



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, July 18, 2019 – 7:00 PM

Chairperson TJ Welch
Commissioners Courtney Christiansen
Ed Newman
Mick Routh
Peter Wilk

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. PRESENTATIONS

A. Administrative Policy on Social Media Use by City Council and Advisory Body Members

4. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Jun 6, 2019 7:00 PM

5. CONSENT CALENDAR

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

A. 2195 41st Avenue

#19-0219

APN: 034-192-10

Sign Permit for a monument sign with new digital changeable copy for gasoline pricing for the 76 Gas Station located within the C-R (Regional Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Gawfco Enterprises, Inc.

Representative: Sign Development, Inc., Filed: 05.07.19

6. PUBLIC HEARINGS

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

A. 511 Escalona Drive #19-0165 APN: 036-125-02

Design Permit for a second-story addition to an existing single-family residence, an internal Secondary Dwelling Unit, and a Major Revocable Encroachment Permit for a fence in the public right of way located within the R-1 (Single-Family) 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: Christine Meserve

Representative: Valerie Hart, Filed: 04.10.2019

7. DIRECTOR'S REPORT**8. COMMISSION COMMUNICATIONS****9. ADJOURNMENT**

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

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

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

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: JULY 18, 2019

SUBJECT: **Administrative Policy on Social Media Use By City Council and Advisory Body Members**

BACKGROUND: In May 2019, the Community Development Department received a request to draft a policy regarding appointed officials and their use of social media, specifically for the benefit of the City of Capitola Planning Commission. Upon review, City staff recognized the need for a policy that all elected and appointed officials could follow. In researching policies already in existence for other jurisdictions, it became apparent that most of these policies focus only on potential Brown Act violations that are likely to be caused by council member or commissioner interactions on online media, and that a broader policy that outlines social media best practices would be helpful for Capitola elected and appointed officials.

In 2007, administrative policy V-8 “Councilmember Online Forums/Web Logs (“Blogs”)” was approved by Capitola City Council (Attachment 2). The proposed Elected and Appointed Official’s Use of Social Media Policy expands upon the older one and covers the same points while providing further direction and more in-depth discussion of all online engagement.

On June 27, 2019, the City Council approved draft policy I-18 (Attachment 1) and revoked policy V-8.

DISCUSSION: California places a high value on transparency in local government and has enacted many laws related to conducting the public’s business in open meetings. The best known of these is the Brown Act. While social media can provide the opportunity to expand outreach and discussion of important topics, those in positions to advise and make decisions must take care to respect the public hearing process.

The Elected and Appointed Official’s Use of Social Media Policy explains the different ways that City of Capitola officials who are subject to the Brown Act may use and engage with social media, and the best practices of doing so. Outcomes of all such engagement are also presented, so that council, committee, and commission members may make mindful decisions when posting on social media. The difference between quasi-judicial and legislative decisions, and the importance of remaining a neutral and unbiased decision-maker when voting on quasi-judicial matters, is explained. Potential violations of the Brown Act are also clarified along with the importance of disclosing any ex-parte communication for the public record.

A chart that provides a clear framework for the different types of social media engagement,

along with the direct outcome of that action, is included for all elected/appointed officials and committee members subject to the Brown Act as guidelines for using social media.

RECOMMENDED ACTION: Accept presentation on policy I-18 Elected and Appointed Official's Use of Social Media Policy.

ATTACHMENTS:

1. I-18 Council & Committee Use of Social Media
2. V-8 Councilmember On-Line Forums Web Logs (Blogs)

Prepared By: Katie Herlihy
Community Development Director



ADMINISTRATIVE POLICY

Number: I-18
 Issued: June 27, 2019
 Jurisdiction: City Council

ELECTED/APPOINTED OFFICIALS & SOCIAL MEDIA

I. PURPOSE

The purpose of this policy is to provide guidance for the appropriate use of social media by elected and appointed City of Capitola officials, and members of City committees subject to the Brown Act. The policy will also outline the proper response if elected/appointed officials and Brown Act committee members use social media inconsistently with this policy.

The First Amendment of the United States' Constitution defines every citizens' freedom of religion, speech, press, assembly, and petition. Under this amendment, the exercise of free speech, including on social media outlets, is protected. All Capitola Officials are entitled to this right, and this policy does not revoke it.

II. DEFINITIONS

- A. Social Media: an online forum or communication tool that enables individuals to create online communities to share information, messages, images and other content.
- B. Quasi-Judicial/Administrative Decisions: “occurs when a) a hearing is held to apply a rule or standard to an individual person, project or circumstance; c) it involves the taking of evidence; d) it results in the rendering of a written decision issued by the hearing officer or tribunal (including adoption of findings); and e) the written decision is based on the facts and arguments submitted at the hearing”. These types of hearings affect individual properties or parties.
 - 1. *Examples*: Planning Commission decisions on project applications
- C. Legislative Decisions: Actions include “adoption and amendments to municipal codes, general plans, zoning codes, and personnel regulations”. These types of hearings establish public policy and rules that apply to groups of property or people.
 - 1. *Examples*: Zoning Code updates, Ordinance adoption, changes in policy, approval of the budget, etc.
- D. Ex-Parte Communication: any material or substantive oral or written communication with a decisionmaker that is relevant to the merits of an adjudicatory proceeding, and which takes place outside of a noticed proceeding open to all parties to the matter (Gov. Code 11430.10)

III. SOCIAL MEDIA USE

Utilizing social media outlets can be useful for elected/appointed officials to engage with the public and present City information. For the purposes of this policy, a social media post includes the creation of any content; either new or linked to another's, on all social media

platforms. This includes and is not limited to; information posted on your own social media account in picture or text form, commenting on other posts, re-posting or sharing content by other social media users, liking other's posts, etc. Regardless of username, elected and appointed officials are accountable for their online behavior. Social Media Accounts under private names or dissociated from the City could still come under scrutiny if they are run by an elected or appointed official. For example, Facebook accounts with usernames "Jane Doe" and "Mayor Jane Doe" should both be managed in accordance with this policy. This policy will outline the best practices that should be considered so that all Officials use social media expression in positive ways and avoid potential liability for the City or themselves.

IV. BEST PRACTICES WHEN POSTING ON SOCIAL MEDIA

The chart below (section VII) is designed for easy reference to demonstrate the different levels of appropriate and inappropriate social media engagement. Consequences of writing and posting certain types of content are simply stated in the second row, so that Officials understand their responsibilities after engaging in such types of social media engagement. As an elected or appointed official, you will be called upon to render decisions that affect the City of Capitola, and it is important to remain mindful of how online communication regarding these decisions will be perceived. Because the type of decisions (quasi-judicial vs. legislative) varies, their content type should be considered when posting about them on social media.

- A. Keep it Neutral: Use caution when expressing yourself online. This is a permanent, public record that may preserve your thoughts on a subject that ends up coming in front of the City for a decision. Neutrality can be the easiest way to avoid later recusal and preserve your reputation as an impartial, unbiased decision maker.
- B. Keep it Equal: Treat City Business in a similar way online. This is another way to preserve your neutrality for future decisions.

V. POSTING ON SOCIAL MEDIA

Particularly when related to quasi-judicial decisions, social media content posted by elected or appointed officials can be problematic. Online conversation can also easily lead to Brown Act Violations.

- A. Showing Bias on Quasi-Judicial Hearings: Elected and appointed officials are obligated to remain neutral and unbiased regarding quasi-judicial matters prior to their vote on the matter. Officials should use caution when expressing themselves, in all types of communication including on social media outlets, to remain unbiased.
- B. Using Social Media to Gage Public Opinion: Communicating online about specific upcoming City decisions may result in valuable resources such as public opinion and community input, which then is left out the public record unless action is taken to disclose it. Purposefully gathering information on quasi-judicial decisions prior to their respective public hearings negates the inherent neutrality of a public hearing; where all information is heard at one time and decisions are made based upon the facts and opinions presented in that public forum.
- C. Conversing with Other Officials Online: The Brown Act dictates much of elected and appointed officials' behavior both during and outside of public meetings. Online conversation between multiple elected and appointed officials should not relate to quasi-judicial matters.

1. *Ralph M. Brown Act & Serial Meetings:* The general point of this California State Law is that “California legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly." A serial meeting, expressly prohibited by the Brown Act, is when multiple members of Council or Committee engage in conversation regarding a quasi-judicial matter outside of a duly noticed public meeting. Serial Meetings can occur between elected or appointed officials when two or more comment, post, or engage in online conversation regarding City business. This type of social media use will put officials in violation of the Brown Act.

VI. TYPES OF SOCIAL MEDIA POSTS

	<u>Acceptable</u>	<u>Potentially Acceptable</u>	<u>Discouraged</u>	<u>Against Policy</u>
Action	<ul style="list-style-type: none"> • Sharing City-created social media posts • Sharing content regarding legislative proceedings, City policy, budget and events • Posting self-created content regarding legislative proceedings, City policy, budget and events 	<ul style="list-style-type: none"> • Sharing or posting content regarding quasi-judicial City matters in a consistent fashion. 	<ul style="list-style-type: none"> • Treating individual quasi-judicial matters differently. For example, only sharing content related to selected development projects and not others. 	<ul style="list-style-type: none"> • Expressing personal opinions on quasi-judicial matters, prior to voting • Violations of the Brown Act
Remedy	<ul style="list-style-type: none"> • No additional action 	<ul style="list-style-type: none"> • Ex-parte Communications must be submitted to the City for inclusion in the record 	<ul style="list-style-type: none"> • Ex-parte Communications must be submitted to the City for inclusion in the record • Official may need to recuse from voting 	<ul style="list-style-type: none"> • Ex-parte Communications must be submitted to the City for inclusion in the record • Official must recuse from voting

ADMINISTRATIVE POLICY



Number: V-8
 Issued: April 12, 2007
 Jurisdiction: City Council

Councilmember On-Line Forums/Web Logs ("Blogs")

I. PURPOSE:

The purpose of this policy is to establish procedures whereby Councilmembers who wish to conduct on-line forums with their constituents by way of the internet communication mechanism known as a "blog" may do so while eliminating the possibility that use of this communication mechanism may result in a violation of the Brown Act's open meeting mandate.

II. POLICY:

The California Ralph M. Brown Act requires that all City Council meetings be open and public. The Act expressly prohibits meetings among a quorum of Councilmembers that are not open to the public whether that quorum of Councilmembers communicates directly, through personal intermediaries or through technical devices. The California Attorney General has issued an opinion concluding that a majority of a local legislative body such as a City Council who email each other in order to develop a collective concurrence as to action to be taken by the City Council violates the Brown Act.

Internet web logs, or "blogs", have been recognized by Councilmembers as affording an effective, efficient, convenient and inexpensive means by which Councilmembers might hear from their constituents with respect to issues of local concern and by which Councilmembers, in turn, may communicate with constituents regarding those same issues. In addition, blogs create a forum whereby constituents with varying viewpoints can dialogue with one another concerning issues of interest to them allowing the Councilmember to be privy to an exchange of ideas that is more free-flowing and informal than that which a Councilmember will experience at a more structured, formal City Council meeting. Accordingly, this policy is being promulgated to facilitate Councilmember "on-line forum blogs" while simultaneously assuring that those blogs are conducted in a fashion which eliminates the potential for Brown Act violations.

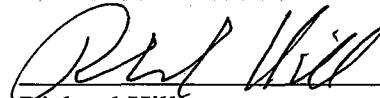
A Councilmember may establish and freely participate in his or her own on-line forum blog. However, while a Councilmember might observe a blog created and conducted by a fellow Councilmember, that Councilmember shall not participate in a fellow Councilmember's blog by posting messages on that blog. Councilmembers shall post messages only on Councilmember blogs that they themselves establish and conduct. In addition, Councilmembers who might participate in blogs concerning City business which are sponsored by non-Councilmembers shall refrain from doing so when another Councilmember has already posted a message on that blog.

Administrative Policy V-8
Councilmember On-Line Forums/Web Logs ("Blogs")
April 12, 2007
Page 2 of 2

At any time there will be only one City of Capitola councilperson that may actively post to the Blog. All Councilpersons can view the Blog, but only one may actively participate.

The City of Capitola Blog will be monitored by the by the Councilperson who is moderating to the Blog. All postings must be approved by the Councilperson monitoring the Blog prior to posting on the Internet and must be considered appropriate as defined by the acceptable use policy of the Blog.

Approved and authorized by the City Council on April 12, 2007.



Richard Hill
City Manager



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, JUNE 6, 2019
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Peter Wilk, and Chair TJ Welch were present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Director Herlihy announced that one additional material was received regarding Item 4.A, which included an additional window detail on Sheet A3.0 of the project plan set.

B. Public Comments – none

C. Commission Comments – none

D. Staff Comments – none

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - May 2, 2019 7:00 PM

MOTION: Approve the minutes from the regular meeting of the planning commission on May 2, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Mick Routh
AYES:	Newman, Welch, Wilk, Routh, Christiansen

4. CONSENT CALENDAR

A. 1375 Prospect Avenue #19-0069 APN: 034-068-12

Design Permit for the demolition of an existing single-family residence and construction of a new two-story single-family residence with a detached Accessory Dwelling Unit and a Minor Revocable Encroachment Permit for a small fence and pathway located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Roy and Rachel Cecchetti

Representative: Bevan & Associates, Filed: 02.13.2019

Commissioner Newman requested that Consent Calendar items be voted on individually, to clarify a question regarding Item 4.A. Commissioner Newman inquired about the application's proposed parking configuration.

Minutes Acceptance: Minutes of Jun 6, 2019 7:00 PM (Approval of Minutes)

MOTION: Approve the Design Permit, Accessory Dwelling Unit, Minor Revocable Encroachment Permit, and Coastal Development Permit with the additional materials submitted by the applicant's representative on June 5, 2019, as well as the following conditions and findings.

CONDITIONS:

1. The project approval consists of demolition of an existing two-story single-family residence and construction of a 3,849 square-foot single-family residence that includes a 243-square foot detached accessory dwelling unit. The maximum Floor Area Ratio for the 6,708-square-foot property, with the accessory dwelling unit bonus, is 60% (4,025 square feet). The total FAR of the project is 57% with a total of 3,849 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 6, 2019, including the modified Sheet A3.0 with window details, which was included as additional materials. ~~except as modified through conditions imposed by the Planning Commission during the hearing.~~
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems. Landscaping in the revocable encroachment permit area shall not include plants which, at maturity, will: exceed three and one-half feet in height; develop a root system likely to damage streets, sidewalks, or adjoining property; or be expensive to remove.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0069 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction

Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

12. Prior to issuance of a building permit, applicant shall submit a copy of the current property deed and a legal description of the property.
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right-of-way, an encroachment permit shall be acquired by the contractor performing the work. All sidewalk, gutter, and curb improvements shall be constructed per city standard; and shall include an accessible curb ramp at the corner of Prospect Avenue and Opal Street. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
22. Trees approved for removal within this development application may not be removed prior to issuance of a building permit.
23. Prior to demolition of the existing structure, a pest control company shall resolve any pest issue and document that all pest issues have been mitigated. Documentation shall be submitted to the city at time of demolition permit application.
24. Issuance of a building permit for the new structure must be obtained prior to demolition of an

existing structure, unless special circumstances exist in which the Building Official, Public Works Director, and Community Development Director determine the existing structure should be demolished immediately for health/safety concerns.

25. The [floor area](#) for the detached secondary [dwelling](#) unit shall not exceed 243 square feet as approved by the Planning Commission.
26. At time of submittal for building permit review, a water will-serve letter for the second dwelling unit must be submitted to the City.
27. Before obtaining a [building](#) permit for a secondary [dwelling](#) unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The secondary [dwelling](#) unit shall not be sold separately;
 - b. The unit is restricted to the approved size;
 - c. The administrative review or the design permit, whichever applies, for the secondary [dwelling](#) unit shall be in effect only so long as the owner of record occupies either the main [residence](#) or the secondary [dwelling](#) unit;
 - d. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies; and
 - e. The deed restrictions shall lapse upon removal of the secondary [dwelling](#) unit.

FINDINGS:

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed two-story single-family residence with detached accessory dwelling unit complies with the development standards of the R-1 (Single-Family Residential) District. Specifically, all of the requirements of Capitola Municipal Code §17.99.050 have been met. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the two-story single-family residence with detached accessory dwelling unit. The design of the home with the mix of horizontal wood siding and board and batten siding, standing seam metal roofs, additive farmhouse-style massing, and open gables will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15303(a) of the CEQA Guidelines exempts one single family residence, or a second dwelling unit in a residential zone. This project involves a single-family residence with a detached accessory dwelling unit within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS:

D. Findings Required.

- A. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2)

- of this section. The type of affected public access and recreation opportunities shall be clearly described;
- b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:
- B. Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**
- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 1375 Prospect 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.
 - 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 1375 Prospect Avenue. No portion of the project is located along the shoreline or beach.
- c. **Historic Public Use.** Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property at 1375 Prospect 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.
- 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.
- 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 accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.
- D. **Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
- E. **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.
- F. **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 construction of a 3,849-square-foot residence, which includes a 243-square-foot detached accessory dwelling unit, 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 construction of a 3,849-square-foot residence, which includes a 243-square-foot detached accessory dwelling unit, 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 construction of a 3,849-square-foot residence, which includes a 243-square-foot detached accessory dwelling unit, on a residential lot of record.

- G. **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 new 3,849-square-foot residence, which includes a 243-square-foot detached accessory dwelling unit. The project complies with applicable

- standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- H. **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.
- I. **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.
- J. **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.
- K. **Provisions of minimum water flow rates and fire response times;**
- The project is located 0.6 miles from the Capitola fire department. Water is available at the location.
- L. **Project complies with water and energy conservation standards;**
- The project is for a new 3,849-square-foot residence, which includes a 243-square-foot detached accessory dwelling unit. 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.
- M. **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.
- N. **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.
- O. **Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- P. **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.
- Q. **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.

- R. **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.
- S. **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.
- T. **Project complies with shoreline structure policies;**
- The proposed project is not located along a shoreline.
- U. **The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
- This use is an allowed use consistent with the R-1 (Single-Family Residential) zoning district.
- V. **Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
- W. **Project complies with the Capitola parking permit program as follows:**
- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.

RESULT:	APPROVED [4 TO 1]
MOVER:	Mick Routh
SECONDER:	Courtney Christiansen
AYES:	Welch, Wilk, Routh, Christiansen
NAYS:	Newman

B. 606 Burlingame Avenue**#19-0172****035-101-17**

Design Permit for a covered entry porch and front room addition to an existing single-family residence located within the R-1 (Single-Family) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Gino Blefari

Representative: Stephen Dorcich, Filed: 04.15.19

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

CONDITIONS:

1. The project approval consists of a 123.5-square-foot addition to an existing single-family residence. The maximum Floor Area Ratio for the 5,000-square-foot property is 50% (2,500 square feet). The total FAR of the project is 44.3% with a total of 2,213 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 6, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0172 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.

10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS:

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purposes of the R-1 (Single-Family Residential) Zoning District. The project secures the purpose of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project is located between Bay Avenue and Capitola Avenue. The proposed additions to the existing single-family residence compliment the designs of the existing single-family and commercial structures in the neighborhood in terms of use, mass and scale, materials, height, and architecture.

C. This project is categorically exempt under Section 15301(e) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

This project involves an addition to an existing single-family residence in the R-1 (Single-Family Residential) Zoning District. Section 15301(e) of the CEQA Guidelines exempts additions to a single-family residence in a residential zone.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mick Routh
SECONDER:	Peter Wilk
AYES:	Newman, Welch, Wilk, Routh, Christiansen

5. PUBLIC HEARINGS**A. 529 Capitola Avenue #19-0014 APN: 035-093-01**

Design Permit and Conditional Use Permit for the addition of two dormers to an historic single-family home located within the CN (Neighborhood Commercial) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Jim LaTorre

Representative: Dennis Norton, Filed: 05.02.2019

Associate Planner Orbach presented the staff report. The property owners were present to answer questions.

Commissioner Newman noted that applications usually include the outline of adjacent structures within their plan packet. He agreed that this project is small enough to not need to provide context, however emphasized that this practice should be standard for all applications.

Commissioner Routh announced his pleasure that this home has been purchased since now it will be cared for rather than neglected.

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

CONDITIONS:

1. The project approval consists of construction two dormers on an historic single-family residence. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 6, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans

approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans

3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit #19-0014 shall be paid in full.
7. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to 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.
15. 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.

16. 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.
17. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
- ~~18. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.~~

FINDINGS:

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed construction two dormers on an historic single-family residence complies with the development standards of the C-N (Neighborhood Commercial) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the construction two dormers on an historic single-family residence. The design of the home, with dormers that maintain the historic roofline but are differentiated from the historic structure by the use of shingle siding, will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15301(e) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project does not add any floor area to the existing structure. This project involves the construction two dormers on an historic single-family residence within the C-N (Neighborhood Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Wilk, Routh, Christiansen

6. DIRECTOR'S REPORT

Director Herlihy presented a proposed modification to a project at 1810 Wharf Road. As part of the Conditional Use Permit, the historic wood siding had been preserved and labeled for reuse, however many boards are too damaged to utilize. The architect is requesting permission to use newly milled boards that will match the existing, which Director Herlihy is prepared to approve upon direction from the Commission. Commissioner Newman supported Director Herlihy and her judgment for approval, however since this issue has now come up more than once asked that the option of milling new boards be included in future project approvals.

Director Herlihy announced that the Village Hotel Project will be presenting a conceptual review as early as the July 18, 2019, Planning Commission meeting. Commissioners communicated the importance of due notice being given not just to property owners within 300 feet of the project location, but to the entire City.

The Zoning Code will be discussed at the City Council meeting on June 27, with analysis provided by City Attorney Reed Gallogly. Director Herlihy provided insight that the document will likely be presented to the Planning Commission one more time before being returned to the Coastal Commission for approval and adoption.

7. COMMISSION COMMUNICATIONS

Chair Welch reminded the public of this weekend's Capitola Rod and Custom Car Show.

Commissioner Newman clarified that the July meeting will be held on Thursday, July 18, 2019, to accommodate the July Fourth Holiday.

8. ADJOURNMENT

The meeting was adjourned at 7:30 PM.

Chloé Woodmansee, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: JULY 18, 2019
 SUBJECT: **2195 41st Avenue #19-0219 APN: 034-192-10**

Sign Permit for a monument sign with new digital changeable copy for gasoline pricing for the 76 Gas Station located within the C-R (Regional Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Gawfco Enterprises, Inc.

Representative: Sign Development, Inc., Filed: 05.07.19

APPLICANT PROPOSAL

The applicant is proposing to update a monument sign, two canopy signs, and pump island signs for the 76 gas station located at 2195 41st Avenue in the C-R (Regional Commercial) zoning district. The applicant is requesting to update the monument sign to include digital changeable copy signs for gasoline pricing which requires Planning Commission approval.

BACKGROUND

In 2005, the Planning Commission approved a monument sign on the corner of 41st Avenue and Gross Road and two additional wall signs on the canopy.

DISCUSSION

2195 41st Avenue is located along the northern gateway into Capitola near the Highway 1 offramp on the border of Santa Cruz County. The property is a corner lot with frontage on 41st Avenue and Gross Road. It is situated between commercial properties along 41st Avenue and County residential properties to the west. There are no proposed changes to the 76 market building. The property is located outside the coastal zone and is subject to the regulations of the 2018 zoning code chapter 17.80.

Capitola Municipal Code (CMC) §17.80.080(H) includes specific sign standards for gas and service stations. The applicant is proposing to replace the existing sign face on the monument sign with a new digital sign for gasoline pricing and an updated internally illuminated logo. Within the gas station sign regulations, the Planning Commission may approve a six-foot-high monument sign with digital changeable copy signs for a gas station.

In the Regional Commercial zoning district, a monument sign is limited to a maximum of 60 square feet. The monument sign will not change in size. It is six feet tall by nine feet one inch wide including the base, for a total of 54.5 square feet.

CMC §17.80.080(H)(3) allows a gas station to have a monument sign on each street frontage. The monument sign will remain in the existing location on the corner of 41st Avenue and Gross Road.

The applicant is also updating existing signs that do not require Planning Commission approval because they are simply updating the sign faces. The two wall signs on the canopy will be refaced. Each sign is a round, internally illuminated “76” logo, measuring 33.5 inches in diameter. The application also includes a reface to the “76” logo decals on the pump islands.

The site includes legal non-conforming signs. Pursuant to CMC §17.80.140(B), changes to legal nonconforming signs are permitted as long as there is no alteration to the physical structure or support elements of the sign. The decals are legal nonconforming under the new zoning code, as signs on pump islands are prohibited except as required by state law. Also, the total sign area for the property is legal nonconforming as it exceeds the 62.5 square foot maximum allowed with Planning Commission approval. The application maintains the existing sign area for each of the updated sign faces with a total of 75 square feet of sign area on the site.

Unpermitted Signage

During a site inspection staff identified two unpermitted signs affixed to the light posts along Gross Road. Pursuant to CMC §17.80.060(V), the unpermitted signs are prohibited. A condition has been added that requires the site to be in full compliance with the sign code prior to issuance of a building permit.

CEQA

This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves a new monument sign on a commercial property in the C-R (Regional Commercial) zoning district. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission review application #19-0219 and **approve** the project based on the following findings and conditions of approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a reface to a 54-square-foot monument sign with digital changeable copy signs for gasoline pricing, a reface of two wall signs on the canopy, and a reface of pump island signs at 2195 41st Avenue located in the Regional Commercial zoning district. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 18, 2019.
2. The signs may not expose any direct lighting or electrical. All electrical shall be concealed. The canopy logos shall be internally illuminated. Sign illumination shall not shine directly on adjoining properties or cause glare for motorists or pedestrians.
3. Digital LED lettering is allowed within the approval. The image on the LED sign shall not be animated or moving at any time. The installed sign must match the plans reviewed and approved by the Planning Commission on July 18, 2019.

4. 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.
5. Prior to issuance of building permit, all Planning fees associated with permit #19-0219 shall be paid in full.
6. All signs on the property must be permitted and comply with sign standards of the Capitola Zoning code. Prior to issuance of a building permit, all unpermitted signs shall be removed.
7. 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.
8. 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 except for Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
9. 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.
10. This permit shall expire 2 years from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
11. 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.

FINDINGS

- A. The proposed signs are consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
The Community Development Department and the Planning Commission have reviewed the sign application and determined that the proposed signs will secure the purposes of the zoning ordinance, design standards, and general plan.
- B. The proposed signs comply with all applicable standards in Chapter 17.80 (Signs).**
The proposed monument sign, wall signs, and pump island signs comply with all applicable standards of Chapter 17.80 as conditioned.

C. The proposed sign will not adversely impact the public health, safety, or general welfare.

The Community Development Department and the Planning Commission have reviewed the sign application and determined that the proposed signs will not have adverse impacts on public health, safety, or general welfare.

D. The number, size, placement, design, and material of the proposed signs are compatible with the architectural design of buildings on the site.

The Community Development Department and the Planning Commission have reviewed the sign application and determined that the proposal is compatible with the architectural design of the structure on the site.

E. The proposed signs are restrained in character and no larger than necessary for adequate identification.

The Community Development Department and the Planning Commission have reviewed the sign application and determined the proposed sign designs are not larger than necessary for adequate identification.

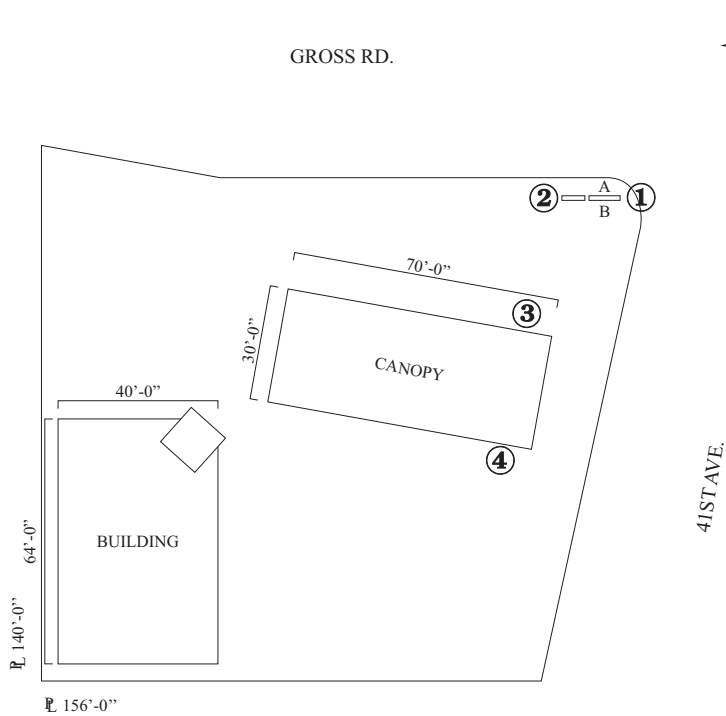
F. This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is not subject to Section 735.5 of Title 14 of the California Code of Regulations.

CEQA Section 15311(a) exempts the construction of on-premise signs appurtenant to existing commercial facilities. The signs proposed are for an existing 76 gas station in the C-R (Regional Commercial) zoning district. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS:

1. 2195 41st Avenue - Sign Plans

Prepared By: Sean Sesanto



SITE PLAN
SCALE: 1/32" = 1'-0"



EXIST SITE

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Sign Developm

Inc.

#576277

Upland, CA 91786 (909) 920-5535



2195 41ST. AVE.
CAPITOLA, CA 90

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME

DATE

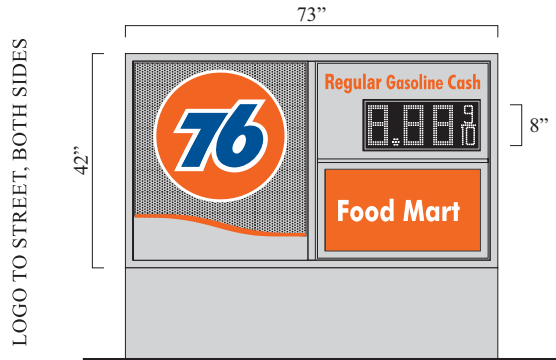
NO. U7610

PAGE: 1 OF 5

DATE: 03.12.19BA

REV: 05.10.19SM 06.19.19BA 07.09.19GO

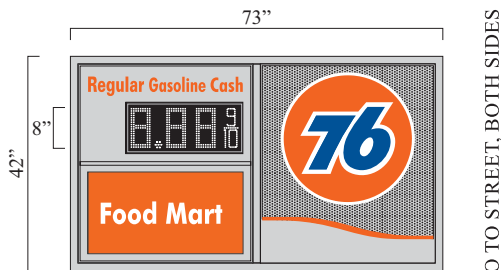
SIDE A



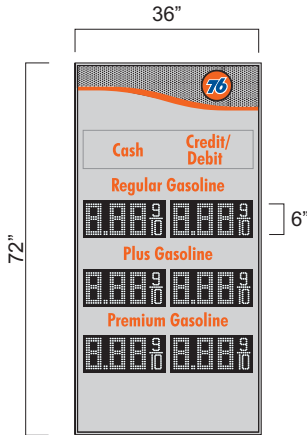
SCALE: 1/2" = 1'-0"

- ① PROPOSED D/F PRICE/ID SIGN
21.29 sq.ft.

SIDE B



LOGO TO STREET, BOTH SIDES



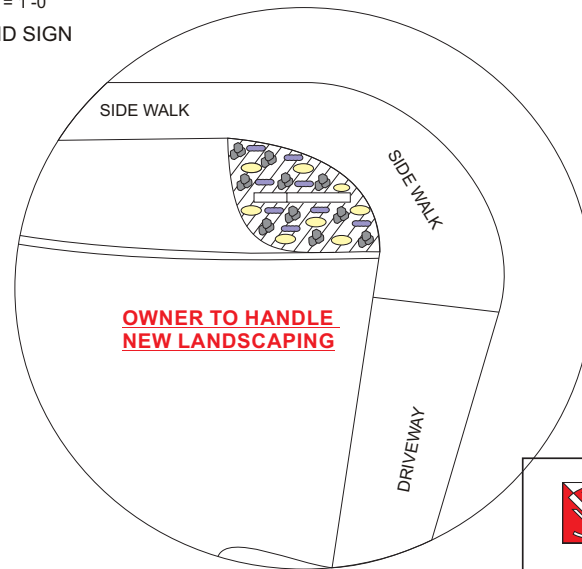
SCALE: 1/2" = 1'-0"

- ② PROPOSED D/F PRICE/ID SIGN
18.00 sq.ft.

OWNER TO HANDLE NEW LANDSCAPING



- ① EXISTING D/F PRICE/ID SIGN
21.29 sq.ft.
- ② EXISTING D/F PRICE/ID SIGN
18.00 sq.ft.



- Trailing Epsom
Calyptrophus har
(1 quart min size)
- The Ghc
Graptopetalu
or similar (1 quart min size)
- River Rock Cover

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Upland, CA 91786 (909) 920-5535



2195 41ST. AVE.
CAPITOLA, CA 90510

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME

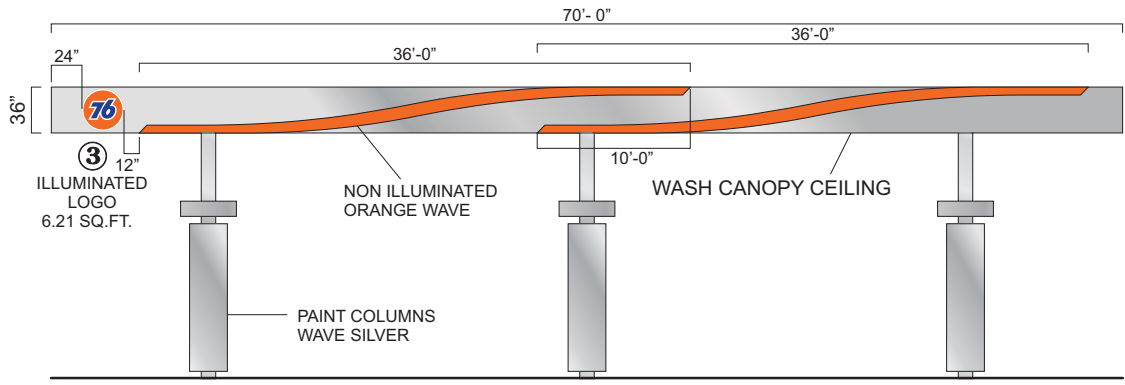
DATE

NO. U7610

PAGE: 2 OF 5

DATE: 03.12.19BA

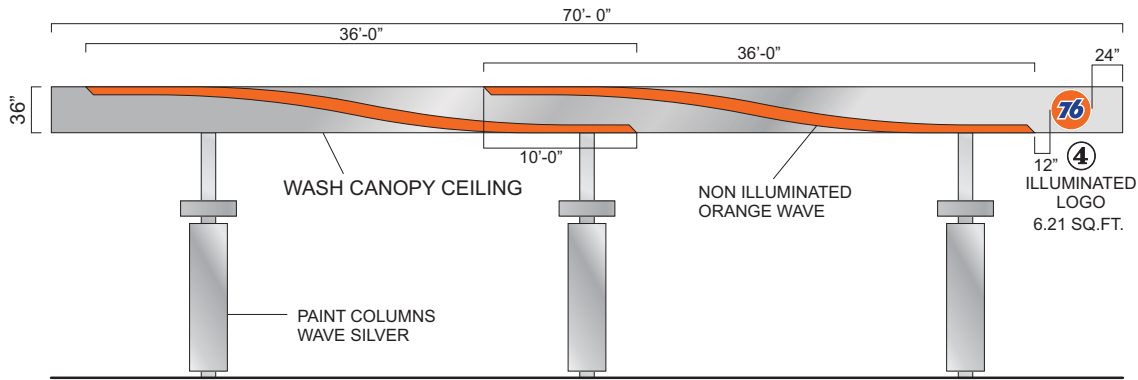
REV: 05.10.19SM 06.19.19BA 07.09.19GO



NORTH CANOPY ELEVATION

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

NOTE:
 PAINT ALL BUMPER POLES WAVE ORANGE
 PAINT ALL ISLAND FORMS GUNMETAL GRAY
 SUPPLY AND INSTALL TANK TAGS
 SUPPLY SIX (6) LARGE TRASH CADDIES



SOUTH CANOPY ELEVATION

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



EXISTING NORTH CANOPY ELEVATION
 2 EXISTING LOGOS ON CANOPY
 EACH LOGO - 6.21 SQ.FT.



SUPPLY AND INSTALL
 SIX (6) NEW 76 WAVE
 IMAGE TRASH CADDIES

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Sign Development Inc.

#576277

Upland, CA 91786 (909) 920-5535



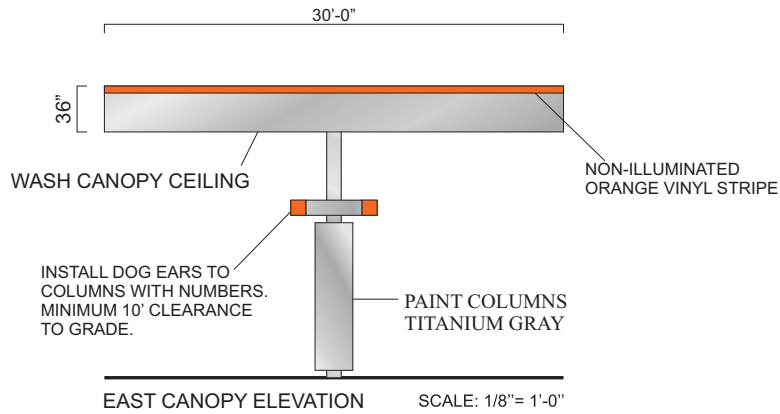
2195 41ST. AVE.
 CAPITOLA, CA 90:

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

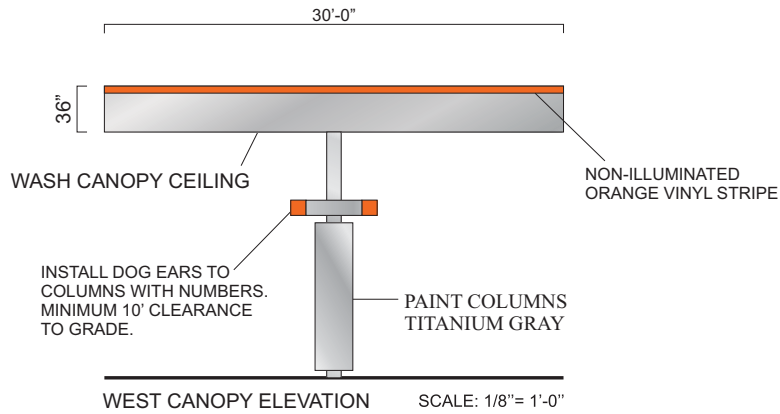
CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME _____ DATE _____

NO. U7610 PAGE: 3 OF 5
 DATE: 03.12.19BA
 REV: 05.10.19SM 06.19.19BA 07.09.19GO



NOTE:
 PAINT ALL BUMPER POLES WAVE ORANGE
 PAINT ALL ISLAND FORMS GUNMETAL GRAY
 SUPPLY AND INSTALL TANK TAGS
 SUPPLY SIX (6) LARGE TRASH CADDIES



EXISTING WEST CANOPY ELEVATION



SUPPLY AND INST.
 SIX (6) NEW 76 W/ IMAGE TRASH CADDY

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Sign Development Inc.

#576277

Upland, CA 91786 (909) 920-5535



2195 41ST. AVE.
 CAPITOLA, CA 91

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

 SIGN AND PRINT FULL NAME DATE

NO. U7610 **PAGE: 4 OF 5**
DATE: 03.12.19BA
REV: 05.10.19SM 06.19.19BA 07.09.19GO



PAINT EXISTING BUILDING TRIM ORANGE.
EXISTING BUILDING SIGN TO REMAIN.

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Sign Developm

Inc.

#576277

Upland, CA 91786 (909) 920-5535

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME

DATE

NO. U7610 **PAGE: 1 OF 5**
DATE: 03.12.19BA
REV: 05.10.19SM 06.19.19BA 07.09.19GO



2195 41ST. AVE.
CAPITOLA, CA 95006



VALANCE
12 1/2" X 58"



NON ILLUMINATED
VALANCE



CONTAINS
UP TO 10% OF ETHANOL



VALANCE
24 1/2" X 36 1/2"



EXISTING
VALANCE
9 1/2" X 56"



EXISTING
VALANCE
24 1/2" X 36 1/2"

EXISTING DISPENSERS

SIX (6) EACH
GILBARCO ENCORE "S" 3+0

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)



Sign Development

Inc.

Upland, CA 91786 (909) 920-5535

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME

DATE

NO. U7610

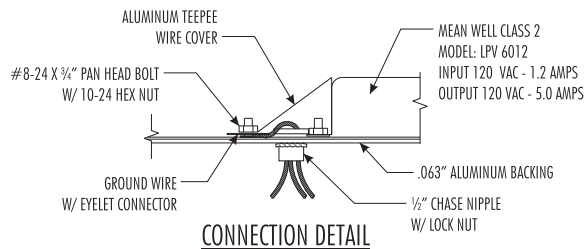
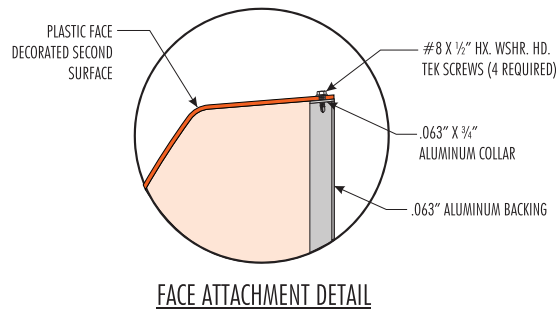
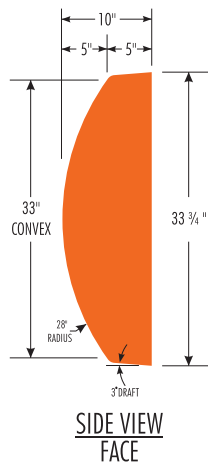
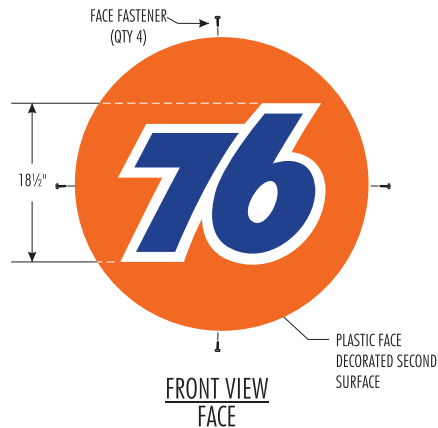
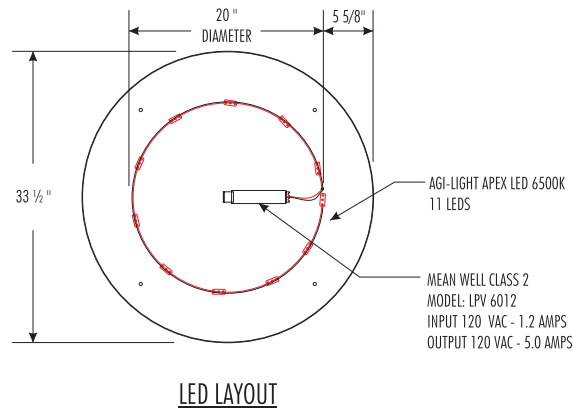
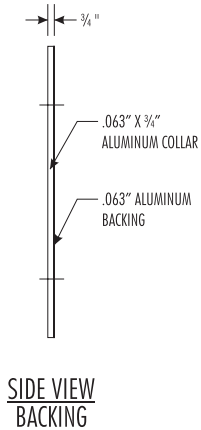
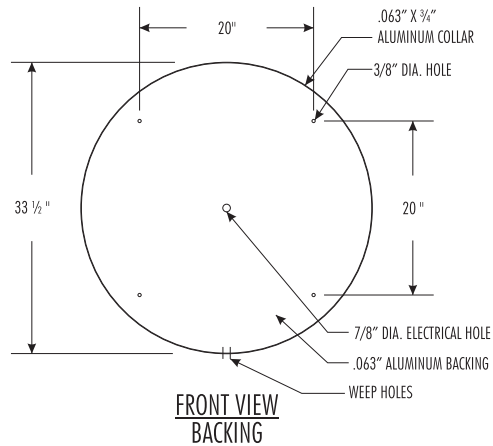
PAGE: DISP.

DATE: 03.12.19BA

REV: 05.10.19SM 06.19.19BA 07.09.19GO



2195 41ST. AVE.
CAPITOLA, CA 95009



SIGN SPECIFICATIONS:

SIGN SIZE:
 AREA - 6.21 SQ.FT.
 WEIGHT - 20 LBS

ELECTRICAL:
 AMPS - 2.0 AMPS
 CIRCUITS - (1) 20
 VOLTS - 120

CL33-2



Upland, CA 91786 (909) 920-5535



2195 41ST. AVE.
 CAPITOLA, CA 9:

Attachment: 2195 41st Avenue - Sign Plans (2195 41st Avenue)

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.

CUSTOMER APPROVAL

 SIGN AND PRINT FULL NAME

 DATE

NO. U7610

PAGE:

DATE: 03.12.19BA

REV: 05.10.19SM 06.19.19BA



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: JULY 18, 2019
 SUBJECT: **511 Escalona Drive #19-0165 APN: 036-125-02**

Design Permit for a second-story addition to an existing single-family residence, an internal Secondary Dwelling Unit, and a Major Revocable Encroachment Permit for a fence in the public right of way located within the R-1 (Single-Family) 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: Christine Meserve

Representative: Valerie Hart, Filed: 04.10.2019

APPLICANT PROPOSAL

The applicant is proposing to expand a second-story living space above an attached garage and convert a portion of the conditioned space within the garage into a 499-square-foot Secondary Dwelling Unit located at 511 Escalona Drive within the R-1 (Single-Family Residential) zoning district. The application also includes a Major Revocable Encroachment Permit for an existing fence in the public right of way.

BACKGROUND

The Architectural and Site Review Committee reviewed the application on June 12, 2019, and provided the applicant with the following direction:

Public Works, Kailash Mozumder: informed the applicant that they would need to submit a copy of the deed and legal description of the lot to complete the revocable encroachment permit application.

Building Official, Robin Woodman: informed the applicant that windows adjacent to a bathtub are required to be tempered.

Local Architect, Frank Phanton: liked the revisions to the attached garage, including the flat roof, and thought that the design did a good job of respecting the privacy of neighboring properties.

City Planner, Matt Orbach: informed the applicant that windows adjacent to the flat roof should be at least four feet from the finished floor to prevent use of the flat roof as a deck. Mr. Orbach also pointed out the potential for the living space above the garage to be used as a third

separate unit, which is not allowed, and stated that a condition of approval would be included limiting the kitchen area in that living space to a “mini-bar/convenience area.”

Following the meeting, the applicant submitted revised plans that incorporated all the modifications requested by the architectural and site review committee, including windows adjacent to the flat roof with sills at 42 inches above the floor and the stairwell from the second-story living space above the garage terminating in the garage rather than the exterior. The applicant also submitted a copy of the deed and the legal description of the lot.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1 Zoning District.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height				
R-1 Regulation	Existing		Proposed	
25 ft.	21 ft. 11 in.		23 ft. 8 in.	
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	5,513 sq. ft.		5,513 sq. ft.	
Maximum Floor Area Ratio	49% (Max 2,701 sq. ft.)		60% (Max 3,312 sq. ft.)	
First Story Floor Area	2,343 sq. ft.		2,037 sq. ft.	
Second Story Floor Area	1,068 sq. ft.		1,268 sq. ft.	
TOTAL FAR	61.9% (3,411 sq. ft.)		59.9% (3,305 sq. ft.)	
Yards				
	R-1 Regulation		Existing	Proposed
Front Yard 1st Story	15 ft.		15 ft.	15 ft.
Front Yard 2nd Story	20 ft.		25 ft. 8 in.	25 ft. 8 in.
Side Yard 1st Story – Inner	10% lot width	Lot width: 50.75 (Avg.) 5 ft. 1 in. min.	5 ft. 7 in.	5 ft. 7 in.
Side Yard 2nd Story – Inner	15% of width	Lot width: 50.75 (Avg.) 7 ft. 7 in. min	12 ft. 6 in.	8 ft.
Side Yard 1st Story – Street	10 feet for corner – street face	10 ft. min.	9 ft. 10 in. Existing Nonconforming	9 ft. 10 in. Existing Nonconforming
Side Yard 2nd Story	10 feet for		21 ft.	21 ft. 9 in.

– Street	corner – street face	10 ft. min		
Rear Yard 1 st Story	10% lot depth of adjacent property	Lot depth 40 ft. 4 ft. min.	12 ft. 4 in.	12 ft. 4 in.
Rear Yard 2 nd Story	10% lot depth of adjacent property	Lot depth 40 ft. 4 ft. min	12 ft. 4 in.	12 ft. 4 in.
Encroachments (list all)	Existing Fence		Front Residence in Street Side Setback	
Parking	Front Residence in Street Side Setback		Front Residence in Street Side Setback	
	Required	Existing	Proposed	
Residential (from 2,601 up to 4,000 sq. ft.)	4 spaces total 1 covered 3 uncovered	2 spaces total 2 covered 0 uncovered	4 spaces total 2 covered 2 uncovered	
Garage and Accessory Bldg.	Complies with Standards?		List non-compliance	
Garage	Yes			
Underground Utilities: required with 25% increase in area			No	

DISCUSSION

The existing residence at 511 Escalona Drive is a nonconforming two-story single-family residence. The applicant is proposing to expand a second-story living space above an attached garage and convert a portion of the unconditioned space within the first story of the garage into a 499-square-foot secondary dwelling unit. The lot is surrounded by one- and two-story single-family homes. The proposed residence is a Spanish-style home featuring stucco siding and tile roofs.

Secondary Dwelling Unit

The proposal includes the conversion of 499 square feet of existing floor area inside the attached garage into an internal secondary dwelling unit. The proposed internal secondary dwelling unit is permitted in the R-1 zoning district on the 5,513 square foot lot that is occupied by one single-family dwelling. The maximum size of a secondary dwelling unit on this lot is 500 square feet. The proposed secondary dwelling unit complies with all the secondary dwelling regulations of §17.99 and applicable state law.

Revocable Encroachment Permit

The application includes a major revocable encroachment permit for unpermitted improvements in the public right of way. The encroachments include an existing stucco wall along Escalona Drive and Sacramento Avenue that was built without the required permits. The portion of the wall along the corner of Escalona Drive and Sacramento Avenue is two feet five inches high with pillars that are three feet eleven inches high. The rest of the wall is four feet one inch high with pillars that are five feet five inches high (Attachment 2). The wall, which was built without permits, was red-tagged in 1997 for being constructed without a building permit or an encroachment permit and constituting a sight distance hazard for traffic at the intersection. It appears that, as a result, the fence height along the corner of Escalona Drive and Sacramento Avenue was reduced to less than 30 inches, in compliance with line of sight requirements for fences on corner lots. The existing wall is in compliance with the fence height regulations of three and a half feet maximum for front yards and six feet maximum for side and rear yards.

The existing wall does not comply with the location standard for fences on corner lots. Capitola Municipal Code §17.54.020.A.3 requires corner lots to set back a fence at least five feet from the property line on that side of the lot which has the greatest length along the street. The applicant is requesting a revocable encroachment permit to permit the existing wall within the public right-of-way. Pursuant to CMC §17.54.020(B), the Planning Commission may approve alternative locations, height, and materials for fences.

Pursuant to §12.56.060, the City may issue permits to allow certain improvements to be installed and maintained by abutting private property owners, within the private improvements area. Minor permits may be issued by the Public Works Director for mailboxes, fences up to three and a half feet in height, walkways, driveways, and landscaping that comply with specific standards. Major Permits, for improvements beyond those listed under the discretion of the Public Works Director, require approval by the Planning Commission.

The Planning Commission must evaluate the following considerations when deciding whether or not to issue a major encroachment permit:

1. The expense and difficulty that will be entailed in removing the improvement in the event of street widening;

Staff analysis: Within the revocable/hold harmless agreement, the owner must agree that the removal of the wall, when so ordered by the City, shall be at the permittee's expense and not the expense of the City.

2. Whether the proposed improvements are in conformity with the size, scale, and aesthetics of the surrounding neighborhood;

Staff analysis: The proposed wall is of exceptional quality and fits well with the aesthetics of the community.

3. Preservation of views;

Staff analysis: Public views would not be impacted by the proposed wall.

4. Whether granting the permit would tend to result in the granting of a special privilege, in the sense that granting this permit would tend to preclude granting similar permits to neighboring property. If the benefit to the applicant and community is determined to exceed the detriment to the community, the permit shall be approved. The planning commission may, by providing reasonable notice to neighboring property owners, develop standards or criteria applicable to the entire block within which the property is located.

Staff analysis: Staff has not identified any potential detriments to the City or community that the proposed wall would create. On-street parking will not be affected by the proposed wall.

Nonconforming

The existing structure is nonconforming because the east side of the structure along Sacramento Avenue encroaches two inches into the ten-foot required side yard setback. The applicant submitted the required 80% nonconforming calculation (Attachment 3), which demonstrates that the proposed structural alterations do not exceed 80 percent of the present fair market value of the structure, so the alterations are permissible.

Future Deck

The property is located within the Coastal Zone and therefore subject to the 1975 zoning code rather than the 2018 updated zoning code. The addition to the attached garage includes a 372-square-foot flat roof with a parapet wall that seems to be designed as a second-story deck. The proposed structure is only seven square feet under the maximum floor area for the property, so the flat roof may not currently be used as a deck because a deck counts as floor area under the 1975 code. Under the new zoning code, however, second-story decks will not count towards the floor area, so the area could potentially be used as a deck with future approval of a design permit from the Planning Commission.

The original submittal included tall windows with a bottom edge close to the floor that could provide easy access to the flat roof so that it could be used as a deck. On previous projects with similar situations, the Planning Commission has restricted access to these unpermitted deck areas by only allowing windows that are at least four feet off the floor on walls adjacent to flat roofs. In this case, however, the proposed windows are egress windows, so they cannot be four feet (48 inches) off of the floor. Following the Architecture and Site Review Committee meeting, the applicant revised the windows adjacent to the flat roof to have sills at 42 inches above the floor, which meets the building code requirements for egress windows and addresses staff concerns about easy access to the flat roof.

Potential Third Unit

Only one secondary dwelling unit is allowed on a single parcel (CMC §17.74.040(D)). Staff has concerns regarding the addition to the upstairs of the attached garage, which includes two bedrooms, one bathroom, living room, wet bar that is designed similar in layout to a full-sized kitchen, independent access from a first-story entryway staircase and a second access from the garage. Although all improvements comply with the zoning standards, the area could be easily closed off from the rest of the single-family home by installing one door and inhabited separately.

To prevent an illegal third unit, conditions of approval have been added to clarify that the approval is limited to one single-family home with one secondary dwelling unit and ensure the “wet bar” in the living space above the garage is limited to a “mini-bar/convenience area.” A mini-bar/convenience area is a supplemental food preparation area within a single-family home. Under Capitola Municipal Code §17.03.340: *“Such an area is limited to a small refrigerator, a microwave oven and a small sink with a drain size less than one and one-half inches. No gas line or two hundred twenty electric service is permitted within this area. Only one such area is permitted within a dwelling in addition to the kitchen, and internal access within the dwelling must be maintained.”* Condition of approval #20 reflects these restrictions.

CEQA

Section 15303(a) of the CEQA Guidelines exempts one single family residence, or a second dwelling unit in a residential zone. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #19-0165.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a second-story addition and a 499-square-foot internal Secondary Dwelling Unit. The maximum Floor Area Ratio for the 5,513-square-foot property with a Secondary Dwelling Unit is 60% (3,312 square feet). The total FAR of the project is 59.9% with a total of 3,305 square feet, compliant with the

maximum FAR within the zone. The 499 square foot internal secondary dwelling unit is located on first story of the home adjacent to the garage. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 18, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0165 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.

13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. The food preparation area within the second-story living space above garage is limited to a mini-bar/convenience area. The mini-bar/convenience area is limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches. No gas line or two hundred twenty electric service is permitted within this area. Only one such area is permitted within a dwelling in addition to the kitchen, and internal access within the dwelling must be maintained. The internal access must be maintained between the conditioned space of the main home and the mini-bar/convenience area. The staircase to the garage from the second story is not considered internal access within the dwelling, as the garage is unconditioned space.
21. The floor area for secondary dwelling units shall not exceed 499 square feet as approved by the Planning Commission.

22. At time of submittal for building permit review, a water will serve letter for the second dwelling unit must be submitted to the City.
23. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
- a. The secondary dwelling unit shall not be sold separately;
 - b. The unit is restricted to the approved size;
 - c. The administrative review or the design permit, whichever applies, for the secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - d. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
 - e. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The second-story addition and internal Secondary Dwelling Unit comply with the development standards of the R-1 District. Specifically, all of the requirements of Capitola Municipal Code §17.99.050 have been met. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the second-story addition and internal Secondary Dwelling Unit. The design of the addition, with board and batten siding and composition shingle roof, will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

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

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50% of the existing structure or more than 2,500 square feet, whichever is less. This project involves an addition and the removal of several covered outdoor open spaces that result in a reduction of the floor area by 3%. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

1. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection

- (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
- b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

2. **Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**
 - a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 511 Escalona Drive. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
 - b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to

- shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
- The proposed project is located along Escalona Drive. No portion of the project is located along the shoreline or beach.
- c. **Historic Public Use.** Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on Escalona Drive. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. **Other Adverse Impacts on Access and Recreation.** Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported**

by written findings of fact, analysis and conclusions which address all of the following:

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

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

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

- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
- b. Topographic constraints of the development site;
 - The project is located on a flat lot.
- c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
- d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
- e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
- f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

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

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

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

SEC. 30222

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

- The project involves construction of a second-story addition and an internal Secondary Dwelling Unit 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 construction of a second-story addition and an internal Secondary Dwelling Unit 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 construction of a second-story addition and an internal Secondary Dwelling Unit on a residential lot of record.

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

- The project involves the construction of a second-story addition and an internal Secondary Dwelling Unit. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.

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

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

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

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

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

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

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

- The project is located 0.4 miles from the Central Fire Protection District Capitola Station. Water is available at the location.

12. Project complies with water and energy conservation standards;

- The project is for a second-story addition and an internal Secondary Dwelling Unit. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

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

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

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

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

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

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

16. Project complies with Monarch butterfly habitat protection policies;

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

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

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

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

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

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

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

20. Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

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

- This use is an allowed use consistent with the R-1 zoning district.

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

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

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

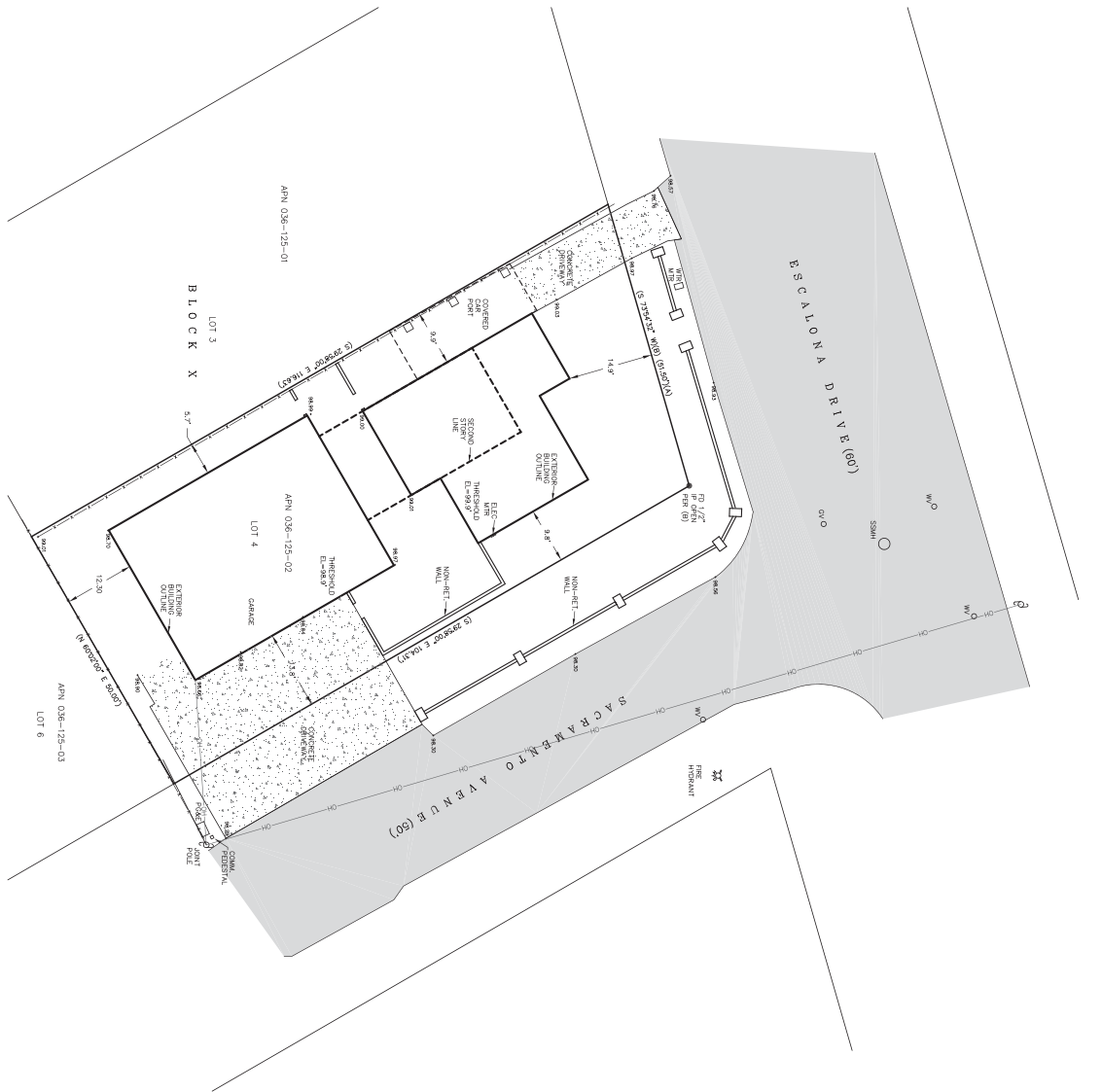
- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c.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

ATTACHMENTS:

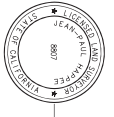
1. 511 Escalona Drive - Full Plan Set - 07.01.2019
2. 511 Escalona Drive - Wall Elevations for Major Revocable Encroachment Permit - Letter

3. 511 Escalona Drive - 80 Percent Nonconforming Calculation

Prepared By: Matt Orbach
Associate Planner



NOTES
 THE POKE EASEMENT 97-09-64, LISTED AS EXCEPTION #5 IN THE TITLE REPORT CANNOT BE DESCRIBED HERE AS NO METES AND BOUNDS



JEAN-PAUL HAPPEL, PLS 8807

ALPHA LAND SURVEYS, INC.
 4444 SCOTT VALLEY ROAD, SUITE 200
 SAN JOSE, CALIFORNIA 95131
 (408) 438-4455
 DATE: 5/27/19

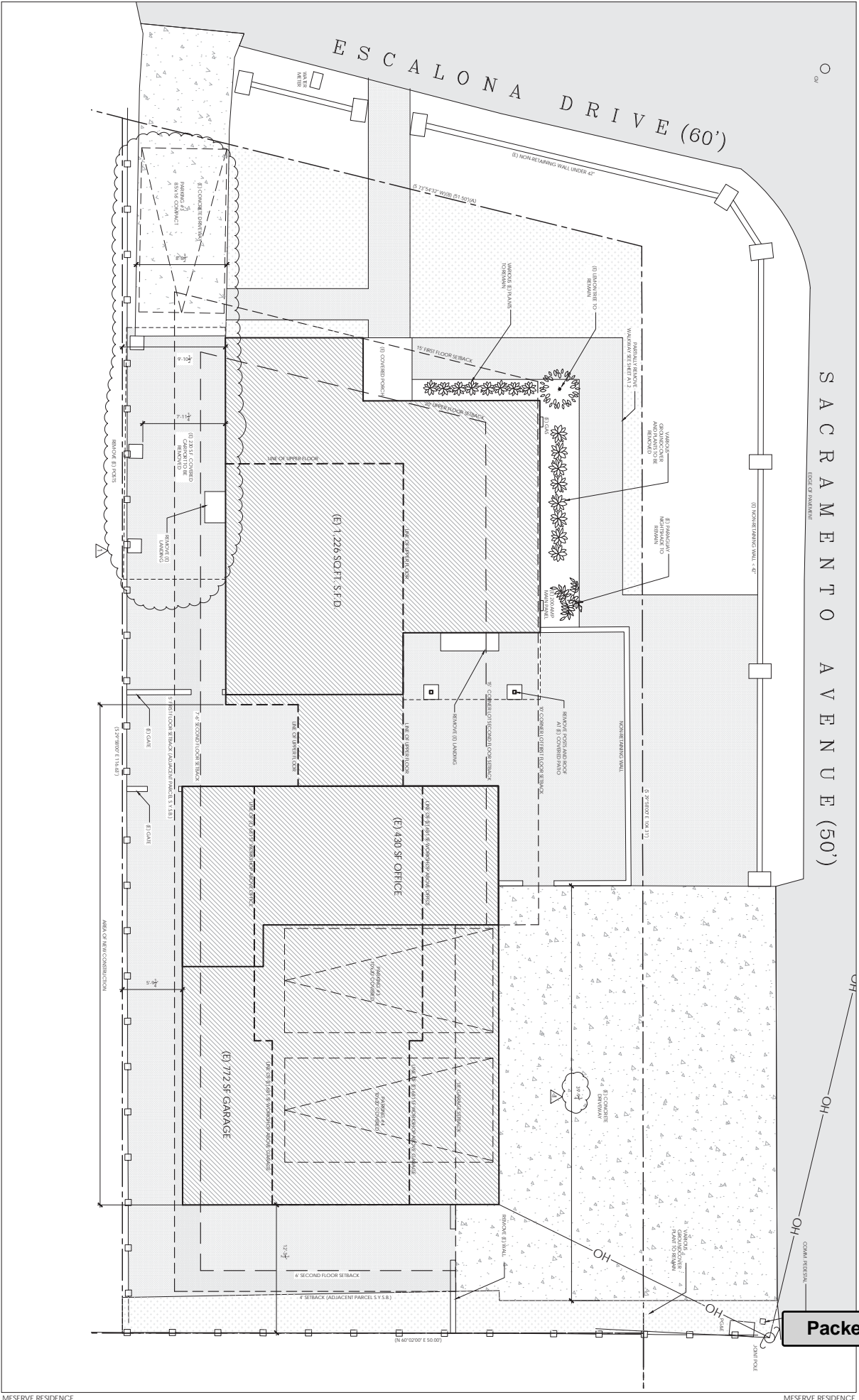
4444 SCOTT VALLEY ROAD, SUITE 200 SAN JOSE, CALIFORNIA 95131 (408) 438-4455	DATE: 5/27/19	2019-2019-003	SANTA CRUZ COUNTY
4444 SCOTT VALLEY ROAD, SUITE 200 SAN JOSE, CALIFORNIA 95131 (408) 438-4455	DATE: 5/27/19	2019-2019-003	SANTA CRUZ COUNTY

BASES OF BEARINGS
 BEARINGS ARE BASED UPON TOWN MONUMENTS AS SHOWN ON MAPS A, ATLAS 51, SANTA CRUZ COUNTY RECORDS

ELEVATION DATUM
 ELEVATIONS ARE DERIVED FROM A GPS SURVEY TO THE NATIONAL DATUM OF 1988 (NAD83) AMERICAN VERTICAL DATUM OF 1988 (AVD88)

REFERENCES
 (A) 10-M-13
 (9) 99-W-31

PARCEL DATE: 5/13/19 +/-



EXISTING SITE PLAN

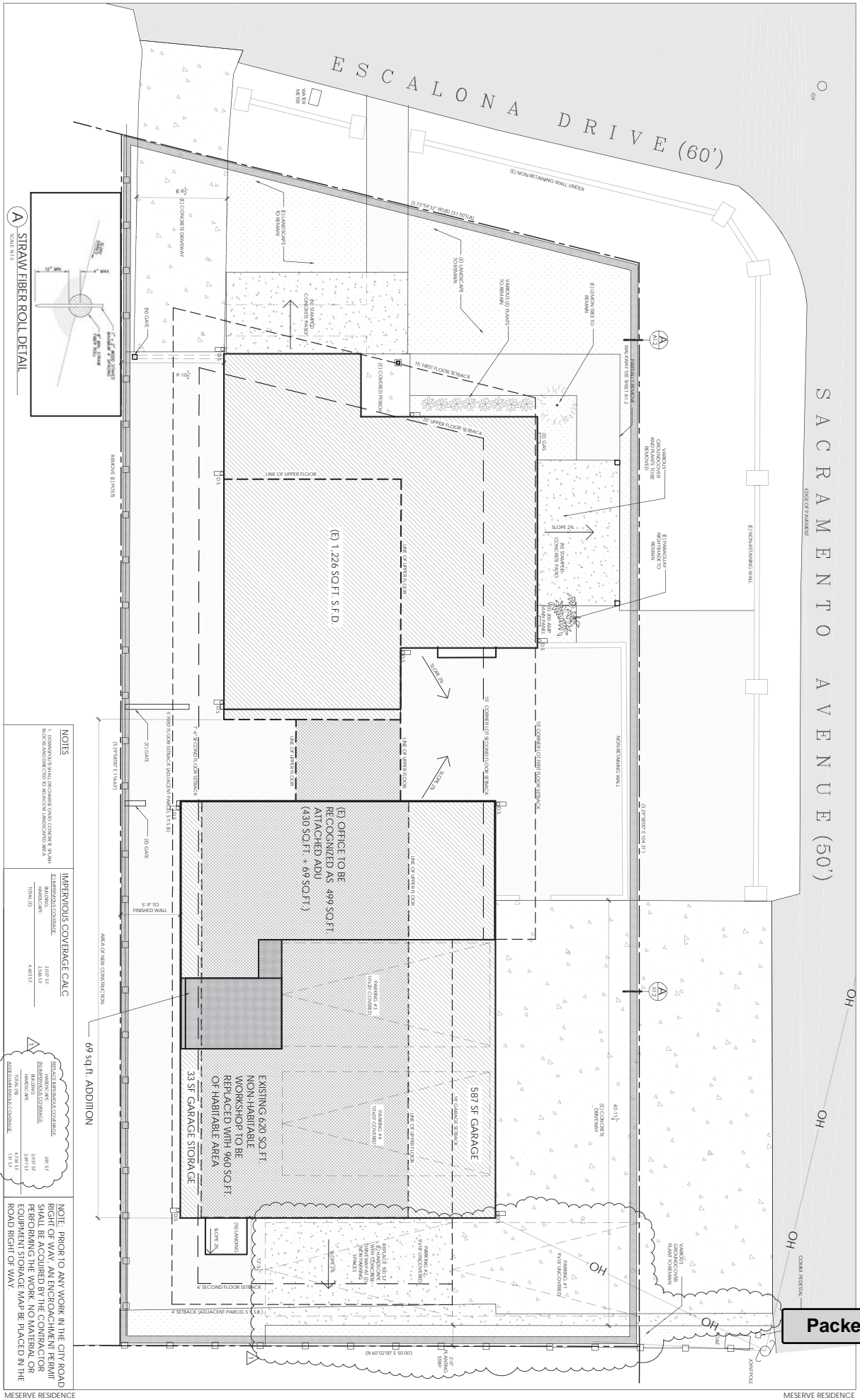


VALERIE HART RESIDENTIAL DESIGN
 3600 N. ROE O'GILCH RD SOLO, CA 95073
 (831) 239-1609 valerie@5fda.com

meserve residence
 511 escalona drive, capitola, ca 95010
 apr. 03-125-02

PLANNING SUBMITTAL - FEBRUARY 08, 2019
 PLAN CHECK ONE - MAY 24, 2019

SHEET: A1.1



PROPOSED SITE PLAN



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

VALERIE HART RESIDENTIAL DESIGN
 3600 N. ROBERTSON RD. SO. CALIF., CA 95073
 (818) 239-1609 valerie@vhrcd.com

meserve residence
 511 escalona drive, carrollton, ca 95070
 9pm - 036-125-02

PLANNING SUBMITTAL - FEBRUARY 08, 2019
 RAIN CHECK ONE - MAY 24, 2019

SHEET: **A1.2**

NOTES

1. REFER TO ALL CITY ORDINANCES, ORDINANCES, AND ORDINANCES FOR ALL APPLICABLE REGULATIONS AND REGULATIONS.
2. ALL APPLICABLE REGULATIONS AND REGULATIONS SHALL BE OBTAINED FROM THE CITY OF CARROLLTON.
3. ALL APPLICABLE REGULATIONS AND REGULATIONS SHALL BE OBTAINED FROM THE CITY OF CARROLLTON.

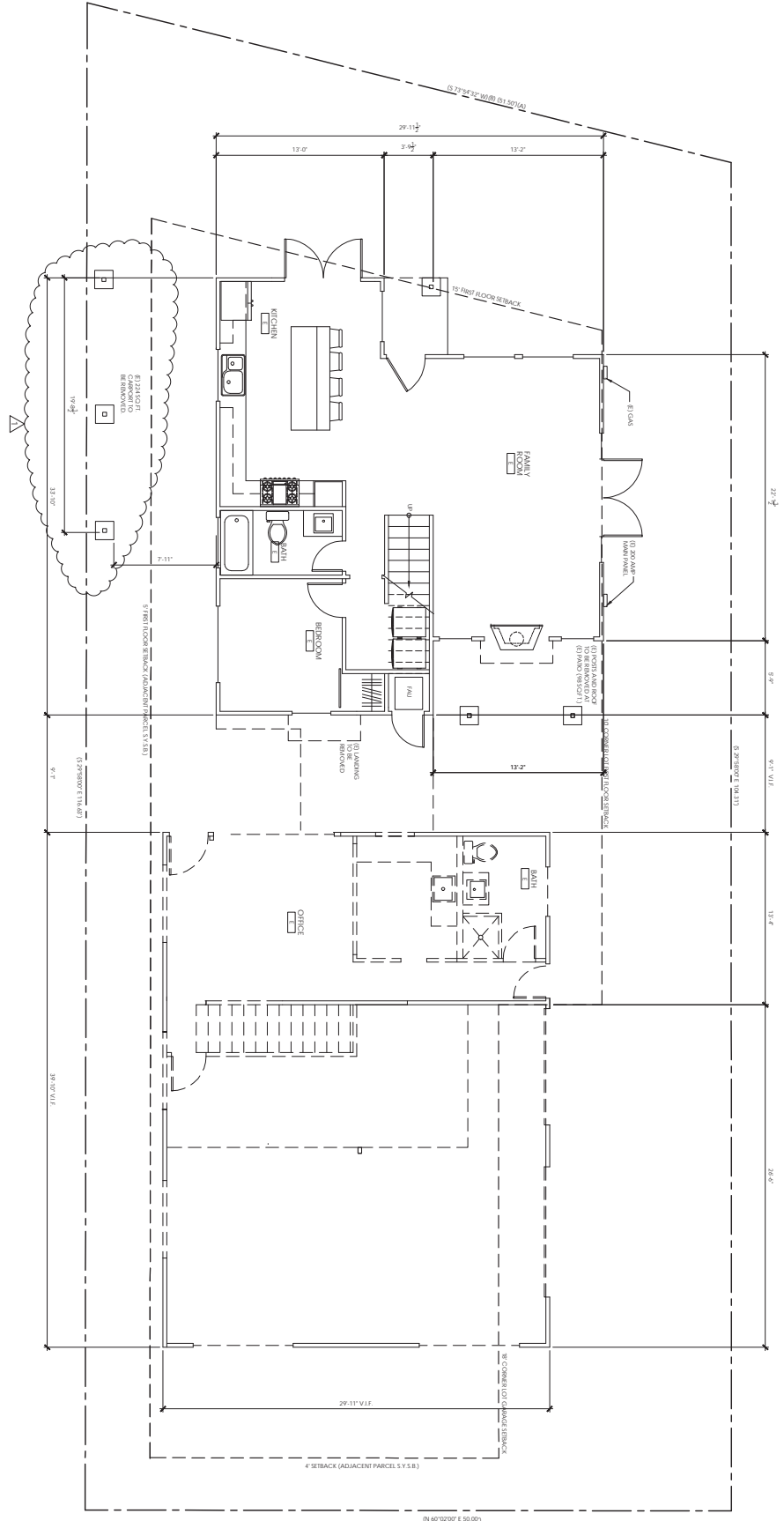
IMPERVIOUS COVERAGE CALC

EXISTING IMPERVIOUS COVERAGE	NEW IMPERVIOUS COVERAGE	TOTAL IMPERVIOUS COVERAGE
2,018 SF	4,091 SF	6,109 SF

EXISTING IMPERVIOUS COVERAGE

EXISTING IMPERVIOUS COVERAGE	NEW IMPERVIOUS COVERAGE	TOTAL IMPERVIOUS COVERAGE
2,018 SF	4,091 SF	6,109 SF

NOTE: PRIOR TO ANY WORK IN THE CITY ROAD RIGHT OF WAY, AN ENGINEER/CONSULTANT FIRM SHALL BE ACQUIRED BY THE CONTRACTOR PERFORMING THE WORK. NO MATERIAL OR EQUIPMENT STORAGE MAY BE PLACED IN THE ROAD RIGHT OF WAY.



EXISTING/DEMO LOWER FLOOR PLAN

WALL LEGEND

	EXISTING STRUCTURAL WALL
	EXISTING NON-STRUCTURAL PARTITION WALL
	DEMO STRUCTURAL WALL
	DEMO NON-STRUCTURAL PARTITION WALL

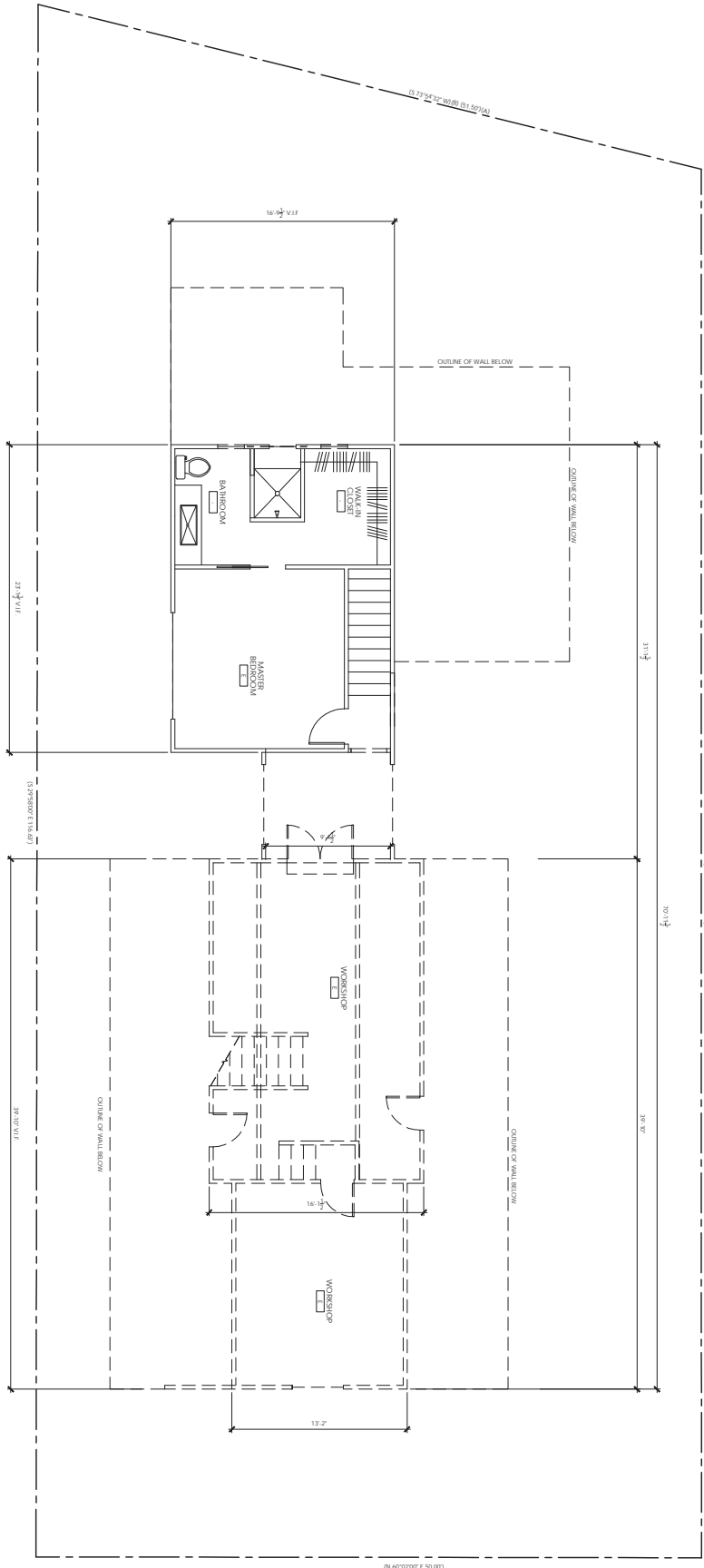
EXISTING LOWER FLOOR PLAN

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

VALERIE HART RESIDENTIAL DESIGN
 3680 N. ROBERTSON RD. SO. CALIF., CA 95073
 (818) 239-1609 valerie@vhrcd.com

meserve residence
 511 escalona drive, carroll, ca 95010
 apr 03-17-2019

PLANNING SUBMITTAL: FEBRUARY 08, 2019
 PLAN CHECK ONE: MAY 24, 2019
 SHEET: A2



EXISTING/DEMO UPPER FLOOR PLAN

WALL LEGEND	
	EXISTING STRUCTURAL WALL
	EXISTING NON-STRUCTURAL WALL
	DEMO STRUCTURAL WALL
	DEMO NON-STRUCTURAL WALL

EXISTING UPPER FLOOR PLAN

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



VALERIE HART RESIDENTIAL DESIGN

3640 N. ROSE GILICH RD SOQUIE, CA 95073
(831) 239-1609 valerie@560ac@yahoo.com

meserve residence

511 escalona drive, carroll, ca 95010
apn: 036-125-02

PLANNING SUBMITTAL
PLAN CHECK ONE

FEBRUARY 08, 2019
MAY 24, 2019

SHEET
A3

EXISTING ROOF PLAN

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



VALERIE HART RESIDENTIAL DESIGN

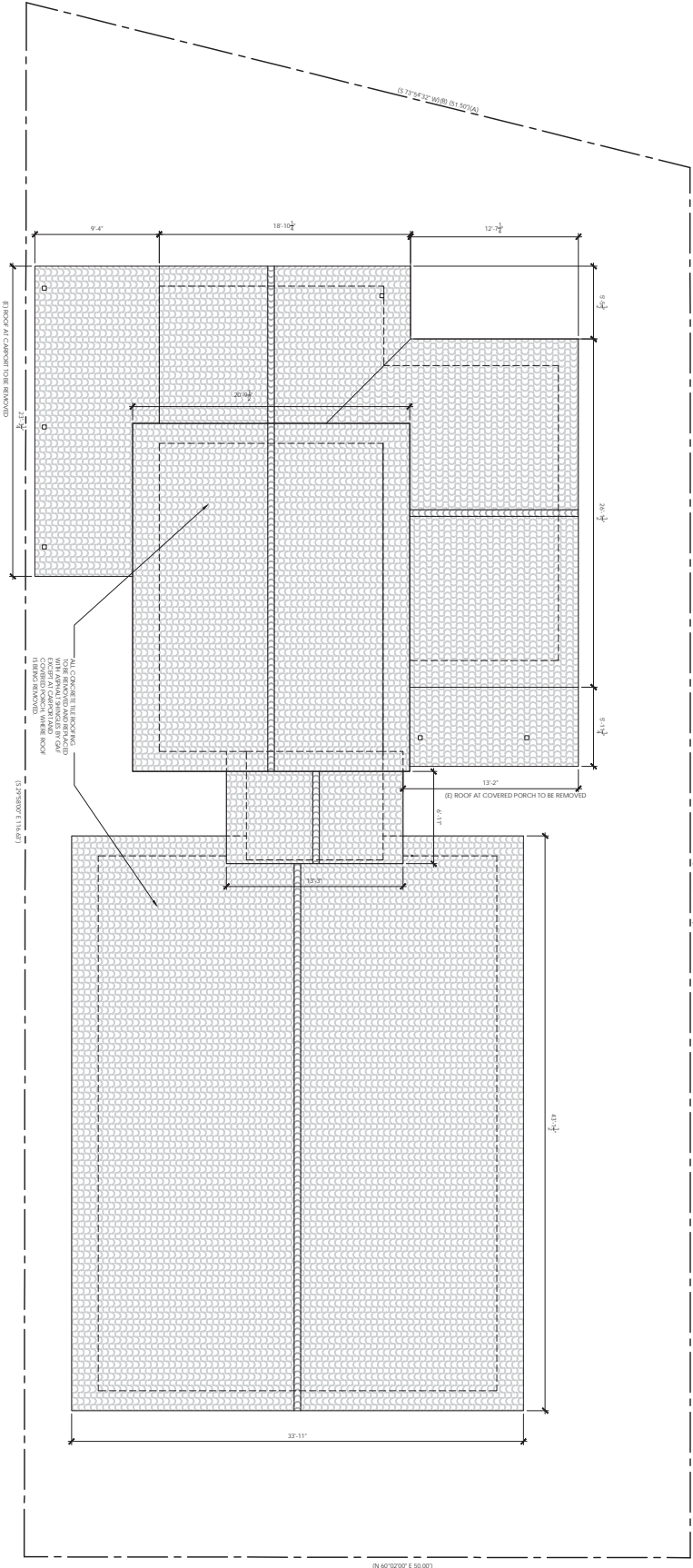
3600 N. ROYCE GILICH RD SUITE, CA 95073
(831) 239-1609 valerie@560d2@yahoo.com

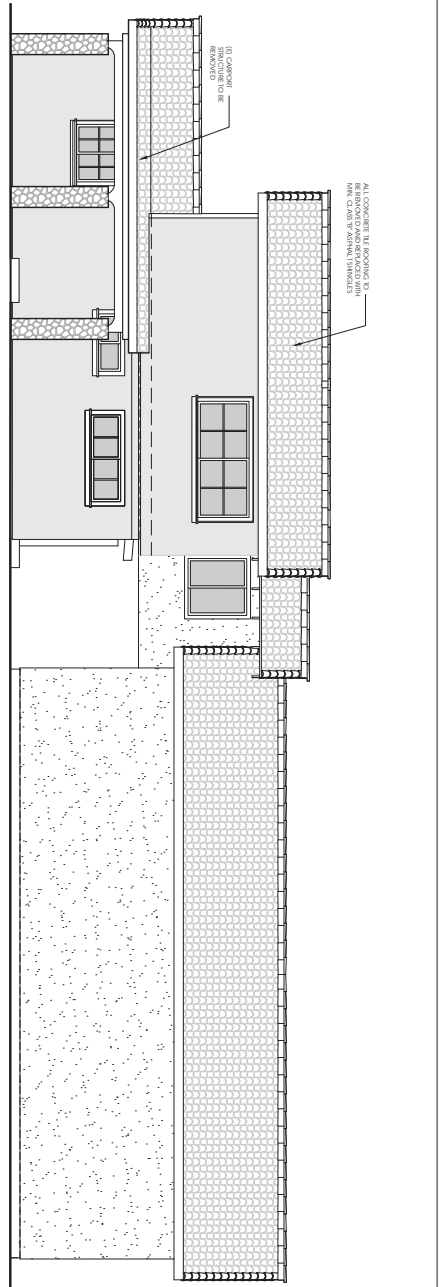
meserve residence

511 escalona drive, carroll, ca 95010
apn: 036-175-02

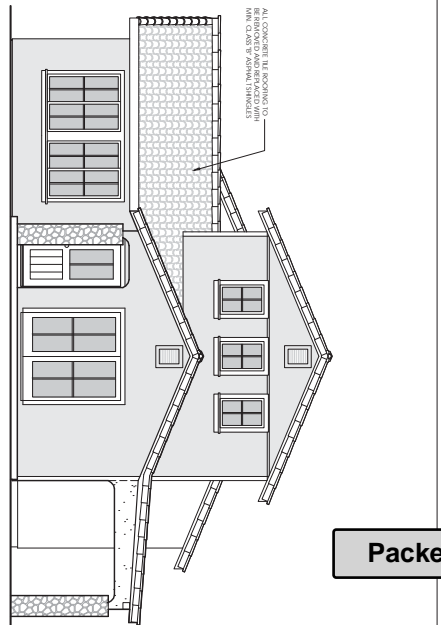
PLANNING SUBMITAL: FEBRUARY 08, 2019
PLAN CHECK ONE: MAY 24, 2019

SHEET: A4

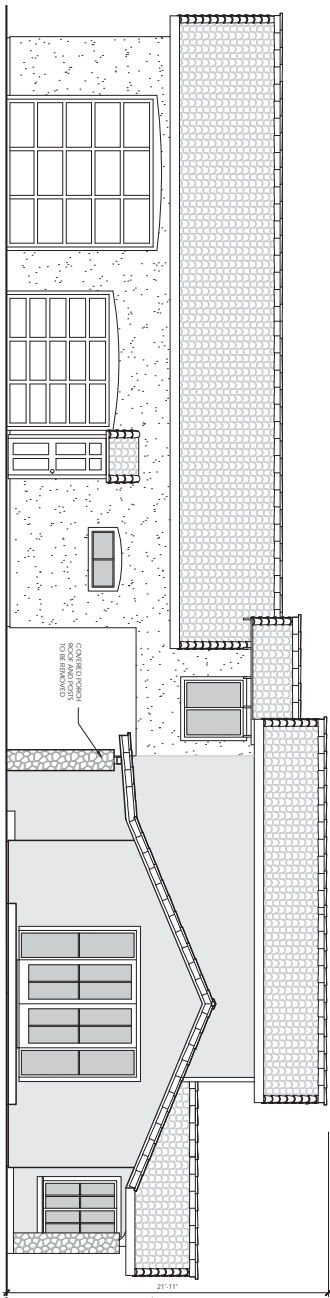




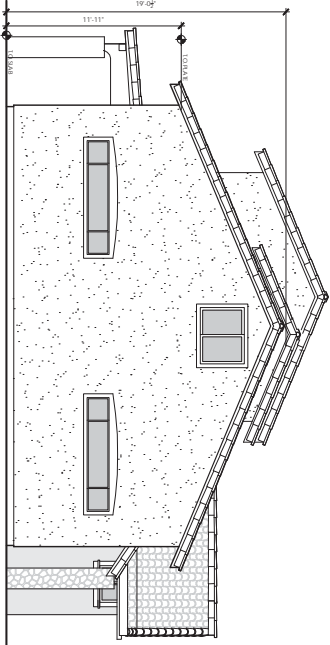
EXISTING EAST ELEVATION



EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION

EXISTING ELEVATIONS

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

VALERIE HART RESIDENTIAL DESIGN

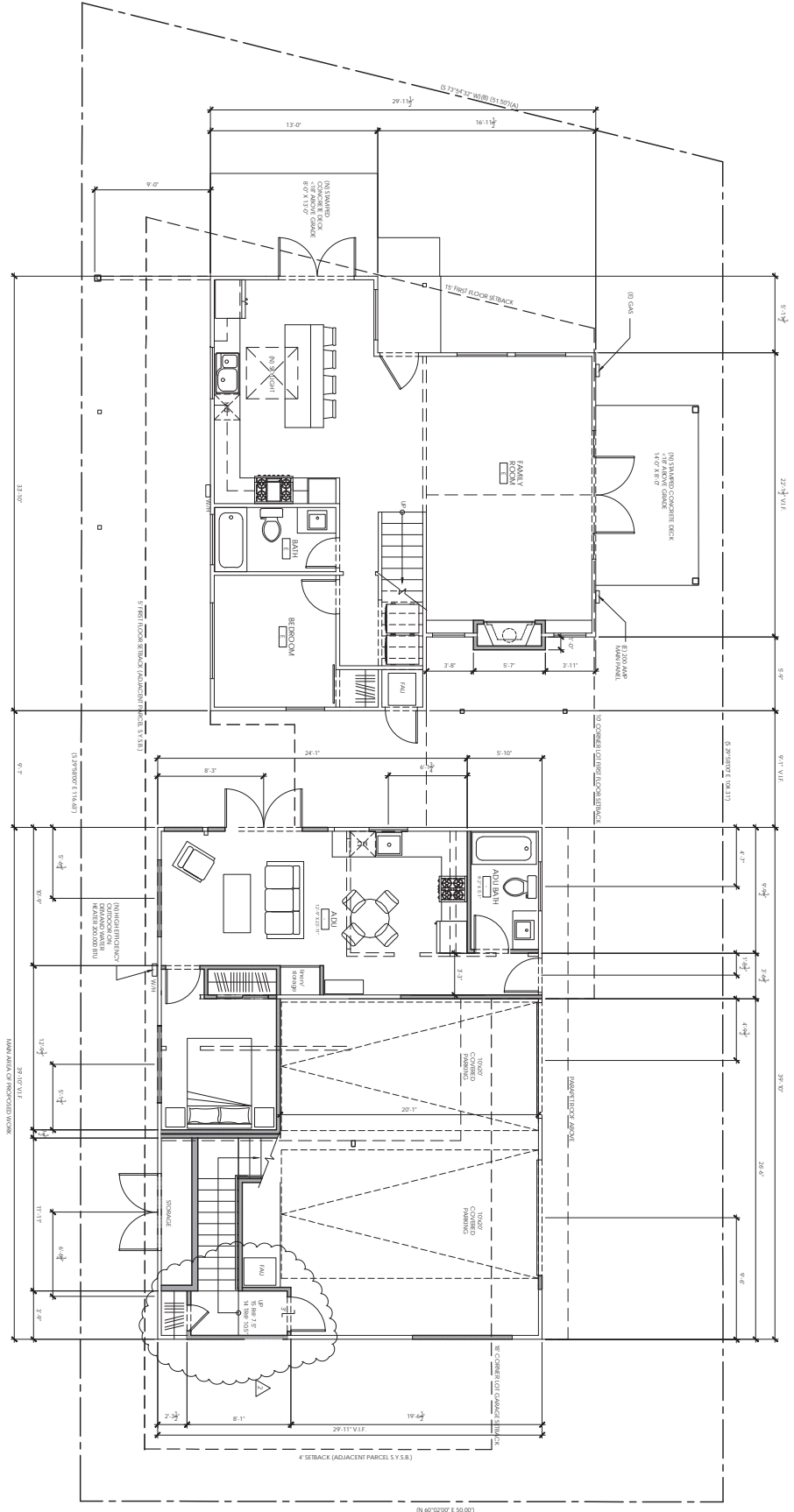
3680 N. ROSE GILICH RD. SOLO, CA 95073
(831) 238-1609 valerie@560d2@yahoo.com

meserve residence

511 escalona drive, capitola, ca 95010
apric 036-175-02

PLANNING SUBMITTAL: FEBRUARY 08, 2019
PLAN CHECK ONE: MAY 24, 2019

SHEET: A5



PROPOSED LOWER FLOOR PLAN

WALL LEGEND

	EXISTING STUD WALL
	NEW 2x4 STUD WALL
	NEW 2x6 STUD WALL

PROPOSED LOWER FLOOR PLAN

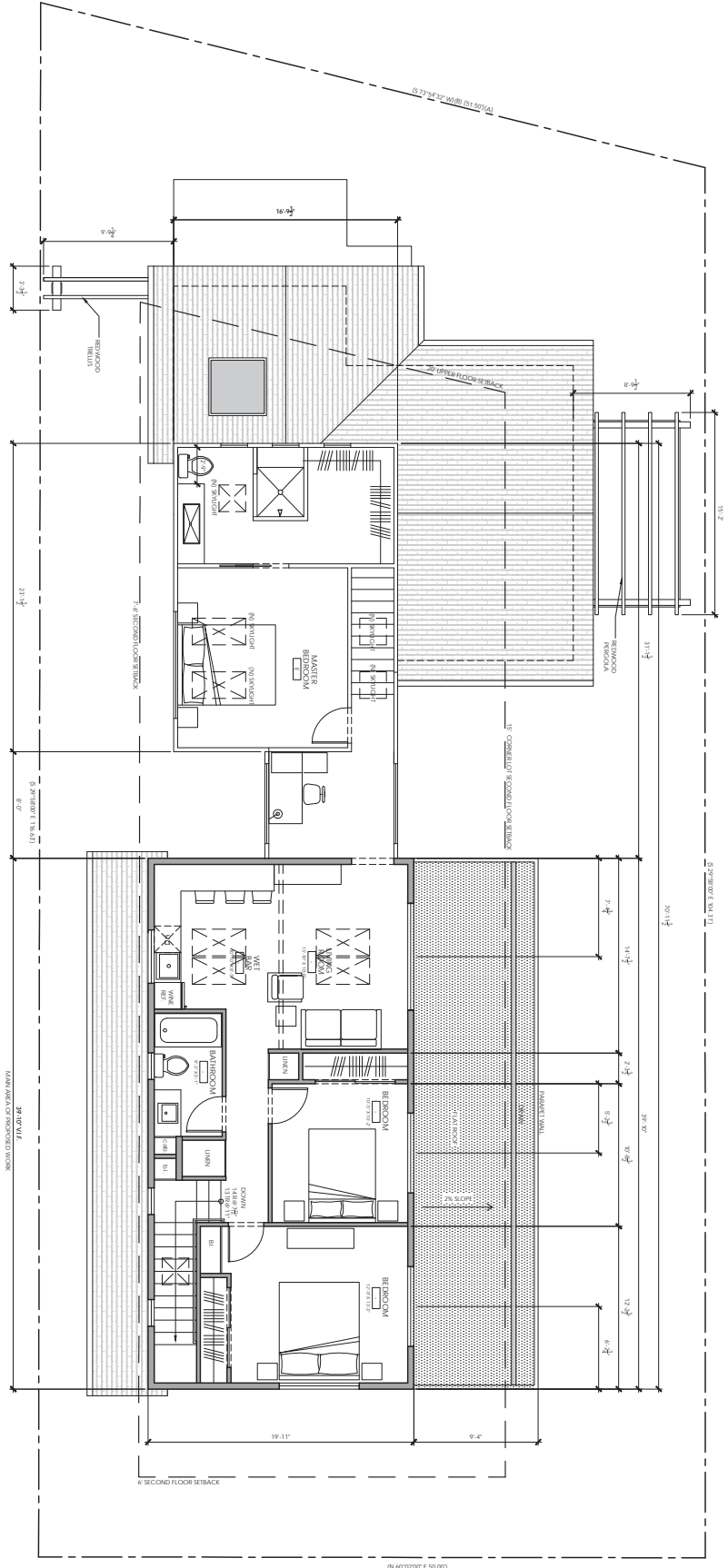
SCALE: 1/4" = 1'-0"

VALERIE HART RESIDENTIAL DESIGN
 3600 N. ROBERT GILBERT ROAD, SUITE 100, CA 95073
 (916) 739-1609 valerie@vhrt.com

meserve residence
 511 escalona drive, carrollton, ca 95010
 aprn: 036-125-02

REVISIONS:
 1. PLANNING SUBMITTAL: FEBRUARY 08, 2019
 2. PLAN CHECK ONE: MAY 24, 2019
 3. ARCH. & SET COMMENTS: JULY 01, 2019

SHEET: **A6**



PROPOSED UPPER FLOOR PLAN

PROPOSED UPPER FLOOR PLAN

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

VALERIE HART RESIDENTIAL DESIGN
 3680 N. ROSE GIL CIL RD SCOTTI, CA 95073
 (831) 239-1609 valerie@5f6d2@yahoo.com

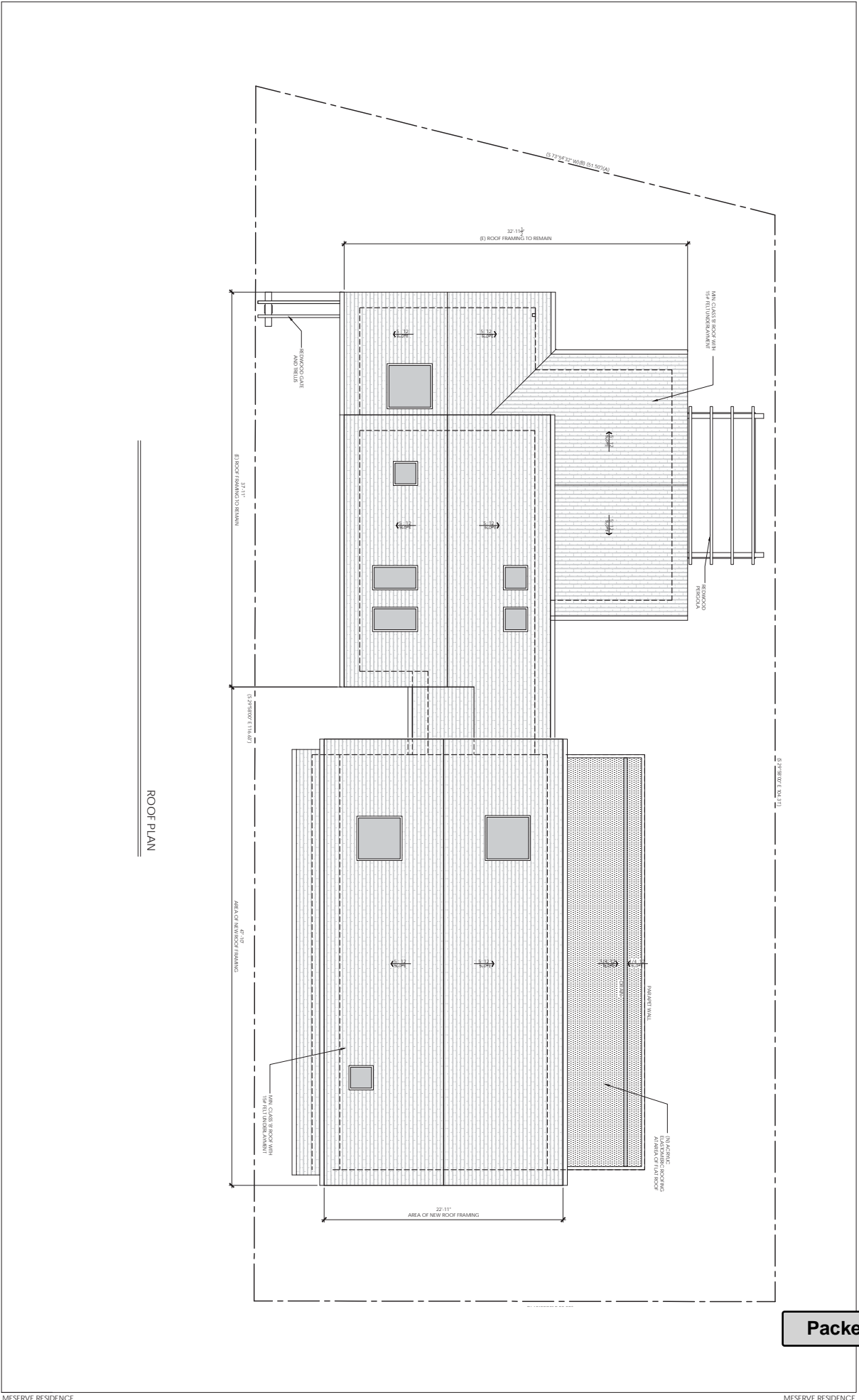
meserve residence
 511 escalona drive, carrolla, ca 95070
 aprn: 036-175-02

PLANNING SUBMITTAL: FEBRUARY 08, 2019
 PLAN CHECK ONE: MAY 24, 2019

SHEET: **A7**

NOTE: FINISH LINES AND STRUCTURAL DIMENSIONS SHOWN

WALL LEGEND	
	EXISTING STUD WALL
	NEW 2x4 STUD WALL
	NEW 2x6 STUD WALL



ROOF PLAN

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

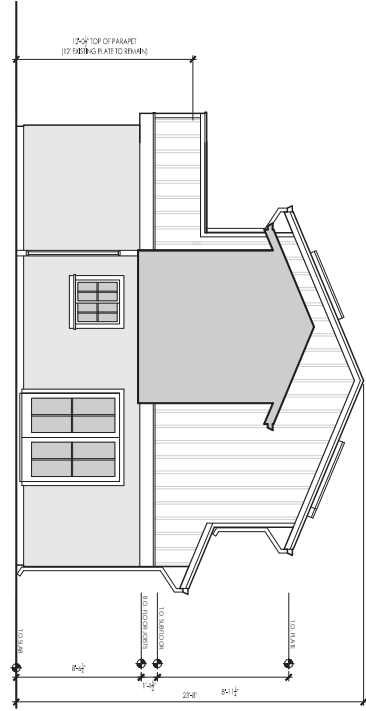


VALERIE HART RESIDENTIAL DESIGN
 3680 N. ROSE GILICH RD SOQUEL, CA 95073
 (831) 239-1609 valerie@95062@yahoo.com

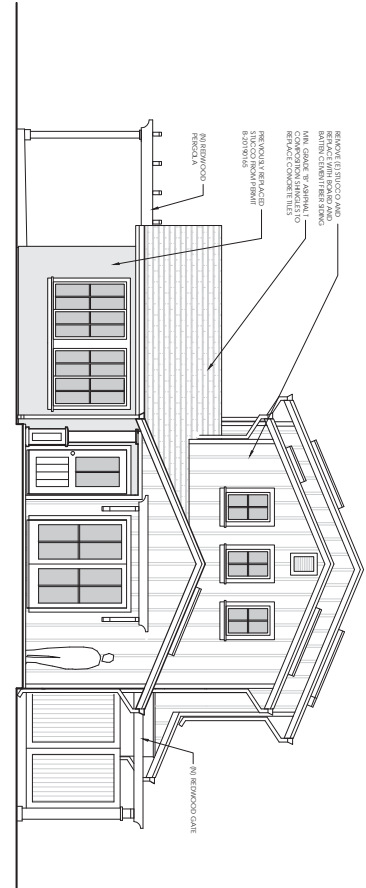
meserve residence
 511 escalona drive, capitola, ca 95010
 apn: 036-175-02

PLANNING SUBMITTAL: FEBRUARY 08, 2019
 PLAN CHECK ONE: MAY 24, 2019

SHEET: A8



PROPOSED NORTH ELEVATION AT CORRIDOR



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION

PROPOSED ELEVATIONS

SCALE: 3/4\"/>

VALERIE HART RESIDENTIAL DESIGN

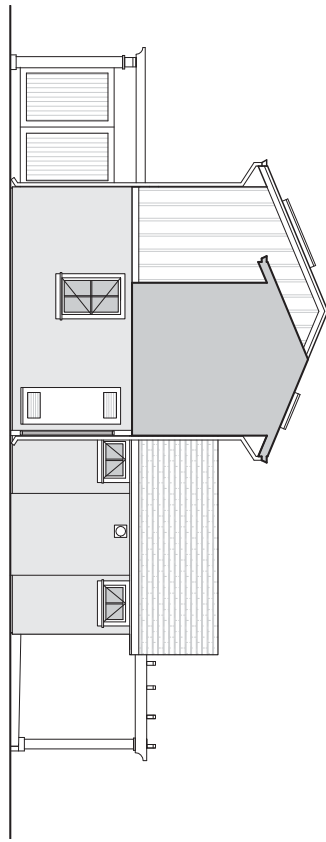
3680 N. ROBERTO GILICH RD. SOQUEL, CA 95073
(831) 239-1609 valerie@5f6d2@yahoo.com

meserve residence

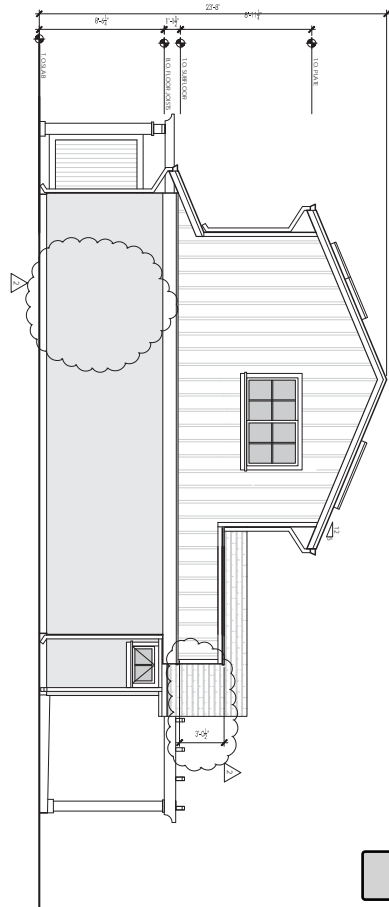
511 escalona drive, carrolton, ca 95010
apn: 036-125-02

PLANNING SUBMITAL: FEBRUARY 08, 2019
PLAN CHECK ONE: MAY 24, 2019
ARCH & SET COMMENTS: JULY 01, 2019

SHEET: A9



PROPOSED SOUTH ELEVATION AT CORRIDOR



PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION

PROPOSED ELEVATIONS

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

VALERIE HART RESIDENTIAL DESIGN

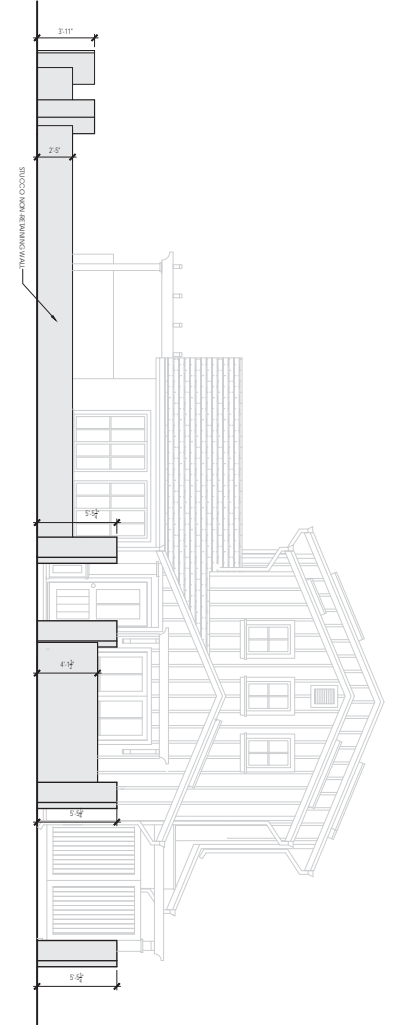
3607 AL ROBERTSON RD SOQUEL, CA 95073
(831) 239-1609 valerie@95062@yahoo.com

meserve residence

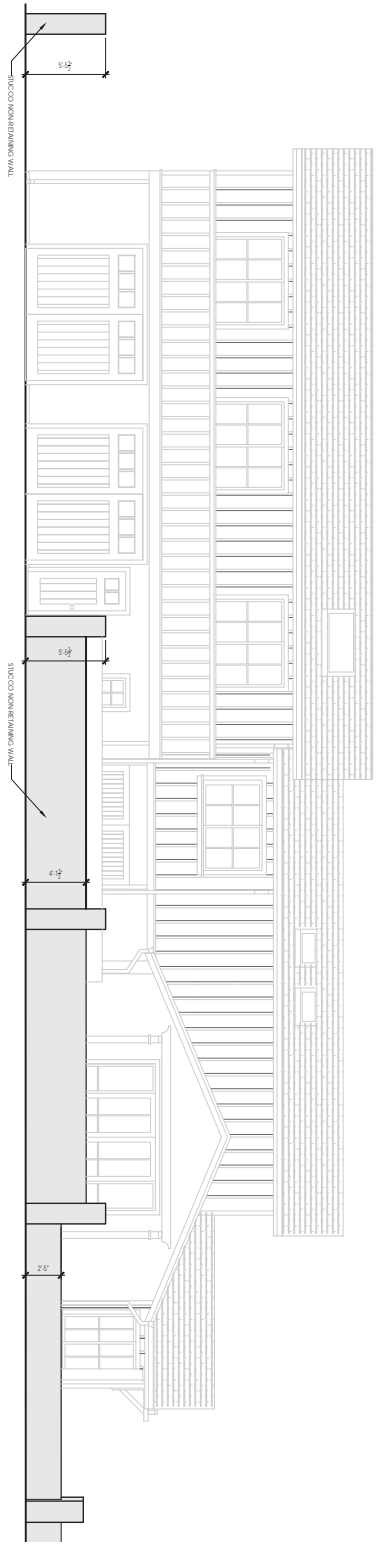
511 escalona drive, carrolton, ca 95010
apnr: 036-175-02

PLANNING SUBMITTAL: FEBRUARY 08, 2019
PLAN CHECK ONE: MAY 24, 2019
ARCH. & SET COMMENTS: JULY 01, 2019

SHEET: A10



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION

PROPOSED ELEVATIONS- SITE WALL

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

VALERIE HART RESIDENTIAL DESIGN

36481 N. ROBERT GIL CH RD SOQUEL, CA 95073
(831) 239-1609 valerie@95062@yahoo.com

meserve residence

511 escalona drive, carlisle, ca 95010
apn: 036-175-02

PLANNING SUBMITAL: FEBRUARY 08, 2019
PLAN CHECK ONE: MAY 24, 2019

SHEET

511 Escalona Drive
 Capitola, CA 95010

Design Permit: #19-0165

Construction Cost Breakdown

Existing Building Costs:

Existing Residence:	1,225 sq.ft. @ \$200/ sq.ft. =	\$245,000
Existing Office:	430 sq.ft. @ \$200/sq.ft. =	\$86,000
Existing Workshop:	680 sq.ft. @ \$90/sq.ft.=	\$61,200
Existing Garage:	772 sq.ft. @ \$90/sq.ft.=	\$64,980

Total Existing Value: \$457,180

80% of total Existing Value: \$365,744

New Construction Costs

New conditioned space:	949 sq.ft. @ \$200/ sq.ft. =	\$189,800
New garage:	0 sq.ft. @ \$200/sq.ft. =	n/a
New deck:	229 sq.ft. @ \$25/sq.ft.=	\$5,725

Remodel Costs

Remodel conditioned space:	700 sq.ft. @ \$100/ sq.ft. =	\$70,000
Remodel garage:	32 sq.ft. @ \$45/sq.ft. =	\$1,445

Total Construction/Remodel Cost: \$266,970 (58%)