



SPECIAL MEETING AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, March 17, 2016 – 6:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission - Special Meeting - Mar 3, 2016 6:00 PM

4. 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. 429 Riverview Ave #16-025 APN: 035-121-34

Modification to the height of a previously approved Design Permit, Conditional Use Permit, Coastal Development Permit and Variance for non-conforming structure and setback requirements for an addition to an existing historic residence 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: Mike and Cindy Reardon

Representative: Derek Van Alstine, filed 2/28/16

5. 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. 419 Capitola Avenue Conceptual Review #15-197 APN: 035-131-26

Conceptual Review of development concepts for an existing duplex located in the CN (Neighborhood Commercial) Zoning District.

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

Environmental Determination: Not applicable

Property Owners: Daniel Gomez and Daniel Townsend, filed 12/16/2015

B. Zoning Code Update All Properties within Capitola

Continuation of Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17)

The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Katie Cattan, Senior Planner, City of Capitola

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. 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 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 one hundred forty two dollar (\$142.00) 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 7:00 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 MINUTES
CAPITOLA PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, MARCH 3, 2016
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

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

A. Call to Order

Commissioner Linda Smith: Present, Commissioner Gayle Ortiz: Present, Commissioner Edward Newman: Absent, Chairperson TJ Welch: Present, Commissioner Susan Westman: Present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

There are no special meeting minutes to approve.

B. Public Comments

None

C. Commission Comments

Commissioner Ortiz announced the Capitola Branch Library will be holding a 16th birthday celebration March 26 at noon.

Commissioner Smith announced the Capitola Historical Museum's new exhibit, Photos by Ravnos, has opened. The official opening reception is March 19 at noon.

D. Staff Comments

None

3. PUBLIC HEARINGS

A. Zoning Code Update All Properties within Capitola

Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17)
The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Katie Cattan, Senior Planner, City of Capitola

Community Development Director Grunow noted staff has met individually with commissioners to begin the review of the first draft and collect individual edits. All suggested edits will be presented at the March 17 special meeting. Tonight's hearing will begin with discussion of 12 topics that did not have consensus during Planning Commission and City Council input hearing or new items that were not previously discussed. Staff is also asking for the commission's expectations for the recommendation hearing process including the speed and detail.

Commissioner Ortiz praised the process to date, but takes exception to the suggested current review approach, which she finds disjointed. She feels there are so many changes she would prefer work through sections from front to back.

Minutes Acceptance: Minutes of Mar 3, 2016 6:00 PM (Approval of Minutes)

Commissioner Smith can appreciate the concern about a disjointed approach, but likes selecting "meaty" issues. Edits and minor comments can be handled at staff level.

Commissioner Westman agrees it helps to identify major issues but then wishes to go through all the sections. She also asked if the updated code will come back to the Planning Commission if the City Council makes significant changes.

Chairperson Welch also praised the efforts to date. He is not sure a front-to-back review will solve the "disjointed" issue since there are references throughout to other sections, but is willing to try if that is the preference of the commission.

Director Grunow said he will look at how to address back- and-forth with City Council.

Senior Planner Katie Cattan gave an overview of the layout of the code and then walked the commission through the 12 areas identified as significant changes:

1. Zoning Map modifications
2. Development Standards in Mixed Use Zones
3. Required Parking in the MU-N
4. Parking for Take-Out Eating Establishment
5. On-Site Parking Alternative(s)
6. Incentives for Community Benefits
7. Non-Conforming Structures
8. Permanent Outdoor Displays
9. Temporary Sidewalk Dining
10. Design Review Committee
11. Minor Modifications
12. Changes to Approved Projects

Chairperson Welch opened the meeting to public comment.

Ed Berwick, property owner in Riverview Terrace, spoke about the transient occupancy zone. He estimates 20 percent of homes are often vacant, and believes short-term rentals increase security in neighborhoods. He supports extending the TRO overlay district.

Peter Pethoe spoke to the Rispin Mansion and supports a hostel visitor serving use. He would like the Coastal Plan to update the number of hotels and support lower cost options.

Commissioner Smith verified that shared parking options can be both on- or offsite.

The commission also confirmed that an existing nonconforming lot of record does not affect the ability to develop to current standards, only to subdivide.

Commissioner Westman asked that the mixed use zones discussion be postponed for Commissioner Newman's participation.

Commissioner Ortiz asked why "village" is not spelled out in MU-V. Director Grunow explained this is the standard convention for naming zoning districts Commissioners asked for consistency and listing in the glossary.

Commissioner Westman requested that discussion of the village and neighborhood mixed use zones be separate.

Zoning Map Modifications: Commissioners supported changes/corrections noted by staff and requested additional labels:

Staff summary of Planning Commission Direction:

1. Add more labels on map for zoning districts to prevent confusion in closely related colors.
2. Bluff area extending from Monarch Cove Inn to Livermore Drive change from VR to P/OS
3. 3945 Melton Street. At request of owner keep current CC zoning. Remove proposed R-1 change.

The meeting was recessed to hold the regular Planning Commission meeting. It resumed following the adjournment of that meeting.

Staff confirmed the list of individual commission comments will be distributed ahead of the March 17 special meeting.

The commission chose to start with discussion of **Parking for Take-Out Eating Establishments**, which is currently subject to the “six-seat rule.”

Commissioner Westman completely supports a parking impact determination that is not seat-based. She would support a larger space than the proposed 160 square feet, and other commissioners agreed.

Staff summary of Planning Commission Direction:

1. Increase area accessible to the public for a takeout establishment from 160 square feet to 300 square feet

On-Site Parking Alternatives: Multi-family housing and commercial developments allow offsite parking with conditions. Commissioner Westman expressed concern that “reasonable distance” is too vague and would like to provide more guidance. Commissioner Ortiz suggested a difference between multi-family and commercial. Commissioners settled on approximately one-quarter mile for commercial and one-eighth of a mile for multi-family.

Commissioners favored capping the percentage of shared parking in mixed use developments at 25 percent in the multi-use districts, and wanted the term shared parking added to the glossary.

They supported the valet requirements and low demand land use findings.

Commissioners expressed concern about the Transportation Demand Management Plan, particularly enforcement once a business has opened. They questioned the likelihood of revoking a permit for a business and wanted the language warning of that possibility to be clear if an applicant applies for those allowances.

Regarding allowances for proximity to a Transit Center, Commissioners debated eliminating the option over concerns about the area it addresses and an implication that parking requirements can be reduced in already impacted neighborhoods. Some felt it could be a benefit to future development of the mall area.

Review of in-lieu parking fees was tabled until direction from the upcoming City Council discussion.

Staff summary of Planning Commission Direction:

1. 17.76.050.C. Off-Site Parking:
 - Change D.4 to delete reasonable distance standard and allow shared parking for multi-family residential uses within approximately 1/8 mile of and commercial uses within approximately ¼ mile of shared parking lot.
2. 17.76.050.D Shared Parking
 - Maximum limit to reduction in MU-V and MU-N is 25%.
 - Add definition for shared parking
 - Add definition for off-site parking
3. 17.76.060.E Valet Parking

- Add allowance for a valet parking drop-off/pick-up area within the village that can be utilized by a private company to provide valet parking to any visitor of the village, not limited to a single business.
4. 17.76.060.F
 - No changes.
 5. 17.76.060.G Transportation Demand Management Plan
 - Edit #3 to replace “approved” to “submitted and reviewed by the Community Development Director...”
 - Edit #7 to specify that the use permit may be revoked, rather than the TDM Plan.
 6. 17.76.060.H Transit Center
 - Discussed removing 400 foot limit and add limit to mall property only.
 - Discussed inefficient transit operations
 - Request to revisit
 7. 17.76.060.I Fees in Lieu of Parking
 - Request to revisit after City Council discussion on March 24.

Incentives for Community Benefits: In response to commission concerns, staff suggested adding a map to clarify the area and language that a combination of items on the list may be required to qualify.

Staff summary of Planning Commission Direction:

1. 17.88.020. Strengthen language to clarify that all community benefits must go beyond what is currently required by the code.
2. 17.88.030. Add a map to show locations where community benefit may be applied.
3. 17.88.030. Explain that the list includes multiple options for allowable benefits and that multiple benefits may be combined. Also, add description that the community benefits must adequately balance the value of the incentive.

Commissioners resumed debate on the approach of public hearings going forward and were split over how much time and detail is conducive to involving the public. They will continue review of the identified topics at the March 17 special hearing and staff will present options for a complete review.

RESULT:	CONTINUED [UNANIMOUS]	Next: 3/17/2016 6:00 PM
MOVER:	Gayle Ortiz, Commissioner	
SECONDER:	Susan Westman, Commissioner	
AYES:	Smith, Ortiz, Welch, Westman	
ABSENT:	Newman	

5. DIRECTOR'S REPORT

6. COMMISSION COMMUNICATIONS

7. ADJOURNMENT

Approved by the Planning Commission at the March 17, 2016, special meeting.

Linda Fridy, Minutes Clerk



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 17, 2016
 SUBJECT: **429 Riverview Ave #16-025 APN: 035-121-34**

Modification to the height of a previously approved Design Permit, Conditional Use Permit, Coastal Development Permit and Variance for non-conforming structure and setback requirements for an addition to an existing historic residence 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: Mike and Cindy Reardon

Representative: Derek Van Alstine, filed 2/28/16

APPLICANT PROPOSAL

The applicant is proposing to modify the height of a previously approved Design Permit, Conditional Use Permit, and Variance for an addition to an existing historic home at 429 Riverview Avenue. The subject property is located in the R-1 (Single-Family Residential) zoning district and is listed as a historic resource in the "Old Riverview Historic District".

BACKGROUND

On June 4, 2015, the Planning Commission approved of a Design Permit and Conditional Use Permit for an addition to the existing historic home at 429 Riverview Avenue (Attachment 1). The Planning Commission also approved a Variance for setbacks and to allow the non-conforming structure to exceed the 80% valuation. The addition is located on the front of the home along Riverview Avenue and includes additional living space above an open covered parking area. The plan was approved with a height of 22 feet 8 inches above grade.

DISCUSSION

Since the approval, the applicant has identified a need to raise the building two feet to incorporate proper drainage and a modified foundation (Attachment 2). With two additional feet, the structure will be 24 feet 5 inches at the highest point, remaining under the zone height of 25 feet. The modification of the previously approved Planning Commission permit requires Planning Commission review and approval.

In addition to the revised plans, the applicant submitted a preservation plan for the historic home (Attachment 3). Originally, the owner planned to have standard footing installed under the home. Due to drainage and structural issues, it was determined that a mat slab should be

installed. To do so, the home must be lifted. The new preservation includes stabilizing the home with bracing, lifting the structure to pour the slab, and resetting the structure onto the new mat slab foundation.

CEQA

Section 15301(d) of the CEQA Guidelines exempts the restoration of deteriorated or damaged structures. This project modification involves the construction of a new concrete slab foundation for a previously approved addition to a single-family home, located in the R-1 (Single-Family Residential) Zoning District. 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 #16-025 for a height modification to previously approved application #13-179, based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval consists of an addition to an existing historic resource located at 429 Riverview Avenue. The project approval consists of construction of a 606-square-foot addition to a 1,158-square-foot single family home. The maximum Floor Area Ratio for the 3,096 square foot property with accessory dwelling is 57% (1,764 square feet). The total FAR of the project is 57% with a total of 1,764 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 17th, 2016, 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, a no rise study must be submitted to the City at the satisfaction of the Building Official.
5. At time of building plan submittal, the plans shall include a language on the cover sheet referring to the intent of the Secretary of Interior Standards and specifically reference Standard #6. The plans shall identify specific repairs at the time of submittal of the building permit drawings.
6. At time of building plan submittal, the California State Historical Building Code shall be referenced in the architectural notes on the front page, in the event that this preservation code can provide support to the project design.
7. At the time of building plan submittal, all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), shall be identified on the plans.

8. 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).
9. At the time of submittal for building permit review, the site plan on sheet E1 shall be updated to reflect the correct information on the Storm Water Permit Project Application.
10. 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 and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
11. Prior to making any changes to the historic structure, the applicant and/or contractor shall field verify all existing conditions of the historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.
12. 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, if proposed. Native and/or drought tolerant species are recommended.
13. Prior to issuance of building permit, all Planning fees associated with permit #16-025 shall be paid in full.
14. 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.
15. 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 Water District, and Central Fire Protection District.
16. 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.
17. 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).
18. 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.

19. 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.
20. 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
21. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
22. 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.
23. The applicant was granted a conditional use permit for the alteration to a historic structure. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
24. 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.
25. 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.
26. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days. The applicant may add a pony wall to the plans to ensure the containers are not visible from the public right of way.

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 with an increased height allowance.

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 minor modification to the approved project will not compromise the design or integrity of the historic structure.

C. 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 15301(d) of the CEQA Guidelines exempts the restoration of deteriorated or damaged structures. This project modification involves the construction of a new concrete slab foundation for a previously approved addition to a single-family home, located in 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. 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 429 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.

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 conditional 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.

(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.

ATTACHMENTS:

1. June 4th, 2015 Planning Commission Staff Report
2. 429 Riverview Plans
3. 429 Riverview Preservation Plan.pdf

Prepared By: Ryan Safty
Assistant Planner



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **429 Riverview Avenue #13-179 APN: 035-121-034**
 Design Permit, Conditional Use Permit, and Variance for non-conforming structure and setback requirements for an addition to an existing single family home in the R-1 (Single Family) zoning district.
 This application requires a Coastal Development permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Exempt
 Property Owner: Mike and Cindy Reardon
 Representative: Derek Van Alstine

APPLICANT PROPOSAL

The applicant submitted a Design Permit, Variance, Conditional Use Permit, and Coastal Development Permit application for an addition to a historic, single-family home located at 429 Riverview Avenue (Attachment A: Plans). The project is located in the R-1 (Single Family) zoning district. The applicant is proposing an addition located on the front of the home along Riverview Avenue, with additional living space above an open covered parking area.

BACKGROUND

The original application was submitted in December of 2013. The application was reviewed by Architectural Historian Leslie Dill. In March of 2014, the applicant was provided with a list of recommended revisions to bring the application into compliance with the Secretary of Interior Standards. The project was put on hold for approximately 9 months. Updated plans were submitted in late January 2015. On March 26, 2015, the Architectural Historian made findings that the updated plans were in compliance with the Secretary of Interior Standards pending minor modifications (Attachment B). The current plans under review incorporate the suggested modifications by the Architectural Historian.

On May 13, 2015, the Architectural and Site Review Committee reviewed the application.

- City Architect Representative, Frank Phanton, reviewed the application and expressed that the design does a good job of preserving the historic structure.
- City Landscape Representative, Craig Waltz, had no comments.
- City Public Works Representative, Danielle Uharriet, provided the applicant with storm water requirements and requested that sheet E-1 be updated to match the storm water permit project application form.
- City Building Official, Brian Van Son, informed the applicant of fire sprinkler requirements and a no rise study prior to building permit.
- The City Historian, Carolyn Swift, thought the design addressed the historic home well.

SITE PLANNING AND ZONING SUMMARY

The applicant is proposing rehabilitation of the existing house and a new addition on the front of the structure. To maintain the existing mass and scale of the historic home, the applicant has extended the addition into the front yard setback area. The applicant is requesting a variance to the front yard setback, the side yard setback on the second story, and parking space dimensions. The follow table outlines the zoning code requirements for development in the R-1 (Single Family Residential) Zoning District relative to the application:

Historic		
Level of Historic Feature (local/state/federal or n/a)		Old Riverview Historic District
Significant Alteration of Historic Feature? (CUP required)		Yes. CUP required
Development Standards		
Building Height	R-1 Regulation	Proposed
	25'-0"	22' – 0"
Floor Area Ratio (FAR)		
Lot Size		3096 sq. ft.
Maximum Floor Area Ratio		57% (Max 1,764 sq. ft.)
First Story Floor Area		1,037 sq. ft.
Second Story Floor Area		727 sq. ft.
TOTAL FAR		1,764 sq. ft.
Yards (setbacks are measured from the edge of the public right-of-way)		
	R-1 Regulation	Proposed
Front Yard 1st Story	15 feet Existing: 19 feet	6.5 ft. from right-of-way Variance Requested
Front Yard 2nd Story & Garage	20 feet	6.5 ft. from right-of-way Variance Requested
Side Yard 1st Story	10% lot width Lot width 30' 3 ft. min.	0 ft. south property line – Existing non-conforming 3 ft. from property line
Side Yard 2nd Story	15% of width Lot width 30' 4.5 ft. min	3 ft. from property line Variance Requested
Rear Yard 1st Story	20% of lot depth Lot depth 103' 20 ft. min.	20 ft. from property line
Encroachments (list all)	Block retaining wall; deck	None
Parking		
	Required	Proposed
Residential (from <u>1500</u> up to <u>2000</u> sq. ft.)	<u>2</u> spaces total (1 covered) 10' x 20' spaces	<u>2</u> spaces total <u>2</u> covered Variance Requested. Substandard parking space 8.5' x 18'
Garage and Accessory Bldg.		Located in front yard setback. Variance Requested.
Underground Utilities: required with 25% increase in area		Underground Utilities Required

DISCUSSION

The structure at 429 Riverview Avenue is located within the Old Riverview Historic District. The home was built during the settlement period of the district (1925 – 1930). The Old Riverview District consists primarily of one and two-family, wood-frame homes that are located along the Soquel River. The character defining features of the historic home at 429 Riverview Avenue include the one and a

half story main wing with the the distinctive bell-cast roofline, simple bargeboards with tapered ends, turned finials at the apex of the end gables, board and batten siding, two original wood casement windows, and French doors.

Non-Conforming Structure

The historic structure does not comply with the side 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 building official has reviewed the existing versus proposed values and concluded that the new addition will exceed the 80% threshold. To bring the historic home into compliance with setbacks would require removing a portion of the historic home and is contrary to historic preservation. The applicant is requesting a variance for t the non-conforming structure requirements of §17.72.070. It should also be noted that the applicant is requesting a variance to build the new addition within the required front yard setback. This will add to the non-conforming status of the structure. By locating the addition in the front yard the home owner is able to attain the additional space they desire without impacting the historic form and scale of the original cottage.

Variance

The applicant is requesting a variance for the front and side yard setbacks and the non-conforming structure 80% threshold. The new addition is located within 6.5 feet of the front property line and 3 feet on the second story from the side property line.

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.

The special circumstance applicable to the subject property is that the existing cottage is historic. The historic resource is protected within the municipal code and under CEQA. To bring the historic cottage into compliance with the setback regulations would require a portion of the historic home to be removed. To do so would modify the massing of the original cottage and would be contrary to the Secretary of Interior Standards. The new addition is placed within the front yard setback to preserve the massing of the historic structure. The applicant is requesting a variance to the setbacks to follow accepted preservation practices. Many of the historic cottages throughout the Old Riverview Historic District were built prior to current setback standards and do not conform. This is a privilege enjoyed by others throughout the district. A finding can be made that the variance 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.*

Compliance with Historic Standards

The applicant submitted a historic background and description and an assessment on compliance with the Secretary of Interior Standards by Historian Kent L. Seavey (Attachment C). At time of submittal, staff sent the plans and Mr. Seavey's report out for a third party technical review by Architectural Historian, Leslie Dill. Ms. Dill did not agree with Mr. Seavey's original review of the addition and identified standards that were not in compliance under the original design. Home designer, Derek Van Alstine, worked with Ms. Dill to address her design concerns. On March 26, 2015, Ms. Dill made finding for compliance with the Secretary of Interior Standards, as conditioned.

CEQA REVIEW

Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence in the R-1 (Single-Family Residential) Zoning District. 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 #13-179 based on the findings and conditions.

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 with historic resource contributing to a historic district with the proposed design. A variance has been granted to preserve the location of the historic structure and allow the non-conforming structure to continue.

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 home is located within the Old Riverview Historic District and will continue to be a contributing structure within the district. The design does not compromise the integrity of the historic resource.

C. 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 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

CONDITIONS

1. The project approval consists of an addition to an existing historic resource located at 429 Riverview Avenue. The project approval consists of construction of a 606 square-foot addition to a 1,764 square-foot single family home. The maximum Floor Area Ratio for the 3,096 square foot property with accessory dwelling is 57% (1,764 square feet). The total FAR of the project is 57% with a total of 1,764 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 June 4, 2015, 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, a no rise study must be submitted to the City at the satisfaction of the Building Official.
5. At time of building plan submittal, the plans shall include a language on the cover sheet referring to the intent of the Secretary of Interior Standards and specifically reference Standard #6. The plans shall identify specific repairs at the time of submittal of the building permit drawings.
6. At time of building plan submittal, the California State Historical Building Code shall be referenced in the architectural notes on the front page, in the event that this preservation code can provide support to the project design.
7. At the time of building plan submittal, all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), shall be identified on the plans.
8. 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).
9. 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 and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
10. Prior to making any changes to the historic structure, the applicant and/or contractor shall field verify all existing conditions of the historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.
11. 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, if proposed. Native and/or drought tolerant species are recommended.
12. Prior to issuance of building permit, all Planning fees associated with permit #14-116 shall be paid in full.
13. 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.

14. 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 Water District, and Central Fire Protection District.
15. 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.
16. 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).
17. 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.
18. 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.
19. 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
20. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
21. 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.
22. The applicant was granted a conditional use permit for the alteration to a historic structure. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
23. 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.

24. 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.
25. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

ATTACHMENTS

Attachment A: Plans

Attachment B: Historic Review – Leslie Dill of Archives and Architecture

Attachment C: Historic Review - Kent L. Seavey

Attachment D: Coastal Findings

REARDON RESIDENCE

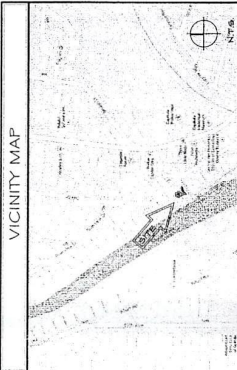
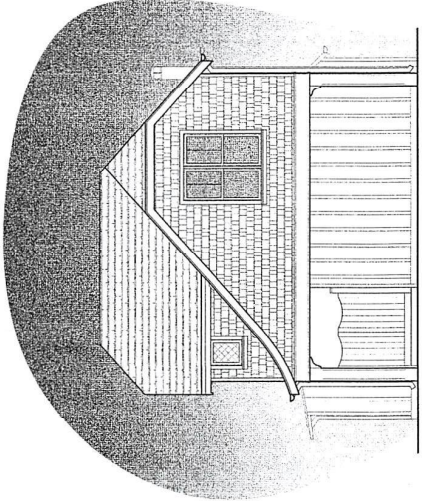
RESIDENTIAL CONSTRUCTION GREEN BUILDING CHECKLIST

PROJECT NAME: 429 RIVERVIEW AVENUE PROJECT NUMBER: 1515
 DATE OF PROJECT: 01/20/16 PROJECT TYPE: RESIDENTIAL
 PROJECT LOCATION: 429 RIVERVIEW AVENUE, SANTA CRUZ, CA 95062
 PROJECT OWNER: DEREK VAN ALSTINE
 PROJECT ARCHITECT: DEREK VAN ALSTINE
 PROJECT ENGINEER: DEREK VAN ALSTINE
 TOTAL REQUIRED POINTS: 115 (Final Award) = 31 REQUIRED POINTS

GREEN POINT CHECKLIST

INTEGRATED DESIGN FEATURES	POINTS	SHEET
A. INTEGRATED DESIGN FEATURES		
1. DESIGN SMALLER HOUSES	1	A1
B. SITE		
1. RECYCLE JOB SITE CONSTRUCTION TRAILER/STORAGE	2	A2
2. DONATE UNUSED MATERIALS	4	A7
C. FOUNDATION		
1. RECYCLE REINFORCING TIE IN CONCRETE	2	A7
2. INSULATE TO MINIMIZE THERMAL BRIDGES	3	A7
D. STRUCTURAL FRAME		
1. SUBSTITUTE SOLID DOWEL LAMBS WITH SMC LAMBS (FLOORS)	1	A7
2. USE FSC FOR SILLING AND TRIM	1	A7
3. USE FSC FOR SILLING AND TRIM	1	A7
4. USE RECYCLED LUMBER FOR NON-STRUCTURAL APPLICATIONS	3	A7
TOTAL GREEN POINTS	41	

POINTS	SHEET	
E. EXTERIOR FINISH		
1. INSTALL INSULATED WINDOW FRAME SIDINGS	1	A1
F. PLUMBING		
1. ISOLATE ALL HOT WATER PIPES	2	A10
2. INSTALL HIGH EFFICIENCY TOILETS	4	A10, A11
3. INSTALL ON DEMAND HOT WATER HEATING	1	A10
G. ELECTRICAL		
1. INSTALL ENERGY EFFICIENT LIGHTS	4	A10, A11
H. APPLIANCES		
1. INSTALL ENERGY STAR REFRIGERATORS	1	A5
2. INSTALL ENERGY STAR WASHING MACHINE	1	A5
3. INSTALL ENERGY STAR DRYERS	1	A5
I. HEATING, VENTILATION AND AIR CONDITIONING		
1.1. EXHAUST WOOD BURNING APPLIANCES	1	A2
1.2. INSTALL ZONED HEATING/COOLING SYSTEMS	4	A2, A3
J. OTHER		
1. PROVIDE LISTING OF GREEN PRACTICES ON BLUEPRINTS	1	T1
TOTAL OTHER POINTS	1	



SETBACKS	REQUIRED	PROPOSED
FRONT YARD	15'-0"	15'-0"
REAR YARD	15'-0"	15'-0"
SIDE YARD	5'-0" (14' 0")	5'-0" (14' 0")
HEIGHT	25'-0"	24'-0"
FLOOR AREA RATIO	3.036 sq ft / sq ft	1.761 sq ft / sq ft
EXISTING HABITABLE SPACE	943.5 SF	1,057.5 SF
PROPOSED HABITABLE SPACE	497.5 SF	724.5 SF
TOTAL HABITABLE SPACE	1,441.0 SF	1,782.0 SF
PARKING	1 REQUIRED	PROPOSED 1 REQUIRED
TOTAL	1 SPACE	2 SPACES

NOTE: THERE IS A CREDIT OF 150 sq ft FOR FIRST FLOOR COVERED PORCHES.

PROJECT DESCRIPTION: REMODEL OF EXISTING HISTORIC 1,195 SQ. FT. SINGLE FAMILY RESIDENCE WITH OVER 3,100 SQ. FT. ADDITION.

PROJECT ADDRESS: 429 RIVERVIEW AVENUE, SANTA CRUZ, CA 95062

PARCEL NUMBER: 03341171-004

ZONING DESIGNATION: R-1

OCCUPANCY CLASSIFICATION: R-3

CONSTRUCTION TYPE: TYPE V-B

CODE NOTE: REFER TO THE 2015 CALIFORNIA INTERNATIONAL MECHANICAL, ELECTRICAL AND PLUMBING (CIMIT) AND 2013 CALIFORNIA BUILDING CODE (I.E., IBC, IBC UAC, IFC, AND NEC) AS AMENDED BY THE STATE OF CALIFORNIA.

NOTES: THE SECRETARY OF THE INTERIOR'S STANDARDS FOR CONSERVATION OF HISTORIC STRUCTURES, ARCHITECTURAL, MECHANICAL, ELECTRICAL AND PLUMBING (CIMIT) SHALL BE STIPULATED EARLIER THAN ANY OTHER VISUAL QUALITY AND OTHER REGULATORY REQUIREMENTS. THE VISUAL QUALITY AND OTHER REGULATORY REQUIREMENTS SHALL BE STIPULATED EARLIER THAN ANY OTHER VISUAL QUALITY AND OTHER REGULATORY REQUIREMENTS. THE VISUAL QUALITY AND OTHER REGULATORY REQUIREMENTS SHALL BE STIPULATED EARLIER THAN ANY OTHER VISUAL QUALITY AND OTHER REGULATORY REQUIREMENTS.

OWNER: DEREK VAN ALSTINE
 429 RIVERVIEW AVENUE
 SANTA CRUZ, CA 95062
 (408) 253-3004

PROJECT DESIGNER: DEREK VAN ALSTINE ARCHITECTURAL DESIGN, INC.
 2275 KENNEL STREET, SUITE A
 SANTA CRUZ, CA 95062
 (831) 452-8446
 FAX: (831) 452-8446

STRUCTURAL ENGINEER: EDWARD WILLOU, P.E.
 2275 KENNEL STREET, SUITE A
 SANTA CRUZ, CA 95062
 (831) 452-8446
 FAX: (831) 452-8446

SURVEYOR: LEGAL SURVEYING ENGINEERS INC.
 2275 KENNEL STREET, SUITE A
 SANTA CRUZ, CA 95062
 (831) 452-8446
 FAX: (831) 452-8446

GEOTECHNICAL ENGINEER: ROCK SOLID ENGINEERS
 1100 MAIN STREET, SUITE A
 SANTA CRUZ, CA 95062
 (831) 724-5959
 FAX: (831) 724-5959

ENERGY COMPLIANCE: LINDA DUNLAP, CDE
 545 SANTA CRUZ, CA 95062
 (831) 345-1020
 FAX: (831) 345-1020

DRAWING INDEX

BUILDING DESIGN	TITLE SHEET
T1	TITLE SHEET
T2	GENERAL NOTES
T3	CONDITIONS OF APPROVAL
T4	CIVIL NOTES (PARTYWORK/DETAILS)
C1	DRAINAGE ANALYSIS
C2	EXISTING SITE SURVEY
C3	GRADING AND DRAINAGE PLAN
C4	SITE CROSS SECTIONS
C5	FOUNDATION PLAN
E1	EXISTING SITE PLAN
A1	SITE PLAN
A2	EXISTING / REMOVAL FLOOR PLANS
A3	LOWER LEVEL FLOOR PLAN
A4	UPPER LEVEL FLOOR PLAN
A5	ROOF PLAN
A6	EXISTING ELEVATIONS
A7	BUILDING SECTIONS
A8	EXTERIOR ELEVATIONS
A9	1ST FLOOR SECTION, CENTER PLAN
A10	2ND FLOOR SECTION, CENTER PLAN
A11	3RD FLOOR SECTION, CENTER PLAN
A12	WINDOW & DOOR SCHEDULES
E1	BUILDING DETAILS
E2	TITLE 24
S1	STRUCTURAL NOTES
S2	FOUNDATION PLAN
S3	UPPER FLOOR FLOOR-POUR PLAN
S4	STRUCTURAL DETAILS
S5	STRUCTURAL DETAILS

RECEIVED

FEB 26 2016

Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)

GENERAL NOTES

- All construction shall comply with applicable requirements in the Specifications of the City of Capitola Standard Specifications and Details.
- No changes in the approved plans shall be made without prior approval by the Planning and Public Works Departments.
- The contractor shall notify the City of Capitola Planning & Public Works Departments at least 24 hours prior to the start of construction.
- All drainage inlets are to be precast concrete Christy boxes, made as indicated on plan, or equivalent with concrete bottom.
- Storm drain manholes or smaller shall be made of 40" P.C. storm drain material.
- The top 12" of subgrade under all surfaces subjected to vehicular traffic shall be compacted as follows: the bottom 6" shall be compacted to 90% R.C. and the top 6" shall be compacted to 95% R.C.
- All construction shall be in accordance with the recommendations of the geotechnical engineer for the site. The geotechnical engineer is Solid Engineering Inc., Project No. 120314, dated November 24, 2011.

ABBREVIATIONS

AG	AGGREGATE BASE	GB	GRADE BREAK
AC	ASPHALT CONCRETE	INV	INVERT
AG	AGGREGATE	R	RADIUS
BT	BOTTOM	RC	RELATIVE COMPACTION
CS	CENTERLINE	S	SLOPE
DS	DRAIN SPOUT	SD	STORM DRAIN
ES	EXISTING	SG	SQUARE FEET
EG	EXISTING GROUND	SP	SPALL
EP	EXISTING PAVEMENT	TSW	TOP OF SLOPE
FG	FINISHED GROUND	TC	TOP OF GRADE
FL	FLOORMINE	TW	TOP OF WALL
FS	FINISHED SURFACE	W	WATER

EARTHWORK ESTIMATE

OVEREXCAVATION AND RECOMPACTION OF TOP 12" BELOW AREAS SUBJECTED TO VEHICULAR TRAFFIC:

VOLUME = 35 CUBIC YARDS

BUILDING SITE AND DRIVEWAY (INCLUDES EXCAVATION FOR DRIVEWAY, PATIO AREA, & BUILDING SLAB STRUCTURAL SECTIONS)

FILL = 80 CUBIC YARDS

PROJECT TOTAL

70 CUBIC YARDS OR MORE

EROSION CONTROL NOTES

- Stockpile disturbed topsoil and redistribute around the finished site as seed base.
- Disturb only those areas under construction. Do not leave soil unprotected.
- Exposed soil shall be protected at all times as follows:

Seed and Straw Mulch

Seed and straw mulch is to be used for soil distributed areas as a means for temporary protection until permanent stabilization is established. It may be used on slopes up to 3:1 H:V (33%).

Seed and straw mulch shall consist of spreading seed (a minimum of 5 lbs/1000 sq. ft.) over disturbed areas and then placing a uniform layer (2" deep) of straw mulch over the seed. The straw mulch shall be stabilized with a liquid fertilizer or anchoring it with a tackifier stabilizing emulsion.

Notes:

In areas that are not sensitive habitat, the seed shall be annual winter barley or sensitive habitat, the seed mix and straw mulch shall be approved by the project biologist, be indicated on the plans, and approved by the Planning Department.

SEDIMENT CONTROL NOTES

Silt Fence shall be used for protection from the site. They shall be placed along areas where silt may discharge from the site. They shall be placed in a line or series of lines along disturbed areas where runoff may occur in the form of sheet and rill erosion.

Silt fences shall not be used in streams, channels, drain inlets, or any place where flow is concentrated.

Silt fences shall not be used in locations where ponded water may cause flooding.

Silt fences shall not be used on a slope, or across any contour line. If not installed at the same elevation throughout, silt fences will create erosion.

The maximum length of slope draining to any point along the silt fence should be 200 feet or less.

The ends of the silt fence shall be turned uphill to prevent stormwater from flowing around the fence.

CONSTRUCTION WASTE CONTROL MEASURES

- Any soil stockpile area shall be surrounded with a silt fence per DETAIL C1-D. The silt fence shall be installed on a flat portion of the site and shall be installed with a 12" high concrete curb.
- When active work is not being done on the stockpile, it shall be covered with plastic and the plastic shall be secured in place with ropes and sandbags.

SITE HOUSEKEEPING REQUIREMENTS

CONSTRUCTION MATERIALS

- ALL CONSTRUCTION MATERIALS SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT. MATERIALS SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT. MATERIALS SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT.
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- ALL CONSTRUCTION MATERIALS SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT. MATERIALS SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT.

WASTE MANAGEMENT

- DISPOSAL OF ANY RISK OF WASH WATERS OR MATERIALS ON IMPROVED OR PERVIOUS SITE SURFACES OR INTO THE STORM DRAIN SYSTEM SHALL BE PREVENTED.
- PREVENT DISCHARGES OF POLLUTANTS TO THE STORM WATER DRAINAGE SYSTEM FROM ANY STREET OR DRIVEWAY, STABIL, REPAIR AREA OR OTHER DRAINAGE FACILITY.
- COVER WASTE DISPOSAL CONTAINERS AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT.
- DISCHARGES FROM WASTE DISPOSAL CONTAINERS TO THE STORM WATER DRAINAGE SYSTEM SHALL BE PREVENTED.
- STOCKPILED WASTE MATERIAL SHALL BE CONTAINED AND SECURELY PROTECTED FROM WIND AND RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.
- PROCEDURES THAT EFFECTIVELY ADDRESS HAZARDOUS AND NON-HAZARDOUS WASTE SHALL BE ACTIVELY USED.
- EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE. SPILLS AND LEAKS SHALL BE CLEANED UP IMMEDIATELY AND DISPOSED OF APPROPRIATELY.
- CONTAINERS FOR WASTE SHALL BE Labeled AND MAINTAINED.
- ADDITIONAL POLLUTANTS SHALL BE CONTAINED SO THERE IS NO DISCHARGE TO THE GROUND, STORM DRAIN, OR SURFACE WATER.
- ON SITE SHALL BE A DESIGNATED AREA WITH APPROXIMATELY 200 GALLONS OF WASTE STORAGE.
- LEAKS SHALL BE IMMEDIATELY CLEANED AND LEAKED MATERIALS SHALL BE DISPOSED OF APPROPRIATELY.
- LANDSCAPE MATERIALS
- MATERIALS SUCH AS MULCHES AND TOPSOIL WHEN THEY ARE NOT ACTIVELY BEING USED.
- CONTAIN FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHEN THEY ARE NOT ACTIVELY BEING USED.
- BEFORE ANY FERTILIZER OR OTHER LANDSCAPE MATERIALS ARE APPLIED, THEY SHALL BE STORED IN AN ACTIVE AREA OF THE PROJECT.
- APPLY LIQUID LANDSCAPE MATERIAL AT QUANTITIES AND APPLICATION RATES ACCORDING TO MANUFACTURER'S RECOMMENDATIONS OR BASED ON WRITTEN SPECIFICATIONS BY THE PLANNING DEPARTMENT.
- STACK DRUMS, LANDSCAPE MATERIALS ON PALLETS AND COVER OR STORE SUCH MATERIALS WHEN NOT ACTIVELY BEING USED.

DRAINAGE ANALYSIS

MAINTENANCE PROCEDURES FOR DRAINAGE SYSTEM

1. RAINY SEASON: REMOVE ANY ACCUMULATED SLT/DEBRIS.
2. PRIOR TO THE RAINY SEASON: CLEAN ALL SLT AND DEBRIS FROM DRAINAGE SYSTEMS. REMOVE ANY ACCUMULATED SLT AND DEBRIS.

PRE-DEVELOPMENT CONDITIONS

EXISTING IMPROVED AREA (SEE SHEET C2) = 1,950 S.F.

EXISTING PARTIALLY IMPROVED AREA (SEE SHEET C2) = 1,900 S.F.

EXISTING TOTAL EQUIVALENT IMPROVED AREA = 1,900 + 500/2 = 2,200 S.F.

POST-DEVELOPMENT CONDITIONS

THE PROPOSED DEVELOPMENT RESULTS IN A NET INCREASE IN IMPROVED AREA OF 20 S.F.

LI.D. MEASURES

1. THE WORK IS IN IMPROVED AREA OF 20 S.F. IS INCORPORATE TO THE PROJECT'S PROPERTIES OR DRAINAGE FACILITIES.

2. THE PROJECT HAS INCORPORATED A SILT AND GREASE TRAP INLET PER DETAIL C1-B IN ORDER TO FILTER DEBRIS FROM DISCHARGE INTO THE EXISTING DRAINAGE SYSTEM.

IMPROVEMENT PLAN

SHOWING GRADE, DRAINAGE FOR ADDITION TO THE EXISTING RESIDENCE ON LANDS DESCRIBED IN THE DEED TO MICHAEL R. BROUDY, TRUSTEES BY DEED RECORDED IN VOLUME 4278 AT PAGE 317 OF OFFICIAL RECORDS, COUNTY OF SANTA CRUZ COUNTY, CALIFORNIA SCALE: NONE BY: LIME R. BEAUTZ, C.E., L.S. A.P.K. 05-1215-04 SHEET C1

DETAIL C1-A

SET AND CURB

CONCRETE BERM

TO BE CONSTRUCTED OF CURB & CONCRETE

DETAIL C1-B

SILT AND GREASE TRAP INLET

TO BE CONSTRUCTED OF CURB & CONCRETE

DETAIL C1-C

DOWNSPOUT COLLECTOR LINE CLEAN OUT

TO BE

DETAIL C1-D

TYPICAL SILT FENCE

TO BE

DETAIL C1-E

DROP INLET SILENT BARRIER

TO BE

DETAIL C1-F

ROCKED CONSTRUCTION ENTRANCE

TO BE

DETAIL C1-G

ROCKED CONSTRUCTION ENTRANCE

TO BE

DETAIL C1-H

ROCKED CONSTRUCTION ENTRANCE

TO BE

DETAIL C1-I

ROCKED CONSTRUCTION ENTRANCE

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DETAIL C1-J

ROCKED CONSTRUCTION ENTRANCE

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DETAIL C1-K

ROCKED CONSTRUCTION ENTRANCE

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DETAIL C1-L

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DETAIL C1-R

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DETAIL C1-V

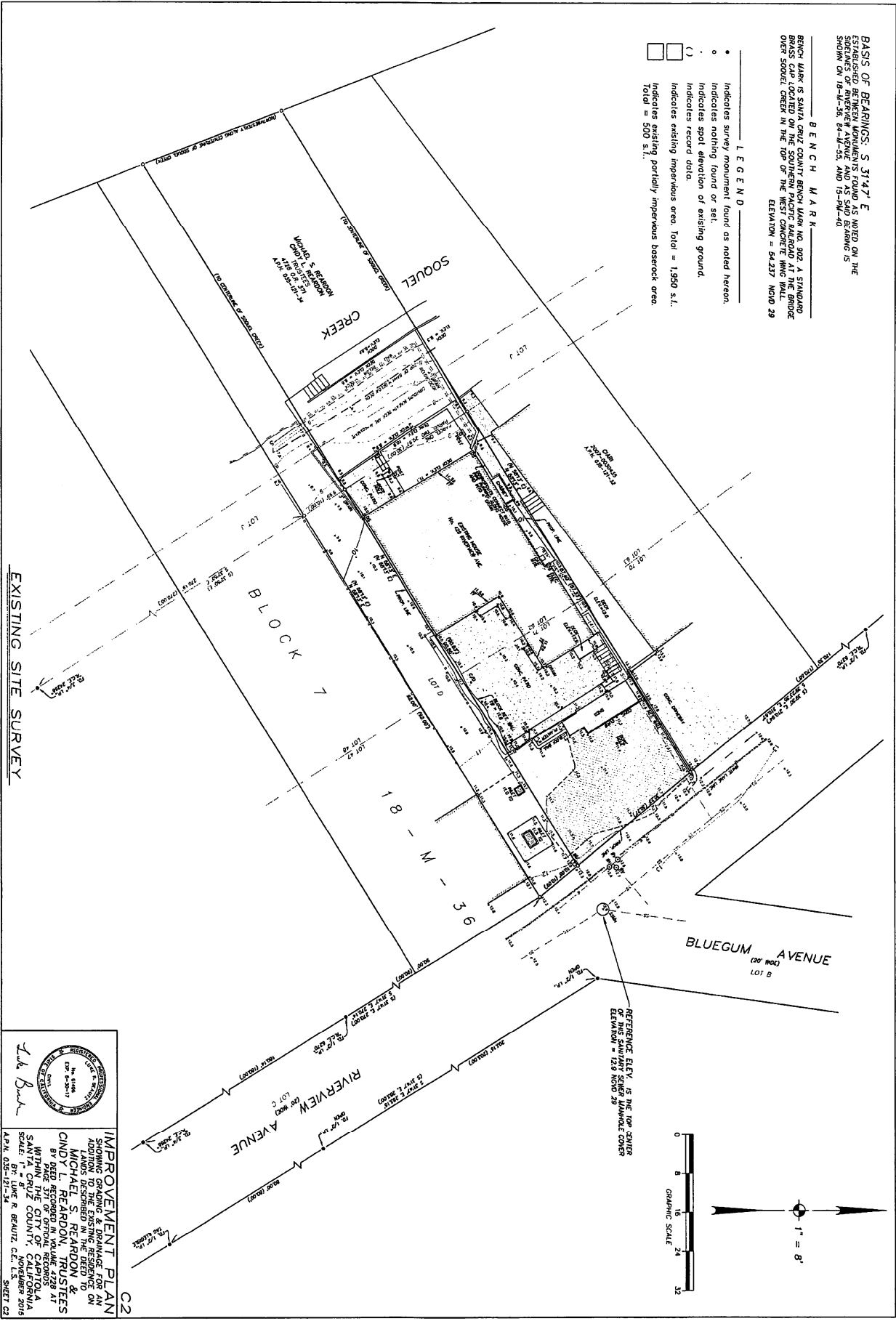
ROCKED CONSTRUCTION ENTRANCE

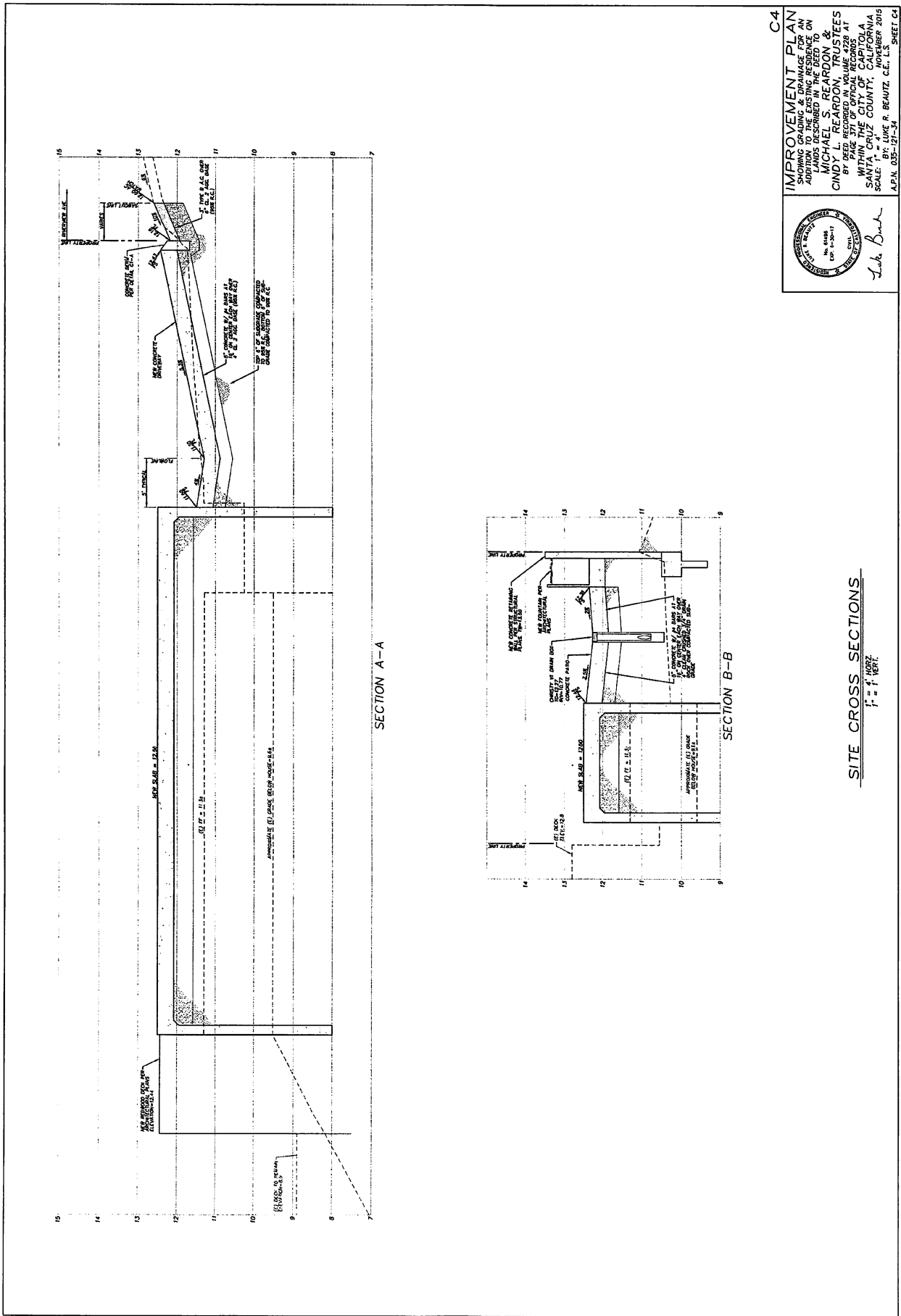
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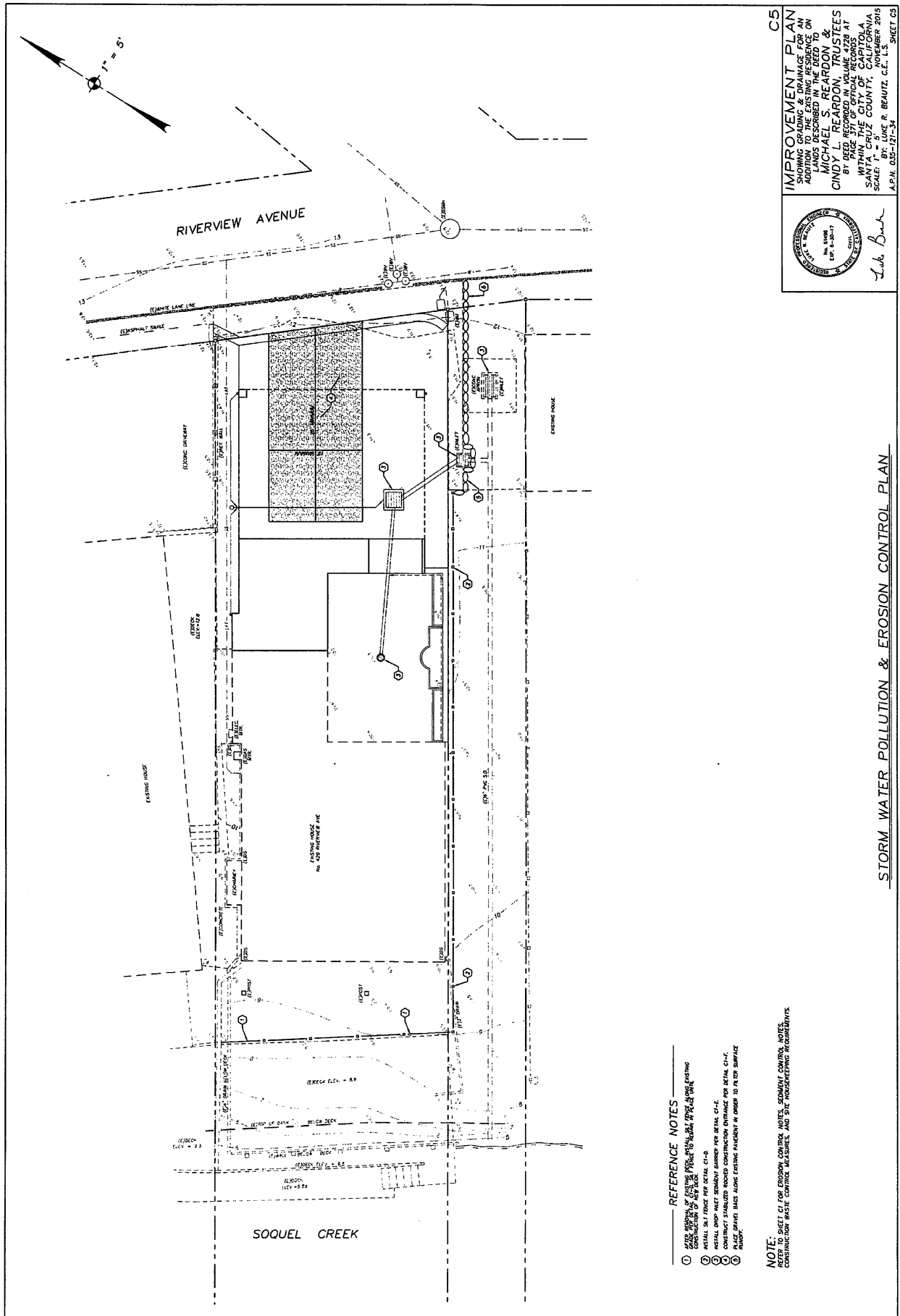
DETAIL C1-W

ROCKED CONSTRUCTION ENTRANCE

Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)








- REFERENCE NOTES**
- ① WATER REGIONS OF EXISTING PIPES TO REMAIN SHALL BE OPENED UP FOR EROSION CONTROL PURPOSES TO BE INSTALLED.
 - ② INSTALL SILT FENCE PER DETAIL C1-8.
 - ③ INSTALL DROP INLET SEDIMENT BARRIER PER DETAIL C1-4.
 - ④ CONSTRUCT STABILIZED ROCKED CONSTRUCTION DRAINAGE PER DETAIL C1-4.
 - ⑤ CONSTRUCT SLOTTED SAND FILTER BARRIERS AS SHOWN TO PREVENT SURFACE POLLUTION.

NOTE:
SEE SHEET C1 FOR EROSION CONTROL NOTES, SEDIMENT CONTROL NOTES, CONSTRUCTION WASTE CONTROL MEASURES, AND SITE HOUSEKEEPING REQUIREMENTS.

C5

IMPROVEMENT PLAN
SHOWING GRADING & DRAINAGE FOR AN ADDITION TO THE EXISTING RESIDENCE ON THE PROPERTY DESCRIBED IN THE TRUST AGREEMENT OF MICHAEL S. REARDON & CINDY L. REARDON TRUSTEES BY DEED RECORDED IN VOLUME 4729 AT PAGE 374 OF OFFICIAL RECORDS WITH A CRUISE COUNTY, CALIFORNIA SCALE: 1" = 40' H.S. & BEAUTZ, C.E. NOVEMBER 2015 A.P.M. 05-121-34 1.5 SHEET C5

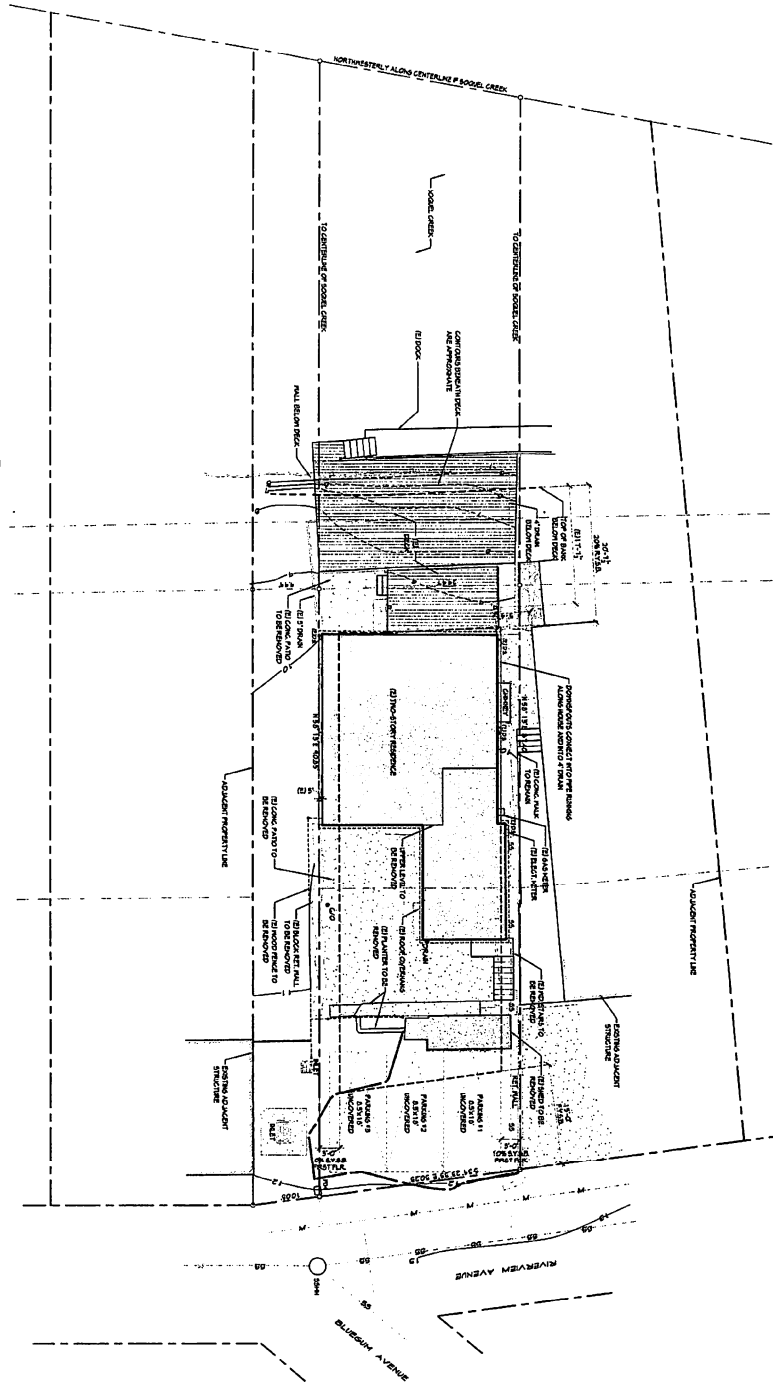


Luke Beck

STORM WATER POLLUTION & EROSION CONTROL PLAN

12/7/2018 10:18 AM

1 EXISTING SITE PLAN



STORMWATER PROJECT INFORMATION

TOTAL PROJECT SITE AREA	3,096 sq-ft
AMOUNT OF EXISTING SURFACE AREA (E.G. DRIVING SURFACES, LAWNS, TERRACES)	2,006 sq-ft
AMOUNT OF NEW EXISTING SURFACE AREA (E.G. NEW DRIVEWAYS, TERRACES, PATIOS)	1,090 sq-ft
AMOUNT OF NEW IMPROVED SURFACE AREA (E.G. NEW DRIVEWAYS, TERRACES, PATIOS)	2,006 sq-ft
TOTAL IMPROVED FROM PROJECT	3,096 sq-ft

CONSTRUCTION

<p>E1</p>	<p>REARDON RESIDENCE 429 RIVERVIEW AVENUE CAPITOLA, CA 95010</p>	<p>DVRD DEREK VAN ALSTINE RESIDENTIAL DESIGN INC.</p> <p>1535 SEABRIGHT AVE, SUITE 200, SANTA CRUZ, CALIFORNIA 831.116-8400 PHONE 831.116-3446 FAX</p>	
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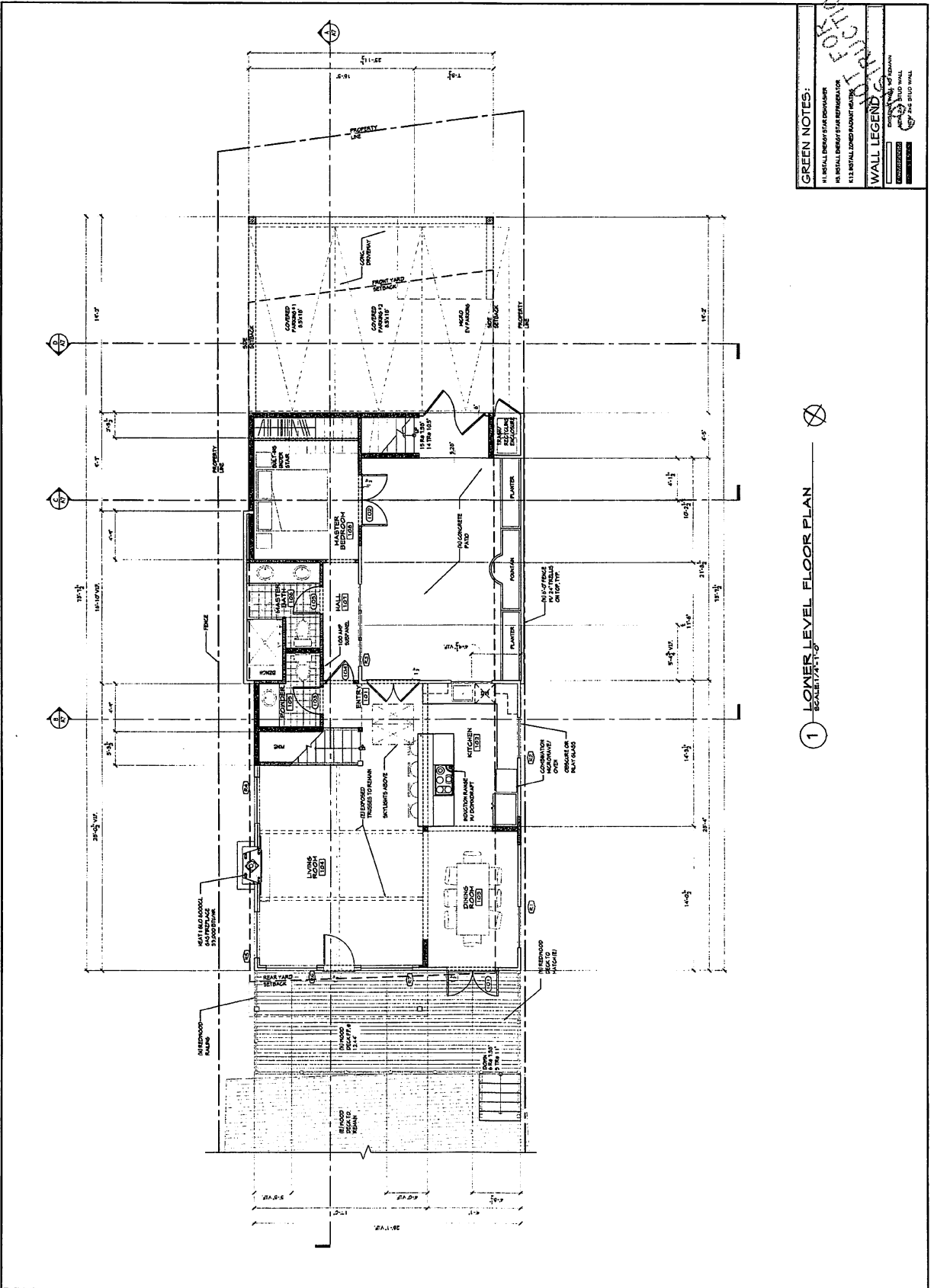
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1155 SEABOARD AVE. SUITE 102, SANTA CRUZ, CALIFORNIA
(831) 454-0700 FAX (831) 454-4616

DVRD
DESIGN VERIFICATION
REGISTERED ARCHITECT
CALIFORNIA ARCHITECTURE BOARD
NO. 10000

HEARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

DATE: 12-13-14
ISSUE DESCRIPTION: REVISED PER COMMENTS
DESIGN/DATE: NOV-28-13
ISSUE NO.: 01
ISSUE NO.: 02
ISSUE NO.: 03
ISSUE NO.: 04
ISSUE NO.: 05
ISSUE NO.: 06
ISSUE NO.: 07
ISSUE NO.: 08
ISSUE NO.: 09
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ISSUE NO.: 99
ISSUE NO.: 100

A3



GREEN NOTES:

- #1 INSTALL ENERGY STAR DIMMER
- #2 INSTALL ENERGY STAR REFRIGERATOR
- #3 INSTALL LOWED RADIANT HEATING

WALL LEGEND:

- 1/2\"/>

1 LOWER LEVEL FLOOR PLAN
SCALE: 1/8\"/>

Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)

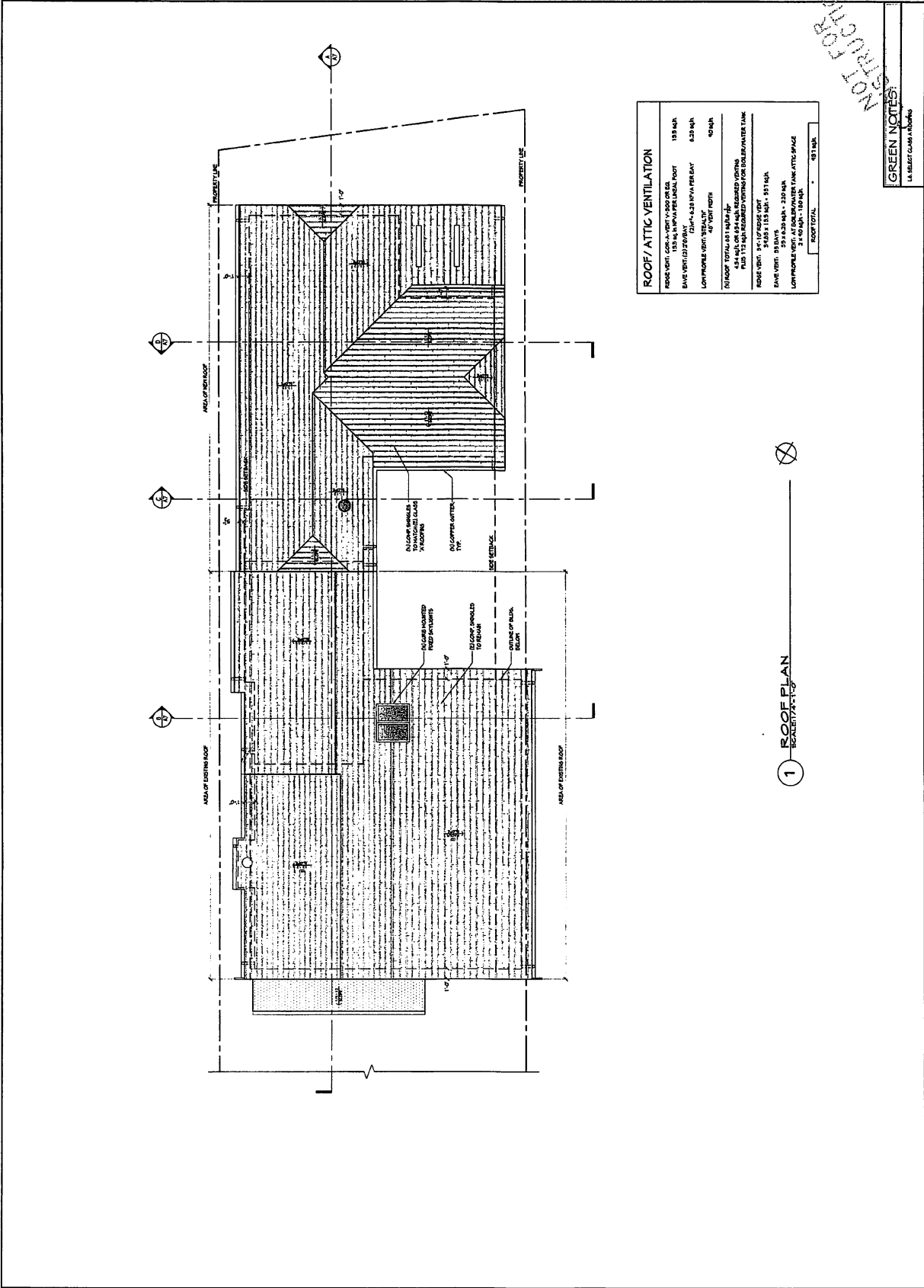
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC
716 SOOKE AVENUE SUITE A SANTA CRUZ CALIFORNIA
831138-490 PHONE 831138-646 FAX

VRD
VALLEY RESIDENTIAL DESIGN

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

09-12-1-34
ISSUE DESCRIPTION
REVISED
NOV-22-13
DATE
JAN-05-15
DRAWING SUBMITTAL
REVISIONS

A5
ROOF PLAN



Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEMARIGHT AVE. SUITE 100 SANTA CRUZ, CALIFORNIA
831.542.6333 PHONE 831.542.6444 FAX

DVRD INC.
ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPTOLA, CA 95010

NO. 03-1213-3-4

DATE: 12/13/13

REVISIONS:

NOV-22-13

HISTORIC SUBMITTAL

JAN-05-15

PLANS SUBMITTAL

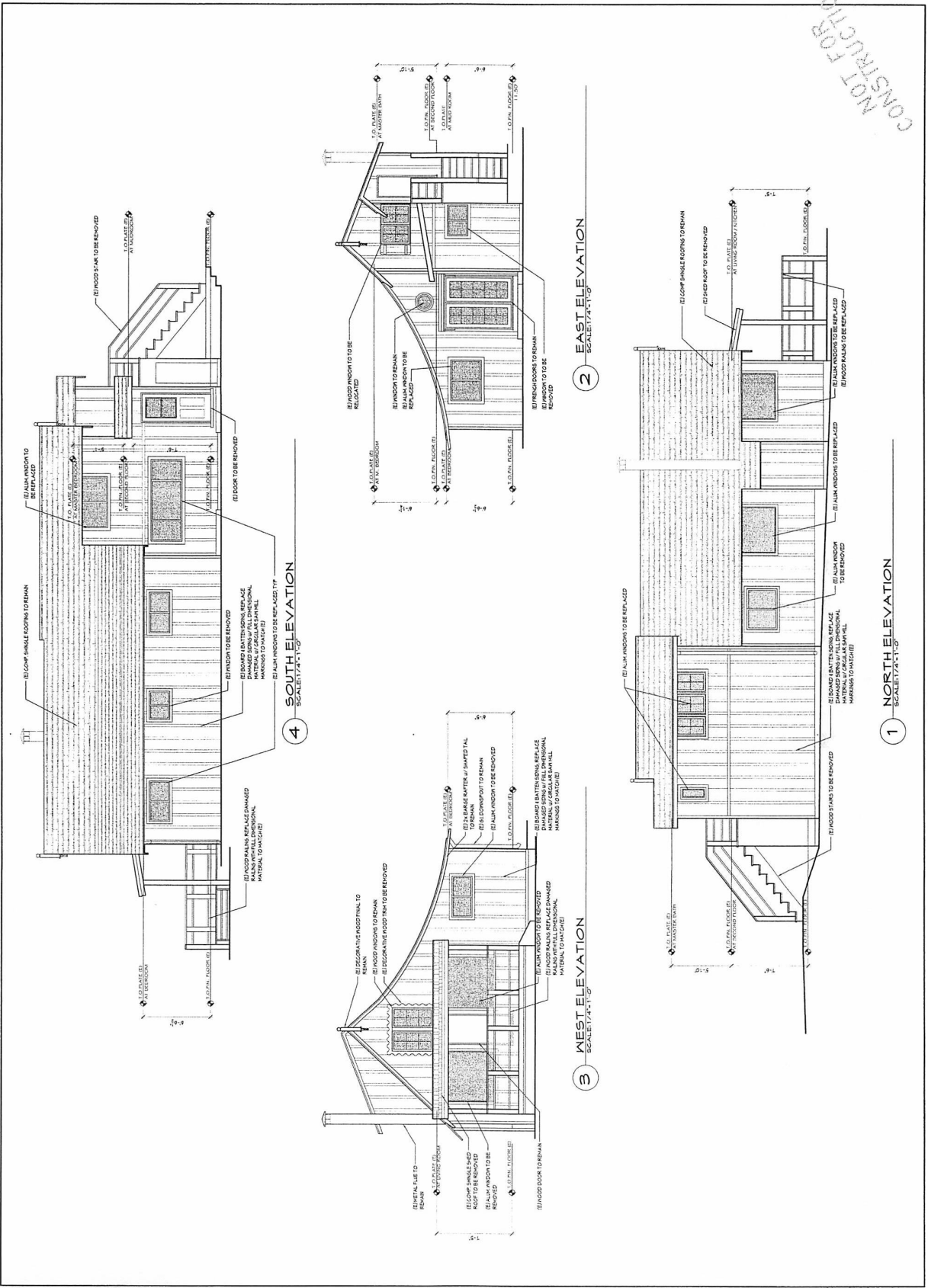
BUILDING PERMITS

DEC-16-15

REVISIONS

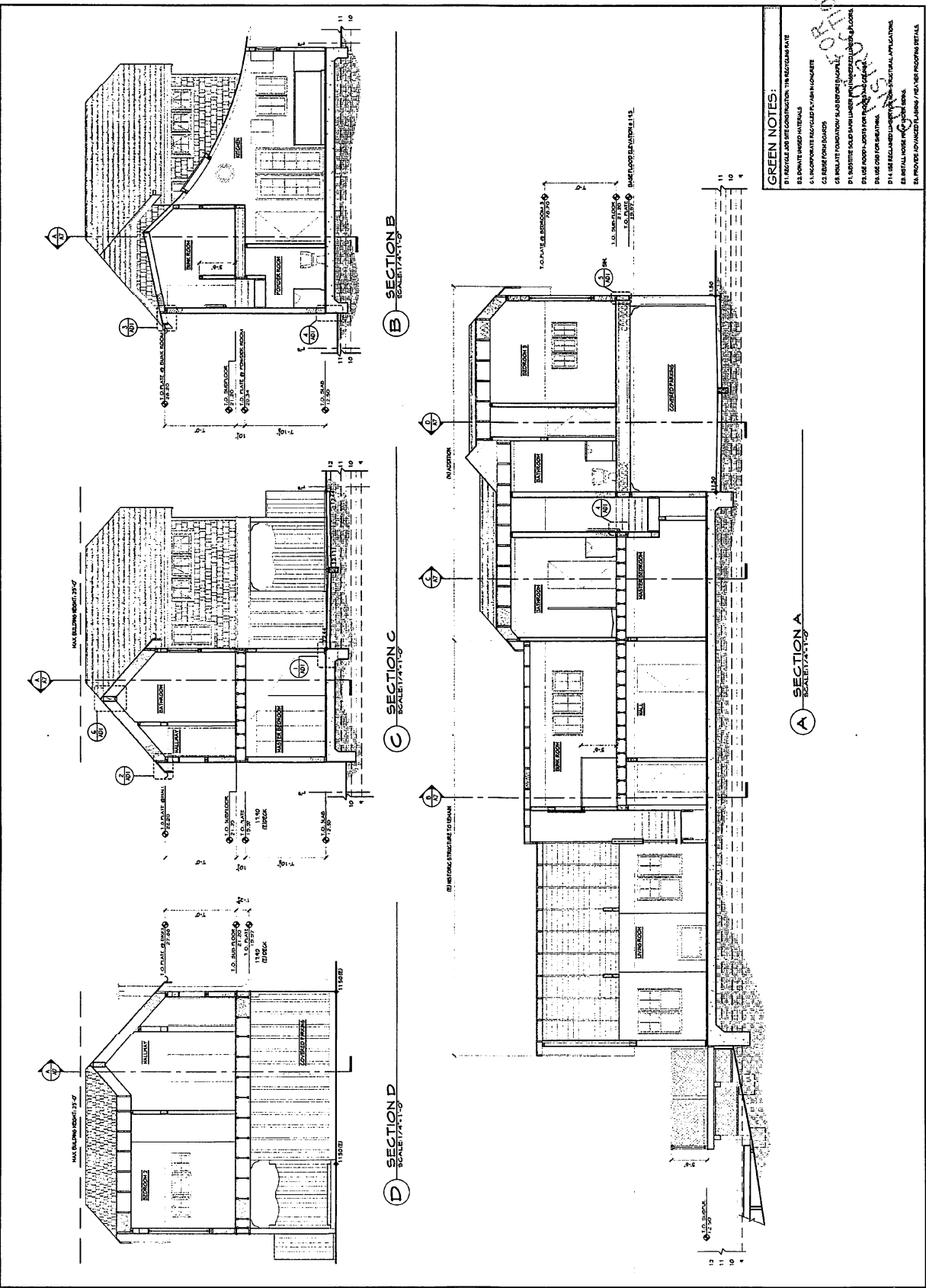
EXISTING
ELEVATIONS

A6



Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)

DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 1555 SERRA LOMA AVE. SUITE 200 SAN JOSE, CA 95128 (415) 435-4444 FAX: (415) 435-4444	DVRD DESIGN VERIFICATION & REVIEW ARCHITECTURAL 1111 BAYVIEW BLVD. SUITE 100 SAN FRANCISCO, CA 94133 (415) 774-2700	REARDON RESIDENCE 429 RIVERVIEW AVENUE CAPITOLA, CA 95010	SHEET NO. A7 DATE: 12/14/19 PROJECT NO. 190728-13 DESIGNER: D.V.A. CHECKER: D.V.A. DATE: 12/14/19 PROJECT NO. 190728-13
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Attachment: 429 Riverview Plans (1409 : 429 Riverview Ave)

		<p>NOTE: PROVIDE ANCHOR BARS AT 4" MAX. @ 4" O.C. AT ALL EXTERIOR WALLS. PROVIDE ANCHOR BARS AT 6" MAX. @ 6" O.C. AT ALL INTERIOR WALLS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS.</p>	<p>STANDARD HOOK DIMENSIONS</p> <p>TYPICAL BENDS</p> <p>TIE AND STIRRUP DIMENSIONS</p> <p>PLAN VIEW, MULTIPLE TOP BARS</p>
		<p>NOTE: PROVIDE ANCHOR BARS AT 4" MAX. @ 4" O.C. AT ALL EXTERIOR WALLS. PROVIDE ANCHOR BARS AT 6" MAX. @ 6" O.C. AT ALL INTERIOR WALLS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS. PROVIDE 2# BAR 1" x 17" x 4.5" AT 3" SLAB THICKNESS.</p>	

<p>PROJECT: REAR DONOR RESIDENCE ADDITION 429 RIVERVIEW AVENUE CAPITOLA, CA 95010</p>	<p>REAR DONOR RESIDENCE ADDITION 429 RIVERVIEW AVENUE CAPITOLA, CA 95010</p>	<p>REDWOOD ENGINEERING LEONARD WILLIS P.E. 1535 SEABRIGHT AVE, SUITE 200, SANTA CRUZ, CA 95062 (831) 426-8444 leonard@redwoodengineering.net</p>	<p>SDI</p>
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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 17, 2016

SUBJECT: **419 Capitola Avenue Conceptual Review #15-197** **APN: 035-131-26**

Conceptual Review of development concepts for an existing duplex located in the CN (Neighborhood Commercial) Zoning District.

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

Environmental Determination: Not applicable

Property Owners: Daniel Gomez and Daniel Townsend, filed 12/16/2015

APPLICANT PROPOSAL

The applicant is requesting feedback on 4 development concepts at 419 Capitola Avenue located in the CN (Neighborhood Commercial) zoning district. The property is within the block of Capitola Avenue that extends from the trestle to Blue Gum Avenue. This block has unique attributes including:

1. Property lines that are not at a right angle to the street.
2. Substandard lot depths. The lot depths are on average 50 feet deep rather than typical CN lots that range from 80 to 100 feet of depth.
3. The majority of structures do not comply with the zone setbacks, including the front yard setback.
4. The block is located in a highly visible gateway into the Village.

The property is currently a two story building with a garage on the bottom floor and two residential units on the second story. There is a deck on the second story.

The following table includes the CN Zone development standards that apply to the property:

Height	27 feet
Lot Area	There are no specific minimum lot area required except that there shall be sufficient area to satisfy any off-street parking and loading area requirements.
Lot Coverage	There shall be no specific maximum lot coverage, except as follows: A. Sufficient space shall be provided to satisfy off-street parking and loading area requirements, except that all parking may be provided within a structure. B. Front yard and open space requirements shall be satisfied.
Front Yard Setback	Allow for 15 foot landscape strip
Side Yard Setback	10% of lot width for the first floor (<i>Lot Width: 28.50' Setback: 2.85 feet</i>)

	15% of the lot width for the second floor (<i>Second floor setback: 4.2 feet</i>)
Rear yard Setback	20% of lot depth (<i>Lot depth: 53.25 Setback: 10.6 feet</i>)
Landscaping	Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards

The existing building extends into the front and south side setbacks. The applicant plans to redevelop the property and has prepared four different concepts for the property that consider the zoning requirements and the pattern of development along the street. The applicant provided general massing and a site plan for each concept. A future submittal would further articulate the massing and add architectural detail.

Option 1: Option 1 complies with the zoning standards. The third story addition complies with setback standards resulting in an off-centered, angled addition to the building. This option complies with the 27 foot height limit and parking requirement.

Option 2: This option extends the first and second story into the front yard setback while adding the third story above the existing structure. The first story would remain parking while the second and third stories would be residential. A variance for the front yard and south side would be required.

Option 3: This option maintains the 1st story parking and second story duplex while adding a third story directly above the existing structure. The porch on the second story would be enclosed. The addition is within the height limit of 27'. There are four onsite parking spaces. This concept would require a variance to front yard setbacks and south side yard setbacks.

Option 4: This option is a complete redevelopment of the project. The option includes commercial on the first floor and residential on the second and third floor. This option complies with the 27 foot height limit. No parking is included in this option. A variance for the zero foot setback on the front and south side would be required. The absence of parking would require a variance or a modification to the City's in-lieu parking fee policy.

This item was continued from the March 3, 2016 Planning Commission meeting. No discussion took place at the hearing.

DISCUSSION

The project has been submitted to the City for conceptual review. The intent of the conceptual review process is to provide the applicant with early feed-back prior to investing significant time and money on the project. The applicant is seeking the Planning Commission's direction on their preferred concept.

In conducting the conceptual review of this project, staff suggests the Planning Commission focus their comments and direction on the overall project concepts and vision. As a starting point, staff has identified several questions, which the Commission may wish to consider while reviewing this project.

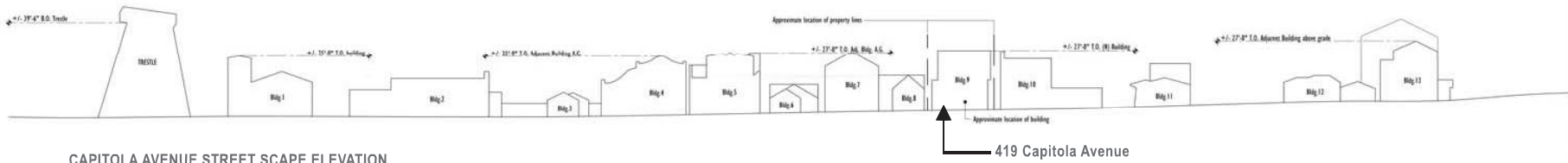
1. Would the Planning Commission support a variance to allow the building to be constructed closer to the street?
2. Would the Planning Commission support a third-story addition?

3. Does the Planning Commission have a preferred development concept?
4. Would the Planning Commission prefer commercial uses on the ground floor? If so, would the Commission support a parking variance or a modification to the in-lieu parking fee policy to allow parking in the Beach and Village lot?
5. The applicant has suggested that redeveloping the entire site is financially infeasible as a long term rental. The transient rental overlay jogs in and out of this block of Capitola Avenue. Would the Planning Commission support a modification to the boundary of the transient rental overlay district to include the property or the entire block?

ATTACHMENTS:

1. 419 Capitola Avenue Concept Plans.pdf

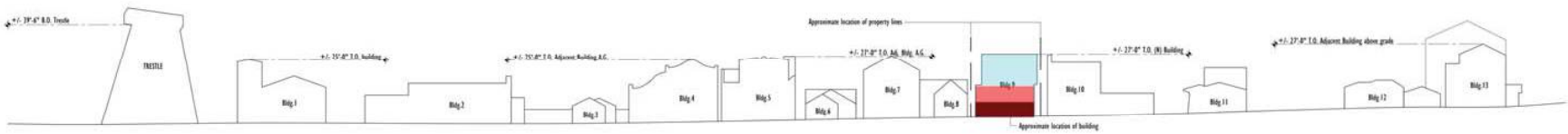
Prepared By: Katie Cattan
Senior Planner



CAPITOLA AVENUE STREET SCAPE ELEVATION
SCALE: NTS



Attachment: 419 Capitola Avenue Concept Plans.pdf (1408 : 419 Capitola Ave Conceptual Review)



CAPITOLA AVENUE STREET SCAPE ELEVATION - OPTION 1 / RESIDENTIAL
SCALE: NTS

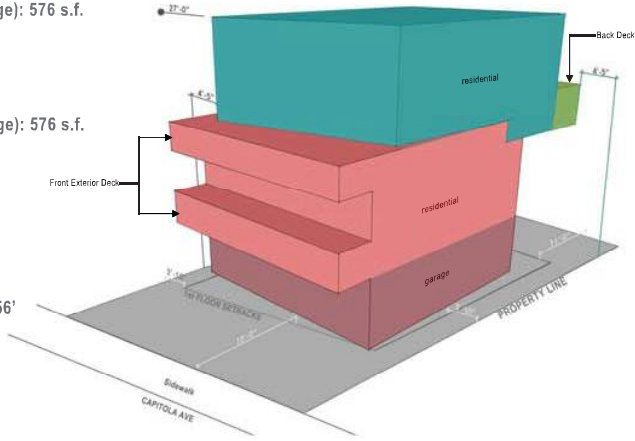


STATISTICS - OPTION 1 / RESIDENTIAL:

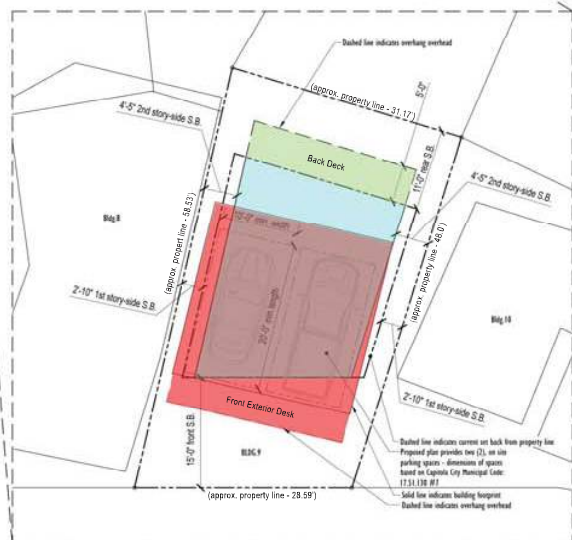
- Total site area: 1,585 s.f.
- Existing ground floor - unconditioned space (Garage): 576 s.f.
- Existing second floor space: 576 s.f.
Total = 1,152 s.f.
- Proposed ground floor unconditioned space (Garage): 576 s.f.
- Proposed second floor space: 576 s.f.
- Proposed third floor conditioned space: 579 s.f.
Total = 1,731 s.f.

PROPOSED PARKING: TWO (2) SPACES
NO MAXIMUM COVERAGE REQUIRED

- Main building setbacks: SIDE - 10% of lot width = 2.56'
- SIDE 2nd STORY - 15% of lot width = 4.28'
- SIDE 3rd STORY - 15% of lot width = 4.5'
- REAR - 20% of lot depth = 15'
- FRONT - 15' landscape strip
- HEIGHT LIMIT = 27'-0"



OPTION 1 / RESIDENTIAL - MASSING DIAGRAM
SCALE: NTS

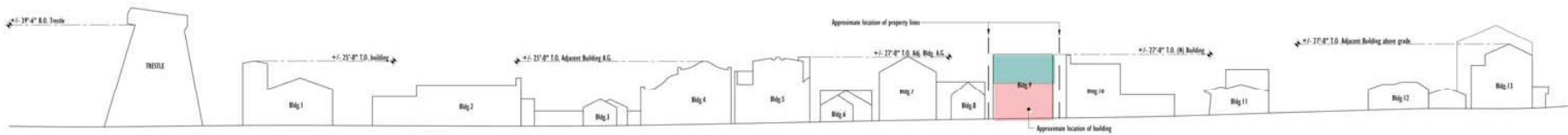


OPTION 1 - SITE PLAN (Enlarged View)
SCALE: 1/8" = 1'-0"

419 Capitola Ave
Capitola, CA 95010
February 12th, 2016

411 CAPITOLA AVENUE
CAPITOLA + CALIFORNIA
95010
831.479.9295 (V)
831.479.9325 (F)





CAPITOLA AVENUE STREET SCAPE ELEVATION - OPTION 2 / RESIDENTIAL
SCALE: NTS



CAPITOLA AVENUE SITE PLAN - OPTION 2 / RESIDENTIAL
SCALE: NTS

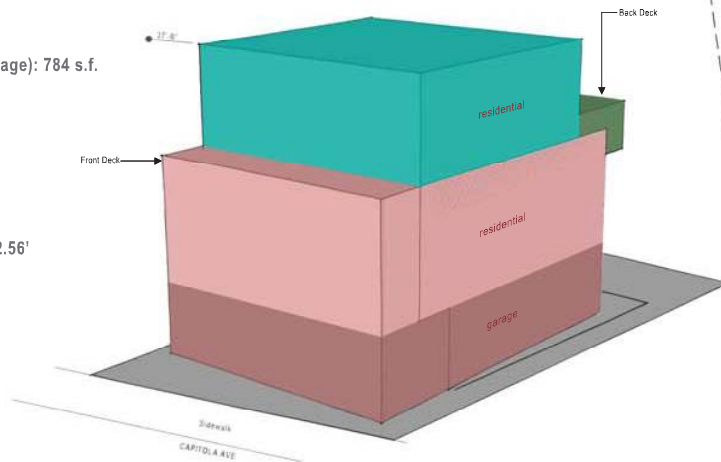
STATISTICS - OPTION 2:

- Total site area: 1,585 s.f.
- Existing ground floor - unconditioned space (Garage): 576 s.f.
- Existing second floor space: 576 s.f.
- Total = 1,152 s.f.

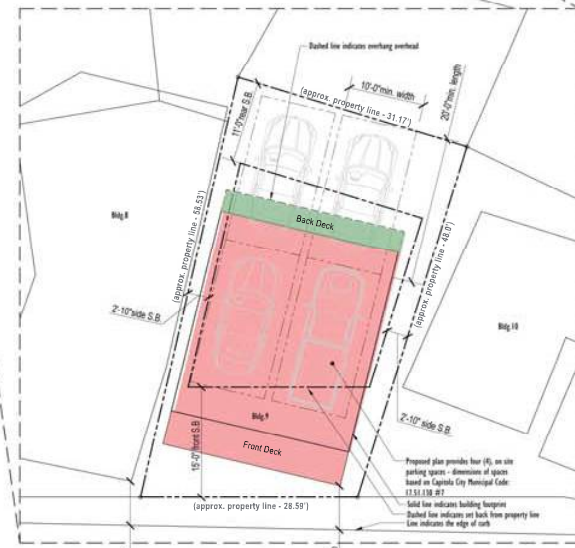
- Proposed ground floor unconditioned space (Garage): 784 s.f.
- Proposed second floor space: 784 s.f.
- Proposed third floor conditioned space: 441 s.f.
- Total = 2,009 s.f.

PROPOSED PARKING: FOUR (4) SPACES
NO MAXIMUM COVERAGE REQUIRED

- Main building setbacks: SIDE - 10% of lot width = 2.56'
- SIDE 2nd STORY - 15% of lot width = 4.28'
- REAR - 20% of lot depth = 15'
- FRONT - 15' landscape strip
- HEIGHT LIMIT = 27'-0"



OPTION 2 / RESIDENTIAL - MASSING DIAGRAM
SCALE: NTS



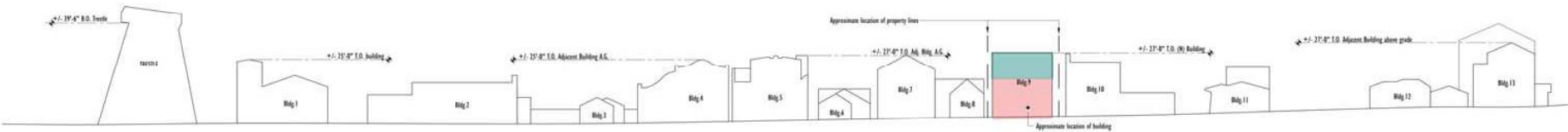
OPTION 2 - SITE PLAN
SCALE: 1/8" = 1'-0"
(Enlarged View)

419 Capitola Ave
Capitola, CA 95010
February 12th, 2016

411 CAPITOLA AVENUE
CAPITOLA + CALIFORNIA
95010

831.479.9295 (V)
831.479.9325 (F)





CAPITOLA AVENUE STREET SCAPE ELEVATION - OPTION 3 / RESIDENTIAL
SCALE: NTS



CAPITOLA AVENUE SITE PLAN - OPTION 3 / RESIDENTIAL
SCALE: NTS

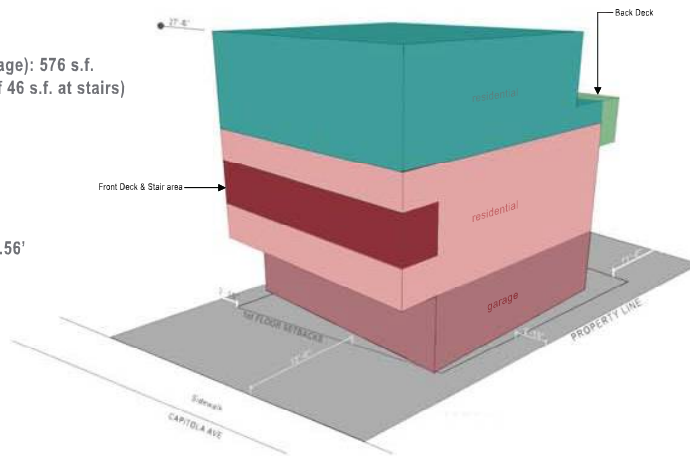
STATISTICS - OPTION 3:

- Total site area: 1,585 s.f.
- Existing ground floor - unconditioned space (Garage): 576 s.f.
- Existing second floor space: 576 s.f.
- Total = 1,152 s.f.**

- Proposed ground floor unconditioned space (Garage): 576 s.f.
- Proposed second floor space: 622 s.f. (addition of 46 s.f. at stairs)
- Proposed third floor conditioned space: 441 s.f.
- Total = 1,639 s.f.**

PROPOSED PARKING: FOUR (4) SPACES
NO MAXIMUM COVERAGE REQUIRED

Main building setbacks: **SIDE - 10% of lot width = 2.56'**
SIDE 2nd STORY - 15% of lot width = 4.28'
REAR - 20% of lot depth = 15'
FRONT - 15' landscape strip
HEIGHT LIMIT = 27'-0"



OPTION 3 / RESIDENTIAL - MASSING DIAGRAM
SCALE: NTS



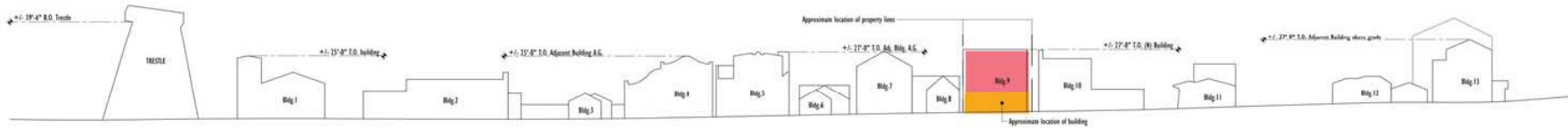
OPTION 3 - SITE PLAN (Enlarged View)
SCALE: 1/8" = 1'-0"



419 Capitola Ave
Capitola, CA 95010
February 12th, 2016

411 CAPITOLA AVENUE
CAPITOLA + CALIFORNIA
95010
831.479.9295 (V)
831.479.9325 (F)





CAPITOLA AVENUE STREET SCAPE ELEVATION - OPTION 4 / COMMERCIAL
SCALE: NTS



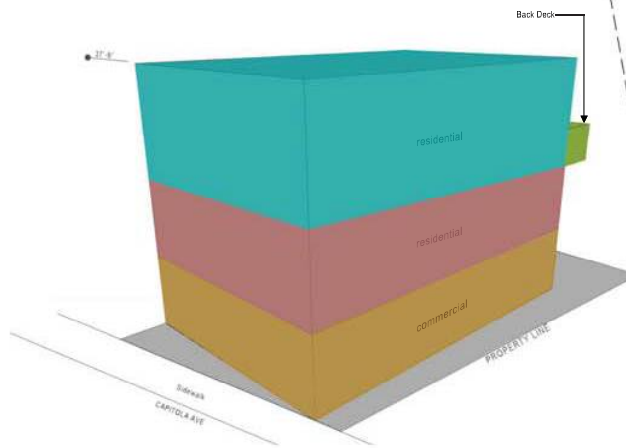
CAPITOLA AVENUE SITEPLAN - OPTION 4 / COMMERCIAL
SCALE: NTS

STATISTICS - OPTION 4 / COMMERCIAL:

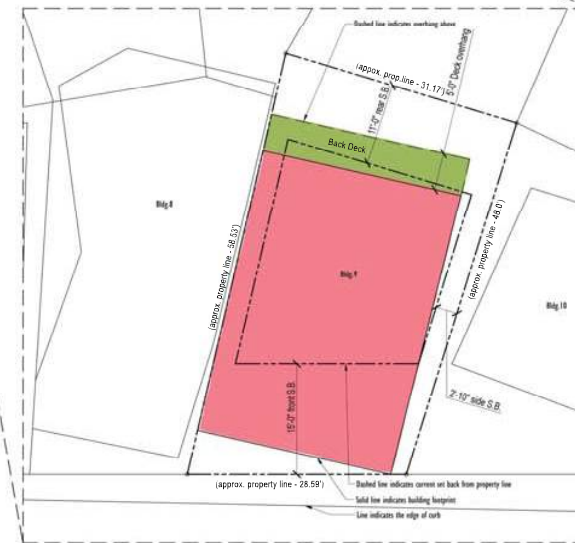
- Total site area: 1,585 s.f.
- Existing ground floor - unconditioned space (Garage): 576 s.f.
- Existing second floor space: 576 s.f.
- Total = 1,152 s.f.
- Proposed ground floor commercial space: 1,020 s.f.
- Proposed second floor conditioned space: 1,020 s.f.
- Proposed third floor conditioned space: 1,020 s.f.
- Total = 3,060 s.f.

PROPOSED PARKING: ZERO (0) SPACES
NO MAXIMUM COVERAGE REQUIRED

REAR - 20% of lot depth = 15'
FRONT - 15' landscape strip
HEIGHT LIMIT = 27'-0"



OPTION 4 / COMMERCIAL - MASSING DIAGRAM
SCALE: NTS



OPTION 4 - SITE PLAN (Enlarged View)
SCALE: 1/8" = 1'-0"

419 Capitola Ave
Capitola, CA 95010
February 12th, 2016

411 CAPITOLA AVENUE
CAPITOLA + CALIFORNIA
95010
831.479.9225 (V)
831.479.9325 (F)





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 17, 2016

SUBJECT: **Zoning Code Update All Properties within Capitola**

Continuation of Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17)

The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Katie Cattan, Senior Planner, City of Capitola

BACKGROUND: The Planning Commission began the review of the draft zoning code during the March 3, 2016 special meeting (Attachment 1. Staff Report). The review of the draft zoning code was continued to the March 17, 2016 Special Planning Commission Meeting. Direction provided at the March 3rd meeting is included in Attachment 2. The draft code, zoning map, and previous staff reports with attachments are available online at: <http://www.cityofcapitola.org/communitydevelopment/page/zoning-code-update>.

DISCUSSION: On March 3, 2016, the Planning Commission requested that staff provide a more methodical and sequential review of the draft code rather than the topical approach initially proposed by staff.

In preparation for the March 3rd meeting, each Planning Commissioner provided staff with suggested minor edits and topics for further discussion. Staff organized the edits and discussion requests into a master list (Attachments 3 and 4). This list follows the sequence of the draft code and will be utilized throughout the review by Planning Commission to guide discussion topics during public hearings.

The draft code is separated into 5 parts, as follows:

- Part 1: Enactment and Applicability
- Part 2: Zoning Districts and Overlay Zones
- Part 3: Citywide Standards
- Part 4: Permits and Administration
- Part 5: Glossary

During the Special Planning Commission meeting on March 17, staff will begin with the brief review of Part 1: Enactment and Applicability. Part 1 is an overview of the purpose and effect of

a zoning code, interpretation, and applicability to the zoning districts and zoning map. This is the shortest section of the zoning code and is not expected to take much time to review.

The bulk of the meeting will be focused on Part 2: Zoning Districts and Overlay Zones. This section contains land use tables, development standards, and specific regulations for each zoning district. It is anticipated that more than one meeting will be necessary to review Part 2.

During the March 17th meeting, staff will discuss the future special meeting schedule during the month of April. The following dates are available for special zoning meetings: Monday April 11th, Monday April 18th, Thursday April 21st, and Monday April 25th. At the direction of Planning Commission, staff is prepared to set a schedule including any or all of the available dates.

CEQA: An Addendum to the General Plan Update Environmental Impact Report has been prepared.

RECOMMENDATION: Accept the staff presentation, discuss the proposed draft Zoning Code update, identify desired code revisions, and continue the public hearing to the April 7, 2016 regular meeting.

ATTACHMENTS:

1. March 3, 2016 - Zoning Update PC Staff Report
2. March 3, 2016 Planning Commission direction on Draft Code
3. List of Commissioner's Discussion requests
4. List of Commissioners' Edits

Prepared By: Katie Cattan
Senior Planner



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 3, 2016
 SUBJECT: **Zoning Code Update All Properties within Capitola**

Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17)
 The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Katie Cattan, Senior Planner, City of Capitola

BACKGROUND

The City of Capitola initiated an effort in 2014 to comprehensively update its 1975 Zoning Code. Over the past 18 months, staff solicited input from a variety of stakeholders to identify issues within the current Zoning Code and opportunities for improvement. Staff used this feedback to develop an issues and options paper which served as the basis for 8 public hearings with the Planning Commission and City Council to provide staff with policy direction prior to drafting an updated code.

Staff has completed a draft Zoning Map (Attachment 1) and Zoning Code (Attachment 7) based on policy direction received during the issues and options hearings. On February 4, 2016, the draft Zoning Code update was released for an extended public review and comment period. The hard copy of the draft zoning code is available for public review at City Hall and at the Capitola branch library. The draft code is available online at:

<http://www.cityofcapitola.org/communitydevelopment/page/zoning-code-update>.

DISCUSSION

The updated Zoning Code represents a comprehensive overhaul of the existing code. The updated code presents a refreshed format and organization which is intended to be more user-friendly for the public, decision-makers, developers, and staff. Where possible, development standards are shown in tables for ease of reference and graphics are used to better illustrate the meaning and intent of various regulations.

The draft Zoning Code establishes new and modified land use regulations which will guide future development and design throughout the City of Capitola. The proposed code includes new and revised zoning districts, permitting procedures, and development standards throughout the City. Thus, the update affects all properties within the City. The extensive scope of revisions in the updated code does not lend itself to showing changes in a traditional strikeout-underline format. Instead, a disposition table has been prepared which includes all substantive

code revisions (Attachment 4). In addition, major changes are highlighted in the body of the draft code with an illustration and description as shown in the following example:



Note: Procedures and criteria for addressing unlisted land uses in Subsection D below are new.

The proposed Zoning Code also relocates the City’s Green Building Ordinance from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction). No changes are currently proposed to the Green Building Ordinance other than moving it to another chapter of the Municipal Code.

On March 3, 2016, the Planning Commission will begin the review of draft zoning code. The following list includes substantial modifications to the code that staff will present during the March 3, 2016 hearing. Most of these modifications are in response to direction received during the issues and options hearings while others represent new or improved standards to regulate common uses and development in Capitola. Additional topics and issues may be discussed as desired by the Planning Commission.

<u>Topic 1. Zoning Map Modifications</u>		
Draft Code:	Proposed Zoning Map	Attachment 1
	Existing Zoning Map	Attachment 2
	Zoning Map Modifications List	Attachment 3

The updated zoning map reflects land use designations on the General Plan land use map including regional and a community commercial areas, consolidation of the multiple mixed use district into one Neighborhood Mixed Use (MU-N) district, and clarity in overlay zones. The updated map also includes corrections to the current zoning map that reflect current built conditions, such as the multifamily condominium property on Opal Cliff Drive that is currently designated single family. A list of modifications to the zoning map are included as Attachment 3.

<u>Topic 2. Development Standards in Mixed Use Zones</u>			
Draft Code:	New Development Standards	17.20.030	Page 20-4
	New Design Standards	17.20.030.C	Page 20-5

The draft zoning code includes two mixed use districts: Village Mixed Use (MU-V) and Neighborhood Mixed Use (MU-N). The new zoning map consolidates the existing Commercial/Residential (CR) district, the Neighborhood Commercial (CN) district and the Professional Office (PO) district into one Neighborhood Mixed Use (MU-N) district. The current code does not include standards for parcel area, parcel width, or parcel depth in mixed use districts. The new code would include minimum parcel dimension standards for each zone which would only apply if a property owner requested a subdivision. These standards would not affect any existing legal lots.

The development standards for the mixed use zones have been updated in the new code to relate to the existing code, with increased guidance. The current setback standards in the CV (Central Village) are extremely flexible. Under the existing code, the CV zone is subject to the 1987 Central Village Development Design Standards, 27 feet height maximum, and 10 percent open space. At the direction of Planning Commission and City Council during the Issues and Options hearings, the 1986 guidelines will be rescinded with the adoption of the new code and the relevant design guidelines incorporated into the code. The draft code maintains flexibility in

development standards in the MU-V district and incorporates design standards reflective of the 1987 guidelines to assist applicants in building placement and articulation.

The development standards for the existing CR, CN, and PO districts have increased separation of buildings with established minimum setbacks on all sides. The new consolidated MU-N district, introduces new development standards for front yards to ensure adequate spacing for sidewalks geared toward walkable mixed use neighborhoods while maintaining the increased separation between buildings. Exceptions have been added for those areas within the MU-N that have an established pattern of buildings being closer to the street or closer together (e.g., Capitola Avenue between the trestle and Blue Gum).

Topic 3. Required parking in the Mixed Use Neighborhood
 Draft Code: On-Site Parking in MU Zones Table 17.76-1 Page 76-2

The draft code does not modify the parking requirements for the Village, with the exception of revised standards for take-out restaurants which is described in Topic 4 and specific requirements for a future hotel at the Village Theater site. Required parking in the Neighborhood Mixed Use (MU-N) zoning district is decreased in the draft code to reflect the ability of residents to walk to destinations, as follows:

Land Use	Existing Code	Decreased Requirement in MU-N
Retail	1 per 240 sq. ft.	1 per 400 sq. ft.
Eating and Drinking Establishments		
Bars and Lounges	1 per 60 sq. ft.	1 per 75 sq. ft.
Restaurants and Cafes	1 per 60 sq. ft.	1 per 400 sq. ft.
Take-out Food and Beverage	1 per 240 sq. ft.	1 per 400 sq. ft.
Personal Services		1 per 400 sq. ft.

Topic 4. 6 Seat Rule for Takeout Establishments
 Draft Code: Parking for Take-out in MU-N and MU-V Table 17.76-1 Page 76-2
 Parking for Take-out in all other districts Table 17.76-2 Page 76-3
 Definition of Eating and Drinking Est. 17.160(E)(1)a-c Page 160-5

The existing zoning code requires 1 space per 240 square feet for *retail use and restaurants/take-out establishments* with six or fewer seats. The necessary oversight by City staff to monitor the six seat maximum within restaurants has been an ongoing enforcement issue. The draft code creates a new land use category *Take-out Food and Beverage*. The draft code defines a *Take-out Food and Beverage* as an “establishment where food and beverages may be consumed on the premises, take out, or delivered, but where the area open to customers is limited to no more than 160 square feet...” The new maximum area accessible to customers was based on a survey of existing conditions in the village. An example of a structure with approximately 160 square feet of area open to customers is Calypso Coffee located at 311 Capitola Avenue.

Topic 5. On-site Parking Alternatives
 Draft Code: On-Site Parking Alternatives 17.76.050 Page 76-9

New onsite parking alternatives included in the draft code are as follows: shared parking, valet parking, low demand exception, transportation demand management plan, and transit center

credit. The draft code also includes a provision for the City’s adopted In-Lieu Parking Fee Program which is presently uncodified. The shared parking alternative is based on direction received on Issue #5 Parking of the Issues and Option Paper and excludes residential land uses. (Attachment 5. Issues and Options Matrix)

Topic 6. Incentives for Community Benefits
Draft Code: Chapter 17.88 Incentives for Community Benefits Page 88-1

This chapter is new to provide better defined standards for what qualifies as an acceptable community benefit which can be considered to allow increased FAR as provided in the General Plan, a Planned Development project, or increased height in commercial zones as prescribed in the existing zoning code.

Topic 7. Non-Conforming Structures
Draft Code: New Substantial Demolition Standards 17.92.080.C Page 92-6
Replication of Single-Family Dwellings 17.92.080.D Page 92-7

The existing code requires that a non-conforming structure come into conformity based on an 80 percent threshold of existing value. The draft code implements a new threshold based on 50 percent of lineal footage of walls or floor area. This chapter also includes a new provision to allow replication of non-conforming single-family dwellings with the approval of a conditional use permit with specific findings and conditions.

Topic 8: Permanent Outdoor Displays
Draft Code: Permanent Outdoor Display 17.96.100 Page 96-9

The existing code lacks standards for outdoor displays. The draft code addresses this deficiency with a new standards for permanent outdoor displays of retail goods. To have a permanent outdoor display, the draft code requires a conditional use permit within the mixed use village zone and an administrative permit in all other zoning districts. The draft code includes new standards for height, size, permitted goods, hours, and screening. Design standards are included to ensure that outdoor displays complement the existing built conditions, are made of quality materials, are maintained, and do not violate the sign code.

Topic 9: Temporary Sidewalk Dining
Draft Code: Temporary Sidewalk Dining 17.96.180 Page 96-16

The current code does not include specific review criteria for sidewalk dining areas. The draft code introduces new standards for outdoor dining within sidewalks and public rights-of-way. This is a common trend throughout destination communities. The new standards allow sidewalk dining along the restaurant’s frontage with approval of an administrative permit and encroachment permit as long as ADA and other standards are met. The draft code also introduces a new allowance for conversion of on-street parking spaces (aka “parklets) to outdoor dining with Planning Commission approval of a conditional use permit and encroachment permit.

Topic 10: Design Review Committee
Draft Code: Appointments. Consulting Architect. 17.108.040.C.2 Page 108-2

The existing Architecture and Site Review Committee would be renamed the Design Review Committee, but would maintain its current functions. The one modification would be the addition of a second architect selected by the Community Development Director as a contract

consultant. The contract Architect would participate only in the review of multi-family projects, non-residential projects, and other significant projects as determined by the Community Development Director.

Topic 11. Minor Modifications

Draft Code: Minor Modifications 17.136 Page 136-1

A new minor modification process is proposed to allow the Planning Commission to approve projects which require flexibility from strict application of certain development standards when variance findings cannot be made. The process would allow up to a 10 percent deviation from the physical development standards that apply to property (height, setbacks, parking dimensions, etc.). The draft code specifically excludes minor modifications to lot area, width, and depth; minimum off-street parking requirements; residential density; and floor area ratio. The Planning Commission takes action on minor modification applications.

Topic 12. Changes to Approved Projects

Draft Code: Changes to an Approved Project 17.156.070 Page 156-3

This is a new provision within the draft zoning code to address issues with the process to authorize post-approval changes to a project. This section establishes a procedure for the Community Development Director to approve minor changes to approved projects if the requested change complies with all the new review criteria. Changes which exceed these standards would be considered by the Planning Commission.

CEQA

An Addendum to the General Plan Update Environmental Impact Report has been prepared and is included as Attachment 6.

RECOMMENDATIONS

1. Accept the staff presentation, discuss the proposed draft Zoning Code update, and identify desired code revisions;
2. Recommend that the City Council amend Municipal Code Chapter 17 by rescinding the Zoning Code in it entirety and replacing it with the updated Zoning Code including Planning Commission revisions;
3. Recommend that the City Council recind the 1986 Central Village District Design Guidelines;
4. Recommend that the City Council amend Municipal Code Chapter 15 by adding the Green Building Ordinance to the Buildings and Construction code;
5. Recommend that the City Council approve the Addendum to the General Plan Update Environmental Impact Report for the Zoning Code update;
6. Recommend that the City Council authorize the Community Development Director to submit the Zoning Code update to the California Coastal Commission for certification.

**DRAFT
RESOLUTION NO. ____**

**RESOLUTION OF THE CAPITOLA CITY COUNCIL
AMENDING THE CITY’S ZONING CODE BY RESCINDING CHAPTER 17 OF THE CITY OF
CAPITOLA MUNICIPAL CODE AMD RESCINDING THE 1986 CENTRAL VILLAGE
DISTRICT DESIGN GUIDELINES AND ADOPTING THE NEW CHAPTER 17 OF THE CITY**

Attachment: March 3, 2016 - Zoning Update PC Staff Report (1410 : Zoning Code Update)

OF CAPITOLA MUNICIPAL CODE, MOVING THE CITY'S GREEN BUILDING ORDINANCE FROM MUNICIPAL CODE CHAPTER 17 (ZONING CODE) TO CHAPTER 15 (BUILDINGS AND CONSTRUCTION), APPROVING AN ADDENDUM TO THE GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT, AND AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO SUBMIT THE NEW ZONING CODE TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION.

WHEREAS, Section 65300 of the Government Code of the State of California sets forth the requirements for the preparation and adoption of a local General Plan; and

WHEREAS, the City of Capitola's General Plan was adopted on June 26, 2014; and

WHEREAS, Section 65860 of the Government Code of the State of California sets forth the requirement of zoning consistency with the General Plan and the various land uses authorized by the ordinance to be compatible with the objectives, policies, general land uses, and programs specified in the General Plan; and

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and

WHEREAS, the City of Capitola proposed a comprehensive update to its Zoning Code (Municipal Code Chapter 17) which reflect the goals, policies, and implementation measures in the 2014 General Plan update; and

WHEREAS, the Zoning Code update would establish new and modified land use regulations which will guide future development and design throughout the City of Capitola to implement the General Plan; and

WHEREAS, the proposed Zoning Code update includes new and revised zoning districts, permitting procedures, and development standards throughout the City of Capitola; thus affecting all properties within the City; and

WHEREAS, the proposed Zoning Code update would move the City's Green Building Ordinance from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction); and

WHEREAS, the new Zoning Code update is accompanied by a new Zoning Map which includes the revised zoning districts with correct nomenclature, corrects errors on the previous zoning map, and identifies overlay zones; and

WHEREAS, an Addendum to the General Plan Update Environmental Impact Report was prepared for the new Zoning Code in accordance with State law and CEQA Guidelines; and

WHEREAS, consistent with CEQA and City Guidelines, it was determined that there is no substantial evidence that the new Zoning Code will have a significant effect on the environment; and

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, The Capitola Zoning Code Update affects zoning within the Coastal Zone, therefore the updated Zoning Code must be certified by the California Coastal Commission; and

WHEREAS, The Planning Commission conducted public hearings on April 30, May 18, May 21, June 22, and July 20, 2015 to review the Issues and Options report that focused on larger policy issues within the existing zoning code and relative options to apply to the new

zoning code. During these hearing, the Planning Commission heard public comment and made recommendations on 17 Issues included in the Issues and Options report; and

WHEREAS, the City Council conducted public hearing on April 30, October 19, October 26, and November 12, 2015 to review the Issues and Options report that focused on policy issues within the existing zoning code and relative options to apply to the new zoning code. During these hearings, the City Council reviewed the Planning Commission recommendations, heard public comment, and provided direction on desired implementation within the new zoning code; and

WHEREAS, the new Zoning Code implements the direction provided by the Planning Commission and City Council during the public hearings for the Issues and Options report; and

WHEREAS, the Planning Commission held a public hearing to review and consider the draft Zoning Code on March 3, 2016 and March 17, 2016, and recommended the City Council rescind Chapter 17 of the City of Capitola Municipal Code, rescind the 1986 Central Village District Design Guidelines, adopt the new Chapter 17 of the City of Capitola Municipal Code, move the City's Green Building Ordinance from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction), approve the Addendum to the General Plan Update Environmental Impact Report, and authorize the Community Development Director to submit the new zoning code to the California Coastal Commission for certification; and

WHEREAS, the City Council conducted public hearings on **ADD DATES** and adopted Ordinances No. XXX to rescind Chapter 17 of the City of Capitola Municipal Code, rescind the 1986 Central Village District Design Guidelines, adopt the new Chapter 17 of the City of Capitola Municipal Code, move the City's Green Building Ordinance from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction), approve the Addendum to the General Plan Update Environmental Impact Report, and authorize the Community Development Director to submit the new zoning code to the California Coastal Commission for certification; and

WHEREAS, the new Zoning Code was submitted to and reviewed by CCC and subsequently revised to respond to comments submitted by CCC; and

WHEREAS, the City Council now finds:

1. The proposed draft Zoning Code is deemed to be in the public interest. The updated Zoning Code represents a comprehensive overhaul of the existing code. The updated code presents a refreshed format and organization which is intended to be more user-friendly for the public, decision-makers, developers, and staff. The draft zoning code includes development standards within tables for ease of reference and graphics are used to better illustrate the meaning and intent of various regulations. The draft Zoning Code includes new and revised zoning districts, permit processes, development standards, and procedures which are intended to streamline the development review process while implementing General Plan goals to protect Capitola's coastal village character and to promote design excellence.
2. The proposed Addendum to the General Plan Update Environmental Impact Report is consistent and compatible with the rest of the existing General Plan and any implementation programs that may be affected. The draft Zoning Code replaces the existing Zoning Code Chapter 17 of the City of Capitola Municipal Code. The draft Zoning Code is consistent with the Land Use Element, Open Space and Conservation Element, Mobility Element, Safety and Noise Element, Economic Development Element,

and the 2015-2023 Housing Element. No significant impacts have been identified in the Addendum to the General Plan Update Environmental Impact Report.

- 3. The potential impacts of the proposed Zoning Code have been assessed and have been determined not to be detrimental to the public health, safety, or welfare. It is intended to promote the needs of the community, including protecting Capitola’s coastal village character, promoting design excellence, safe housing conditions, and vital neighborhoods.
- 4. The new Zoning Code was prepared in accordance with California Government Code Sections 65800-65862 and 30500-30525 reviewed and certified by the California Coastal Commission as required by State law. An Addendum to the General Plan Update Environmental Impact Report was completed consistent with CEQA Guideline requirements. The Planning Commission has considered the Addendum to the General Plan Update Environmental Impact Report and finds, based on the entire record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Addendum reflects the City’s independent judgment and analysis.

WHEREAS, City Council has considered the Addendum to the General Plan Update Environmental Impact Report, together with the supporting documentation provided, and based on the basis of the whole record before the Council, finds there is no substantial evidence that the amendment will have a significant effect on the environment and that the Addendum reflects the City’s independent judgment and analysis.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola as follows:

- (a) The Addendum to the General Plan Update Environmental Impact Report for the City of Capitola Zoning Code is hereby approved;
- (b) The City’s Zoning Code is hereby amended to rescind Chapter 17 of the Capitola Municipal Code, rescind the Central Village Design Guidelines, and move the City’s Green Building Ordinance from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction) and adopt the new Zoning Code within Chapter 17 of the Capitola Municipal Code ; and
- (c) The Community Development Director is hereby authorized and directed to submit the new Zoning Code to the California Coastal Commission for final certification.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the XX day of MONTH, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ed Botorff, Mayor

ATTEST: _____

Attachment: March 3, 2016 - Zoning Update PC Staff Report (1410 : Zoning Code Update)

Susan Sneddon, City Clerk

ATTACHMENTS:

1. Proposed Zoning Map
2. Existing Zoning Map
3. Zoning Map Modification List
4. Disposition Table
5. Issues and Option Matrix
6. Addendum to EIR
7. Draft Zoning Code Public Review 02.04.2016

Prepared By: Katie Cattan
Senior Planner

Planning Commission Meeting March 3, 2016
Direction on Zoning Code Update

Topic 1. Zoning Map Modifications

Draft Code:	Proposed Zoning Map	Attachment 1
	Existing Zoning Map	Attachment 2
	Zoning Map Modifications List	Attachment 3

Planning Commission Direction on Topic 1:

1. Add more labels on map for zoning districts to prevent confusion in closely related colors.
2. Bluff area extending from Monarch Cove Inn to Livermore Drive change from VR to P/OS
3. 3945 Melton Street. At request of owner keep current CC zoning. Remove proposed R-1 change.

Topic 2. Development Standards in Mixed Use Zones

Draft Code:	New Development Standards	17.20.030	Page 20-4
	New Design Standards	17.20.030.C	Page 20-5

Planning Commission Direction on Topic 2:

1. Request to change zone names in mixed use zones to follow abbreviation utilized on map.
 - a. Village Mixed Use (MU-V) would be modified to (V-MU).
 - b. Neighborhood Mixed Use (MU-N) will be modified to (N-MU).
2. Request to revisit Topic 2 when all Planning Commissioners are present.

Topic 3. Required parking in the Mixed Use Neighborhood

Draft Code:	On-Site Parking in MU Zones	Table 17.76-1	Page 76-2
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Planning Commission Direction on Topic 3:

1. Request to revisit when all Planning Commissioners are present.

Topic 4. 6 Seat Rule for Takeout Establishments

Draft Code:	Parking for Take-out in MU-N and MU-V	Table 17.76-1	Page 76-2
	Parking for Take-out in all other districts	Table 17.76-2	Page 76-3
	Definition of Eating and Drinking Est.	17.160(E)(1)a-c	Page 160-5

Planning Commission Direction on Topic 4:

1. Increase area accessible to the public for a takeout establishment from 160 sf to 300 sf.

Topic 5. On-site Parking Alternatives

Draft Code:	On-Site Parking Alternatives	17.76.050	Page 76-9
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Planning Commission Direction on Topic 5:

1. 17.76.050.C. Off-Site Parking:
 - Change D.4 to delete reasonable distance standard and allow shared parking for multi-family residential uses within approximately 1/8 mile of and commercial uses within approximately ¼ mile of shared parking lot.
2. 17.76.050.D Shared Parking

Attachment: March 3, 2016 Planning Commission direction on Draft Code (1410 : Zoning Code Update)

- Maximum limit to reduction in MU-V and MU-N is 25%.
 - Add definition for shared parking
 - Add definition for off-site parking
3. 17.76.060.E Valet Parking
 - Add allowance for a valet parking drop-off/pick-up area within the village that can be utilized by a private company to provide valet parking to any visitor of the village, not limited to a single business.
 4. 17.76.060.F
 - No changes.
 5. 17.76.060.G Transportation Demand Management Plan
 - Edit #3 to replace “approved” to “submitted and reviewed by the Community Development Director...”
 - Edit #7 to specify that the use permit may be revoked, rather than the TDM Plan.
 6. 17.76.060.H Transit Center
 - Discussed removing 400 foot limit and add limit to mall property only.
 - Discussed inefficient transit operations
 - Request to revisit
 7. 17.76.060.I Fees in Lieu of Parking
 - Request to revisit after City Council discussion on March 24th.

Topic 6. Incentives for Community Benefits

Draft Code: Chapter 17.88 Incentives for Community Benefits

Page 88-1

Planning Commission Direction on Topic 6:

1. 17.88.020. Strengthen language to clarify that all community benefits must go beyond what is currently required by the code.
2. 17.88.030. Add a map to show locations where community benefit may be applied.
3. 17.88.030. Explain that the list includes multiple options for allowable benefits and that multiple benefits may be combined. Also, add description that the community benefits must adequately balance the value of the incentive.

Staff Clarification:

17.88.040. Clarification per General Plan:

- 41st Avenue areas in CC and CR have FAR max subject to findings: 2.0 (General Plan LU-9.3)
- Central Village area FAR max for Village hotel: 3.0 (General Plan LU-7.3)
- Community Benefit chapter will apply to hotel projects in the village in accordance with General Plan policy LU-7.3

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
1	Chapter 17.16.030. A – Page 16-3. General Standards – Single Family and Multi-Family Zoning Districts (Smith)	Table 17.16-2: Development Standards in the R-1 and RM Zoning Districts – discuss min lot size	
2	Chapter 17.16.030.B.2 Page 16-4. Front Setbacks in Riverview Terrace (Westman)	<ul style="list-style-type: none"> Define distance of neighboring properties. Current code states 500 feet. This is too vast. Staff suggested modification: “Within the areas shown in Figure 17.16-1, the Planning Commission may approve a reduced front setback to reflect match existing front setbacks on of neighboring properties within 100 feet on the same side of the street. The reduced front setback shall in all cases be no less than 10 feet.” 	
3	Chapter 17.16.030.B.2. Page 16-5. Front Setbacks in Riverview Terrace (Westman)	<ul style="list-style-type: none"> General comment that the sidewalk exempt designations should be updated to make sure they are valid and appropriate. The sidewalk exempt map should be made available for the public. 	
4	Chapter 17.16.030.7. Page 16-7. Plate Height in Side Setback Areas.	This is from the existing code but should be removed due to the new allowance for narrow lots not to have a second story setback. The setback exception is listed under 16.16.030.B.5.	
5	17.16.030.B.8.a(1) Page 16-7. Decks and Balconies (Westman)	Discuss distance of setbacks for administrative review of upper floor decks and balconies. Proposed at 10 feet from property line and 20 feet from single-family dwelling	
6	Chapter 17.16.030.C.2. Table 17.16-4 “Usable Open Space in RM Zoning District. Footnote 2. (Westman)	Footnote 2 – “Roof terraces and roof gardens may provide up to 50 percent of the required common open space area” – This applies to the Common Open Space minimum area requirement of 15%. Common open space is accessible to all residents of a multi-family development. Request to	
7	Chapter 17.20 - Page 20-1 - Mixed Use Zoning District (Westman)	We should discuss separating the MU-V and MU-N districts. The goals and development standars for the two districts are different and the current chpater is confusing.	
8	Chapter 17.20.030 – Page 20-4. Development Standards Table 17.20-2 – Development Standards in the Mixed Use Zoning Districts (Newman)	Remove parcel width & depth. They do not work.	
9	Chapter 17.20.30.A - Page 20-4 General Development Standards (Smith)	How do we meet the new minimum parcel dimensions and maximum front setbacks today? How many nonconforming structures are we creating with these new specifics?	
10	29) Chapter 17.20.030.C. Page 20-5 General Design Standards. (Westman)	Section C should not apply to residential development.	
11	Chapter 17.20.030.C.5 – Page 20-8 – Parking Location and Buffers (Smith)	Standard may prevent residential on-site parking under living. Example 321 Capitola Ave	
12	Chapter 17.20.030.E – Page 20-10. Setbacks in the MU-N Zoning District (Westman)	Should not apply to residential. “Front setback areas for commercial and mixed use buildings in the MU-N Zoning District	
13	Chapter 17.24 - Commercial and Industrial Zoning Districts (Westman)	The autoplaza should be an overlay zone to eliminate automobile repairs, used car sales, etc. on 41st avenue.	
14	Chapter 17.36 – Planned Development Zoning District (Westman)	Request discussion of PD	
15	Chapter 17.36.040.G - Page 36-4 - Substantial Public Benefit Defined (Westman)	Planning commission should discuss Substantial Public Benefit Definitions as they apply to Planned Developments	

Attachment: List of Commissioner's Discussion requests (1410 : Zoning Code Update)

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
16	Chapter 17.40.20.I.3(a-f) – Page 40-5 – Design Standards – Pedestrian Orientation (Westman)	This is more restrictive than underlying zoning. Suggest removing.	
17	Chapter 17.40.20.I.5 – Page 40-6 - Affordable Housing Open Space. (Westman)	This is more restrictive the open space standard for multi-family. In general, affordable housing development standards should either be equal to the zoning regulation or less stringent as an incentive.	
18	Chapter 17.52.020.A.3 - Page 52-1 - All Accessory Structures (Smith)	Should all Accessory Structures be allowed basic electric (light) fixture and outlet without additional requirements for design review and floor area calculation. Also reference in Chapter 17.7.20 page 120-3)	
19	9) Chapter 17.52. 020. B.1 – Page 52-2. Development Standards. Table 17.51-1: Accessory Structure Standards in Residential Zoning Districts (Smith)	Could you have an apartment on top of a garage if the garage was not located in setbacks?	
20	Chapter 17.76.030.A – Table 17.76-1 – Page 76-2 - Required Parking Spaces – Mixed Use Zoning Districts (Westman)	Request discussion of parking for mixed use.	
21	Chapter 17.76.030.B – Table 17.76-2 – Page 76-3 - Required Parking Spaces – Other Zoning Districts (Westman)	Secondary Dwelling Units should require a 3rd parking space. Discussion requested.	
22	Chapter 17.76.040.C.3 – Page 76-8 – Location of Parking MU-V Zoning District (Westman)	Track ordinances. Why does the code require off-site parking in village for historic? If they have adequate space we should allow more onsite parking for residences.	
23	Chapter 17.76.040.D – Page 76-8 – Large Vehicle Storage in the R-1 Zoning District (Westman)	Add maximum width	
24	Chapter 17.76. 040. D – Page76-8. Large Vehicle Storage in the R-1 Zoning District (Smith)	Too restrictive, suggest removing second sentence	
25	Chapter 17.76.050.D.1 Shared Parking (page 76-10) (Welch and Newman)	Discuss the exclusion of residential land uses from shared parking (Welch) Too rigid (Newman)	
27	Chapter 17.76.050.G – Page 76-11 - Transportation Demand Management Plan (Westman)	Add standards for parking studies	
28	Chapter 17.76.050.H – Page 76-11 - Transit Center Credit (Westman)	Discuss	Discussed on 3/3/2016
29	Chapter 17.76.060.H – Page 76-15 - Pedestrian Access (Westman)	Applicable to village? Discuss.	
30	Chapter 17.80.050.A.3 - Page 80 - 4 - Flag Signs (Westman)	Discuss new allowance for flag signs	
31	Chapter 17.80.060.F - Page 80-6 - Digital display and electronic reader board signs (Westman)	Discuss. Possible use to show number of parking places.	
32	Chapter 17.80.070.C - Page 80-6 - Illumination (Westman)	Discuss neon signs. Beer signs.	
33	Chapter 17.80.080.B. 7 - Monument Signs limit to 4 tenants (Westman)	Max limit of 4 tenants on Monument sign	
34	Chapter 17.80.080.F.1 - Page 80-9 - Window Signs (Westman)	What is legal to regulate?	
35	Chapter 17.80.080.G.13 - Page 80-11 - Sidewalk signs in MU-V zoning district (Newman)	Suggest removing max limit of sidewalk signs for fairness.	
36	Chapter 17.80.110. - Page 80-17 - Temporary Signs (Westman)	Discussion	

Attachment: List of Commissioner's Discussion requests (1410 : Zoning Code Update)

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
37	Chapter 17.88.030.J - Page 88-2 - Public Art (Westman)	Already required. Must go beyond requirement	Discussed on 3/3/2016. Reword/strengthen language in 17.88.020. Add to descriptions of allowable benefits.
38	Chapter 17.92 - Page 92-1 - Non-Conforming Parcels, Uses, and Structures (Westman)	Discussion	
39	Chapter 17.92.080.C.2 - Page 92-7 - Substantial Demolition (Smith)	Discussion on removal of substantial demolition	
40	Chapter 17.96.020. B – Page 96-2 – Household Pets (Westman and Smith)	Limit max number. (Suggest 10 total)	
41	Chapter 17.96.100. Page 96-9 Permanent Outdoor Displays (Welch)	Permanent Outdoor Displays will become a management/code enforcement issue. Do we want to create a path to allow these in the code or prohibit?	
42	20) Chapter 17.96.180 – Page 96-16. Temporary Sidewalks Dining (Smith)	Conversion of on-street parking might need discussion - probably OK as is, but do we want to add any limitations to times and/or presence of street closures/events?	
43	Chapter 17.96.200 – Page 96-20 – Unattended Donation Boxes (Westman)	Discussion	
44	Chapter 17.120.030. B. 5 –Page 120-3. Single-Family Exemptions (Smith)	Remove "electricity"	

Attachment: List of Commissioner's Discussion requests (1410 : Zoning Code Update)

	A	B	C	D
1	#	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
2	1	Throughout Document (Newman)	Consistency in Capitalization: Coastal, Local, State, Federal	
3	2	Chapter 17.04.020.B.10 - Page 04-1. Purpose and Effect of Zoning Code; (Westman)	Support a balanced transportation system that accommodates the needs of automobiles, pedestrians, bicycles and bicycles other forms of transportation"	
4	3	Chapter 17.08.020 - Page 08-1. Interpretation; Section 020 - Authority (Westman and Newman)	The City Council delegates to the Community Development Director and the Director's designees the authority, <u>in accordance with 17.08.040</u> , to interpret the meaning and applicability of all provisions in the Zoning Code".	
5	4	Chapter 17.12.030.C - Page 12-3. Zoning Districts and Map: Zoning Map, Subsection C - Location (Westman)	The Zoning Map is kept, maintained, and updated electronically by the Community Development Department, and is available for viewing by the public at the Department. And on the official City of Capitola website"	
6	5	Chapter 17.16.010.B.2 - Page 16-1. Specific (Westman)	B.2. Mul•Family Residen•al (RM) Zoning District - Housing in the RM zoning district is will be carefully designed to enhance Capitola's unique identity and to minimize impacts on adjacent land uses and structures".	
7	6	Chapter 17.16.030.A. - Page 16-3. Development Standards and Site Requirements (Westman)	Add language to clarify that Site requirements are for purposes of future subdivisions. Existing legal lots of record may be developed including substandard lots.	
8	7	Chapter 17.16.030.A. Page 16-3. Table 1716-2. (Westman)	Add front yard setback for garage in table. It is listed under 17.16.030.B.3 but would be easier for reader to also be included in the table. Add garage reference under Additional Standards column (17.16.030.B.3). Chapter 17.16.030.A. Table 1716-2.	
9	8	Chapter 17.16.030.3.A - Page 16-5 - Garage Setback (Smith)	Clarify. Should garage setback be measured from property line or setback rather than building wall?	
10	9	Chapter 17.20.010.B.2 - Page 20-1. Specific. (Westman)	2 - Development in the MU-N zoning district is will be carefully designed to complement its surrounding and minimize impacts on neighboring properties".	
11	10	Chapter 17.20.010.B - Page 20-1. Purpose of the Mixed Use Zoning Districts; Subsection B (Welch)	Suggest renaming to follow nomenclature. • 1 - Village Mixed Use (MU-V) change to "Mixed Use - Village" Zoning District"; 2 - "Neighborhood Mixed Use (MU-N) change to "Mixed Use - Neighborhood" Zoning District"	
12	11	Chapter 17.20.020.A. Permitted land uses. Table 17.20.020 page 20-3 (Staff)	Vaca•on rental. Reference See Chapter 17.40.030"	
13	12	Chapter 17.20.030.D.1 - Page 20-9 - Setbacks in the MU-V Zoning District (Welch)	The Planning Commission way may modify or waive this requirement upon finding that:	
14	13	Chapter 17.20.030. D.1 – Page 20-9 - Setbacks in the MU-V Zoning district (Newman)	Loosen standard building within 0-10' of property line.	
15	14	Chapter 17.20.30.F Page 20-10 - Height and FAR Standards for the Village Hotel (Westman)	Request legal review to ensur this is not spot zoning•	
16	15	Chapter 17.24.010.B. Page 24-1 - Regional Commercial (C-R) Zoning Districts (Westman)	Office, medical, and residential uses are restricted in prime retail locations to protect the long-term economic vitality of the corridor. There is no definition for "prime retail location".	
17	16	Chapter 17.24.020 Permitted Land Use - Page 24-2 (Westman)	Table 17.24-1 - Permitted Land Uses in Commercial and Industrial Zoning Districts. Footnote 5. Permitted only on a mixed use site with the residential use secondary to the primary commercial uses on the site. Residential uses on the site are limited to less than 50 percent of the floor area of buildings on the site. Residential uses shall be located and designed to maintain a primarily commercial character and function of the site." - reword for clarity.	
18	17	Chapter 17.24-1 - Page 24-2 - Land Use Table (Smith)	Need to define custom manufacturing vs. light manufacturing.	
19	18	Chapter 17.24.030.D.2 - Page 24-6 - Daylight Plane (Westman)	Figure 17.24-2 - Residential Transitions - Daylight Plane - Include in MU-N district	
20	19	Chapter 17.24.030.B. - Page 24-5 - Front and Street Side Setbacks in CR and CC. (Westman)	Inconsistent with the sign ordinance setbacks for monument signs.	

Attachment: List of Commissioners' Edits (1410 : Zoning Code Update)

	A	B	C	D
1	#	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
21	20	Chapter 17.24.030.D.2 and Figure 17.24.2 - Page 24-6 - Daylight plane (Smith)	There is a conflict. Text says Daylight Plane is 20' high. Figure shows 25' high.	
22	21	Chapter 17.28.010.B.5 - Page 28-1 - Visitor Serving - General (Smith)	add (VS-G)	
23	22	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor Serving Zoning Districts Page 28-3 (Westman)	Schools, Public or Private - Subzone VS-G - Draft code: Conditional Use. Suggest Change to Prohibit.	
24	23	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor Serving Zoning Districts Page 28-3 (Westman)	VS Subzones - Typo. Top of columns should be "VS-G, R, SB, MC, ES"	
25	24	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor Serving Zoning Districts Page 28-3 (Westman)	Footnote 10 - Events may not exceed 10 days; Comment - Long but reflects current code.	
26	25	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor Serving Zoning Districts Page 28-3 (Westman)	Footnote 11 - Limited to single one-day event per year; Suggest modifying to two-days. Current rule prohibits Car Show during the summer months (Commissioner Smith also raised this issue)	
27	26	Chapter 17.28.040.A. Page 28-5. Standards in the Visitor Serving Zoning District (Westman)	Table 17.28-2: Development Standards in the Visitor Serving Zoning Districts - Add heights for subzones. Staff comment: as written, the new code reflects the existing code. The individual subzones do not have special height standards. Table 17.28 says that all new subdivision in the Village or any other Visitor Serving location can have a building height of 30 feet. The other section on Village height says that you can only have 30 feet if you have a 5/12 pitch or greater. Which is correct?	
28	27	Chapter 17.32.020.C - Page 32-1. Visitor Accommodations in New Brighton State Beach (Westman)	Section sets maximum intensity of three units per gross lot area. State regulated. Check with Coastal Commission if we can remove from code.	
29	28	Chapter 17.32.020.E - Page 32-3 Public Parking in the Coastal Zone (Westman)	Not necessary to have in zoning code. Remove section	
30	29	Chapter 17.36.060.B. 1-3 - Page 36-2. Application Submittal & Review (Newman)	Clarify two-step process and that preliminary approval does not give development rights.	
31	30	Chapter 17.40.020.G - Page 40-3 - Income Restrictions (Westman)	Rewrite to make the requirement clear.	
32	31	Chapter 17.40.020.L - Page 40-7 - AH Overlay - Additional Application Requirements (Westman)	An application for an affordable housing development within the -AH overlay zone shall be filed and reviewed in compliance with Chapter 17.112 (Permit Application & Review) - wrong reference. Katie's comment. Susan there must be a mix up. 17.112 is the permit application and review section. I'd suggest removing your comment or redirect if I got the wrong reference.	
33	32	Chapter 17.40.030.E.5 - Page 40-8 - Permit Revocation (Smith)	after a Minor Permit is revoked, the permit holder may <u>not</u> reapply for a new permit <u>for one year</u> after revocation	
34	33	Chapter 17.44.020.G - Page 44-3 - Major Public Works Facility. (Westman)	Justify raising number based on value amount. Check coastal acknowledgment.	
35	34	Chapter 17.44.040.J.1 - Page 44-9 - Temporary Events (Westman)	"The event will not occur between the Saturday of Memorial Day weekend through Labor Day, or if proposed in this period will be of less than one <u>two</u> day in duration including setup and take-down;" - change to 2 days (car show)	
36	35	Chapter 17.44.070. 1 - Page 44-9. Conversion of Existing Multi-Unit Residential Structures (Newman)	"The conversion of any existing multi-unit residential structure to a time-share <u>condominium</u> project, estate, or use as defined in Section 11212 of the Business and Professions Code".	
37	36	Chapter 17.44.080 - Page 44-10 - Coastal Boundary (Smith)	Should note where the "Capitola Permit and Appeal Jurisdiction Map" can be found or at least identify Zone A and Zone B on a map in the Zoning Code reference	
38	37	Chapter 17.44.110.A - Page 44-13 - Public Notice and Hearing - Planning Commission Review (Westman)	Check reference to 17.148	Correct reference
39	38	Chapter 17.44.120.B - Page 44-14 - Coastal Overlay Zone - Findings for Approval (Westman)	Remove finding B for views.	

Attachment: List of Commissioners' Edits (1410 : Zoning Code Update)

	A	B	C	D
1	#	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
40	39	3) Chapter 17.48.020. B – Page 48-2. Height Exceptions: Table 17.48-1: Allowed Projections Above Height Limits (Smith)	"Flagpoles not over 8 inches in width/ diameter".	
41	40	Chapter 17.48.030. A – Page 48-2. Setback Measurement - Figure 14.48-2: Setback Measurement (Smith)	Add note to "See specific zones for required zone setbacks"	
42	41	Chapter 17.48.030. D – Page 48-4. Accessory Structures in Setback Areas (Smith)	<ul style="list-style-type: none"> • Modify. Keep 4. Pool setback as is. • Add a separate line for hot tub with 2 foot setback. 	
43	42	Chapter 17.52.020. A.4 –Page 52-1. All Accessory Structures (Smith)	Is three feet necessary? Check with Building official and remove if ok	
44	43	Chapter 17.52.020.A.6 – All Accessory Structures (Westman)	Make distinction, can you use as office but not as a dwelling? Clarify -	"Accessory structures may not be designed or used for <u>human habitation</u> as a second dwelling unit, except in those applications or secondary dwelling units consistent with section 17.74 (Secondary Dwelling Units)" Need definition for human habitation
45	44	Chapter 17.52.020.B.1 – Table 17.52.1 – Page 52-2 (Westman)	Is this consistent with Issues and Options direction?	<p>Issues and Options Direction: Secondary Structure in Rear Yard</p> <ul style="list-style-type: none"> o Decrease rear yard setback from 8 feet to 4 feet. o Maintain 17.15.140.G "The width of detached garages or carports in the rear yard is limited to twenty-one feet. The height is limited to fifteen feet (nine feet to the top of the wall plate) for secondary structures located a minimum of 8 feet from the rear property line. However, the planning commission may approve an exception to allow additional height if necessary to match the architectural style of the existing primary structure." o <u>ADD: Secondary Structures less than 8 feet from the side yard may not exceed 12 feet in height.</u> o Maintain required 2 foot landscape buffer between driveway and property line. o Maintain front setback (40 feet), side yard setback (3 feet) and setback from primary structure (3 feet) o Add statement in residential zoning districts an existing garage located within the required setback areas are legal non-conforming structures that may be updated but the non-conformity may not be expanded.
46	45	Chapter 17.56.020 - Page 56-1 - Coastal permit	Make sure to reference this chapter in the Coastal Zone	
47	46	Chapter 17.60.030.B.2 – Page 60-2 – Decorative Features and Materials (Smith)	Edit to be consistent with allowance of 10' Trellis.	"Decorative arches and other similar features above an entry walkways may be up to 8 10 feet in height within a required front and exterior side setback"
48	47	Chapter 17.64.030.D - Table 17.64-1 - Page 64 (Westman)	Tannery Gulch Riparian Corridor setback is from Riparian Corridor not the oak woodland vegetation. Previous error in code that should be removed.	"50 feet from outer edge of riparian and oak woodland vegetation"
49	48	Chapter 17.64.040 - Page 64-3 - Soquel Creek and Lagoon (Westman)	There was a previous allowance for docks that is not in the existing code or the update. Suggest adding standard.	
50	49	Chapter 17.64.050 – Page 64-3 – butterfly habitat (Westman)	Add "Rispin"/Soquel Creek to better describe area.	"The following standard applies to both the <u>Rispin</u> /Soquel Creek and the Escalona..."
51	50	Chapter 17.68.020.B.1 - Page 68-2 - Geological Report (Westman)	Too specific. Make more general. Report reference will likely change over the years.	
52	51	Chapter 17.72.060. A – Page 72-4. Landscape Standard: General Standards (Newman)	Should clarify that the standards are only required subject to 17.72.020 A-C. "The following standards shall be in compliance within all zoning districts within applicable development as outlined in 17.72.020 A-C"	
53	52	Chapter 17.74.040.I.1 - Page 74-3- Alley Orientation (Smith)	<ul style="list-style-type: none"> • "Alley Orientation" • This is within existing code; suggest to remove alley orientation and update with language that reflects finding 17.74.050.G for orientation. 	

Attachment: List of Commissioners' Edits (1410 : Zoning Code Update)

	A	B	C	D
1	#	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
54	53	Chapter 17.76.020 – Page 76-1 – Applicability (Westman)	Add description after applicability title stating that section applies to 3 different development scenarios.	*This section applies to administration of several development scenarios including: new structures and uses, replacement of existing uses, and expansions and enlargements.
55	54	Chapter 17.76.030.A (page 76-2) Parking in Mixed Use Zoning Districts (Welch)	Table 17.76-1: Required on-site Parking in Mixed Use Zoning Districts • i.Rename Village Mixed Use" to "Mixed Use - Village" AND "Rename "Neighborhood Mixed Use" to "Mixed Use - Neighborhood"	
56	55	Chapter 17.76.040.B.1 – Figure 17.60-1 – Page 76-7 - Parking in Front Setback Area in R-1 (Westman and Smith)	10 feet too narrow; change to 20 ft. wide max. (Westman and Smith) also limits perpendicular parking (Smith)	Reflect existing code with max width of 40% of lot width up to a maximum of 20 feet. Narrow lots may have a minimum of 14' driveway width.
57	56	Chapter 17.76.040.B.2.0 Page 76-7 - Other Zoning Districts (Smith)	MU-N – address parking in front yard in mixed use neighborhood; Clarify to allow limited area of parking that may be in the front yard.	
58	57	Chapter 17.76.050. C.2 – Page 76-10. Off-site Parking (Newman)	Typo. On Off-site parking shall be located within a reasonable distance of the use it is intended to serve, as determined by the Planning Commission".	
59	58	Chapter 17.76.050. C.3 – Page 76-10. Off-site Parking (Newman)	A covenant record deed restriction or other legal instrument , approved by the City Attorney, shall be filed with the County Recorder"	
60	59	Chapter 17.76.040.E.1 Page 76-10 - Valet Parking (Westman)	Code states to be staffed at all times. Only needs to be staffed when business is open	Revise "Valet parking lots must be staffed <u>when business is open</u> at all times by an attendant who is authorized and able to move vehicles"
61	60	Chapter 17.76.050.D.2 Shared Parking (page 76-10) (Welch)	Clarify that parking study is required. Deposit paid by applicant and study contracted by City, reviewed by Community Development Director, and ultimately approved by Planning Commission	
62	61	Chapter 17.76.070 – Page 76-16 – Parking Lot Landscaping (Westman and Smith)	Add exceptions (Westman) Add flexibility to regulate canopy without requiring too many trees. (Smith)	
63	62	Chapter 17.76.050. G.5 – Page 76-11. Transportation Demand Management Plan (Smith)	Clarify program coordination	
64	63	Chapter 17.76.080. H – Page 76-19. Bicycle Parking Cover (Smith)	Allow flexibility for creative designer and function	
65	64	Chapter 17.84.030 – Page 84-3 - Authority to Maintain (Westman)	*The Director may add or remove structures from the list based on input from the State Certified Architectural Historian and the City Historian	
66	65	Chapter 17.96.020. C.1 – Page 96-2. Chickens (Smith)	Location of Chicken Coops; not in front yard or exterior street	
67	66	Chapter 17.96.020.E – Page 96-2 – Prohibited Animals (Westman)	Add ducks	"Roosters, fowl other than chickens and ducks , goats pigs other than potbelly pigs, and other livestock".
68	67	Chapter 17.96.100.D – Page 96-9 – Standards for permanent outdoor display (Westman)	Add standard for location on private property and not allowed in public R.O.W.	
69	68	Chapter 17.96.110.D.1 – Page 96-11 – Prohibited Lighting (Westman)	What is a drop down lens? Clarify or remove.	
70	69	Chapter 17.96.180.B.4.e - Temporary Sidewalk Dining (page 96-17) (Welch)	Furniture and Signage Location; e - Is the allowance for signs on awnings and umbrellas consistent with the sign section of the code?	
71	70	Chapter 17.96.180.B.7 -Temporary Sidewalk Dining (page 96-18) (Welch)	Hours of Operation - Add days of week: Sidewalk dining may occur between 7 a.m. and 10 p.m. 7 days a wee	
72	71	Chapter 17.108.030 – Page 108-1. Review and Decision Making; Table 17.108-1: Review and Decision Making Authority (Smith)	Define 'Reasonable Accommodations' under Other Approvals	
73	72	Chapter 17.156.070. C. 5 – Page 156-3. Minor Changes (Smith)	"A feature of the project that was a specific consideration of approval." Does this mean if we talk about it at the public hearing it fits?	
74	73	Chapter 17.156.080. C.3 – Page 156-5. Extension of Time (Smith)	Define '...up to expiration date of a valid tentative for projects...' What is a valid tentative?	
75	74	Chapter 17.160.020. B.3 – Page 160-2. "B" Terms (Smith)	Basement – portion below grade	

Attachment: List of Commissioners' Edits (1410 : Zoning Code Update)

	A	B	C	D
1	#	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
76	75	Chapter 17.160.020.H – Page 160-7. "H" Terms (Smith)	<ul style="list-style-type: none"> • Home Day Care i. "Home day care facilities, large" means a day care home facility supervising 8 persons or less 9 to 14 persons. ii. "Home day care facilities, small" means a day care home facility supervising 9 to 14 persons 8 persons or less. 	