



SPECIAL MEETING AGENDA

CAPITOLA PLANNING COMMISSION

Monday, April 18, 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 17, 2016 6:00 PM

4. PUBLIC HEARINGS

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

A. 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

5. DIRECTOR'S REPORT

6. COMMISSION COMMUNICATIONS

7. ADJOURNMENT

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review 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 17, 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: Arrived 7 p.m, Chairperson TJ Welch: Present, Commissioner Susan Westman: Present.

2. ORAL COMMUNICATIONS

No additions or deletions

A. Additions and Deletions to Agenda

None

B. Public Comments

Ron Graves spoke about the Orchard Supply remodel. He is concerned about outdoor sales materials on walkway and storage.

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. APPROVAL OF MINUTES

A. Planning Commission Special Meeting of March 3, 2016

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Smith, Ortiz, Welch, Westman
ABSENT:	Newman

4. CONSENT CALENDAR

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

Minutes Acceptance: Minutes of Mar 17, 2016 6:00 PM (Approval of Minutes)

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

Senior Planner Katie Cattan announced that three of the five Planning Commission members must recuse themselves from this item since they own property within 500 feet of the project. In order to have a quorum, the commission must use the rule of necessity and draw straws to select a member to participate. Commissioner Westman was selected. Commissioner Ortiz left the Council Chambers.

MOTION: Approve a Design Permit, Conditional Use Permit, Coastal Development Permit, and Variance based on the following conditions and findings:

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 17, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The structure may be built to the maximum zone height of the R-1 district of 25 feet.
3. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At time of submittal for building permit review, a no rise study must be submitted to the City at the satisfaction of the Building Official.
6. 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.
7. 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.
8. 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.

9. 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).
10. 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.
11. 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.
12. 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.
13. 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.
14. Prior to issuance of building permit, all Planning fees associated with permit #16-025 shall be paid in full.
15. 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.
16. 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.
17. 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.
18. 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).
19. 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.

20. 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.
21. 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
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Linda Smith, Commissioner
AYES:	Smith, Welch, Westman
RECUSED:	Ortiz
ABSENT:	Newman

5. PUBLIC HEARINGS

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

Planner Cattan presented staff report for conceptual review at 419 Capitola Avenue. Current use is duplex. Planner Cattan explained the unique characteristics of the block and site, including angled lots, substandard depth of lots, existing structures which do not comply with front yard setbacks, and gateway to the village. The lot is unique within the block in that it has a backyard.

Planner Cattan presented the conceptual review of 4 different design options. Explained that the concepts are just massing and land use concepts, with no articulation. At time of application the architects will include articulation to further break up the massing.

Option 1 includes a new addition on third story that complies with code. Building is angled due to angle of lot. Massing on third story is stepped back from Capitola Ave. Parking is met on site. Noted that the rear porch is included in all concepts and it does not comply with setbacks.

Option 2 includes additional massing on front of building. Third story steps back. Option requires a variance to front and side yard setbacks. Parking is met onsite.

Option 3 includes an addition directly above the existing second story. Option requires a variance for front and side yard. Parking is met onsite.

Option 4 includes a complete tear down and redevelopment. Option includes commercial on first floor and residential on the top two stories. Parking is not met onsite. In lieu parking would be required. Variance would be required for setbacks and the in lieu policy would have to be modified by City Council.

Planner Cattan added that the applicant is also interested in inclusion in the Vacation Rental zone. Asked if Commission had any questions. The Planning Commission had no questions for staff.

Applicant Dan Gomez of Fuse Architects provided additional details on the concepts. Explained goal of improving building and importance within gateway into the village.

Discussed the pros and cons of each option. Asked for Planning Commission feedback on design preference, parking, and residential versus commercial use.

Public Comment – Resident Ron Graves provided input that the building needs an upgrade, wants to see building step back, and not one large box. The rear yard deck is a privacy concern. The 4th is the worst option. Without renderings of architectural features, all options look bad. Mr. Graves added that there are flaws of conceptual review process. Code does not require notifications to neighbors. Neighbors deserve to see details to know what they are up against. Requested that the Planning Commission deny conceptual review and require applicant to resubmit detailed plans.

Commissioner Westman explained the building should be redeveloped, but concerned with impact of 3 stories relative to historic neighborhood. Must have no significant negative impacts. Also would like to see a daylight study included in the new proposal. Not in favor of commercial on first floor. Would prefer it stay residential and parking should be relative to single use and provided onsite. Not immediately opposed to making it a TRO property. Explained she could support 2 ½ stories. Support building coming forward closer to Capitola Avenue. Include garage doors.

Commissioner Smith agrees with Commissioner Westman's comments for the most part. Commissioner Smith explained residential use needs to have onsite parking. It is a mixed use neighborhood, so this being a mixed use would be OK. She also has no issue with TRO use here.

Chairperson Welch explained that the massing in the concepts is misleading in that it is hard to envision the future details. The options are conceptual in nature and therefore he is not concerned with massing, knowing that the submitted plans would be articulated. He supports the idea of mixed use but agreed that parking is an issue. Not concerned with side yard or front yard setbacks. Would support the building being placed closer to the street.

Planner Cattan asked Commissioners if there is a preference for Option 2 or Option 3.

Commissioner Westman and Chairperson Welch stated option 2 is preferred. Commissioner Smith does not have a preference for one over the other. She added that she would like to see a garage door. Commissioners would support a variance for building along street.

Commissioner Westman stated she would not support 3rd story if it has a flat roof.

Chairperson Welch added that he is open to options 1 or 3 as well.

Commissioners recognized that in-lieu parking is not a likely option.

Commission expressed support for property to be included in TRO.

Commissioner Westman added that she could not support rear-yard deck due to privacy concerns.

Applicant Dan Gomez explained that the majority of roof would be flat and they have played with the idea of green roof. Commissioner Westman recommends they work with the neighbors to minimize negative impacts.

Commissioner Smith added that 3 stories could be OK if you can include architectural articulation so that it is not a maxed out box.

Community Development Director Rich Grunow clarified that a TRO update would be a zoning ordinance amendment, requiring approval by City Council and certification by Coastal Commission. Requires significant time and may be challenging.

RESULT: COMMENTS PROVIDED – NO VOTE

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

Director Grunow responded to Chairman Welch's question about the status of the consultant contract and indicated that the contract is nearly expired and that staff is negotiating a new contract with Ben Noble to continue working on the code update.

Motion by Commissioner Westman to reopen public comment. Motion passes unanimously.

Ed Burwick - lives near Gayle's bakery. He likes having an AirBnB so that the house is not always vacant all the time. Makes them feel safer, as well as the rest of the neighborhood. Any change he can have a temporary one if there are no complaints? Director Grunow commented on process to amend TRO zone - zoning code amendment by City Council and LCP Amendment through Cali Coastal Commission – process takes time.

Public Hearing closed.

Commissioner Westman reiterates the importance of informing public and taking our time during this process.

Planner Cattan presented zoning code update. Provides overview of the process, will review code in order of document starting at beginning finishing at the end. Review the code systematically.

1) User Guide of zoning code - "how to" guide for zoning code. Presented an overview of how the document is utilized between the 5 parts. Planner Cattan asked if there are any questions on the "User Guide" section. Commissioners did not have questions.

Commission Westman asked if minor edits be reviewed at the PC level?

Director Grunow clarified that the minor edits list will not be discussed unless a Commissioner has questions or comments about a specific item. The presentation will include all requested discussion points.

Planner Cattan presented an overview of Part -1 Enactment and Applicability. – She explained there are a few minor edits including adding other alternative transportation types and capitalization. Planner Cattan asked if the Commission had additional comments. - No comments from Commission.

Planner Cattan explained next section is Interpretation – Asked if there were any comments? None received.

Planner Cattan presented the Zoning Districts and Zoning Map - Ties code to zoning map. Request from Commissioners to change from Village Mixed Use to Mixed Use Village so the words align with the truncation MU-V. Same for MU-N. Change to Mixed Use Neighborhood.

Commissioner Westman explained edit to 17.12.030.C to remove end of sentence “and on the official City of Capitola Website” Westman explained her request to take the requirement out of the draft code. It should be available online, but it should be a requirement of the code.

Direction: to 17.12.030.C to remove end of sentence “and on the official City of Capitola Website”

Commission Ortiz noted that Bay Avenue was not included in the note on page 12-1 in the description of the neighborhood mixed use district. Katie verified that the notes are just for PC and public during update process of the code. Commissioner Ortiz retracted her suggest edit.

Planner Cattan presented the updated zoning map. Planner Cattan explained there are two corrections to the proposed zoning map. The parcel along the bluff that extends in front of Monarch Cove Inn to Livermore Avenue is incorrectly identified as Visitor Accommodations. This is the bluff parcel and is open space on the current zoning map. The map will be corrected to change this parcel to P/OS.

Direction: Support to modify map from VA zoning to P/OS for the bluff parcel along Depot Hill from Monarch Cove Inn to Livermore Avenue.

Discussed 3945 Melton Street. General Plan designation is SF. Existing map has property as Community Commercial. Proposed map changes to SF. Planner Cattan explained she talked with the owner and he would like to maintain CC zoning on Melton. Planning Commission support for request.

Direction: support to maintain CC zoning at 3945 Melton Street as commercial.

Commission Welch - visitor serving on El Salto residential, does that mean they need to provide public access? This should be corrected. Director Grunow clarified that public paths is not obligated, but is listed as a conditional use within the visitor serving overlay.

Commission Ortiz asked how the zoning map will be viewed? Suggested that if the map is printed on 11x17 paper, the map should take up more of the page and the key less so it is more legible.

Commission Smith requested more labels on the map for the individual zones. The shades are similar so more labels on the map will help.

Direction: Format map to be more legible. Also, add more labels to the map to avoid confusion, change legend to reflect revised zoning district names, and remove "Overlay" from "Affordable Housing Overlay" in legend.

Part 2 Zoning districts and overlay zones

Planner Cattan introduced Part Two of the Zoning Code: zoning Districts and Overlay Zones. She explained the residential zoning district is the first to be reviewed and stated the three subsections. Asked the Commission if there were any comment/questions on section 17.16.010 Purpose of the Residential Zoning Districts. There were none.

Planner Cattan introduced the Residential Land Use Table. Commissioner Welch asked what specifically changed. Director Grunow identified the changes as the new zoning classifications, new minor use permits, a few new use types. Ben Noble referred to the disposition table noting changes as administrative permit for secondary dwelling units. Other examples include conditional use permit for urban farm, minor utility as permitted use, minor use permit for Large Family Day Care.

Commissioner Newman asked about minor use permits. Director Grunow clarified the proposed process for a minor use permit would require noticing and option for a hearing at request of the public.

Commissioner Welch asked why under R-1 are parks and rec facilities prohibited. Director Grunow clarified that parks and open space locations are zoned as such. Typically, the owner of a single family lot would not request to develop a park on their parcel.

Direction: Correct vacation rental reference to 17.40.030.

Planner Cattan introduced section 17.16.30 - Development Standards. The first discussion request is on minimum lot size for the R-1. She explained that the minimum lot size would only apply with new subdivisions applications.

Commissioner Smith asked - can we add a note here to allow lot line adjustments with non-conforming lots ? Commissioner Newman asked what happens with lot mergers?

Director Grunow clarified the lot line adjustment standards are found in the subdivision ordinance which could be modified at a future time to include a percentage of what changes to non-conforming lots could be permitted.

Commissioner Newman expressed that the 5000 square foot minimum doesn't sit well with him because most lots are smaller than 5000 square feet.

Director Grunow reminded the Commission that during the General Plan update that some community members were strongly opposed to reducing a the minimum 5,000 square foot requirement for R-1 lots. He clarified that the regulations do not affect development rights of existing legal lots.

Ben Noble suggested that a note can be added to clarify that the minimum lot size does not affect existing lots. Commission supported this change.

Direction: Note the minimum lot size is not required for existing lots of record and reference subdivision ordinance for lot line adjustments to existing lots.

Planner Cattan continued presentation. She noted the edit request to input garage setbacks into table 17.16-2. Noted that the floor area ratios have not changed.

Planner Cattan noted discussion request for 17.16.030.B.2. Front Setbacks in Riverview. Suggested change to modify to 100 feet. Commissioner Westman and Welch expressed support for the 100 feet modification. Commission Newman supports 100 feet with additional request to keep the word “reflect”.

Direction: Modify language of 17.16.030.B.2 to state “the Planning Commission may approve a reduced front setback to reflect existing front setbacks of properties within 100 feet on the same side of the street”

Planner Cattan explained request for Sidewalk exempt areas to be more transparent and include a map online. Staff will work on this with Public Works department outside of the code update process.

Planner Cattan asked if there were comments/questions on corner lots. None were raised.

Planner Cattan asked if there were comments/questions on second story setback exemptions. None were raised.

Planner Cattan introduced the discussion on 17.16.030.B.7.plate height in the side setback areas. Explained exception for narrow lots (30 feet or less) – Standard for plate height is from existing code but not practical. Suggestion to remove the maximum plate height in section 17.16.030.B.7. Support from Planning Commission to remove plate height standard.

Direction: Remove 17.16.030.B.7 Plate height in side setback areas.

Decks/balconies 17.16.030.B.8. Planner Cattan explained new standards for upper floor decks approved administratively. Discussion requested by Commissioner Westman. Commissioner Westman explained perspective that all side, rear, and roof top decks need to come before Planning Commission for privacy concerns. Commissioner Ortiz expressed the public needs to know about decks in the back and side. Clarified there is not a problem with decks on the front of the house, or decks adjacent to open space. Commissioner Ortiz does not want administrative review of rear and side decks. Commission Newman did not agree and expressed perspective that residents deserve property rights. Commission Newman would like to see a better standard. Doesn't like how the neighbors have the ability to prevent new decks. Commissioner Westman stated that neighbors needs to have rights when properties are close together.

Direction: Require Planning Commission review of a Design Permit for all upper floor decks and balconies except when facing a street or adjacent to a public open space.

Planner Cattan introduced discussion item 6 of Open Space in the RM zoning Districts. 17.16.030.C.2. The draft code includes provision to allow 50 percent of the required common open space to be roof terraces and roof gardens.

Commission Westman suggested a change in the wording. Issue is that multi-family projects need some grass area. Not just a small roof deck.

Commission Newman suggested this concept is not applicable in Capitola. It is more of a big city standard.

Ben Noble clarified that in the RM only 40% of lot can be developed with structures. Remaining 60% used for parking, circulation, and open space.

Commissioner Westman suggested it needs to be an exceptional design, and should be something that PC approves.

Commissioner Welch echoed and asked if wording could be added so that a review is required with the approval process?

Ben Noble answered yes, required findings can be added.

Direction: Require Planning Commission approval with findings or criteria for approval of roof terraces and roof gardens utilized as common open space.

Planner Cattan asked if there are any comments/concerns for Mobile Home zoning district. None were raised.

Planner Cattan introduced Chapter 17.20 Mixed Use Zoning Districts. Discussion request #7 is specific to the formatting of this section and desire of Commissioner Westman to provide separate code sections for the MU-V from MU-N zoning districts.

Commissioner Westman explained that the village is unique and should be treated accordingly. It is confusing to have the two zones combined in one chapter. Needs to be different general design standards for the two.

Commissioner Ortiz asked why they were they done together?

Ben Noble explained that the goal was to group similar zoning districts. Seemed to work as the design standards for those two areas are similar.

Director Grunow clarified that the chapter can be revised to include subchapters. Planning Commission supported this direction

Direction: Chapter to be revised to include subchapters separating the MU-V from the MU-N as appropriate.

Planner Cattan asked if there are any comments/concerns regarding the purpose of Mixed Use Zoning. None were raised.

Planner Cattan asked if there are any comments/concerns regarding the land use table for Mixed Use districts.

Commissioner Westman suggested that secondary dwelling units should not be administrative permits. Commissioner Ortiz feels the same about day cares being administratively approved. Director Grunow verified that the minor use permit process contains noticing provisions. A daycare requires a minor use permit. He

suggested they both require a Minor Use Permit. Planning Commission agreed with direction.

Direction: Change Secondary Dwelling Units to require minor use permit in the land use table. No other issues with land use table.

Commissioner Ortiz suggested the Village Residential Overlay may be incomplete and asked staff to make sure that parts of Monterey Ave and California Ave are referenced if within the overlay district.

Direction: Village Residential Overlay identified in 17.20.020.B – staff will check Monterey Ave and California Ave to make sure they are appropriately shown on the updated map.

Planner Cattan introduced Discussion item 8 – Mixed use districts parcel widths and depths. She explained the standards are new within the code. New subdivision will be required to be designed to meet the new minimums. Planner Cattan also explained that the Planning Commission has the option to direct staff to remove the standards if not desired.

Commissioner Newman expressed concern that almost no existing parcels will be legal. What is the benefit of adding the standards to the Mixed Use zones?

Director Grunow explained that it provides minimum lot size requirements for subdivisions.

Commissioner Newman explained we do not need new provisions in the code that make things non-conforming

Commissioner Westman is OK with taking out the minimum lot size and lot dimensions in the village. The Planning Commission agreed to take these out.

Direction: Remove minimum lot size and dimensions in the MU-V

Planner Cattan asked for direction with the MU-N zone. Commissioner Westman stated a desire to keep the dimension. Commissioner Westman suggested the lots be a minimum of 30 feet wide, should not be smaller than 4,000 sf.

Planner Cattan clarified that currently there is no minimum lot size in MU-N, but there is a 5,000 sf minimum regulation in the R-1.

Commissioner Westman states need to have some minimum standard, possibly 3,000 ft. Commissioner Newman not convinced that legal non-conforming isn't a huge issue. Commissioner Westman suggests 3,000 sf minimum for MUN and 30 x 80 feet minimum dimensions. Commissioner Ortiz cautions we shouldn't guess these numbers. Need to see a map. Planner Cattan clarifies that staff will create a map to make a well informed decision. Ben Noble verifies that if standards are included the Planning Commission would like a note added to the section stating that this standard only applies to new lots. Planning Commission agrees.

Direction: Staff to conduct further research on existing conditions of lots size, width, and depth in the MU-N. Discussion tabled for later discussion.

Planner Cattan introduced Discussion items #9 and #12. There were requests for discussion from multiple Commissioners regarding setbacks in MU Village Zones. Commissioner Newman concerned with strict 0 foot setback. Asked why would we require this? Why is this a good thing? Commissioner Westman thinks that there needs to be some flexibility in the case someone doesn't want to bring building along property line.

Ben Noble clarified that the intent is that new development matches existing character of village. Window shopping. Suggested that the wording can be softened.

Commissioner Westman asked if language could be added to say we do not want parking in front of the use in the village.

Director Grunow suggested the wording can be changed from "shall" to "should". Commissioner Westman wants this in Neighborhood Commercial MU

Commissioner Westman suggested allowing increased flexibility to setbacks in MU zones (New Code proposes 0 from property, 10 from curb)
Ben Noble clarified that the 0 to 10 feet standards was more to allow the building to be built up to property line, while still having pedestrian/sidewalk access

Direction: Planning Commission support for proposed 0 to 10 feet from curb setback standard. No change.

Commissioner Westman requested discussion on the applicability of the General design standards to residential, commercial, or both. The standards seem to be directed toward commercial.

Direction: Design standards are geared to commercial. Clarify that standards do not apply to the village- residential overlay district. Revise standards so the design requirements for the MU-V and MU-N are treated differently.

Direction: Modify language in 030.D to allow more of the building to be setback from the front property line.

Planner Cattan introduced Discussion #11 regarding parking locations and buffers. Both Commissioner Smith and Commissioner Westman suggested the standard should not apply to MU-N. They may not have the ability to locate parking in MU-N only in the back or side. Some places can only park in the front. Director Grunow suggested softening the language to encourage parking in side or rear of the property. The Commissioners disagreed and stated that front yard parking works in the MU-N district.

Direction: Make C.5 (Parking Location and Buffers" apply only to the MU-V zoning district.

Planner Cattan asked if the Commission had concerns with Section 17.20.030.F. Height and FAR standards for Village hotel. Commissioner Ortiz is concerned with wording in the section heading "The Village Hotel". Commissioner Newman echoed the concerned.

Direction: Change heading to Height and FAR Standards for a Hotel. Change heading in 030.F to read “Height and FAR Standards for the Capitola Theater Site” and reference as such in the text.

The Planning Commission began a discussion on future zoning code meetings. Planner Cattan provided a list of 5 possible dates in April. Explained that these dates reflect availability of Council Chambers within the month of April. Requested discussion.

Commissioner Westman brought up that there is special meeting on March 31st and a regular meeting on April 7th. Suggested zoning meetings resume on April 18th. Commissioner Newman requested April 18th and 21st. Consensus that these dates work for all.

MOTION: Continue the hearing to the special meeting of April 18, 2016.

RESULT:	CONTINUED [UNANIMOUS]	Next: 4/18/2016 6:00 PM
MOVER:	Susan Westman, Commissioner	
SECONDER:	Gayle Ortiz, Commissioner	
AYES:	Smith, Ortiz, Newman, Welch, Westman	

6. DIRECTOR'S REPORT

The final EIR for the Monterey Park skate park is available for public review.

7. COMMISSION COMMUNICATIONS

Commissioner Ortiz asked that for a future meeting combining applications and zoning update discussion, the regular applications be heard at 7 p.m. because the public is accustomed to this time.

8. ADJOURNMENT



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: APRIL 18, 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 on March 3 and held a subsequent meeting on March 17. 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: The draft code is being reviewed sequentially from beginning to end. To prepare for the review, each Planning Commissioner provided staff with suggested minor edits and topics for further discussion prior to the first meeting on March 3rd. Staff organized the edits and discussion requests into a master list (Attachments 2 and 3). 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 list has been updated to include the direction provided by the Planning Commission during the March 17th public hearing.

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

To date, the Planning Commission has provided direction on all of Part 1 and the first two sections of Part 2. There are two special meetings scheduled for April; the first on Monday April 18th and the second on Thursday April 21st. It is anticipated that the following sections will be discussed during the meetings, although additional sections may be reviewed as time allows. Sections listed in bold in the schedule are estimated to take additional time due to the intricacy of topic and discussion requests received by the Planning Commission.

Meeting Date	Sections to Be Reviewed
April 18	17.24 (Commercial and Industrial Zoning Districts), 17.28 (Visitor Serving Zoning Districts), 17.32 (Special Purposes Zoning Districts), 17.36 (Planned Developments), 17.40 (Residential Overlay Districts), 17.48 (Height, Setbacks, and Floor Area), Coastal Zone & Geologic Hazards preview/discussion
April 21	17.52 (Accessory Structures and Uses), 17.56 (Archaeological and Paleontological Resources), 17.60 (Fences and Walls), 17.64 (Environmentally Sensitive Habitat Areas), 17.72 (Landscaping), 17.74 (Secondary Dwelling Units), 17.76 (Parking and Loading)

At the conclusion of the April 18th meeting, staff will discuss the future special meeting schedule. Attachment 4 includes a tentative schedule relative to the topics to be reviewed. The proposed meeting dates are based on a consistent Monday and Thursday evening review. The meeting topics have been grouped based on a three hour meeting.

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 21, 2016 special meeting.

ATTACHMENTS:

1. March 3, 2016 PC Direction
2. Commissioner Edits
3. List of Commissioner Discussion
4. Schedule with Optional Dates
5. Public Comment from Ron Skelton

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 PC Direction (1430 : 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

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
2	Throughout Document (Newman)	Consistency in Capitalization: Coastal, Local, State, Federal	Correct capitalization of Coastal, Local, State, and Federal throughout code.
3	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	Add "and other forms of transportation"
4	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</u> accordance with 17.08.040, to interpret the	Add " in accordance with 17.08.040"
5	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.	Remove "and on the official City of Capitola website"
6	Chapter 17.16.010.B.2 - Page 16-1. Specific (Westman)	B.2. Mul•-Family Residen•al (RM) Zoning District - Housing in the RM oing indistrict carefully designed to enhance Capitola's unique identity and to minimize impacts on	change "RM zoning district is carefully" to "RM zoning will be carefully"
7	Chapter 17.16.020 Land Use Regulations. Table 17.16-1	Vacation Rentals. Reference is incorrect	Change vacation rental reference to 17.40.030
8	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	Note the minimum lot size is not required for existing lots of record and reference subdivision ordinance for lot line
9	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	Front yard setback will be added to development standard table.
10	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?	No change to standard.

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
11	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	Sentence to be changed from "is" to "will be"
12	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 -	Mixed Use-Village (MU-V) and Mixed Use Neighborhood (MU-N) will be incorporated into code and map.
13	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"	Reference for vacation rentals will be updated to 17.40.030
14	Chapter 17.20.030.D.1 - Page 20-9 - Setbacks in the MU-V Zoning District	The Planning Commission way may modify or waive this requirement upon finding that:	Change "way" to "may"
15	Chapter 17.20.030. D.1 – Page 20-9 - Setbacks in the MU-V Zoning district	Loosen standard building within 0-10' of property line.	Standard will remain as proposed. Language will be modified from shall to
16	Chapter 17.20.30.F Page 20-10 - Height and FAR Standards for the Village Hotel	Request legal review to ensur this is not spot zoning•	
17	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	
18	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	
19	Chapter 17.24-1 - Page 24-2 - Land Use Table (Smith)	Need to define custom manufacturing vs. light manufacturing.	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
20	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	
21	Chapter 17.24.030.B. - Page 24-5 - Front and Street Side Setbacks in CR and CC.	Inconsistent with the sign ordinance setbacks for monument signs.	
22	Chapter 17.24.030.D.2 and Figure 17.24.2 - Page 24-6 - Daylight plane	There is a conflict. Text says Daylight Plane is 20' high. Figure shows 25' high.	
23	Chapter 17.28.010.B.5 - Page 28-1 - Visitor Serving - General (Smith)	add (VS-G)	
24	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor	Schools, Public or Private - Subzone VS-G - Draft code: Conditional Use. Suggest Change to Prohibit.	
25	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor	VS Subzones - Typo. Top of columns should be "VS-G, R, SB, MC, ES"	
26	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor	Footnote 10 - Events may not exceed 10 days; Comment - Long but reflects current code.	
27	15)Chapter 17.28.030 - Visitor Serving Land Use Regulation Table 17.28-1: Permitted Land Uses in the Visitor	Footnote 11 - Limited to single one-day event per year; Suggest modifying to two-days. Current rule prohibits Car Show	
28	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	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
29	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.	
30	Chapter 17.32.020.E - Page 32-3 Public Parking in the Coastal Zone (Westman)	Not necessary to have in zoning code. Remove section	
31	Chapter 17.36.060.B. 1-3 – Page 36-2. Application Submittal & Review	Clarify two-step process and that preliminary approval does not give	
32	Chapter 17.40.020.G - Page 40-3 - Income Restrictions (Westman)	Rewrite to make the requirement clear.	
33	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	
34	Chapter 17.40.030.E.5 - Page 40-8 - Permit Revocation (Smith)	after a Minor Permit is reevoked, the permit holder may <u>not</u> reapply for a new permit <u>for</u>	
35	Chapter 17.44.020.G – Page 44-3 – Major Public Works Facility. (Westman)	Justify raising number based on value amount. Check coastal acknowledgment.	
36	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 two day in duration	
37	Chapter 17.44.070. I – 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	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
38	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	
39	Chapter 17.44.110.A – Page 44-13 - Public Notice and Hearing – Planning Commission Review (Westman)	Check reference to 17.148	Correct reference
40	Chapter 17.44.120.B – Page 44-14 – Coastal Overlay Zone – Findings for	Remove finding B for views.	
41	3) Chapter 17.48.020. B – Page 48-2. Height Exceptions: Table 17.48-1: Allowed Projections Above Height	"Flagpoles not over 8 inches in <u>width/ diameter</u> ".	
42	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"	
43	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. 	
44	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	
45	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)" Nee ddefinition for

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
46	Chapter 17.52.020.B.1 – Table 17.52.1 – Page 52-2 (Westman)	Is this consistent with Issues and Options direction?	Issues and Options Direction: Secondary Structure in Rear Yard 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>
47	Chapter 17.56.020 - Page 56-1 - Coastal	Make sure to reference this chapter in the	
48	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 <u>10</u> feet in height within a required
49	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	"50 feet from outer edge of riparian and oak woodland vegetation"
50	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	
51	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

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
52	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.	
53	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	
54	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 	
55	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
56	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"	
57	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
58	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	
59	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	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
60	Chapter 17.76. 050. C.3 – Page 76-10. Off-site Parking (Newman)	A covenant record-deed <u>restriction or other legal instrument</u> , approved by the City Attorney, shall be filed with the County	
61	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
62	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	
63	Chapter 17.76.070 – Page 76-16 – Parking Lot Landscaping (Westman and	Add exceptions (Westman) Add flexibility to regulate canopy without requiring too many	
64	Chapter 17.76.050. G.5 – Page 76-11. Transportation Demand Management Plan (Smith)	Clarify program coordination	
65	Chapter 17.76. 080. H – Page 76-19. Bicycle Parking Cover (Smith)	Allow flexibility for creative designer and function	
66	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	
67	Chapter 17.96. 020. C.1 – Page 96-2. Chickens (Smith)	Location of Chicken Coops; not in front yard or exterior street	
68	Chapter 17.96.020.E – Page 96-2 – Prohibited Animals (Westman)	Add ducks	"Roosters, fowl other than chickens <u>and ducks</u> , goats pigs other than potbelly pigs,
69	Chapter 17.96.100.D – Page 96-9 – Standards for permanent outdoor	Add standard for location on private property and not allowed in public R.O.W.	
70	Chapter 17.96.110.D.1 – Page 96-11 – Prohibited Lighting (Westman)	What is a drop down lens? Clarify or remove.	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

	A	B	C
1	LOCATION IN DRAFT CHANGE	REQUESTED MODIFICATION/EDIT	IMPLEMENTATION
71	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	
72	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.	
73	Chapter 17.108.030 – Page 108-1. Review and Decision Making; Table 17.108-1: Review and Decision	Define 'Reasonable Accommodations' under Other Approvals	
74	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	
75	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	
76	Chapter 17.160.020. B.3 – Page 160-2. "B" Terms (Smith)	Basement – portion below grade	
77	Chapter 17.160.020. H – Page 160-7. "H" Terms (Smith)	<ul style="list-style-type: none"> • Home Day Care <ul style="list-style-type: none"> 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 	

Attachment: Commissioner Edits (1430 : Zoning Code Update)

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
Added	Zoning Map	Zoning map	<p>a. Modify map from VA zoning to P/OS for the bluff parcel along Depot Hill from Monarch Cove Inn to Livermore Avenue.</p> <p>b. 3945 Melton Street. Owner would like to maintain CC zoning on Melton. Planning Commission support for request. Change zoning map to CC. Change General Plan Land Use map to Commercial.</p> <p>c. Format map to be more legible. Also, add more labels to the map to avoid confusion, change legend to reflect revised zoning district names, and remove "Overlay" from "Affordable Housing</p>
1	Chapter 17.16.030. A – Page 16-3. General Standards – Single Family	Table 17.16-2: Development Standards in the R-1 and RM Zoning Districts – discuss	Minimum lot size to remain as drafted. 5000 sf
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. Draft code states neighboring properties. Request to identify appropriate area. 	<p>Modify language of 17.16.030.B.2 to state "the Planning Commission may approve a reduced front setback to reflect existing front setbacks of properties within 100 feet on the same side of the</p> <p>Map will be made available to public.</p>
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 	Map will be made available to 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	Remove standard for plate height in side setback areas.
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	Require Planning Commission review of a Design Permit for all upper floor decks and balconies except when facing a street or adjacent to a public

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
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	Require Planning Commission approval with findings or criteria for approval of roof terraces and roof gardens utilized as common open space
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 districs	Chapter to be revised to include subchapters separating the MU-V from the MU-N as appropriate
Added	Chapter 17.20.020 - Page 20-2 - Land Use Regulations.	Planning Commission discussed permit for daycare and secondary dwelling units relative to review process.	Change Secondary Dwelling Units to require minor use permit in the land use table. Keep daycare as minor use permit
8a MU-V	Chapter 17.20.030 – Page 20-4. Development Standards Table 17.20-2 – Development Standards in the	Remove parcel width & minimum dimensions in MU-V. They do not work.	Minimum lot size and lot dimensions will be removed.
8b MU-N	Chapter 17.20.030 – Page 20-4. Development Standards Table 17.20-2 – Development Standards in the	Remove parcel width & minimum dimensions in MU-N. They do not work.	TABLED: staff to return with additional information on existing conditions.
Add	Chapter 17.20.030 – Page 20-4. Development Standards Table 17.20-2 – Development Standards in the	Concern for minimum lot size and dimensions on existing parcels.	Add language the minimum lot size and dimesions only apply to new subdivisions.
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	
10	29) Chapter 17.20.030.C. Page 20-5 General Design Standards. (Westman)	Section C should not apply to residential development.	Design standards are geared to commercial. Clarify that standards do not apply to the village-residential overlay district. Revise standards so the design requirements for the MU-V and MU-N are
11	Chapter 17.20.030.C.5 – Page 20-8 – Parking Location and Buffers	Standard may prevent residential on-site parking under living. Example	Modify so standard only applies to the MU-V district.

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
Add	Chapter 17.20.030.D - Setback in MU-V	shall to may	Modify language to allow more of the building to be setback from the front property line.
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	Maximum setback in the MU-N is 25 feet. These standards will be separated to clarify the differences between the zones. Standard will not
Add	Chapter 17.20.030.F Height and FAR Standards for the Village Hotel	Change heading to remove "the village hotel"	Change heading in 030.F to read “Height and FAR Standards for the Capitola Theater Site” and reference as such in the text.
13	Chapter 17.24 - Commercial and Industrial Zoning Districts (Westman)	The autoplaza should be an overlay zone to eliminate automobile repairs, used car	
14	Chapter 17.36 – Planned Development Zoning District	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	
16	Chapter 17.40.20.I.3(a-f) – Page 40-5 – Design Standards – Pedestrian	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	
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 requiremetns for design review and floor area calculation. Also reference	
19	9) Chapter 17.52. 020. B.1 – Page 52-2. Development Standards. Table 17.51-1: Accessory	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	Request discussion of parking for mixed use.	

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
21	Chapter 17.76.030.B – Table 17.76-2 – Page 76-3 - Required Parking Spaces – Other Zoning	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	
23	Chapter 17.76.040.D – Page 76-8 – Large Vehicle Storage in the R-1	Add maximum width	
24	Chapter 17.76. 040. D – Page76-8. Large Vehicle Storage in the R-1	Too restrictive, suggest removing second sentence	
25	Chapter 17.76.050.D.1 Shared Parking (page 76-10) (Welch and	Discuss the exclusion of residential land uses from shared parking (Welch) Too	
27	Chapter 17.76.050.G – Page 76-11 - Transportation Demand	Add standards for parking studies	Discussed on 3/3/2016
28	Chapter 17.76.050.H – Page 76-11 - Transit Center Credit (Westman)	Discuss	
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	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	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	Suggest removing max limit of sidewalk signs for fairness.	

#	LOCATION IN DRAFT CHANGE	REQUESTED DISCUSSION	IMPLEMENTATION
36	Chapter 17.80.110. - Page 80-17 - Temporary Signs (Westman)	Discussion	Discussed on 3/3/2016. Reword/strengthen language in 17.88.020. Add to descriptions of
37	Chapter 17.88.030.J - Page 88-2 -	Already required. Must go beyond	
38	Chapter 17.92 - Page 92-1 - Non- Conforming Parcels, Uses, and	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	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	
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	
43	Chapter 17.96.200 – Page 96-20 – Unattended Donation Boxes	Discussion	

Attachment: List of Commissioner Discussion (1430 : Zoning Code Update)

DATE	PC/CC	CHAPTERS
March 3	PC	17.04 (Purpose and Effects, 17.08 (Interpretation), 17.12 (Zoning Map), overview of code issue topics
March 17	PC	Continuation of March 3 discussion, 17.16 (Residential Zoning Districts), 17.17 (Mixed Use Zoning Districts)
March 24	CC	Status Report
April 18	PC	17.24 (Commercial and Industrial Zoning Districts), 17.28 (Visitor Serving Zoning Districts), 17.32 (Special Purposes Zoning Districts), 17.36 (Planned Developments), 17.40 (Residential Overlay Districts), 17.48 (Height, Setbacks, and Floor Area), Coastal Zone & Geologic Hazards preview/discussion
April 21	PC	17.52 (Accessory Structures and Uses), 17.56 (Archaeological and Paleontological Resources), 17.60 (Fences and Walls), 17.64 (Environmentally Sensitive Habitat Areas), 17.72 (Landscaping), 17.74 (Secondary Dwelling Units), 17.76 (Parking and Loading)
TBD (May 9)	PC	17.80 (Signs), 17.84 (Historic Preservation), 17.88 (Incentives for Community Benefits), 17.92 (Nonconforming Parcels, Uses, and Structures)
TBD (May 12)	CC	Part I & II Review
TBD (May 16)	PC	17.96 (Supplemental Standards), 17.100 (Mobile Home Park Conversions), 17.104 (Wireless Communication Facilities), 17.108 (Administrative Responsibility), 17.112 (Permit Application and Review), 17.116 (Administrative Permits), 17.120 (Design Permits), 17.124 (Use Permits)
TBD (May 23)	PC	CCC staff presentation , 17.128 (Variances), 17.132 (Sign Permits), 17.136 (Minor Modifications), 17.140 (Reasonable Accommodations), 17.144 (Zoning Code Amendments), 17.148 (Public Notice and Hearings), 17.152 (Appeals), 17.156 (Post-Decision Procedures), Glossary
TBD (June 9)	CC	Part III Review
TBD (June 13)	PC	17.44 (Coastal Overlay Zone), 17.68 (Geologic Hazards), Miscellaneous remaining items/issues from previous hearings
TBD (June 27)	PC	Review of redlined/track changes version of Zoning Code incorporating PC direction, PC recommendation
TBD (July 28)	CC	Part IV Review
TBD (Sept 1 or 15?)	PC	Review any new City Council direction, PC recommendation
October 13 or 17?)	CC	Adoption

Potential PC hearing dates:

May 9, May 16, May 19, May 23

June 2 (regular mtg), June 6, June 13, June 16, June 20, June 27, June 30

Potential CC hearing dates:

May 12 (regular mtg – Part I & II review)

May 26 (regular mtg – Part I & II review)

June 9 (regular mtg – Part III review)

June 23 (regular mtg – Part III review)

September 12, September 15, September 19, September 22 (regular mtg) September 26, September 29

October 13 (regular mtg) October 17, October 20, October 24, October 27 (regular mtg)

November 14, November 17

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Ron Skelton <ronskelton@cruzio.com>
Sent: Monday, March 21, 2016 9:58 AM
To: PLANNING COMMISSION
Subject: Ordinance Revisions

Dear Susan

it was a pleasure meeting you at Mike Termini's home yesterday and this is to follow up on our conversation regarding zoning heights.

My comments on this subject are related only to the 41st Ave area and the Mall in particular. I recall from participating in the development of the General Plan that there was general agreement to focus on mixed use (business, residential and recreational) development.

To this end I suggest that we consider height ordinances allowing development to much higher levels than anywhere else in the City.

Provided this is done carefully I believe it would add valuable differentiation and attract private investment.

Thank you for inviting these comment.

Ron Skelton

Attachment: Public Comment from Ron Skelton (1430 : Zoning Code Update)