building with 50 percent lot coverage. A FAR of 0.4 would allow 4,000 square feet of floor area.

Residential uses in commercial and mixed-use land use designations shall be subject to FAR limitations. General Plan density limits shall not apply to residential uses in commercial or mixed-use land use designations.

LU-14



Examples of floor-area ratio (FAR) calculation. FAR does not regulate building placement or form, only the spatial relationship between building size and lot size.

land use element
capitola general plan

20 dwelling units per acre. In cases where the zoning code applies a more restrictive density limit in a multi-family district, the maximum density prescribed by the zoning code shall prevail.

- ♦ **Mobile Home Park (MH).** The MH designation provides areas for use as mobile home parks, a valuable source of affordable housing for Capitola residents. Mobile home coaches and other land uses typically associated with mobile home parks are permitted within the MH designation. A maximum of 20 mobile homes per acre are permitted in the MH designation.

Mixed-Use Designations

- ♦ **Village Mixed-Use (MU-V).** The MU-V designation applies to the central Capitola Village area and supports a vibrant pedestrian-friendly environment that is the heart of Capitola. A fine-grain mixture of commercial, residential, visitor-serving, recreational, and public uses are permitted in the MU-V designation. The maximum permitted FAR in the MU-V designation is 2.0, with an FAR of 3.0 permitted for a hotel if special criteria are met as established in Action LU-7.3.
- ♦ **Neighborhood Mixed-Use (MU-N).** The MU-N designation applies to pedestrian-oriented mixed-use areas with an emphasis on resident-serving stores and services. Permitted uses in the MU-N designation include single-family homes, multi-family developments, retail, personal services, community facilities, and other uses compatible with an eclectic neighborhood-oriented mixed-use district. The maximum permitted FAR in the MU-N designation is 1.0.

Commercial and Industrial Designations



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- ◆ **Regional Commercial (C-R).** The C-R designation provides an area for general retail and services for Capitola residents and regional visitors. Permitted land uses include shopping malls, auto sales, general retail, personal and business services, restaurants, offices, similar commercial uses, and mixed-use residential projects. The maximum permitted FAR in the C-R designation is 1.5, with an FAR of 2.0 permitted if special criteria are met as established in Action LU-9.3.
- ◆ **Community Commercial (C-C).** The C-C designation provides an area for commercial uses primarily serving Capitola residents. Permitted land uses include general retail, personal services, restaurants, offices, and multi-family housing as part of a mixed-use project. The maximum permitted FAR in the C-C designation is 1.0, with an FAR of 2.0 permitted if special criteria are met as established in Action LU-9.3.
- ◆ ~~**Visitor Accommodations (VA).** The VA designation applies to areas that provide overnight visitor accommodations. Permitted land uses in the VA designation include hotels, motels, hostels, bed and breakfast lodgings, campgrounds, resorts, and ancillary visitor-serving food and service establishments. The maximum permitted FAR in the VA designation is 0.5.~~
- ◆ **Industrial (I).** The I designation provides an area in Capitola for light industrial and other employment uses. Permitted land uses include manufacturing facilities, vehicle repair, research and development laboratories, administrative offices, warehouses, and homeless shelters. The maximum permitted FAR in the I designation is 0.5.

Other Designations

- ◆ **Parks and Open Space (P/OS).** The P/OS designation applies to public natural space, parks, and open space intended for recrea-



Action LU-7.3 Hotel Floor Area Ratio. A Hotels in the Village at the former Capitola Theater site may be developed with a maximum FAR of 3.0 if authorized by the City Council. To approve a request for an increased FAR, the City Council must find that 1) the additional FAR results in a superior project with substantial community benefit; 2) the project enhances economic vitality; and, 3) the project is designed to minimize adverse impacts to neighboring properties.

Goal LU-8 Support the long-term transformation of Capitola Mall into a more pedestrian-friendly commercial district with high quality architecture and outdoor amenities attractive to shoppers and families.

Policies

Policy LU-8.1 Phased Mall Redevelopment. Encourage a phased approach to redevelopment of the Mall property. Early phases may include improvements to the Mall façade and front entrance, and new retail pads fronting 41st Avenue. These early improvements shall not conflict with the ultimate vision for the property, as represented in the 41st Avenue/Capitola Mall Vision Plan (see Figure LU-6).

Actions

Action LU-9.1 Auto Plaza Access. During the Highway 1 High Occupancy Vehicle (HOV) lane project design phase, work with Caltrans to identify ways to enhance visibility from 41st Avenue. Possible improvements include improved signage and pedestrian connections.

Action LU-9.2 Auto Plaza Signage. Amend the Zoning Ordinance to allow more prominent signage for the Auto Plaza.

Action LU-9.3 Increased Floor Area Ratio. The City Council may authorize increased FAR for properties located within the 41st Avenue corridor as follows:

- ♦ Properties fronting 41st Avenue or the 41st Avenue/Capitola Road intersection, including the Capitola Mall property bound by 41st Avenue, Capitola Road, and Clares Street, with a Regional Commercial or Community Commercial land use designation may be developed at a maximum FAR of 2.0.
- ♦ Structures on properties fronting the east side of 41st Avenue must be set back a minimum of 100 feet from the property line abutting a residential property.

To approve a request for an increased FAR, the City Council must find that 1) the additional FAR results in a superior project with substantial community benefit; 2) the project enhances economic vitality; and, 3) the project is designed to minimize adverse impacts to neighboring properties.

Action LU-9.4 Retail/Office Mix. Take action to maintain an appropriate mix of retail and non-retail uses along the 41st Avenue corridor. These actions will include:

- ♦ Continuing to require a Conditional Use permit for offices, medical services, and other non-retail uses in the Regional Commercial designation.
- ♦ Amending the Zoning Code to require the Planning Commission to specifically find that a proposed non-retail use will not detract from the economic viability of the corridor.
- ♦ Preparing a study to examine the optimal socio-economic mix of retail and office/professional uses on 41st Avenue.